



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

April 3, 2023

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RE: **MOTION FOR RECONSIDERATION**
Case No. 2022-0296-A
Property: 808 Reisterstown Road

Dear Mr. Mudd & Mr. Gontrum:

Enclosed please find a copy of the Consent Order on Motion for Reconsideration rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,
A handwritten signature in black ink that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

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Bruce Doak – bdoak@bruceedoakconsulting.com
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IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(808 Reisterstown Road)		
3 rd Election District	*	OF ADMINISTRATIVE
2 nd Council District		
Eric and Rachel Zak	*	HEARINGS FOR
Legal Owners		
Donny & Mimi Ankri	*	BALTIMORE COUNTY
Contract Purchaser/Lessee		
	*	CASE NO. 2022-0296-A
Petitioners		

* * * * *

CONSENT ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Motion for Reconsideration filed by the contract purchasers of the subject property, Donny & Mimi Ankri (“Petitioners”), by and through their attorney, Christopher D. Mudd Esquire, with Venable LLP. The Petitioners had filed a Petition for Variances to facilitate a redevelopment of the subject property with a new retail and office building and associated parking. A hearing was held on February 13th, 2023 - via WebEx, at which the Mr. Mudd and Mr. Ankri appeared in support of the Petition, along with a number of interested persons, including Mr. Timur Yusuf (the owner of 806 Reisterstown Road) and Mr. Mark Epstein (the owner of 900 Reisterstown Road) (Messrs. Yusuf and Epstein are, collectively, the “Neighbors”).

The Petitioners presented their case, and the Neighbors subsequently expressed their concerns. Mr. Yusuf was opposed to the variances primarily because the proposed building would block certain windows within his building, and Mr. Epstein was actually supportive of the variances, though he did want to do his best to ensure that patrons of the newly proposed building would not rely upon or utilize metered parking located on Hawthorne Avenue, which he relied upon for his own business. As was

explained during the hearing, Mr. Ankri had worked with the Baltimore County Revenue Authority (“BCRA”) to lease spaces within the BCRA’s lot located on Sherwood Avenue, less than 500 feet away from the subject property, which would offset the onsite parking deficiency for the new building.

After considering all of the evidence, the OAH granted the requested variances, subject to certain conditions. It was clear to the OAH that this area of Pikesville has been undergoing revitalization for many years, including the razing of older buildings and construction of new buildings built up along the Reisterstown Road right-of-way. The building proposed by the Petitioners was aligned with the ongoing revitalization and consistent with the Design Guidelines that were adopted years ago to facilitate the revitalization. However, variances were needed to facilitate the proposed design, and notwithstanding the concerns of the Neighbors, the OAH saw fit to grant the variances by way of an Opinion and Order dated March 1, 2023 (the “Original Order”).

Even after succeeding in obtaining the requested variance relief, Mr. Ankri connected with Mr. Yusufov to see if the two could reach an agreement to alleviate the concerns regarding the windows. And the two parties have confirmed for the OAH that they have, in fact, reach an agreement, which involves a reduction in the size of the proposed building by eliminating a portion of the second floor, to avoid blocking the windows. Mr. Ankri submitted, together with the Motion for Reconsideration, a revised site plan, which has been accepted into evidence as Petitioner’s Exhibit 47, as well as an updated rendering of the proposed building, which has been accepted as Petitioner’s Exhibit 48. These exhibits indeed show the smaller building that allows for the windows on Mr. Yusufov’s building to remain exposed, and counsel for Mr. Yusufov has

confirmed his client's acceptance of these revisions and non-objection to the zoning relief required for the proposed building, as revised.

The proposed building has reduced in size from 8,426 sf to 4,573 sf, by virtue of eliminating the space that was previously dedicated to one of the second-floor office tenants. This change generates a corresponding change to the parking requirements for the proposed building, by reducing the total number of required spaces from 29 to 21. The plan still proposes to provide 17 spaces, and therefore the variance request for the parking deficiency is now 17 spaces, in lieu of the required 21 spaces. As was noted at the original hearing, the Petitioner intends to seek a reduction in the amount of parking spaces that are officially required, by virtue of the application of certain parking reductions permitted under Sections 409.6.B of the Baltimore County Zoning Regulations, both for the property's location within 1,000 feet of an MTA bus stop (409.6.B.1.a) and for a shared parking arrangement (409.6.B.3). If approved, these reductions would actually result in a requirement of 14 spaces, and therefore the parking variance would actually no longer be required. These reductions are to be granted/denied by the Director of Permits, Approvals and Inspections, and they are not guaranteed; therefore, the variance is still necessary to ensure the Petitioner's project may proceed. Nevertheless, the OAH intends for the Petitioner to seek these reductions, and if they are denied will require the Petitioners to secure offsite parking spaces to offset the onsite parking deficiency. All of this is addressed in the revised conditions below.

The Motion for Reconsideration also requests that the OAH revisit Condition #6, which required that "Petitioners shall remove the leg of the existing sidewalk which is perpendicular to Hawthorne Ave." Specifically, the Petitioners note that, while they have

no issue with removing the leg of sidewalk if permitted, the leg is technically within the County right-of-way, and they have no control over whether the County will permit removal. The Petitioners have engaged with Mr. Epstein, for whom the condition was imposed, and he has indicated (and confirmed for the OAH) that he has no objection with an appropriate revision to this condition.

After review of the Motion for Reconsideration, and with the understanding that the Neighbors have agreed to the changes to the plan proposed by Petitioners and to those certain conditions restated in this Order (as indicated by the Neighbors' consent to this Order), the OAH will grant the Motion for Reconsideration. In general, it is desirable for neighbors to be able to work out their differences and to present a united front before the OAH. Even though it did not occur at the original hearing, the merits of the case warranted the conditioned approval of the Petition for Variances. Now that the neighbors have been able to communicate further and to settle the matter, the OAH is pleased to amend the Original Order to facilitate the settlement.

THEREFORE, IT IS ORDERED, this **3rd** day of **April, 2023**, by the Administrative Law Judge for Baltimore County, that the Petitioners' Motion for Reconsideration is Granted, as follows:

- 1) The previously granted variance from Section 409.6 to permit 17 parking spaces in lieu of the required 29 spaces, is hereby AMENDED to permit 17 parking spaces in lieu of the required 21 spaces.
- 2) Condition #2 of the Original Order is hereby amended to read as follows: "The site plan submitted as Petitioner's Exhibit 47 is attached hereto and incorporated herein."

- 3) Condition #4 of the Original Order is hereby amended to read as follows: "In the event that Petitioners are not successful in obtaining parking adjustments to reduce the required amount of parking for the proposed building to 17 or fewer spaces, then Petitioners shall enter into a written agreement with BCRA for the lease of parking spaces in an amount equal to the number of spaces by which the proposed building is deficient, and such agreement shall provide that the leased parking spaces shall be designated by signage that each such space is solely for the use of 808 Reisterstown Road. The BCRA parking lease term shall coincide with Petitioners' proposed use of the Property for retail and office. In the event that such BCRA lease agreement shall terminate while Petitioners and/or their tenants are operating retail and office uses, Petitioners shall either obtain a lease for replacement spaces or file for zoning relief as is necessary."
- 4) Condition #5 of the Original Order is hereby amended to read as follows: "In the event that off-site parking spaces are required in accordance with Condition #4, Donny Ankri, Mimi Ankri, their employees, staff, and their tenants, successors, personal representatives, heirs and assigns shall park their vehicles at the Sherwood Lot and/or at any other off-site parking lot or facility in which they have agreed to park, so as to leave open the parking spaces on the Property for visitors, customers, clients and other invitees."
- 5) Condition #6 of the Original Order is hereby amended to read as follows: "Petitioners shall use all reasonable efforts and diligence with the County to pursue removal of the leg of the existing sidewalk which is perpendicular to Hawthorne Ave."

