

M E M O R A N D U M

DATE: January 12, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0152-XA – Appeal Period Expired

The appeal period for the above-referenced cases expired on January 7, 2021. 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: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(8106 Harford Road)**

9th Election District

6th Council District

Prism Realty Enterprises, LLC

Legal Owner

DaShawn Bailey

Lessee

Petitioners

*

BEFORE THE

*

OFFICE OF

*

ADMINISTRATIVE HEARINGS

*

FOR BALTIMORE COUNTY

*

Case No: 2020-0152-XA

*

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 8106 Harford Road (the "Property"). The Petitions were filed on behalf of Prism Realty Enterprises, LLC, and legal owner, and DaShawn Bailey, lessee of the Property ("Petitioners"). The Special Exception petition seeks relief from § 230.3 of the Baltimore County Zoning Regulations ("BCZR"), to allow the use of a service garage. The Petition for Variance seeks relief from BCZR, §409.4.A to allow two-way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft. minimum.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Appearing in support of the Petitions were Mr. Apostolo, a member of Prism Realty Enterprises, LLC, and DaShawn Bailey, the tenant of the service garage. Patrick Richardson, Jr., P.E. appeared on behalf of the Petitioners and prepared the site plan (the "Site Plan"). (Pet. Ex. 1). There were no Protestants in attendance.

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Date

12/8/20

By

D. Mignon

Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability by a report dated July 15, 2020 who did not oppose the requested relief. Department of Planning ("DOP") submitted comments dated July 31, 2020 and did not oppose the requested relief, subject to proposed conditions as contained therein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Property is approximately one-third (1/3) of an acre and fronts on Harford Rd. in Parkville. The Property is located in a Commercial Revitalization District and is zoned business-light, with a commercial community core district overlay (BL-CCC). It contains a two-story building with retail on the first floor. (Pet. Ex. 2). The building was constructed in or around 1956 and was used as a doctor's office along with 4 apartments on the second floor. In 1999, Mr. Apostolo obtained a building permit to construct a one-story garage behind the retail building. As part of the permit process, he also installed a fence on the north-western end of the Property and planted a buffer of trees/shrubs to shield the Property from nearby residences.

Since December of 2016, Mr. Apostolo has rented the garage to DaShawn Bailey ("Mr. Bailey"). Mr. Bailey is self-employed and operates an automobile detailing business. The garage is open Monday-Saturday between the hours of 8:30-5:30. The garage is clean, well-organized with space for only one (1) automobile at a time. (Pet. Ex. 3). To clean the automobiles brought into the garage, Mr. Bailey uses vacuum cleaners, a hose, as well as standard, household cleaning supplies. There is a parking lot behind the garage with striped spaces, where customers park. There is no mechanical or repair-type work being conducted in the garage; no excessive noise from machines or otherwise.

A narrow driveway is shared between the Property and the adjacent businesses located at 8108 Harford Rd. It provides access to the rear from Harford Rd. As depicted on the Site Plan,

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the driveway entrance measures 15 ft. wide; one-half (1/2) of which is located within the Property boundary. Charles P. Challandes, Jr., who owns the property at 8108 Harford Rd., provided a letter in support of the requested relief. (Pet. Ex. 4). In addition, a concrete sidewalk and steps traverse along the north-eastern Property line and consume part of the Petitioners' half of the drive aisle, thereby reducing the width. Mr. Richardson testified that this narrow width allows only one vehicle to pass at a time. The Property is an elongated, rectangle and was developed before the BCZR was enacted.

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.

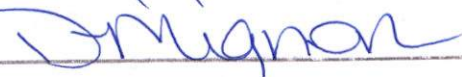
Based on the record evidence in this case as above, I find that the requested service garage use meets all of the factors set forth in BCZR, §502.1. The garage will not be used for mechanical or automotive repair. Mr. Bailey's automotive detailing business will not adversely affect the health, safety or general welfare of the locality. This detailing garage will not have any adverse impacts at this particular location above and beyond those inherently associated with a service garage use. I find that this proposed use will not: create congestion in the roads; create hazards from fire or other danger; overcrowd the land; interfere with public improvements; be detrimental to impervious surfaces or to the environment.

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VARIANCE

The general rule is that “the authority to grant a variance should be exercised sparingly and only under exceptional circumstances.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. 43, 71(2007). This is because “a variance is an authorization for that which is prohibited by a zoning ordinance.” *Cromwell v. Ward*, 102 Md. App. 691, 699 (1995). And because “citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations.” *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). Therefore, “[t]he burden is on the applicant to show facts to warrant a variance,” and “the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. at 70.

Under BCZR, §307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, summarized as follows:

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

Cromwell v. Ward, supra. Finally, “unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship.” *Mueller, supra*, 177 Md. App. at 70.

With regard to the uniqueness factor, the north-eastern Property boundary only extends to one-half of the already undersized, 15 ft. shared driveway. Both building facades immediately abut the drive aisle on either side of the shared driveway. Adding this uniqueness, the

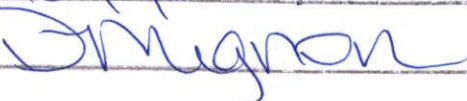
Petitioners’ one-half of the drive aisle is consumed with a concrete sidewalk and steps which

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12/8/20

By



further reduce its drive width. Because the building and driveway were constructed prior to the 20 ft. width requirement for two-way drive aisles as set forth in BCZR, the Petitioners would suffer a practical difficulty and unreasonable hardship if the variance was denied because the driveway is the only access for customers accessing the garage from Harford Rd. Indeed, the Department of Planning's recommendation in its ZAC Comments dated July 31, 2020, for the installation of "slow" signs to warn drivers that vehicles must pass one at a time, are a practical and reasonable solution.

With regard to the Department of Planning Recommended Condition No. 4, BCZR, §405A.1 does not apply in this case because it covers damaged and disabled vehicles being stored for the purpose of repair. The proposed use here is limited to cleaning operable vehicles which are removed by their owners once completed. It does not involve the mechanical repair of vehicles. Further, all cleaning/detailing work is conducted inside the garage and/or on the parking lot behind the garage. For this reason, and because the Property already contains a fence and vegetative buffer on the north-western Property line, the Petitioners will not need to comply with BCZR, §405.A.1.

