

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING May 2, 2022
FORMAL OR INFORMAL RESPONSE DUE AT May 9, 2022 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovment@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2021-0269-SPHXA **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING, SPECIAL EXCEPTION, VARIANCE
Legal Owner: 7405-7411 Belair Rd, LLC. and CRL Properties, LLC.
Contract Purchaser: William R. Owne

Revised

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 7403 7407 BELAIR RD

Location: Property located at the Southeast side of Belair Rd. Intersection of Belair Rd. and Fullerton Ave.

Existing Zoning: BL-AS **Area:** 1.287 ACRES

Proposed Zoning:

SPECIAL HEARING:

BCZR: 500.7 To determine whether or not the Zoning Commissioner should approve a request for confirmation that the striping on the service station canopy and combined convenience store and carry-out restaurant are not considered signage and, as a result, are not to be included as apart of the area of the face of other signage; and For such other and further relief as may be deemed necessary by the ALJ for Baltimore County.

SPECIAL EXCEPTION:

BCZR 405: To use herein described property for a fuel station.; For such other and further relief as may be required by the ALJ for Baltimore County.

VARIANCE:

BCZR 405.4.A.2: To permit a landscape transition area abutting a portion of a public right-of-way(Belair Road) of 5.89 FT. in lien of the permitted 10 Ft.

BCZR 405.4.A.2: To permit a landscape transition area within 50 feet of a residentially zoned property (Lands N/F Richard A. Hess and Janet E. Hess) of 12.40 feet in lieu of the permitted 15 feet.

BCZR 450.4 Chart Attachment 1.5(a): To permit up to four (4) wall-mounted enterprise signs in lieu of the permitted three (3) such signs per premises;

BCZR 450.4 Chart Attachment 1.5(a): To permit a wall-mounted sign with a face area of 256.74 square feet in lieu of the maximum permitted 121.86 square feet, provided the striping is deemed to be included as part of the area of the face;

BCZR 450.4 Chart Attachment 1.5(e): To permit two (2) service station canopy signs with a face area of 256.30 square feet in lieu of the maximum permitted 25 square feet, provided the striping is deemed to be included as part of the area of the face;

BCZR 450.4 Chart Attachment 1.5(e): To permit two (2) service station canopy signs with a face area of 56.66 square feet in lieu of the maximum permitted 25 square feet, provided the striping is deemed to be included as part of the area of the face;

BCZR 450.4 Chart Attachment 1.3(a): To permit directional signs that include the company name of logo which constitutes 33% of the total sign area in lieu of the permitted 30 %;

For such other and further relief as may be required by the ALJ for Baltimore County.

Attorney: Jason T. Vettori

Prior Zoning Cases: 1987-0047-A; R-1949-1509; R-1953-2581

ZAC AGENDA

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Revised 4/27/2022. Redistributing site plans, attachments and petition forms.; Two other Tax Account Numbers:
2500008640 and 1412001404

Two other Deed Ref: 42713/103 and 31164/188

21-1619
GH



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 7403-7407 Belair Road

which is presently zoned BL-AS and RO

Deed References: 14848/351, 42713/103, 31164/188

10 Digit Tax Account # 1900005033, 2500008640, 1412001404

Property Owner(s) Printed Name(s) 7405-7411 Belair Road, LLC and CRL Properties, 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

Please see attached

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

Please see attached

3. ☒ a **Variance** from Section(s)

Please see attached

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

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

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

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

Contract Purchaser/Lessee:

William R. Owen

Name- Type or Print

Signature

400 Penn Center Boulevard, Building 4, Suite 1000 Pittsburgh PA

Mailing Address City State

15235 724.420.5367 william.owen@pennlexventures.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See attached

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 2021-0709-X Filing Date 9/20/21 Do Not Schedule Dates:

Reviewer gh

REV. 10/4/11

REVISED 4/27/22

ATTACHMENT TO PETITION FOR ZONING HEARING

*7403-7407 Belair Road
14th Election District
6th Councilmanic District*

Special Exception relief to approve:

1. A fuel service station under Section 405 of the Baltimore County Zoning Regulations ("BCZR"); and
2. For such other and further relief as may be required by the Administrative Law Judge ("ALJ") for Baltimore County.

Variance relief from Section(s):

1. 405.4.A.2 of the BCZR to permit a landscape transition area abutting a portion of a public right-of-way (Belair Road) of 5.89' in lieu of the permitted 10';
2. 405.4.A.2 of the BCZR to permit a landscape transition area within 50' of a residentially zoned property (Lands N/F Richard A. Hess & Janet E. Hess) of 12.40' in lieu of the permitted 15';
3. 450.4 Attachment 1.5(a) of the BCZR to permit up to four (4) wall-mounted enterprise signs in lieu of the permitted three (3) such signs per premises;
4. 450.4 Attachment 1.5(a) of the BCZR to permit a wall-mounted sign with a face area of 256.74 square feet in lieu of the maximum permitted 121.86 square feet, provided the striping is deemed to be included as part of the area of the face;
5. 450.4 Attachment 1.5(e) of the BCZR to permit two (2) service station canopy signs with a face area of 256.30 square feet in lieu of the maximum permitted 25 square feet, provided the striping is deemed to be included as part of the area of the face;
6. 450.4 Attachment 1.5(e) of the BCZR to permit two (2) service station canopy signs with a face area of 56.66 square feet in lieu of the maximum permitted 25 square feet, provided the striping is deemed to be included as part of the area of the face;

REVISED 4/27/22

7. 450.4 Attachment 1.3(a) of the BCZR to permit directional signs that include the company name or logo which constitutes 33% of the total sign area in lieu of the permitted 30%;
8. For such other and further relief as may be required by the ALJ for Baltimore County.

Special Hearing relief to approve:

1. A request for confirmation that the striping on the service station canopy and combined convenience store and carry-out restaurant are not considered signage and, as a result, are not to be included as part of the area of the face of other signage; and
2. For such other and further relief as may be deemed necessary by the ALJ for Baltimore County.

ATTACHMENT TO PETITION FOR ZONING HEARING

Legal Owners (Petitioners)

7407 Belair Road: Tax ID # 1900005033, Deed Reference 14848/00351

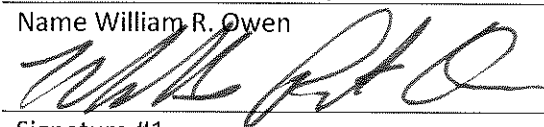
7405 Belair Road: Tax ID # 1412001404, Deed Reference 31164/ 00188

PTV 1173, LLC, Authorized
Representative of 7405-7411 Belair Road, LLC

Name William R. Owen	Name #2	
		
Signature #1	Signature #2	
7401 Belair Road	Baltimore	MD
Mailing Address	City	State
21236-4602	724-420-5367	william.owen@penntexventures.com
Zip Code	Telephone	Email Address

7403 Belair Road: Tax ID # 2500008640, Deed Reference 42713/00103

PTV 1173, LLC, Authorized
Representative of CRL Properties, LLC

Name William R. Owen	Name #2	
		
Signature #1	Signature #2	
7403 Belair Road	Baltimore	MD
Mailing Address	City	State
21236	724-420-5367	william.owen@penntexventures.com
Zip Code	Telephone	Email Address

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