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

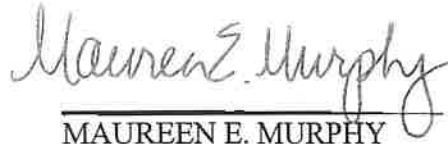

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

APPROVED AS TO FORM AND CONTENT:


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Attorney for Timur Yusufov

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

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JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

March 1, 2023

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Towson, MD 21204

RE: Petition for Variance
Case No. 2022-0296-A
Property: 808 Reisterstown Road

Dear Mr. Mudd:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Administrative Law Judge
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MEM:dlm
Enclosure

c: *Continued to next page -*

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**IN RE: PETITION FOR VARIANCE
(808 Reisterstown Road)**

3rd Election District

2nd Council District

Eric and Rachel Zak

Legal Owners

Donny & Mimi Ankri

Contract Purchaser/Lessee

Petitioners

* * * * *

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BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2022-0296-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Variance relief filed by Eric and Rachel Zak, legal owners and Donny & Mimi Ankri, contract purchasers (“Petitioners”) for the property located at 808 Reisterstown Road, Pikesville (the “Property”). A revised Petition was filed by the Petitioners on December 29, 2022. The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”):

- 1) §232.1 for front setbacks of 0 ft in lieu of the required 10 ft to the front property line and for 30 ft in lieu of the required 40 ft to the street centerline;
- 2) §232.2.B for side street setback of 0 ft in lieu of the required 10 ft to the side property line;
- 3) §409.6 to permit 17 parking spaces in lieu of the required 29 spaces;
- 4) §409.8.A.1 and from the Landscape Manual to permit:
 - (a) a perimeter screening landscape strip of 0 ft in lieu of the required 6 ft;
 - (b) the required planting units in the grassy right of way in lieu of inside the Property;
 - (c) 0% of interior parking lot landscaping in lieu of the required 7%; and
 - (d) a 1 ft clearance between the parking lot edge and building face in lieu of the required 6 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner, Donny Ankri appeared at the hearing in

Support of the Petition. Christopher Mudd, Esquire of Venable, LLP represented the Petitioners. Frank Borgerding, Esquire represented Timur Yusuf, the property owner of 806 Reisterstown Rd. who appeared along with Bruce Doak, licensed surveyor of Bruce E. Doak Consulting, LLC. Deborah Patterson, 1309 Sudvale Rd., Pikesville testified in her individual capacity in opposition. Mark Epstein, Esquire, 900 Reisterstown Rd., Pikesville testified in support of the Petition.

Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"), Department of Environmental Protection and Sustainability ("DEPS") and State Highway Administration ("SHA") which agencies did not oppose the requested relief. Department of Plans Review ("DPR"), in conjunction with Department of Public Works and Transportation ("DPWT"), is opposed to the request for parking relief because of the limited roadway widths, prohibited on-street parking and limited space for overflow vehicles. In addition, DPWT requested that the commercial entrance be widened to 24 ft in compliance with Baltimore County standard Details for Construction, R-32.

Mr. Ankri, who is a registered architect, was accepted as an expert in BCZR, having prepared and submitted zoning requests and having testified on behalf of his clients at zoning hearing before the OAH. Mr. Ankri prepared a site plan for the Property (the "Site Plan") (Pet. Ex. 15) and a revised Site Plan ("the Revised Site Plan"). The Property is 0.242 acres +/- (10,553 sf) and is improved with a 2 ½ story, 2,532 sf single family dwelling constructed in or about 1921, which has been converted into commercial use. It is zoned Business, Local (BL).

Mr. Ankri explained that he currently operates his architecture practice out of his home. His wife, Mimi Ankri, operates a clothing store at 50 E. Sudbrook Lane, Pikesville called "The Mimi Boutique." Each of them desires more space to operate their respective businesses. As a result, they are the contract purchasers for the Property. The existing single family home on the

Property is proposed to be removed and new building as detailed in the rendering would be constructed. (Dev. Ex. 4). Mr. Ankri has designed the proposed building to be 2-story, 4, 213 sf; the first floor of which would be used for The Mimi Boutique and the second floor would be used for his architecture firm. The second floor could also accommodate an additional tenant.

The Property is a corner lot of Reisterstown Rd. and Hawthorne Ave. For the proposed new building, the required number of parking spaces is 29: retail – 17 spaces; office 12 spaces. (Pet. Ex. 8). It is located within a Commercial Revitalization District. (Pet. Ex. 6). It is also located within 100-125 ft of two (2) MTA bus stops. (Pet. Ex. 7). Petitioner agrees that in order to adjust the required number of parking spaces due to the property location within a Commercial Revitalization District and within 1,000 ft of a MTA bus stop, the Director of Permits, Approvals and Inspections (“PAI”) would need to approve the adjustment under BCZR, §409.6.B.1.a.

Per the Site Plan and Revised Site Plan, the existing parking lot on the Property will only accommodate 17 parking spaces. As a result of the insufficient on-site parking, Petitioners have secured agreement with the Baltimore County Revenue Authority (BCRA) to rent 10 parking spaces at the public parking lot located at 5 Sherwood Avenue. Mr. Ankri testified that the Sherwood Parking Lot is less than 500 ft from the Property and that the 10 spaces there would be used by his and/or his wife’s employees. The BCRA, by and through the Director of Parking, Chris Sirolli, agreed to rent the 10 spaces provided that an agreement is formally reached prior to May 18, 2023. (Pet. Ex. 12). Mr. Ankri also pointed out that there are 5 metered on-street parking spaces located on Reisterstown Rd. in front of the Property. With the BCRA agreement, 27 spaces would actually be provided for the proposed uses in lieu of 29 spaces. If he obtains PAI’s approval for a reduction in the number of spaces, the number of parking spaces provided (27) would exceed the required number of spaces.

In regard to the proposed design of the building, Mr. Ankri emphasized that he followed the Pikesville Design Guidelines (the "Guidelines") which were created for properties within the Design Review Panel Commercial Area. (Pet. Exs. 16, 17). The Guidelines direct that new buildings be set on the street at the existing sidewalk in order to create a Main Street environment. (Pet. Ex. 18). The idea is to have new buildings match the setback of the existing buildings such as the one at 806 Reisterstown Rd. which is set at the sidewalk. While the Site Plan has the proposed building 2 ft +/- in front of 806, Mr. Ankri agreed that the proposed front of the building would match that of 806. (Pet. Exs. 15, 19).

The new building as proposed requires the setback Variance relief for both the front and side street setbacks. As shown in the rendering, the existing grass areas along Reisterstown Rd. and on the Hawthorne Ave. side, will remain. (Pet. Ex. 19). Mr. Ankri provided aerial photographs that new and renovated buildings within the Pikesville area have followed the Pikesville Design Guidelines such that the buildings are set up to the sidewalks. (Pet. Exs. 22-31). Mr. Ankri obtained letters of support from adjacent property owners. (Pet. Exs. 34-38).

Petitioners also requested Variance relief in regard to perimeter and interior landscaping as required under BCZR, §409.8.A.1 and the Baltimore County Landscape Manual. The rendering shows the retention of the existing grass areas along Reisterstown Rd. and along Hawthorne Ave. In addition, a 13 ft landscape buffer with trees to be planted will be provided. (Pet. Ex. 15). Between the landscape buffer strips, Mr. Ankri agreed with the DPR ZAC comment that the 22 ft proposed access point off Hawthorne Ave. will be widened to 24 ft.

The Design Review Panel ("DRP") met on February 8, 2023 and reviewed the DOP comments on the proposed building. (Pet. Ex. 40). Although the DRP minutes have not yet been prepared and/or provided, Mr. Ankri attended the DRP meeting and believes that the DRP

approved his plans.

Mr. Ankri opined that, in his professional opinion, the Property was unique due to the position of the existing home being setback from Reisterstown Rd., due to the smaller size of the lot, and due to the existing paved parking lot which are characteristics unlike other properties in the area. On cross examination, he disagreed that if he reduced the size of the proposed building Variance relief would not be needed. Mr. Ankri testified that he needed to design a building which met the Pikesville Design Guidelines.

Mr. Epstein testified that he is in support of the proposed plan with the condition that the proposed new leg of the existing sidewalk which is proposed to extend to Hawthorne Avenue, be removed from the Revised Site Plan, to deter visitor/customers coming to the Property from parking at the metered spaces along Hawthorne Avenue. Mr. Epstein reiterated that the metered parking spaces on Hawthorne Ave. have, and will continue to be, important for his clients to park due to the limited parking lot in the rear of his building at 900 Reisterstown Rd. Mr. Epstein testified that he is eager to see the new building and landscaping along Hawthorne Ave. as he believes it will be an improvement to the current rental of the Property. Mr. Epstein further requested, and Mr. Ankri agreed, to use all reasonable and diligent efforts to request that the County widen the existing curbs along both sides of Hawthorne Ave. and Reisterstown Rd. in order to improve safety when entering onto Reisterstown Rd.