Finally, Mr. Richardson brought to my attention that, in light of filing the instant case, the rear commercial parking lot of the Property (which is within 25 ft. of a residential zone boundary as described in BCZR, §250.6) should also be approved for use in connection with the service garage. I find this additional request to be both reasonable and necessary as part of the relief requested herein.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this day 8th of **December, 2020** that the Petition for Special Exception to permit pursuant to BCZR, §203.3 to allow the use of a service garage on the property be, and it is

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Date

12/8/20

By

[Signature]

hereby, GRANTED; and

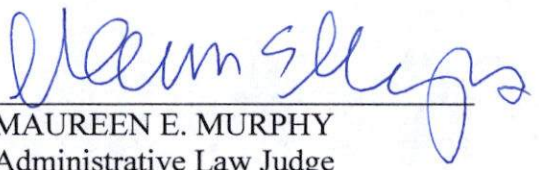
IT IS FURTHER ORDERED that the request for approval of the commercial parking lot in the rear of the Property for use in connection with the service garage and retail building be, and it is hereby, GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance from BCZR, §409.4.A to allow two way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft. minimum be, and it is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Prior to issuance of permits, Petitioners must comply with the ZAC comments made by the DOP (except for Recommendation No. 4 with regard to compliance with BCZR, §405A.1), a copy of which is attached hereto and made a part hereof.

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


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING

Date 12/8/20
By D. Mignan

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

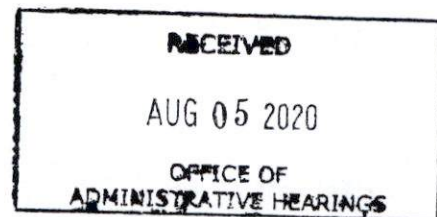
DATE: 7/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-152

INFORMATION:

Property Address: 8106 Harford Road
Petitioner: Prism Realty Enterprises, LLC
Zoning: BL-CCC
Requested Action: Special Exception, Variance



The Department of Planning has reviewed the petition for a Special Exception per Section 230.3 to allow the use of a service garage on the property and a Variance per Section 409.4.A to allow two way traffic in an existing driveway with a width of 15 feet in lieu of the required 20 foot minimum.

A site visit was conducted on 7/16/2020. The site is a two story building that fronts on Harford Road and is currently used for retail purposes on the first floor. To the rear of the site is a separate garage structure and a small parking area. This area is accessed by a driveway from Harford Road. Harford Road is located within a Commercial Revitalization District in which the County is working to reinvigorate small businesses and help them with exterior improvements.

The Department of Planning does not object to this request provided the following conditions are met:

1. All repairs and car storage shall take place in the rear building/parking area.
2. The drive isle shall be clearly posted that it is one way at a time with "slow" signs posted
3. Any new signage indicating the new use shall be submitted to the Department of Planning for review and approval at the time of permit issuance.
4. The rear lot should be screened as per Section 405A.1 of the Baltimore County Zoning Regulations.

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

Prepared by:

Division Chief:

Krystle Patchak

Jenifer G. Nugent

By

Date: 7/31/2020
Subject: ZAC # 20-152
Page 2

CPG/JGN/kma/

c: Laurie Hay
Patrick C. Richardson, Jr., Richardson Engineering, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 12/8/20
By DMignon



PETITION FOR ZONING | ARING(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 8106 Harford Road which is presently zoned BL-CCC

Deed References: 35179/228 10 Digit Tax Account # 0902851090

Property Owner(s) Printed Name(s) Prism Realty Enterprises, LLC

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

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

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

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

See Attached

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

See Attached

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

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:

DaShawn Bailey
Name- Type or Print

D. Bailey
Signature

8106 Harford Road Baltimore MD
Mailing Address City State

21234 / 443-205-5549 / dmansdetailing@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):

PrismRealty Enterprises, LLC/

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

Sharon J. Denees, member
Signature #1 Signature #2

12011 Tralee Road, Suite 302 Timonium MD
Mailing Address City State

21093 / 443-253-4680 / docdimitri@aol.com
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 2020-0152-XA Filing Date 7/6/2020

Do Not Schedule Dates: Reviewer gh

Zoning Relief for 8106 Harford Road

Special Exception:

Per Section 230.3 to allow the use of a service garage on the property

Variance:

Per Section 409.4.A to allow two way traffic in an existing driveway with a width of 15' in lieu of the required 20' minimum.

Zoning Relief for 8106 Harford Road

Special Exception:

Per Section 230.3 to allow the use of a service garage on the property

Variance:

Per Section 409.4.A to allow two way traffic in an existing driveway with a width of 15' in lieu of the required 20' minimum.

2020-0152-XA

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: (410) 560-1502
Fax: (443) 901-1208

**ZONING PROPERTY DESCRIPTION FOR
8106 HARFORD ROAD
9th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point 155 feet +/- Northeast of the intersection of Harford Road and Maple Avenue then the following bearings and distances (1) North 38 degrees 22 minutes East 50.00 feet, (2) North 40 degrees 28 minutes West 294.50 feet, (3) South 38 degrees 22 minutes West 50.00 feet, (4) South 40 degrees 28 minutes East 294.50 feet to the point of beginning.

Containing a net area of 13,893 square feet or 0.32 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



2020-0152-XA



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 24, 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0152-XA

8106 Harford Road

Northwest of Harford Road, southwest of Dubois Avenue

9th Election District – 6th Councilmanic District

Legal Owners: Prism Realty Enterprises, LLC

Contract Purchaser/Lessee: DaShawn Bailey

Special Exception to allow the use of a service garage on the property. Variance to allow two way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft.

Hearing: Thursday, October 29, 2020 at 1:30 p.m.

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

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

Michael Mallinoff
Director

MM:kl

C: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
DaShawn Bailey, 8106 Harford Road, Baltimore 21234
Prism Realty Enterprises, 12011 Tralee Road, Ste. 302, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 9, 2020

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Page 1 of 1

PUBLISHER'S AFFIDAVIT

Order #: 11934240

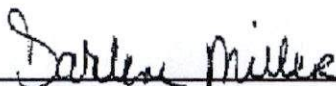
Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0152-XA

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:

11/13/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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CASE NUMBER: 2020-0152-XA

8106 Harford Road

Northwest of Harford Road, southwest of Dubois Avenue

9th Election District - 6th Councilmanic District

Legal Owners: Prism Realty Enterprises, LLC

Contract Purchaser/Lessee: DaShawn Bailey

Special Exception to allow the use of a service garage on the property. Variance to allow two way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft.