Deborah Patterson testified in her individual capacity that she is opposed to the parking lease agreement with BCRA as she believes those spaces should be used for the general public. She added that there is no towing enforcement if an unauthorized vehicle parks in one of the leased parking spaces. She further questioned the actual use of proposed parking spaces 6 and 7 on either side of the proposed dumpster.

Timur Yusufov, 806 Reisterstown Rd. testified in opposition primarily due to the proposed new building being located on the Property line. Mr. Yusufov testified and street photos reflect, that the second floor of his building has 6 windows which will be blocked from all light by the proposed building. Mr. Yusufov rents the second floor to a church for congregation and childrens' classes and the prevention of natural light will negatively impact his tenant and his property. He testified that he attended the DRP meeting and that the DRP did not approve the design of the building. Mr. Yusufov demands that any building be set back at least 20 ft from his building. He further stated that parking is a problem for Mr. Ankri in that the on-street metered parking is restricted to certain times of day. Mr. Yusufov does not believe that customers coming to 808 will want to walk 490 ft to park in Sherwood Lot.

On cross examination, Mr. Yusufov stated that he purchased 806 with the second floor windows in place. He also agreed that his building sits on the Property line but he would not agree to a setback of 5 ft or 10 ft. When asked about Sherwood Lot, Mr. Yusufov testified that it is always full and that there are no designated or posted parking signs.

Testifying on behalf of Mr. Yusufiv was Oladiipo Omopariola who is the Pastor of Redeemed Church of God aka 'The Praise House Baltimore', the tenant of the second floor space at 806. Pastor Omopariola testified that he is opposed to the proposed building being constructed on the Property line because the lack of natural light would cause a safety concern if there is a power outage and would also prohibit ventilation and prevent fire fighters from accessing the second floor in the event of a fire.

Also testifying for Mr. Yusufov was Bruce Doak who was accepted as an expert in surveying, in BCZR, and in development regulations. Mr. Doak testified that he is familiar with the Pikesville area. He opined that the Property does not have unique physical characteristics in

that the existing home is setback from Reisterstown Rd. in the same way as Mr. Epstein's building at 900. (Prot. Ex. 3E, 3F). He opined that, like the Property, the homes located on Hawthorne Ave. were part of the same subdivision and all have the same depth and width. He added that the topography of the Property is not unique. He further testified that most buildings in the Pikesville area have separation between them. He produced street view photographs of the Property as well as 806 and 900 (Prot. Ex. 3). He also produced aerial photographs of Pikesville (Prot. Exs. 1, 2). It was Mr. Doak's opinion that the Property lacks the unique physical features which drives the Variance requests, and that the alleged practical difficulty is self-imposed due to the Petitioners' desire to have the largest building that can be accommodated on the Property. He indicated that if the proposed building is made smaller, more parking spaces could be created. He further stated that the Pikesville Design Guidelines do not take place of BCZR. On cross examination, Mr. Doak agreed that the BCZR do not require any building-to-building or interior side setback and therefore, a building could be constructed on the Property line.

In rebuttal, Mr. Ankri testified that the proposed building is not the largest building possible and that it would be comparable to other new buildings in the area. (Pet. Ex. 42). Moreover, his research discovered that the 6 second floor windows at 806 are in violation of the Building Code (IBC 2015). (Pet. Ex. 43). Mr. Ankri testified that he proposed a 'light well' as a solution to Mr. Yusuf's concerns but the same was rejected by him. (Pet. Ex. 44, 45). Mr. Ankri stated that he is still agreeable to a light well which would provide a 5 ft separation in the area of the windows as a condition of the Order herein. (Pet. Ex. 45). Finally, as to separation of buildings generally in the Pikesville area, he provided photographs of commercial building with little or no separation between them. (Pet. Ex. 46).

A variance request involves a two-step process, 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 must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Given the issues between 806 and 808, this is an unfortunate case to decide. With regard to uniqueness, I find that the Property is unique given the size of the lot, the size of the existing 1921 house and its setback from Reisterstown Rd. Photographs and SDAT information reflects that 900 Reisterstown Rd. is a 11,060 sf lot, with a 2,823 sf home, constructed in 1930, with a smaller rear parking lot and a rear garage or shed consuming much of that parking lot. Conversely, the Property is 10,553 sf lot, with a 2,532 sf home constructed in 1921, and with a larger parking lot in the rear. While both homes are set back from Reisterstown Rd., the street view photographs reflect that the home on the Property is closer to Reisterstown Rd. Moreover, the Property consists of 3 lots: Lot 206 and parts of Lots 205-207; whereas 900 consists of 2 lots: 292, 293. (SDAT).

With regard to the existing parking lot and the requested parking Variance, Petitioner can seek an adjustment of the required number of spaces from the Director of PAI based on the proximity of the spaces to the MTA bus stops and location with the Commercial Revitalization District. Without considering that reduction, the Petitioner has an agreement with BCRA for 10 spaces at the Sherwood Lot which will be memorialized in writing on or before May 18, 2023. Further, as a condition of this Order, both Mr. and Mrs. Ankri and their employees/staff will be required to park in the Sherwood Lot to ensure that the 17 available parking spaces on the Property will be used by their customers, visitors, invitees, and clients and/or by any future 2nd floor tenant and that tenant's customers, visitors, invitees, and clients, if any. I find that the BCRA parking

agreement plus the 17 existing spaces on the parking lot will provide sufficient parking for the proposed dual uses. While on-street parking cannot be considered toward the proposed number of spaces, there are 5 parking metered spaces on Reisterstown Rd. in front of the Property which are available for use.

Moreover, I take judicial notice of the DOP report from January of 2021 entitled 'Pikesville Central Business District Parking Inventory Assessment' which is a publically available document on the Baltimore County website. In that document, DOP notes that the Sherwood Lot has 33 parking spaces and primarily serves the restaurants and Pikes Cinema area. It further reflects that there is no parking supply problem in this area:

As the data reveals, there is not a parking supply issue[s], but rather a combination of lot dispersion, lack of wayfinding signage, towing threats and property owner restrictions. One simple and effective goal is to identify an area that is dedicated to employee only parking. Dedicated employee parking that is removed from the customer parking areas could free up several spaces for visitors.

The parking study also noted that parking lots available for 806 and 808 were in good condition. It further indicated that the on-street parking meters for the Property are available from 8am-6pm. The DOP document supports the conclusion here that the Sherwood Lot is available for parking, that the on-street parking meters in front of the Property are available, and that the parking lot for the Property is in good condition.

As to the design of the building, BCZR, §232.2.B does not required any setbacks for commercial buildings on interior lots. As applied here, Petitioner is permitted to construct a building on the Property line with 806, just has the building on 806 is constructed on the Property line. I am not deciding here whether or not the second floor windows are in violation of the IBC, 2015. While this is a harsh result for Mr. Yusuf, the County Council enacted the zero setback reflected in BCZR, §232.2 and I have no authority to order any other setback much less a 20 ft.

setback. The DRP is not a County agency, and does not approve the design of a building. BCC, §32-4-203. Rather, the DRP acts “in a consulting and advisory capacity to the agencies involved in the interagency process”. BCC, §32-4-203(b) and (i). Toward this end, the DRP provides design *recommendations* to the DOP and to a Hearing Officer in review of a development plan.

With regard to the requested front property line setback and centerline street setback, I find that the Petitioner would suffer a practical difficulty if either the 10 ft or 40 ft setback were required as a building set up at the sidewalk which contributes to the main street environment, and is consistent with other newly constructed and/or renovated buildings within the Pikeville area, promotes a unified street design.

Lastly, with regard to the Variance relief from Landscape Manual, I agree with the DOP comment that complying with the requirements of the Landscape Manual in this case would affect the existing parking layout and possibly require an additional parking Variance relief. The Petitioners are leaving the existing grass strips along the front and side of the building and also planting trees in a landscape buffer strip which will enhance the Property. As a result, a formal Landscape Plan need not be filed. As for filing a Lighting Plan, Petitioners will provide sufficient lighting on the rear of the building and such other lighting as may be necessary for the safety of their customers, clients, invitees and visitors. Accordingly, a formal Lighting Plan will not be required.

I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the location of the Property within the Pikeville Commercial Revitalization District and the needed improvement of this corner lot. The proposed design is in keeping with the Pikeville Design Guidelines and seeks to contribute to the main street setting with a new and improved

building which will also bring viable commercial uses to the Pikesville area for the benefit of both residents and businesses.

THEREFORE, IT IS ORDERED, this 1st day of **March, 2023**, by the Administrative Law Judge for Baltimore County, that the Revised Petition for Variance from Baltimore County Zoning Regulations ("BCZR"):

- 1) §232.1 for front setback of 0 ft in lieu of the required 10 ft to the front property line, and for 30 ft setback in lieu of the required 40 ft to the street centerline, be, and they are each hereby, **GRANTED**;
- 2) §232.2.B for side street setback of 0 ft in lieu of the required 10 ft to the side property line be, and it is hereby, **GRANTED**;
- 3) §409.6 to permit 17 parking spaces in lieu of the required 29 spaces, be, and it is hereby **GRANTED**;
- 4) §409.8.A.1 and from the Landscape Manual to permit:
 - (a) a perimeter screening landscape strip of 0 ft in lieu of the required 6 ft;
 - (b) the required planting units in the grassy right of way in lieu of inside the Property;
 - (c) 0% of interior parking lot landscaping in lieu of the required 7%; and
 - (d) a 1 ft clearance between the parking lot edge and building face in lieu of the required 6 ft,

be, and they are each hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. 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.
2. The Revised Site Plan (Pet. Ex. 19) is attached hereto and incorporated herein.
3. Prior to permitting, Petitioners shall apply to the Director of PAI for a parking adjustment pursuant to BCZR, §409.6.B.1.a.

4. Prior to May 18, 2023, or unless such date is extended by BCRA, Petitioners shall enter into a written agreement with BCRA for the lease of 10 parking spaces and such agreement shall provide that the 10 parking spaces shall be designated by signage that each space is solely for the use of 808 Reisterstown Rd. The BCRA parking lease term shall coincide with Petitioners' proposed use of the Property for retail and office. In the event that such BCRA lease agreement shall terminate while Petitioners and/or their tenants are operating the retail and office uses, Petitioners shall file for zoning relief as is necessary for the associated parking.

5. Donny Ankri, Mimi Ankri, their employees, staff, and their tenants, successors, personal representatives, heirs and assigns, shall park their vehicles at the Sherwood Lot and/or at any other off-site parking lot or facility in which they have agreed to park, so as to leave open the parking spaces on the Property for visitors, customers, clients and other invitees.

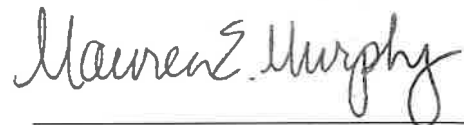
6. Petitioners shall remove the leg of the existing sidewalk which is perpendicular to Hawthorne Ave.

7. Petitioners shall use all reasonable efforts and diligence with the County to pursue the curb widening of Hawthorne Ave. and Reisterstown Rd.

8. Petitioners shall instruct their customers, clients, invitees and visitors not to park at the metered parking spaces along Hawthorne Avenue during the period of time that Mark Epstein is operating his law practice at 900 Hawthorne Ave.

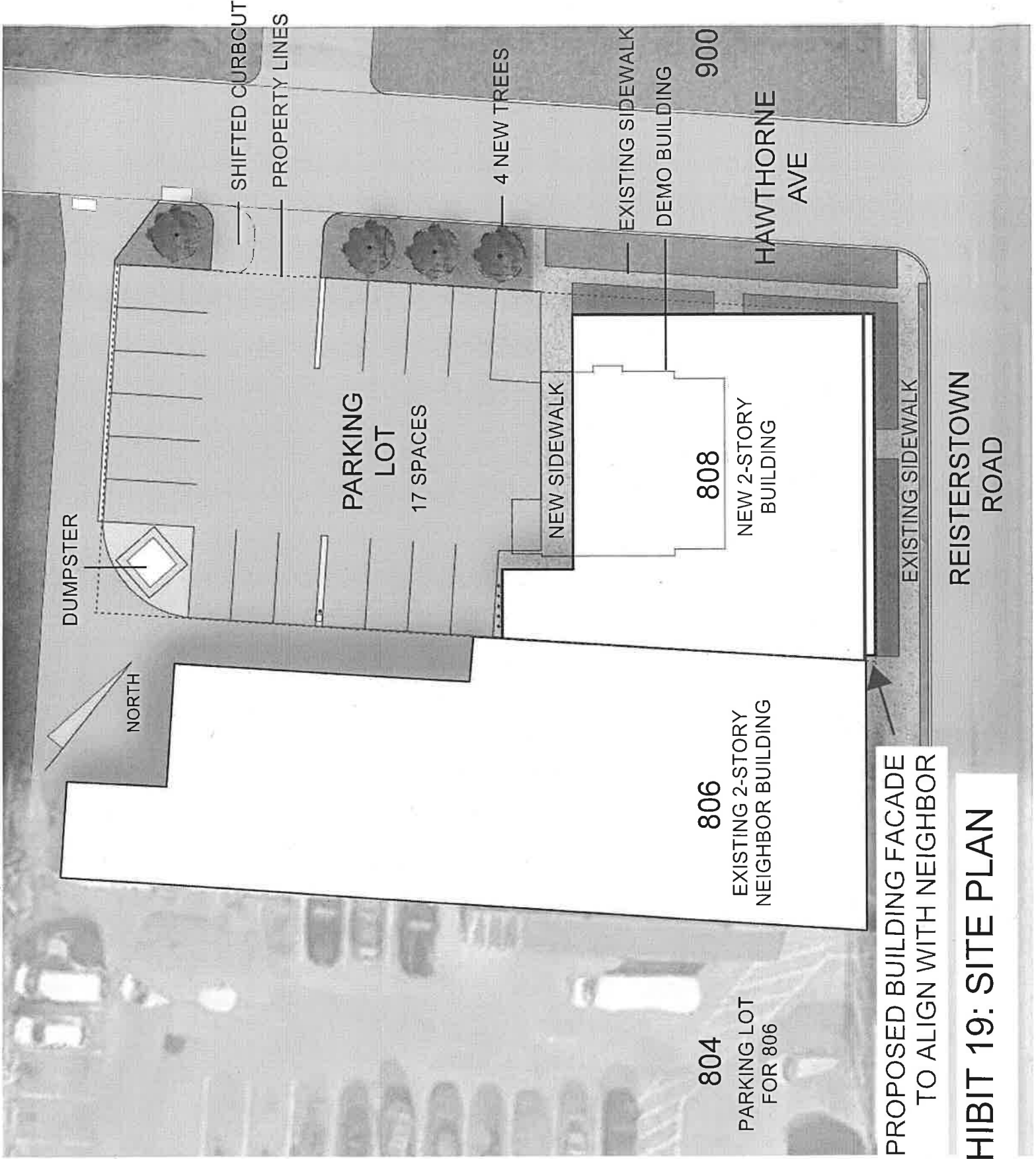
Any appeal of this decision must be made within thirty (30) days of the date of this

Order.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm



PROPOSED BUILDING FACADE
TO ALIGN WITH NEIGHBOR

EXHIBIT 19: SITE PLAN

February 7, 2023

Donny Ankri
6803 Cherokee Drive
Baltimore, MD 21209

RE: Case Number: 2022-0296-A 808 Reisterstown Rd.

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 December 13, 2022. 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,

Jeff Perlow
Supervisor
Department of Zoning

lw
Enclosures: Eric and Rachel Zak

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 17, 2023

SUBJECT: DEPS Comment for Zoning Item: 2022-0296-A
Address: 808 Reisterstown Rd
Legal Owner: Eric and Rachel Zak

Zoning Advisory Committee Meeting of Jan. 16, 2023.

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

Reviewer: Earl D. Wrenn

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 17, 2023

SUBJECT: DEPS Comment for Zoning Item: 2022-0296-A
Address: 808 Reisterstown Rd
Legal Owner: Eric and Rachel Zak

Zoning Advisory Committee Meeting of December 19, 2022.