Hearing: Thursday, December 3, 2020 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. 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 of Permits, Approvals and Inspections for Baltimore County

n13

RECEIVED

NOV 24 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING



2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____
Prism Realty Enterprises, LLC.
DaShawn Bailey

December 3, 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:

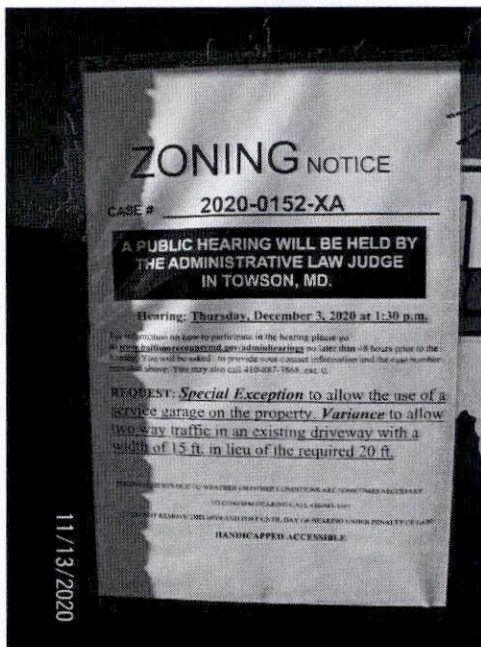
Ladies and Gentlemen:

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: _____

8106 Harford Road **SIGN 1**

November 13, 2020

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



Sincerely,

 November 13, 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____
Prism Realty Enterprises, LLC.
DaShawn Bailey

December 3, 2020
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

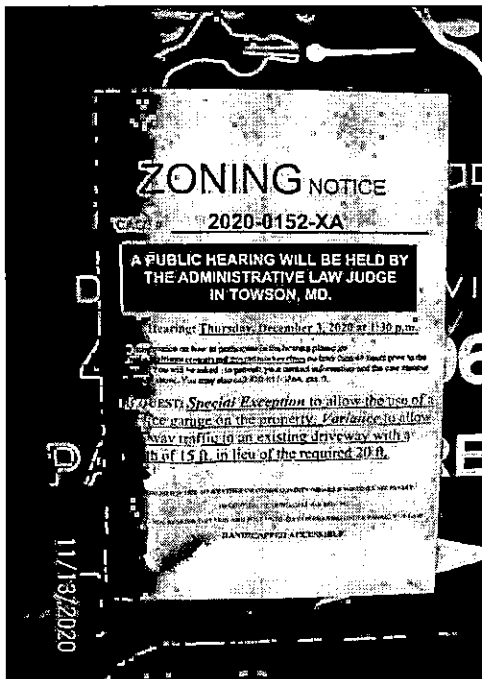
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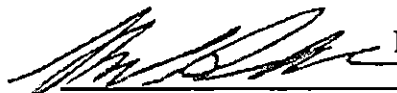
8106 Harford Road **SIGN 2**

November 13, 2020

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



Sincerely,

 November 13, 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____

Prism Realty Enterprises, LLC.

DaShawn Bailey

December 3, 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:

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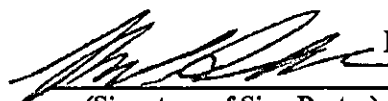
8106 Harford Road Group

November 13, 2020

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



Sincerely,

 **November 13, 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____

Prism Realty Enterprises, LLC.

DaShawn Bailey

October 29, 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:

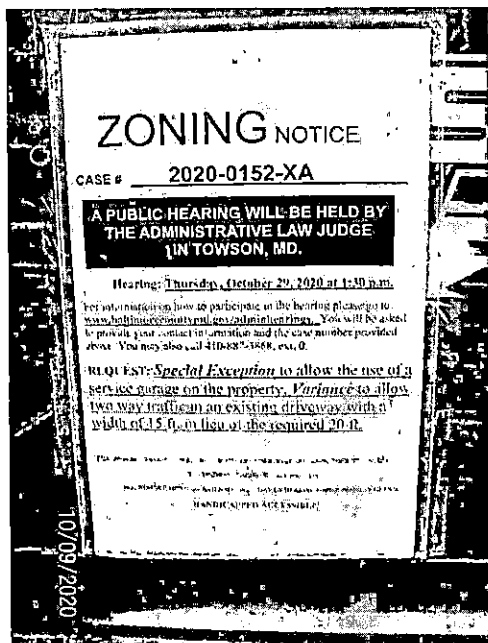
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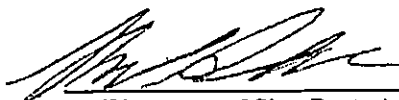
8106 Harford Road **SIGN 1**

October 9, 2020

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



Sincerely,

 October 9, 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____

Prism Realty Enterprises, LLC.

DaShawn Bailey

October 29, 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:

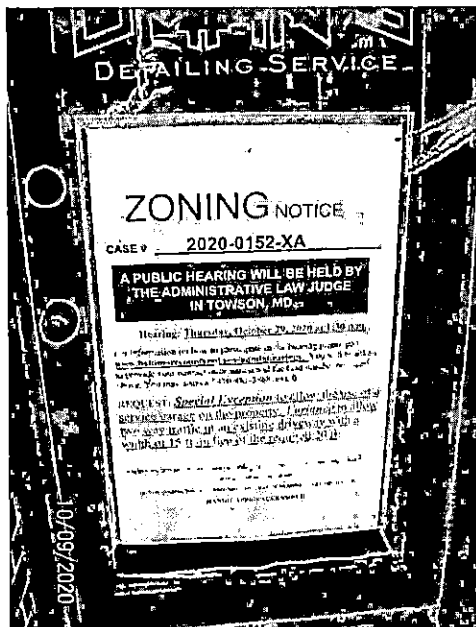
Ladies and Gentlemen:

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8106 Harford Road **SIGN 2**

October 9, 2020

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



Sincerely,

October 9, 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____

Prism Realty Enterprises, LLC.

DaShawn Bailey

October 29, 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: _____

8106 Harford Road Group

October 9, 2020

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



Sincerely,

 **October 9, 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)



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 24, 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0152-XA

8106 Harford Road
Northwest of Harford Road, southwest of Dubois Avenue
9th Election District – 6th Councilmanic District
Legal Owners: Prism Realty Enterprises, LLC
Contract Purchaser/Lessee: DaShawn Bailey

Special Exception to allow the use of a service garage on the property. Variance to allow two way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft.

Hearing: Thursday, October 29, 2020 at 1:30 p.m.