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

Reviewer: Earl D. Wrenn



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 808 REISTERSTOWN ROAD, PIKESVILLE MD 21208 Currently Zoned BL
Deed Reference 19014 / 00747 10 Digit Tax Account # 1700011006
Owner(s) Printed Name(s) ERIC & RACHEL ZAK

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

DONNY & MIMI ANKRI

Name - Type or Print

[Signature]
Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 DA@DONNYANKRI.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):

ERIC ZAK / RACHEL ZAK

Name #1 - Type or Print

Name #2 - Type or Print

X Eric Zak / X Rachel Zak
Signature #1 Signature #2

401 BUTLER ROAD, REISTERSTOWN MD

Mailing Address City State

21136 / X 410-833-5703 / ZAKRL@YAHOO.COM

Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

DONNY ANKRI

Name - Type or Print

[Signature]
Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 / DA@DONNYANKRI.COM

Zip Code Telephone # Email Address

CASE NUMBER 2022-0296-1 Filing Date 12 / 13 / 22 Do Not Schedule Dates Reviewer JS
3/2022

Date: ~~December 9, 2022~~, Revised December 29, 2022

LETTER FOR VARIANCE REQUEST *808 Reisterstown Road*

My wife and I are submitting this Variance request for a new commercial building to be the future home of our 2 small businesses. My wife has a women's retail clothing store called The Mimi Boutique and I have a 2-person architectural practice called Donny Ankri Architects. The proposed building is a 4,213 SF building (2 floors). My wife's retail store will be on the ground level, and my architectural office will be on the second floor, with a second office tenant adjacent to my architectural office.

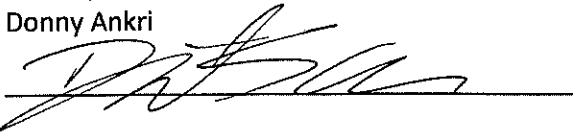
The business for my wife and I are a "mom and pop shop". We both started our businesses from scratch within the past 8 years and we are excited to be a part of this vibrant Pikesville community for a long time. We live in Pikesville (near the intersection of Smith Ave and Greenspring Ave) with our 4 kids. Pikesville is where I was born and raised. As such, I have great pride in where I live and I'm excited to be able to positively contribute to the neighborhood.

Below are the variance reliefs we are requesting:

- BCZR: 232.1
1. **Front setback**
 - 0 feet in lieu of the required 10 feet to the front property line.
 - 30 feet in lieu of the required 40 feet to the street centerline.
-
- BCZR: 232.2.B
2. **Street side setback**
 - 0 feet in lieu of the required 10 feet to the side property line.
-
- BCZR: 409.6
3. **Parking count**
 - To permit 17 parking spaces in lieu of the required 29 spaces.
-
- BCZR: 409.8.A.1
4. **Landscape manual**
 - Perimeter Screening: Landscape strip (page 19, section 1b)
 - i. 0 feet in lieu of the required 6 feet.
 - Perimeter Screening: Planting units (page 19, section 1b)
 - i. Variance request to plant the required planting units in the grassy right of way in lieu of inside the property.
 - Interior Landscaping: Parking lot landscaping (page 19, section 2a)
 - i. Variance request for 0% of interior parking lot landscaping in lieu of the required 7%.
 - Interior Landscaping: Building face clearance (page 19, section 2d)
 - i. 1 foot clearance between parking lot edge and building face in lieu of the required 6 feet.

Thank you for your consideration. Have a great day!

Donny Ankri



Principal & Founder, Donny Ankri Architects

443.929.2377 | 6803 Cherokee Drive Baltimore MD 21209 | da@donnyankri.com

J.S. DALLAS, INC.

Surveying & Engineering

P.O. Box 26
Baldwin, MD 21013
(410)817-4600
FAX (410)817-4602

ZONING DESCRIPTION OF #808 REISTERSTOWN ROAD

BEGINNING at the intersection of the southwest side of Reisterstown Road, 66 feet wide, and the southeast side of Hawthorne Avenue, 50 feet wide, thence running with and binding on said Reisterstown Road **(1)** South 29 degrees 17 minutes East 69.16 feet thence **(2)** South 64 degrees 30 minutes West 155.49 feet thence **(3)** North 25 degrees 33 minutes West 69 feet to intersect said southeast side of Hawthorne Avenue thence running with and binding thereon **(4)** North 64 degrees 30 minutes East 151 feet to the place of beginning.

CONTAINING 10553 square feet (or 0.242 acres) of land, more or less.

ALSO known as **#808 Reisterstown Road** and located in the 3rd Election District , 2nd Councilmanic District.

Note: above description is based on existing deed and is for zoning purposes only.



2077-0796-A

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING December 19, 2022
FORMAL OR INFORMAL RESPONSE DUE AT December 26, 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, myneighborhoodimprovement@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: 2022-0290

Reviewer: Gary Hucik

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: SPECIAL HEARING, SPECIAL EXCEPTION

Legal Owner: Patricia Loomer/ The Baltimore Province of the Sisters of Notre Dame de Namur, Inc.

Contract Purchaser: Jonathan A. Cordish

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

Property Address: 1531 GREENSPRING VALLEY RD

Location: Property located on the South side of Greenspring Valley Rd. West 2015 feet to the centerline of Nacirema Lane.

Existing Zoning: RC 2

Area: 19.9179 ACRES

Proposed Zoning:

SPECIAL HEARING:

- 1.) BCZR 409.6 and 409.12: To approve the parking as shown on the site plan and/or for a modified parking plan.
- 2.) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

SPECIAL EXCEPTION:

- 1.) BCZR 1A01.2.C.(25): For continuing education and internship programs associated with Stevenson University.
- 2.) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Attorney: Lawrence E. Schmidt

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0293-A **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Robert Dory and Yvonne Higgins
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 3

Property Address: 5903 LORELEY BEACH RD

Location: Property located on the South side of Loreley Beach Rd. West 1,108 feet of the centerline of North Loreley Beach Rd.

Existing Zoning: RC 2 **Area:** 23,120 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1.) BCZR 400.1: To permit a proposed accessory building (detached garage, with storage loft) to be located in the front yard (road side) of the dwelling in lieu of the required rear yard (waterfront).

2.) BCZR 400.3: To permit the proposed accessory building with a height of 20 feet in lieu of the maximum allowed height of 15 feet.

3.) BCZR 1A01.3.B.3. and 1992 ZCPM Policy 400.1.d(2): (Double frontage lot): To permit a street centerline setback of 17 feet in lieu of the required 75 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/09/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0294-SPH **Reviewer:** Mitchell Kellman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING
Legal Owner: 1215 York Road LLC.
Contract Purchaser: Two Farms Inc.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 3

Property Address: 1215 YORK RD

Location: Property located on the corner of East side of York Rd., South side of Greenridge Rd.

Existing Zoning: BL/RO

Area: 1.54 ACRES

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To determine whether or not the Zoning Commissioner should approve a use (Electrical Vehicle Charging Stations) which is not clearly addressed in the Baltimore County Zoning Regulations. Further, can a "Development Plan" be processed if a specific use is not addressed or permitted within a specific zone.

Attorney: J. Carroll Holzer

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0295-A **Reviewer:** Shaun Crawford

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: Dorothy and Edwin Hayes

Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 525 BAYSIDE DR

Location: Property located at the beginning at the West side of Bayside Rd. at a distance of 482 feet Northwest of Winona Ave.

Existing Zoning: DR 5.5

Area: 6,550 SQ FT

Proposed Zoning:

VARIANCE:

BCZR 417.4: To permit the replacement of existing non-conforming mooring piles supporting an existing pier, platform, boat lift, and boat house as much as 14 feet beyond a divisional property line as established in lieu of maintaining the required 10 foot setback.