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

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

Michael Mallinoff
Director

MM:kl

C: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
DaShawn Bailey, 8106 Harford Road, Baltimore 21234
Prism Realty Enterprises, 12011 Tralee Road, Ste. 302, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 9, 2020

TO: THE DAILY RECORD
Friday, October 9, 2020 - Issue

Please forward billing to:
DaShawn Bailey
8106 Harford Road
Baltimore, MD 21234

443-205-5549

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0152-XA

8106 Harford Road

Northwest of Harford Road, southwest of Dubois Avenue

9th Election District – 6th Councilmanic District

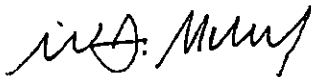
Legal Owners: Prism Realty Enterprises, LLC

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
8106 Harford Road; NW/S of Harford Road,	*	OF ADMINISTRATIVE
173' SW of c/line of Dubois Avenue		
9 th Election & 6 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner: Prism Realty Enterprises LLC		
Contract Purchaser(s): DaShawn Bailey	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2020-152-XA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of July, 2020, a copy of the foregoing Entry of Appearance was emailed to Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Rick@richardsonengineering.net, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 2020-D152-XA

Petitioner: DASHAWN BAILEY

Address or Location: 8106 HARFORD RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DASHAWN BAILEY

Address: 8106 HARFORD RD
BALT, MD 21234

Telephone Number: 443-205-5549

Revised 2/20/98 - SCJ



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 19, 2020

Richardson Engineering LLC,
30 E. Padonia Road
Timonium MD 21093

RE: Case Number: 2020-0152-XA, 8106 Harford Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 06, 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 phrase "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-152

INFORMATION:

Property Address: 8106 Harford Road
Petitioner: Prism Realty Enterprises, LLC
Zoning: BL-CCC
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a Special Exception per Section 230.3 to allow the use of a service garage on the property and a Variance per Section 409.4.A to allow two way traffic in an existing driveway with a width of 15 feet in lieu of the required 20 foot minimum.

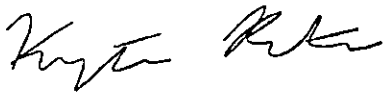
A site visit was conducted on 7/16/2020. The site is a two story building that fronts on Harford Road and is currently used for retail purposes on the first floor. To the rear of the site is a separate garage structure and a small parking area. This area is accessed by a driveway from Harford Road. Harford Road is located within a Commercial Revitalization District in which the County is working to reinvigorate small businesses and help them with exterior improvements.

The Department of Planning does not object to this request provided the following conditions are met:

1. All repairs and car storage shall take place in the rear building/parking area.
2. The drive isle shall be clearly posted that it is one way at a time with "slow" signs posted
3. Any new signage indicating the new use shall be submitted to the Department of Planning for review and approval at the time of permit issuance.
4. The rear lot should be screened as per Section 405A.1 of the Baltimore County Zoning Regulations.

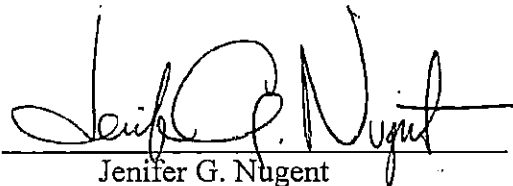
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

Date: 7/31/2020
Subject: ZAC # 20-152
Page 2

CPG/JGN/kma/

c: Laurie Hay
Patrick C. Richardson, Jr., Richardson Engineering, LLC
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: July 15, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0152-XA
Address 8106 Harford Road
(Prism Realty Enterprises, LLC
Property)

Zoning Advisory Committee Meeting of **July 20, 2020.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

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Prepared by:

Krystle Patchak

Division Chief:

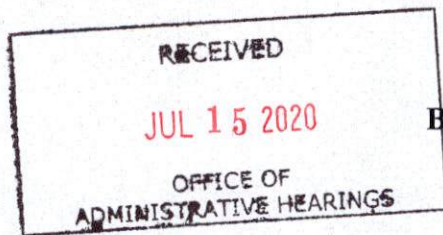
Jenifer G. Nugent

RECEIVED
JAN 10 1964
OFFICE OF
GENERAL INVESTIGATION

Date: 7/31/2020
Subject: ZAC # 20-152
Page 2

CPG/JGN/kma/

c: Laurie Hay
Patrick C. Richardson, Jr., Richardson Engineering, LLC
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
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Property)

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Reviewer: Steve Ford

PCL XL error

Warning: IllegalMediaSource

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

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

October 14, 2020

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

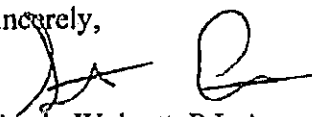
Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for Special Exception variance on the subject of the Case number referenced below, which was received on October 9, 2020. A field inspection and internal review reveals that an entrance onto MD 147 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception variance, Case Number 2020-0152-XA.

Prism Realty Enterprises LLC
Suite 302
12011 Trallee Rd.
Lutherville-Timonium, Maryland 21093

Should you have any questions regarding this matter feel free to contact Steven Autry at 410-229-2335 by using our toll-free number in Maryland only at 1-800-735 2258 (x 2332) or via email at (sautry@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

WW/RAZ



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

NOTICE OF ZONING HEARING

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Northwest of Harford Road, southwest of Dubois Avenue

9th Election District – 6th Councilmanic District

Legal Owners: Prism Realty Enterprises, LLC

Contract Purchaser/Lessee: DaShawn Bailey

Special Exception to allow the use of a service garage on the property. Variance to allow two way traffic in an existing driveway with a width of 15 ft. in lieu of the required 20 ft.

Hearing: Thursday, December 3, 2020 at 1:30 p.m.

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

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

Michael Mallinoff
Director

MM:kl

C: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
DaShawn Bailey, 8106 Harford Road, Baltimore 21234
Prism Realty Enterprises, 12011 Tralee Road, Ste. 302, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 13, 2020

I've tried calling DeShawn Bailey for payment on Case #2020-0152-211 and get no answer and it says the voicemail is full so I can't leave a message. Do you have any other number to call. Why do people not clean out the voicemails....Ughh...

Thank you!

Darlene Miller

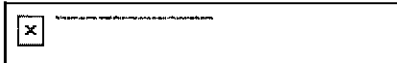
Public Notice Manager

The Daily Record • Baltimore, MD

O: 443-524-8188 • F: 410-558-6706

E: dmiller@thedailyrecord.com

200 St. Paul Place, Suite 2480, Baltimore, MD 21202



This message may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply email and delete this message. Thank you for your cooperation.

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Kristen L Lewis

From: Miller, Darlene <dmiller@thedailyrecord.com>
Sent: Thursday, October 08, 2020 11:36 AM
To: Kristen L Lewis
Subject: Fwd: Another full voicemail

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

Kristen,
I finally got someone to answer the phone for this case and the person said DeShawn Bailey was not anyone they knew and hung up on me. I've tried everything but unfortunately will have to pull this one.

Thank you!

Darlene Miller

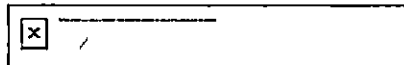
Public Notice Manager

The Daily Record • Baltimore, MD

O: 443-524-8188 • **F:** 410-558-6706

E: dmiller@thedailyrecord.com

200 St. Paul Place, Suite 2480, Baltimore, MD 21202



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----- Forwarded message -----

From: Miller, Darlene <dmiller@thedailyrecord.com>
Date: Tue, Oct 6, 2020 at 12:48 PM
Subject: Another full voicemail
To: Kristen Lewis <klewis@baltimorecountymd.gov>

Hi Kristen,

Donna Mignon

From: Donna Mignon
Sent: Monday, October 19, 2020 3:47 PM
To: Kristen L Lewis; Jenae Johnson
Subject: 2020-0152-XA - 10/29/2020 at 1:30 p.m.

Hi Guys,

I just tried calling you. I have that Kristen called on 10/13/2020 and said this was postponed.

Just double checking because Jenae brought the file over.

Please let me know because it is showing cancelled.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

ZAC AGENDA

Case Number: 2020-0152-XA **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION, VARIANCE
Legal Owner: Prism Realty Enterprises LLC
Contract Purchaser: DaShawn Bailey

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 6

Property Address: 8106 HARFORD RD

Location: North west side of Harford 173 feet South west of the center line of Dubois Ave.

Existing Zoning: BL -CCC

Area: .32 AC

Proposed Zoning:

SPECIAL EXCEPTION:

Per section 230.3 to allow the use of a service garage on the property.

VARIANCE:

Per section 409.4.A to allow two way traffic in an existing driveway with a width of 15' in lieu of the required 20' minimum.

Attorney: Not Available

Prior Zoning Cases: R-1952-2208

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

TO: THE DAILY RECORD
Friday, November 13, 2020 - Issue

Please forward billing to:

Patrick Richardson
Richardson Engineering
30 E. Padonia Avenue, Ste. 500
Timonium, MD 21093

410-560-1502

NOTICE OF ZONING HEARING

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

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Michael Mallinoff
Director

MM:kl

C: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
DaShawn Bailey, 8106 Harford Road, Baltimore 21234
Prism Realty Enterprises, 12011 Tralee Road, Ste. 302, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 13, 2020



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 8106 Harford Road which is presently zoned BL-CCC
 Deed References: 35179/228 10 Digit Tax Account # 0902851090
 Property Owner(s) Printed Name(s) Prism Realty Enterprises, LLC

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

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

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

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

See Attached

3. X a Variance from Section(s)

See Attached

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

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:

DaShawn Bailey
 Name- Type or Print
D. Bailey
 Signature

8106 Harford Road Baltimore MD
 Mailing Address City State

21234 / 443-205-5549 / dmansdetailing@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):

Prism Realty Enterprises, LLC
 Name #1 - Type or Print Managing Name #2 - Type or Print
Sharon J. Davis, Member
 Signature #1 Signature #2

12011 Tralee Road, Suite 302 Timonium MD
 Mailing Address City State

21093 / 443-253-4680 / doddimitri@aol.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
 Name - Type or Print
Richardson Engineering, LLC
 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 2020-0152-XA Filing Date 7/10/2020

Do Not Schedule Dates: Reviewer dh

Event Information

Event:	Zoning Hearing - 2020-0152-XA - 8106 Harford Road	Start Event:
Type:	Listed Event	You can:
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e3b9b1559cf5caf8abf552788646f41f1	event by
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e67ed58869183b40fc4977b60173d1175	Start Nov
Date and time:	Thursday, December 3, 2020 1:30 pm Eastern Standard Time (New York, GMT-05:00)	Start
Duration:	1 hour	
Description:	Zoning Hearing Case No: 2020-0152-XA Address: 8106 Harford Road Legal Owners: Prism Realty Enterprises, LLC Contract Purchaser/Lessee: DaShawn Bailey	Send Event:
Event number:	172 612 0923	You can:
Event password:	1234	emails by
Host key:	829199	Send Error
Alternate Host:	Deb Wiley ,Henry Akwah	Send
Panelist Info:		
Panelist password:		
Panelist numeric password:	379781	
Video Address:	1726120923@baltimorecountymd.webex.com You can also dial 173.243.2.68 and enter your meeting number.	
Audio conference:	US Toll +1-415-655-0001 Show all global call-in numbers Access code: 172 612 0923	
Maximum number of registrants:	10000	
Destination address after event:		
Host image:		
Attendee list available for viewing by:	Host, presenter and panelists only	
Event material:	None	
Post-event survey:	No	
Email configured:	Pending, Approved, Rejected	

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0152-XA - 8106 Harford Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ec265fca07879e846c7948d411816e832>
Start: Thu 12/3/2020 1:30 PM
End: Thu 12/3/2020 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 612 0923

Thursday, December 3, 2020 1:30 pm, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ec265fca07879e846c7948d41181>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e2797b7b96fe593fff62d51e345d8>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1726120923@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 379781

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e559b972014f96ea07b87a3d0707298ba>

Need help? Go to <http://help.webex.com>



Webex Events

[New User Reference](#)[\(https://help.webex.com/\)](https://help.webex.com/)[Attend an Event](#)[List of Events](#)[\(/ec3300/eventcenter/evertheAction=listevents_date&](/ec3300/eventcenter/evertheAction=listevents_date&)[Unlisted Events](#)[\(/ec3300/eventcenter/enrcsiteurl=baltimorecountymd](/ec3300/eventcenter/enrcsiteurl=baltimorecountymd)[Event Recordings](#)[\(/ec3300/eventcenter/recotheAction=archive\)](/ec3300/eventcenter/recotheAction=archive)[Search](#)[\(/ec3300/eventcenter/everiteurl=baltimorecountymd](/ec3300/eventcenter/everiteurl=baltimorecountymd)[Host an Event](#)[Schedule an Event](#)[\(/ec3300/eventcenter/scheactionType=schedule&serv](/ec3300/eventcenter/scheactionType=schedule&serv)

Event Deleted

You have successfully deleted the following event.