Attorney: TIM KOTORCO

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0296-A **Reviewer:** Jason Seidelman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: Eric and Rachel Zak
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 808 REISTERSTOWN RD

Location: Property located on the Southwest corner of intersection of Reisterstown Rd. (65 feet) and Hawthorne Ave. (50 feet)

Existing Zoning: BL **Area:** 0.242 ACRES

Proposed Zoning:

VARIANCE:

- 1.) BCZR 232.1: To permit a front setback of 10 feet to the property line and 31 feet to the centerline of the road in lieu of the required 10 feet and 40 feet respectively.
- 2.) BCZR 232.2.B: To permit a side-street setback of 0 feet in lieu of the required 10 feet.
- 3.) BCZR 409.6: To permit 17 parking spaces in lieu of the required 29 spaces.
- 4.) BCZR 409.8.A.1: To permit no additional landscaping be added in lieu of the requirement(s) of the Baltimore County Landscaping Manual.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0297-X **Reviewer:** Shaun Crawford

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: SPECIAL EXCEPTION

Legal Owner: Dana and Aaron Honeycutt

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 4110 WARDS CHAPEL RD

Location: Property located beginning at West side of Wards Chapel Rd., which is about 20 feet in width, at a distance of 259 feet South of Liberty Dam Rd.

Existing Zoning: RC 2

Area: 4.51 ACRES

Proposed Zoning:

SPECIAL EXCEPTION:

A mobile home on a tract of from one to 25 acres, outside the Metropolitan District of Baltimore County, pursuant to sections BCZR 1A01.2.C.28 and 415.1.D.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 808 REISTERSTOWN ROAD, PIKESVILLE MD 21208 Currently Zoned BL
Deed Reference 19014 / 00747 10 Digit Tax Account # 1700011006
Owner(s) Printed Name(s) ERIC & RACHEL ZAK

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

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

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

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

DONNY & MIMI ANKRI

Name - Type or Print

[Signature]
Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 DA@DONNYANKRI.COM

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

ERIC ZAK / RACHEL ZAK

Name #1 - Type or Print

Name #2 - Type or Print

X Eric Zak

X Rachel Zak

Signature #1

Signature #2

401 BUTLER ROAD, REISTERSTOWN MD

Mailing Address City State

21136 / X 410-833-5103 ZAKRL@YAHOO.COM

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

DONNY ANKRI

Name - Type or Print

Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 / DA@DONNYANKRI.COM

Zip Code Telephone # Email Address

CASE NUMBER 2022-0296-A Filing Date 12 / 13 / 22 Do Not Schedule Dates Reviewer JS

3/2022

808 Reisterstown Road

17-00-011006

Requested Relief:

BCZR: 232.1 → To permit a front setback of 10' to the property line and 31' to the centerline of the road in lieu of the required 10' and 40', respectively.

BCZR: 232.2.B → To permit a side-street setback of 0' in lieu of the required 10'.

BCZR: 409.6 → To permit 17 parking spaces in lieu of the required 29 spaces.

BCZR: 409.8.A.1 → To permit no additional landscaping be added in lieu of the requirement(s) of the Baltimore County Landscaping Manual.

2022-0296-1

J.S. DALLAS, INC.

Surveying & Engineering

P.O. Box 26
Baldwin, MD 21013
(410)817-4600
FAX (410)817-4602

ZONING DESCRIPTION OF #808 REISTERSTOWN ROAD

BEGINNING at the intersection of the southwest side of Reisterstown Road, 66 feet wide, and the southeast side of Hawthorne Avenue, 50 feet wide, thence running with and binding on said Reisterstown Road **(1)** South 29 degrees 17 minutes East 69.16 feet thence **(2)** South 64 degrees 30 minutes West 155.49 feet thence **(3)** North 25 degrees 33 minutes West 69 feet to intersect said southeast side of Hawthorne Avenue thence running with and binding thereon **(4)** North 64 degrees 30 minutes East 151 feet to the place of beginning.

CONTAINING 10553 square feet (or 0.242 acres) of land, more or less.

ALSO known as **#808 Reisterstown Road** and located in the 3rd Election District, 2nd Councilmanic District.

Note: above description is based on existing deed and is for zoning purposes only.



2072-0296-A



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 808 REISTERSTOWN ROAD, PIKESVILLE MD 21208 Currently Zoned BL

Deed Reference 19014 / 00747 10 Digit Tax Account # 1700011006

Owner(s) Printed Name(s) ERIC & RACHEL ZAK

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

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

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

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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:

DONNY & MIMI ANKRI

Name - Type or Print

[Signature]
Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 DA@DONNYANKRI.COM

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

ERIC ZAK / RACHEL ZAK

Name #1 - Type or Print

Name #2 - Type or Print

X Eric Zak

X Rachel Zak

Signature #1

Signature #2

401 BUTLER ROAD, REISTERSTOWN MD

Mailing Address City State

21136 / X 410-833-5103 ZAKRL@YAHOO.COM

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

DONNY ANKRI

Name - Type or Print

[Signature]
Signature

6803 CHEROKEE DRIVE BALTIMORE, MD

Mailing Address City State

21209 / 443-929-2377 / DA@DONNYANKRI.COM

Zip Code Telephone # Email Address

CASE NUMBER 2022-0296-A Filing Date 12 / 13 / 22 Do Not Schedule Dates Reviewer JS

3/2022

Date: December 9, 2022

LETTER FOR VARIANCE REQUEST

My wife and I are submitting this Variance request for a new commercial building to be the future home of our 2 small businesses. My wife has a women's retail clothing store called The Mimi Boutique and I have a 2-person architectural practice called Donny Ankri Architects. The proposed building is a 4,213 SF building (2 floors). My wife's retail store will be on the ground level, and my architectural office will be on the second floor, with a second office tenant adjacent to my architectural office.

The business for my wife and I are a "mom and pop shop". We both started our businesses from scratch within the past 8 years and we are excited to be a part of this vibrant Pikesville community for a long time. We live in Pikesville (near the intersection of Smith Ave and Greenspring Ave) with our 4 kids. Pikesville is where I was born and raised. As such, I have great pride in where I live and I'm excited to be able to positively contribute to the neighborhood.

Below are the variance reliefs we are requesting:

1. Front setback
2. Street side setback
3. Parking count
4. Potential landscape buffers

Thank you for your consideration. Have a great day!

Donny Ankri



Principal & Founder, Donny Ankri Architects

443.929.2377 | 6803 Cherokee Drive Baltimore MD 21209 | da@donnyankri.com

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:	District - 03 Account Number - 1700011006	
Owner Information		
Owner Name:	ZAK ERIC ZAK RACHEL	Use: COMMERCIAL Principal Residence: NO
Mailing Address:	401 BUTLER RD REISTERSTOWN MD 21136-	Deed Reference: /19014/ 00747
Location & Structure Information		
Premises Address:	808 REISTERSTOWN RD 0-0000	Legal Description: LT 206 PT 205-207 808 REISTERSTOWN RD RALSTON
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:		
0078 0008 0448 10000.04 0000 206 2022 Plat Ref: 0001/ 0275		
Town: None		
Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use		
1921 2,532 SF 10,553 SF 06		
StoriesBasementType	ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements	
OFFICE BUILDING/	C3	
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
		As of
Land:	218,000	218,000
Improvements	165,400	188,400
Total:	383,400	406,400
Preferential Land:	0	0
		391,067
		398,733
Transfer Information		
Seller: DABBAH JOSEPH	Date: 10/23/2003	Price: \$235,000
Type: ARMS LENGTH IMPROVED	Deed1: /19014/ 00747	Deed2:
Seller: KATZ IRVING G	Date: 08/01/1986	Price: \$190,000
Type: ARMS LENGTH IMPROVED	Deed1: /07254/ 00623	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2022
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:		