Event Information

Topic: Zoning Hearing - 8106 Harford Road
0152-XA

Host: Donna Mignon

Date and time: Thursday, October 29, 2020 1:30 pm
Eastern Daylight Time (New York, G

Location: <https://baltimorecountymd.webex.cc>

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Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 09 Account Number - 0902851090		
Owner Information		
Owner Name:	PRISM REALTY ENTERPRISES LLC	Use: COMMERCIAL
Mailing Address:	SUITE 302 12011 TRALEE RD LUTH-TIMONIUM MD 21093-	Principal Residence: NO Deed Reference: /35179/ 00228
Location & Structure Information		
Premises Address:	8106 HARFORD RD 0-0000	Legal Description: LT 7,8 149 N MAPLE AVE OSTER PLAT
Map: 0081	Grid: 0002	Parcel: 0296
Neighborhood: 20000.04	Subdivision: 0000	Block: 7
Assessment Year: 2020	Lot: 7	Plat No: 0007/ 0010
Town: None		
Primary Structure Built: 1948	Above Grade Living Area: 4,800 SF	Finished Basement Area: 14,700 SF
County Use: 06		
Stories: 1	Basement: 0	Type: OFFICE BUILDING
Exterior: /	Quality: C2	Full/Half Bath: 0
Garage: 0	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2020
		As of 07/01/2020
		As of 07/01/2021
Land:	258,500	258,500
Improvements:	169,800	177,200
Total:	428,300	435,700
Preferential Land:	0	0
Transfer Information		
Seller: PONYBOY REALTY LLC	Date: 07/21/2014	Price: \$425,000
Type: ARMS LENGTH IMPROVED	Deed1: /35179/ 00228	Deed2:
Seller: APOSTOLOU DIMITRIOS	Date: 03/30/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19807/ 00588	Deed2:
Seller: BURNS HAROLD H	Date: 06/27/1989	Price: \$170,000
Type: ARMS LENGTH IMPROVED	Deed1: /08211/ 00242	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	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:		

Donna Mignon

From: Donna Mignon
Sent: Monday, November 30, 2020 11:15 AM
To: 'Richardson, Patrick'
Subject: Case No: 2020-0152-XA 8106 Harford Road

Good Morning:

As you are aware, a virtual WebEx hearing has been scheduled for December 3, 2020 at 1:30 p.m. . You should have received an invitation in an email around November 5, 2020, that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at least two business days in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

12/3 1:30 pm

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, November 29, 2020 6:33 PM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2020-0197-A, 2020-0196-SPHA And 2020-0152-XA
Attachments: Re-Cert 1 2020-0197-A.doc; Re-Cert 2 2020-0197-A.doc; Re-Cert 1 2020-0196-SPHA.doc; Re-Cert 2 2020-0196-SPHA.doc; Re-Cert 1 2020-0152-XA.doc; Re-Cert 2 2020-0152-XA.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 1321 Seneca Road, 8728 Oakleigh Road, and 8106 Harford Road. Thanks.

CERTIFICATE OF POSTING

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____
Prism Realty Enterprises, LLC.
DaShawn Bailey

December 3, 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:

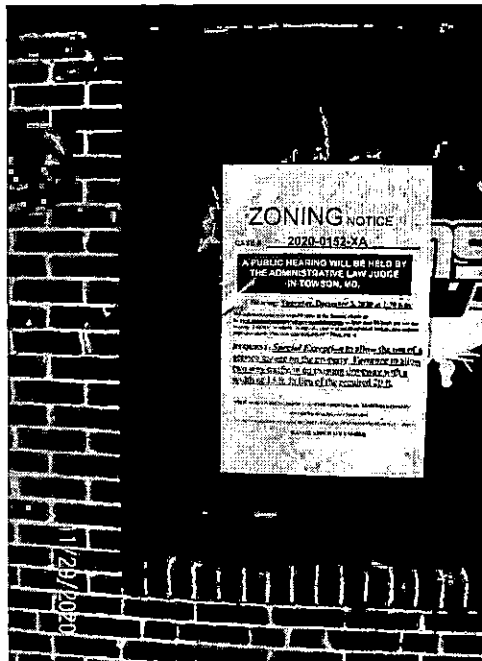
Ladies and Gentlemen:

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: _____

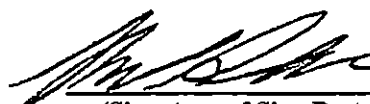
8106 Harford Road **SIGN 1 Recertification**

November 13, 2020

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



Sincerely,

 November 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

2020-0152-XA

RE: Case No.: _____

Petitioner/Developer: _____
Prism Realty Enterprises, LLC.
DaShawn Bailey

December 3, 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:

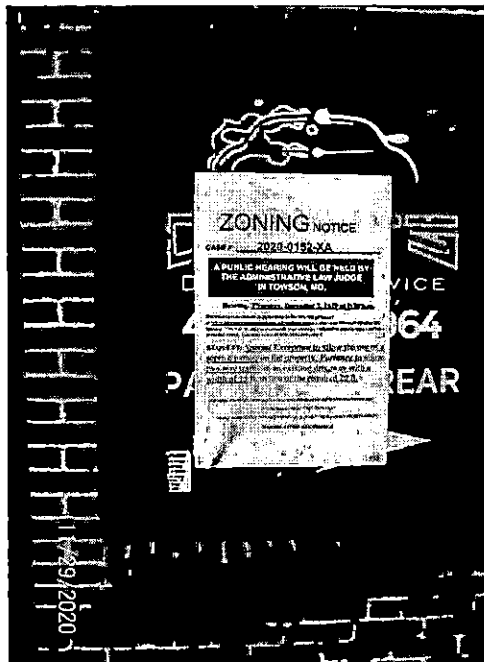
Ladies and Gentlemen:

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: _____

8106 Harford Road **SIGN 2 Recertification**

November 13, 2020

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



Sincerely,

November 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)



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 8106 Harford Road which is presently zoned BL-CCC
 Deed References: 35179/228 10 Digit Tax Account # 0902851090
 Property Owner(s) Printed Name(s) Prism Realty Enterprises, LLC

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

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

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

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

See Attached

3. X a Variance from Section(s)

See Attached

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

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:

DaShawn Bailey
 Name- Type or Print
D. Bailey
 Signature

8106 Harford Road Baltimore MD
 Mailing Address City State

21234 / 443-205-5548 / dmansdetailing@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):

Prism Realty Enterprises, LLC
 Name #1 - Type or Print Managing Name #2 - Type or Print
Sharon J. Davis, Member
 Signature #1 Signature #2

12011 Tralee Road, Suite 302 Timonium MD
 Mailing Address City State

21093 / 443-253-4680 / docdimitri@aol.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
 Name - Type or Print
Richardson Engineering, LLC
 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 2020-0152-XA Filing Date 7/30/2020

Do Not Schedule Dates: Reviewer dh

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☒	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Patrick Richardson, Jr.</u>	rick@richardsonengineering.net	1-	English	New York Time	U.S.
☒	<u>DaShawn Bailey</u>	dmansdetailing@gmail.com	1-	English	New York Time	U.S.
☒	<u>Sharon Danes</u>	doddimitri@aol.com	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number: Country/Region Number (with area/city code)Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)

Event Information

Event: Zoning Hearing - 8106 Harford Road - Case No: 2020-0152-XA
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/jnstage/g.php?MTID=eaeb6017fa4591a4eea992fb39b71f63d>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/jnstage/g.php?MTID=ef0b744bc476c667d5f1361a8f28bb01f>
Date and time: Thursday, October 29, 2020 1:30 pm
 Eastern Daylight Time (New York, GMT-04:00) **Start Event**
You can start the event by clicking the Start Now button.
Duration: 1 hour
Description: Zoning Hearing
 Case No: 2020-0152-XA
 Address: 8106 Harford Road
 Owners : Prism Realty Enterprises, LLC
 Contract Purchaser: DaShawn Bailey **Send Email**
You can send emails by clicking the Send Email button.
Event number: 172 934 0777
Event password: 1234
Host key: 607379
Alternate Host: Deb Wiley, Henry Ayakwah **Send Email**
You can send emails by clicking the Send Email button.
Panelist Info:
Panelist password:
Panelist numeric password: 197908
Video Address: 1729340777@baltimorecountymd.webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
 +1-415-655-0001
[Show all global call-in numbers](#)
 Access code: 172 934 0777
Maximum number of registrants: 10000
Destination address after event:
Host Image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

[Manage Registrations](#)[Delete Event](#)[Edit Event](#)

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 8106 Harford Road - Case No: 2020-0152-XA
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edefe9039c7ade73e44786414d31d229c>
Start: Thu 10/29/2020 1:30 PM
End: Thu 10/29/2020 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 934 0777

Thursday, October 29, 2020 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edefe9039c7ade73e44786414d31d229c>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8cd8e00b0f1eb5e44c60f8732c0b1d229c>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1729340777@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 197908

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e5aca7fdd34cca2290688a2a631dbece4>

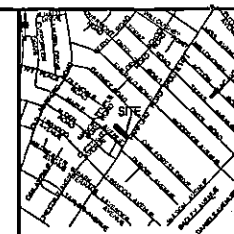
Need help? Go to <http://help.webex.com>

Case 2020-0152-XA, 8106 Harford Road

Exhibit 1	Site Plan
Exhibit 2	Aerial Map
Exhibit 3	Pictures of site
Exhibit 4	Letter of Support

190
1-12-21

12/8/20
Dm.



LOCATION MAP

GENERAL NOTES:

- [illegible]

Richardson Engineering, LLC

30 East Podorik Road, Suite 505
Termonium, Maryland 21083
Phone: 410-560-1502 Fax: 443-801-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
PRISM REALTY
ENTERPRISES, LLC
8106 HARFORD ROAD

BALTIMORE COUNTY
9TH ELECTION DISTRICT

9TH COUNCILMANIC DISTRICT

DATE: 08-11-90	JOB NO.: 00045	SCALE: 1" = 20'
----------------	----------------	-----------------

PETITIONER' S

EXHIBIT NO.

Baltimore County Government, Harford County Government, VITA, Earl, HERE, Garmin, INCREMENT

EXHIBIT NO. 2



Inside detail shop area

PETITIONER'S

EXHIBIT NO.

3



Picture of access road to parking area in rear

November 30, 2020

Mr. Paul N. Mayhew, Managing Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

Subject: 8106 Harford road – 2020-0152-XA

Dear Mr. Mayhew:

I have reviewed the proposed zoning petition and plan for this property and offer full support for the relief that they are seeking.

I own the property next door and share the driveway with the petitioners. They are great neighbors and we have no issues with the business or operation of the property.

Very Truly Yours,



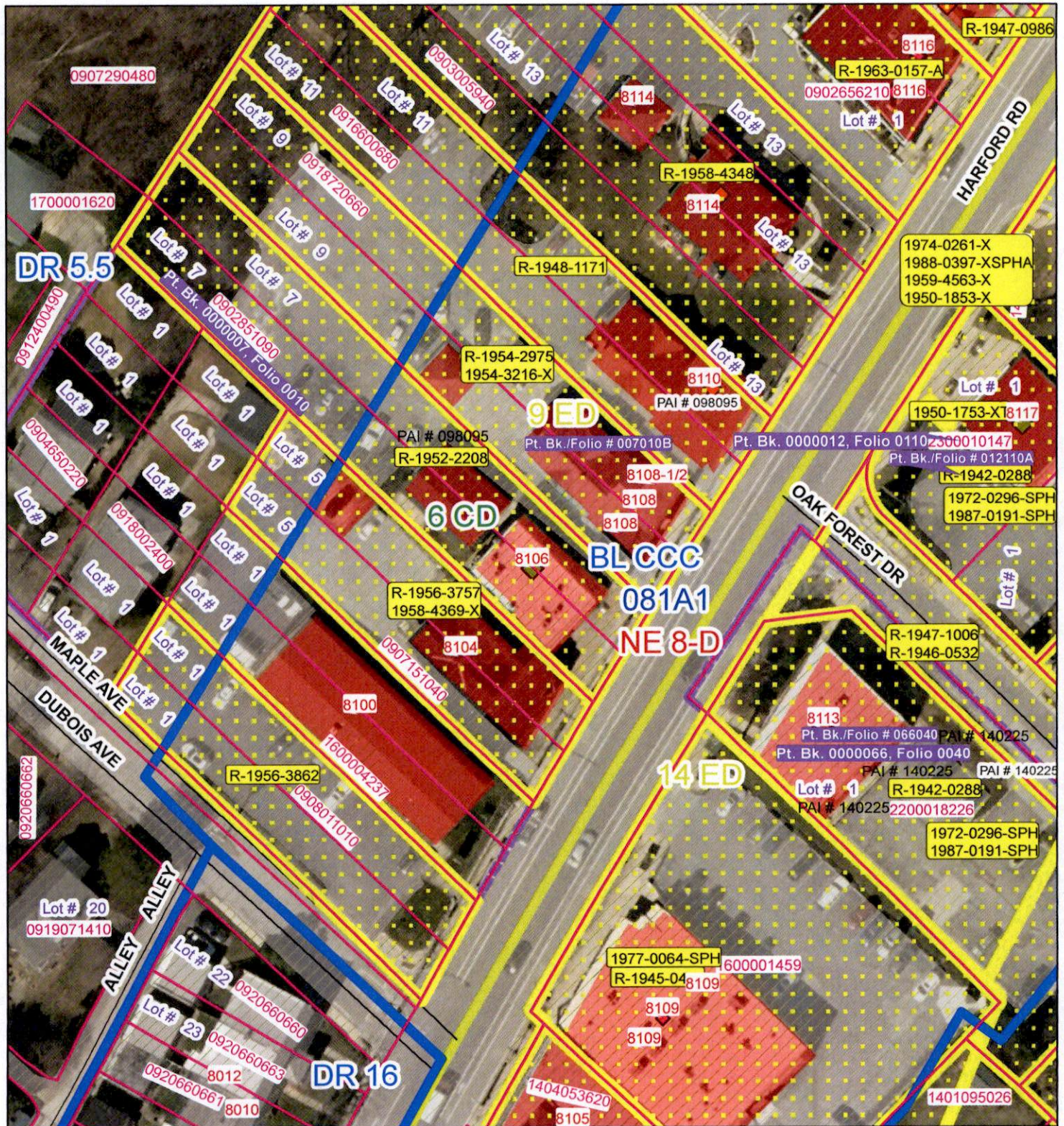
Charles P. Challandes, Jr.
PO Box 12
Fork, MD 21051-0012