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

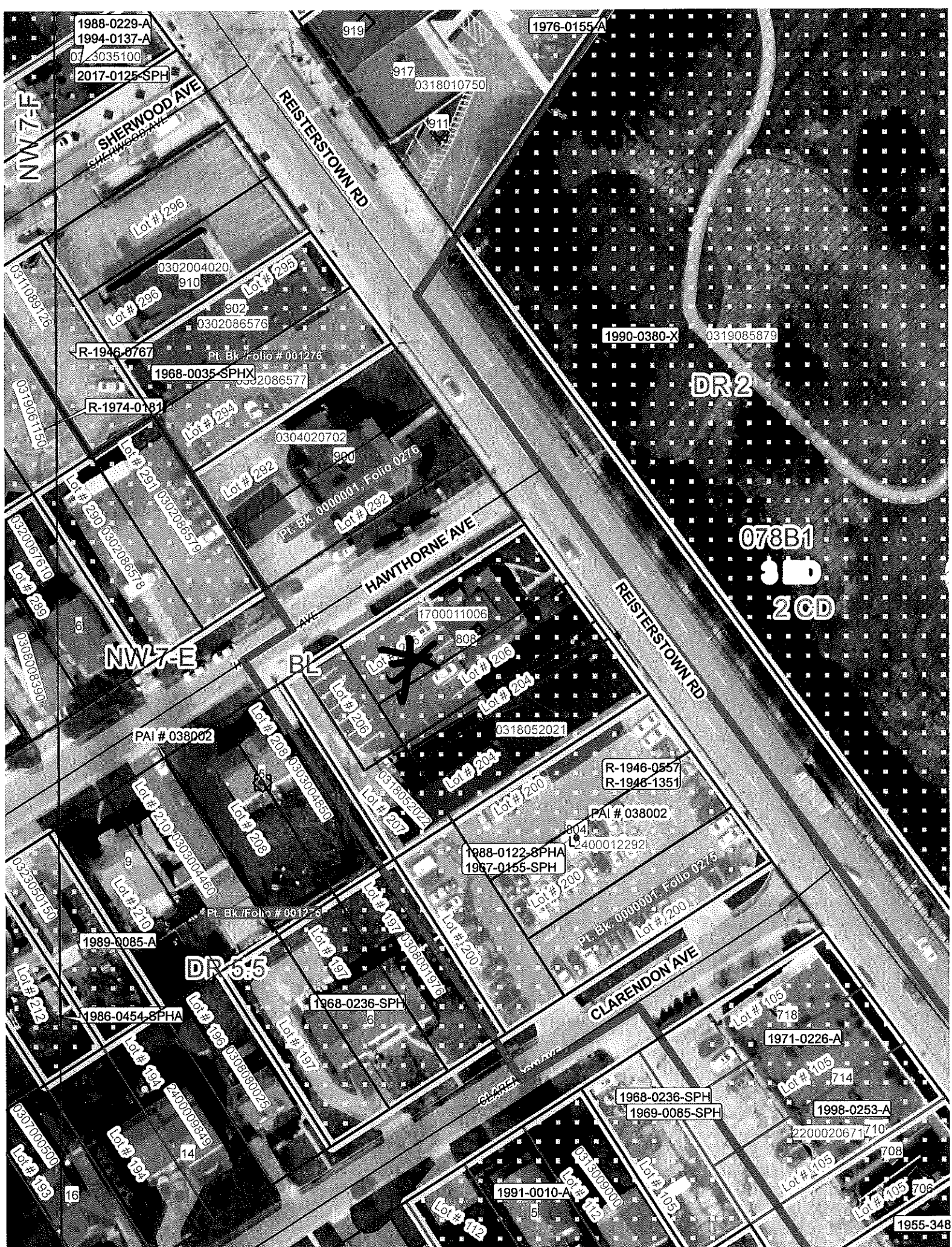
For Newspaper Advertising:

Case Number: 2022-0296-A
Property Address: 808 REISTERSTOWN ROAD
PIKESVILLE, MD 21208
Legal Owners (Petitioners): ERIC + RACHEL ZAK
Contract Purchaser/Lessee: DONNY + MIMI ANKRI

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): DONNY ANKRI
Address: 6803 CHEROKEE DRIVE
BALTIMORE, MD 21209
Telephone Number: 443-989-2377

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.





PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 808 REISTERSTOWN ROAD, PIKESVILLE MD 21208 Currently Zoned BL
Deed Reference 19014 / 00747 10 Digit Tax Account # 1700011006
Owner(s) Printed Name(s) ERIC & RACHEL ZAK

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

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

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

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)

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DONNY & MIMI ANKRI

Name - Type or Print

[Signature]
Signature

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Zip Code Telephone # Email Address

Legal Owners (Petitioners):

ERIC ZAK

/ RACHEL ZAK

Name #1 - Type or Print

Name #2 - Type or Print

X Eric Zak
Signature #1

X Rzak
Signature #2

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Mailing Address City State

21136 / X 410-833-5103 ZAKRL@YAHOO.COM

Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

DONNY ANKRI

Name - Type or Print

[Signature]
Signature

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Zip Code Telephone # Email Address

CASE NUMBER 2022-0296-A Filing Date 12 / 13 / 22 Do Not Schedule Dates Reviewer JS

3/2022

808 Reisterstown Road

17-00-011006

Requested Relief:

BCZR: 232.1 → To permit a front setback of 10' to the property line and 31' to the centerline of the road in lieu of the required 10' and 40', respectively.

BCZR: 232.2.B → To permit a side-street setback of 0' in lieu of the required 10'.

BCZR: 409.6 → To permit 17 parking spaces in lieu of the required 29 spaces.

BCZR: 409.8.A.1 → To permit no additional landscaping be added in lieu of the requirement(s) of the Baltimore County Landscaping Manual.

2022-0296-1

J.S. DALLAS, INC.

Surveying & Engineering

P.O. Box 26
Baldwin, MD 21013
(410)817-4600
FAX (410)817-4602

ZONING DESCRIPTION OF #808 REISTERSTOWN ROAD

BEGINNING at the intersection of the southwest side of Reisterstown Road, 66 feet wide, and the southeast side of Hawthorne Avenue, 50 feet wide, thence running with and binding on said Reisterstown Road **(1)** South 29 degrees 17 minutes East 69.16 feet thence **(2)** South 64 degrees 30 minutes West 155.49 feet thence **(3)** North 25 degrees 33 minutes West 69 feet to intersect said southeast side of Hawthorne Avenue thence running with and binding thereon **(4)** North 64 degrees 30 minutes East 151 feet to the place of beginning.

CONTAINING 10553 square feet (or 0.242 acres) of land, more or less.

ALSO known as **#808 Reisterstown Road** and located in the 3rd Election District, 2nd Councilmanic District.

Note: above description is based on existing deed and is for zoning purposes only.

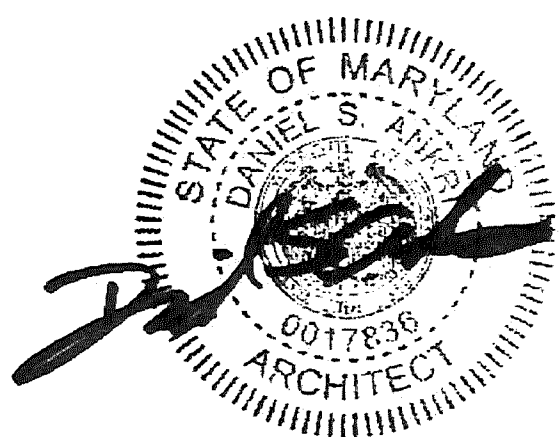


2072-0296-A

808
REISTERSTOWN
ROAD PIKESVILLE
MD 21208

PLAN TO ACCOMPANY DRC REQUEST

"PROFESSIONAL CERTIFICATION. I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 17836, EXPIRATION DATE 10/30/2022."



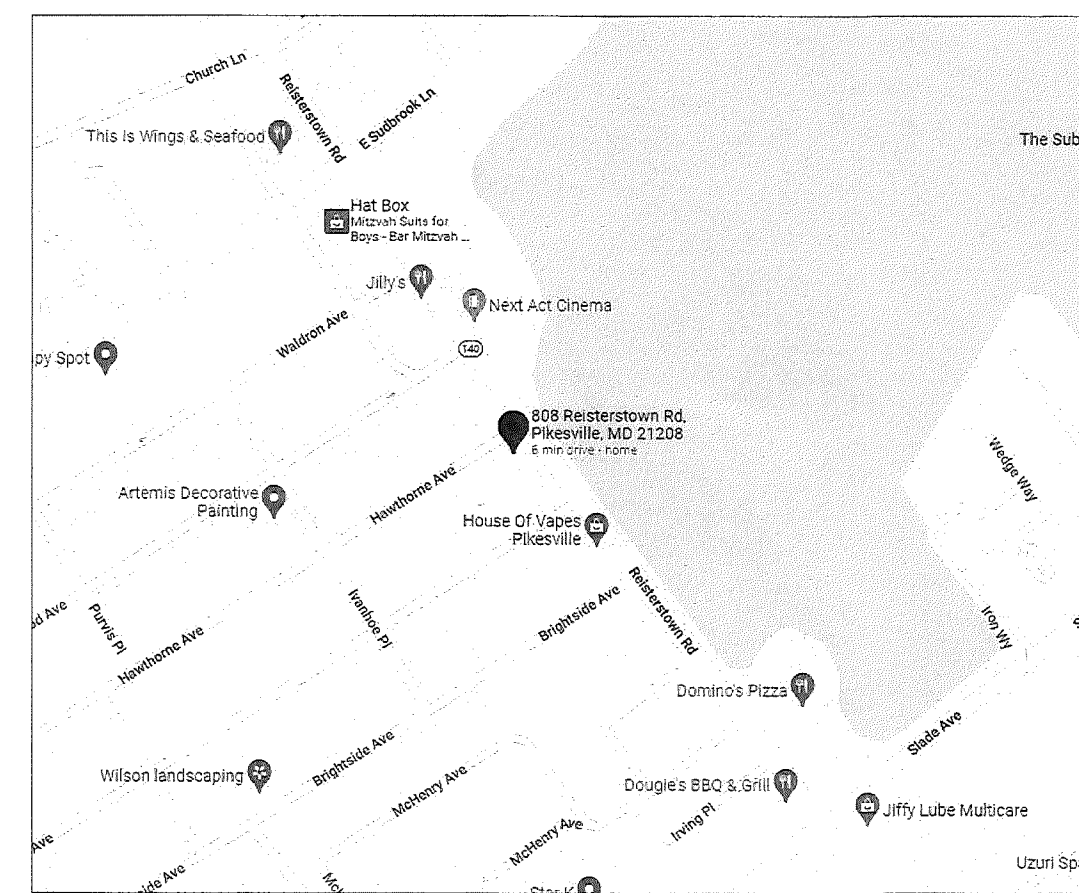
REVISIONS		
NUMBER	DESCRIPTION	DATE

VARIANCE REQUEST

Date	12/09/2022
Scale	1" = 10'-0"
Job No.	XXXX
Drawn By	Author

SITE PLAN

Drawing No. **A0.01**



VICINITY MAP, NOT TO SCALE, NORTH IS UP

VARIANCE REQUEST: **NEW 2-STORY BUILDING**

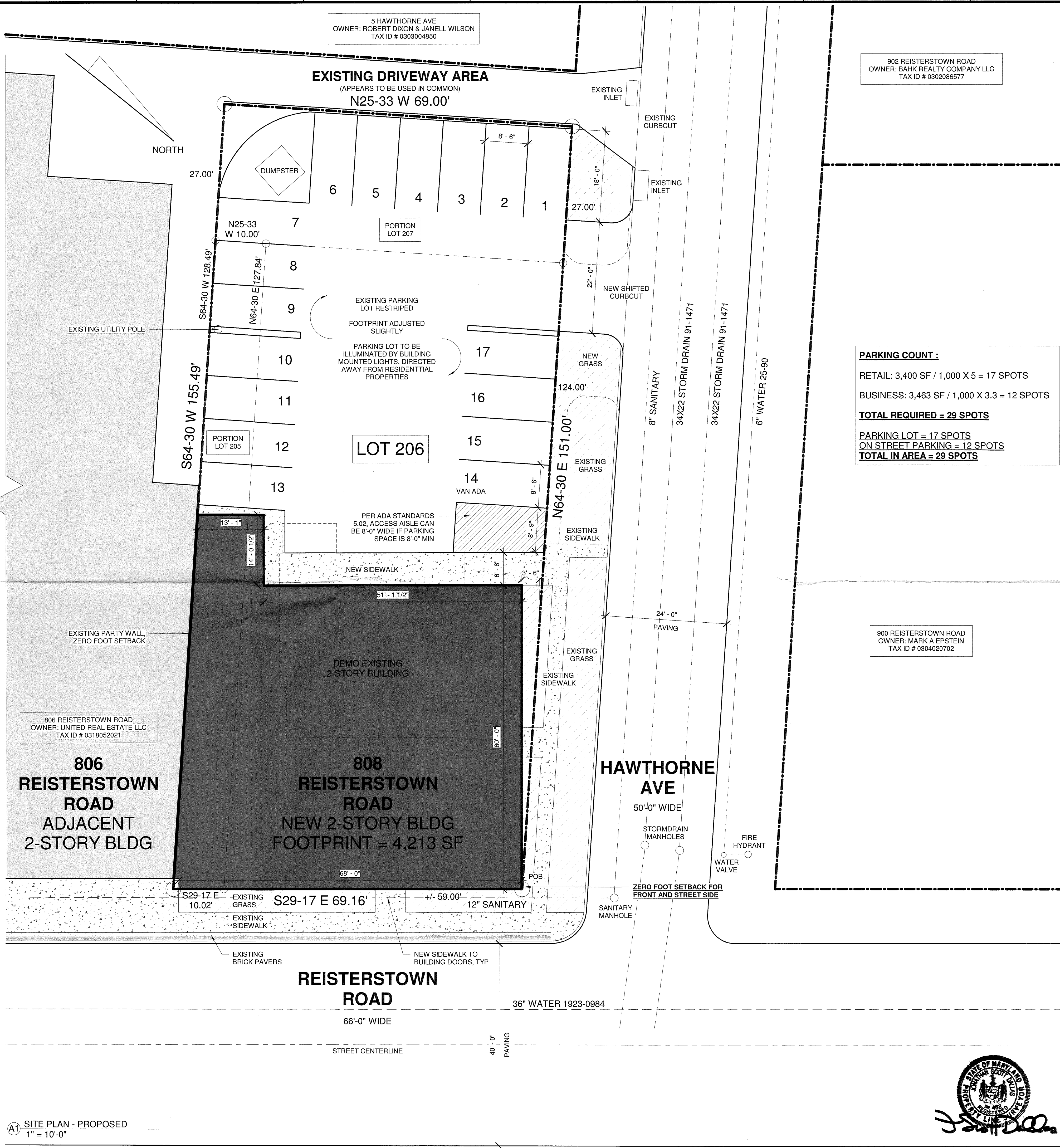
**808 REISTERSTOWN ROAD
PIKESVILLE, MD 21208
(BALTIMORE COUNTY)**

VARIANCE REQUESTS:

1. FRONT SETBACK
2. STREET SIDE SETBACK
3. PARKING COUNT
4. LANDSCAPE BUFFERS (POTENTIAL)

1. OWNER:
ERIC ZAK
RACHEL ZAK
401 BUTLER ROAD
REISTERSTOWN, MD 21136
2. EXISTING LOT AREAS:
10,583 SF NET OR 0.242 ACRES
17,148 SF GROSS OR 0.349 ACRES
^ (GROSS = NET PLUS CENTER OF ROAD UP TO 30 FEET)
3. PROPOSED BUILDING AREA:
FOOTPRINT = 4,213 SF X 2 FLOORS = 8,426 SF
4. UTILITIES:
PUBLIC SEWAR
PUBLIC WATER
PUBLIC STORM DRAIN
5. THE SITE LIES WITHIN ZONE "X" AS SHOWN ON F.I.R.M.
2400100205F DATED SEPTEMBER 26, 2008
6. EXISTING STRUCTURE = 2-1/2 STORY COMMERCIAL/OFFICE
7. DEED REF: SM 19014-747
8. TAX ACCOUNT: # 1700011006
9. COUNCILMANIC DISTRICT: 2ND
ELECTION DISTRICT: 3RD
10. FLOOR AREA RATIO:
8,426 SF / 17,148 SF = 0.49
MAX FAR = 3
11. WATERSHED: JONES FALLS
12. TAX MAP: #78, PARCEL 448
LOT 206, PLUS PART OF LOTS 205 & 207
13. ZONING: BL (PER BALTO COUNTY WEBSITE)
14. NO PREVIOUS ZONING CASE ON FILE
15. BUILDING HEIGHT = +/- 30 FEET
16. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA.
17. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE
SITE ITSELF HISTORIC.
18. NO KNOWN PREVIOUS DRC MEETINGS.
19. NO KNOWN PERMITS ON FILE.
20. OFF STREET PARKING CALCULATIONS:
SEE NOTES ON SITE PLAN

21. SETBACKS		
REQ'D		PROPOSED
FRONT:	10 FT	0 FT
STREET SIDE:	10 FT	0 FT
INTERIOR SIDE:	0 FT	0 FT
REAR:	20 FT	76 FT



(A1) SITE PLAN - PROPOSED
1" = 10'-0"