PETITIONER'S

EXHIBIT NO. 4



2020-0152-XA



Publication Date: 7/6/2020

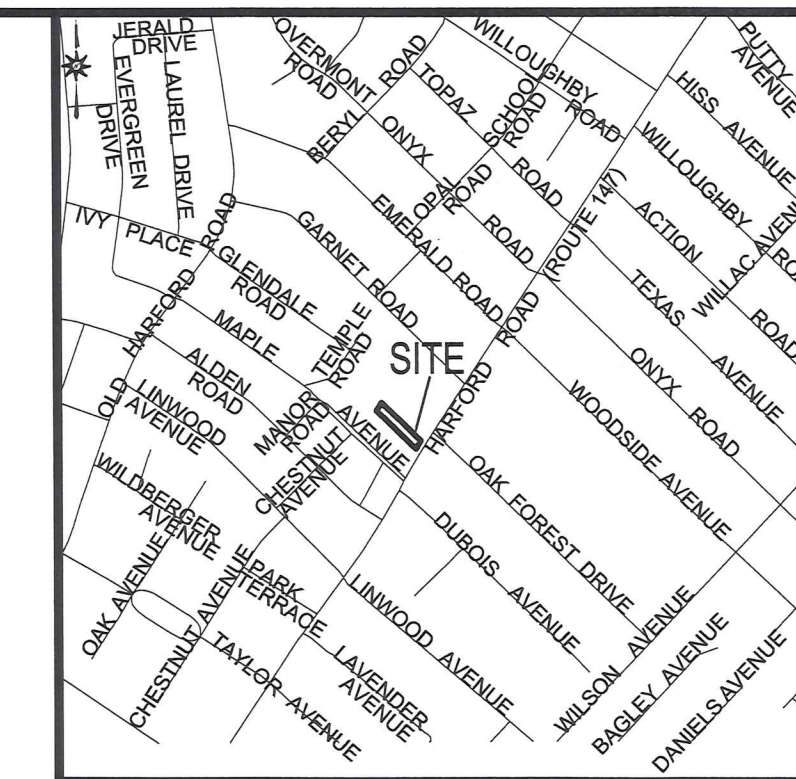


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 15 30 60 90 120 Feet

1 inch = 61.100132 feet



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER:
PRISM REALTY ENTERPRISES LLC
SUITE 302
12011 TALLEE RD
LUTHERVILLE-TIMONIUM, MD 21093
- SITE AREA:
GROSS: 15,393 SQ.FT. OR 0.35 AC.±
NET: 13,893 SQ.FT. OR 0.32 AC.±
EXISTING BUILDING AREA: 1,787 Sq.Ft.
TOTAL PROPOSED BUILDING AREA: 1,787 Sq.Ft.
- UTILITIES:
PUBLIC WATER
PUBLIC SEWER
- DEED REF: 35179/228
- TAX ACCOUNT: #0902851090
- COUNCILMANIC DISTRICT: 6TH
- REGIONAL PLANNING DISTRICT: MIDDLE RIVER
- CENSUS TRACT: 4921.01
- WATERSHED: PARKVILLE
- EXISTING ZONING: DR 5.5 AND BL CCC (PER 1"=200' ZONING MAP 079A1)
- TAX MAP #81, GRID #2, PARCEL #296
- PRIOR PERMITS ON FILE:
B363334 CONSTRUCT 1 STORY STORAGE BUILDING ON REAR OF PROPERTY
ISSUED FEBRUARY 4, 1999.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE LIES WITHIN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM)
PANEL 2400100270F, DATED SEPTEMBER 26, 2008.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- BASIC SERVICE MAPS (2019)

TYPE	DEFICIENT(Y/N)	NOTE
WATER	N	
SEWER	N	
TRANSPORTATION	N	
- PREVIOUS ZONING CASES ON FILE:
R-1952-2208 RECLASSIFICATION "A" RESIDENCE ZONE TO AN "E" COMMERCIAL
ZONE. GRANTED MARCH 26, 1952.
- FLOOR AREA RATIO (FAR) BL CCC ZONE
MAX PERMITTED: 2.0
EXISTING: 4,800/13,893 = 0.35
PROPOSED: 4,800/13,893 = 0.35
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING
REGULATIONS (BCZR).
- SETBACKS FOR BL CCC ZONE

TYPE	REQUIRED	PROVIDED
FRONT	10'	12'±
SIDE	0'	1±
REAR	20'	166'±
- USE:
EXISTING: RETAIL, RESIDENTIAL, AND CAR REPAIR
PROPOSED: RETAIL, RESIDENTIAL, AND CAR REPAIR
- PARKING
REQUIRED: CAR REPAIR 980 SF @ 3.3/ 1000 SF = 3.2 SPACES
OFFICE: 1200 SF @ 3.3/ 1000 SF = 4.0 SPACES
APARTMENTS: 4 @ 1.25/ UNIT = 5 SPACES
TOTAL REQUIRED: 13 SPACES
- PROVIDED: 13 SPACES- 12 OUTSIDE (1 IN GARAGE)

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

PRISM REALTY
ENTERPRISES, LLC
8106 HARFORD ROAD

BALTIMORE COUNTY
9TH ELECTION DISTRICT

6TH COUNCILMANIC DISTRICT

REVISIONS

DRAWN BY:

LNR

CHECKED BY:

PCR

SCALE:

1" = 20'

DATE:

06-11-20

JOB NO.:

20048

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



2020-052-XA