



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 20, 2023

J. Neil Lanzi, Esquire – nlanzi@wcsolaw.com
102 W. Pennsylvania Avenue, Suite 406
Towson, MD 21204

RE: Petition for Variance
Case No. 2023-0022-A
Property: 801 North Point Boulevard

Dear Mr. Lanzi:

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, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

Enclosure

c: Patrick Richardson – rick@richardsonengineering.net
Kai Tang – tangkai2000@hotmail.com

**IN RE: PETITION FOR VARIANCE
(801 North Point Boulevard)**

15th Election District
7th Council District
Northpoint Property, LLC
Legal Owner

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2023-0022-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Northpoint Property, LLC (“Petitioner”) for property located at 801 North Point Boulevard (the “Property”). Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (“BCZR”) § 409.6A(2): To allow 96 parking spaces in lieu of the required 112 parking spaces.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioner, Kai Tang appeared at the hearing. J. Neil Lanzi, Esquire represented the Petitioner. Patrick (“Rick”) Richardson of Richardson Engineering was also present. The site plan he prepared was admitted as Petitioner’s Exhibit 1. There were no interested citizens or protestants that appeared at this hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), and Development Plans Review (“DPR”). These agencies did not oppose the requested relief.

The property is approximately 1.12 acres and zoned BL. There are a variety of restaurants and other small businesses in the area. The restaurant on the site is currently vacant. The Petitioner proposes to construct an addition on the restaurant to add more seating, and to renovate and reopen

another restaurant there. There is a lengthy zoning history for this site, including a similar parking variance that was granted in Case No. 1989-0402-A (allowing 102 spaces in lieu of 109).

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).

The site has already been found to be unique in a zoning sense in previous cases. If the variance was denied the Petitioner would suffer practical difficulty and hardship because he would be unable to operate the proposed restaurant. I find that the variance is within the spirit and intent of the zoning regulations and that it will not harm the public health, safety or welfare. As noted by the DOP, there will be more than adequate parking capacity even with the variance relief.

THEREFORE, IT IS ORDERED, this **20th** day of **March 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variances from BCZR § 409.6A(2): To allow 96 parking spaces in lieu of the required 112 parking spaces is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at 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, Petitioner would be required to return the subject property to its original condition.

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



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

PMM/dlm



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 801 North Point Boulevard Currently Zoned BL-AS, DR 5.5
Deed Reference 46483 / 370 10 Digit Tax Account # 1501020220
Owner(s) Printed Name(s) Northpoint Property, LLC

(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) 409.6A(2) 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:

Name - Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Attorney for Petitioner:

J. Neil Lanzi
Name - Type or Print
Signature Wright, Constable & Steen, LLP
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address City State
21204 410 659-1390 nlanzi@wcslaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Northpoint Property, LLC By: Kai Tang, Owner
Name #1 - Type or Print Name #2 - Type or Print
Signature #1 Signature #2
1303 Dundalk Avenue Baltimore MD
Mailing Address City State
21222 917 815-2279 tangkai2000@hotmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

J. Neil Lanzi
Name - Type or Print
Signature
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address City State
21204 410 659-1390 nlanzi@wcslaw.com
Zip Code Telephone # Email Address

Case Number 2023-0022-A Filing Date 2 / 7 / 23 Do Not Schedule Dates Reviewer SC

Case No. 2022-

Property Address: 801 North Point Boulevard

Petitioner: Northpoint Property, LLC

ATTACHMENT TO PETITION

Petitioner, Northpoint Property, LLC, for the property known as 801 North Point Boulevard, Baltimore County, Maryland, hereby petitions the Administrative Law Judge for the following zoning relief from the Baltimore County Zoning Regulations:

1. Variance to § 409.6.A(2) of the Baltimore County Zoning Regulations (BCZR) to allow 96 parking spaces in lieu of the required 112 parking spaces.
2. For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The Administrative Law Judge has the power to grant all of the above zoning relief that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will be providing reasons in support of the zoning relief requested at the hearing.



Richardson
ENGINEERING

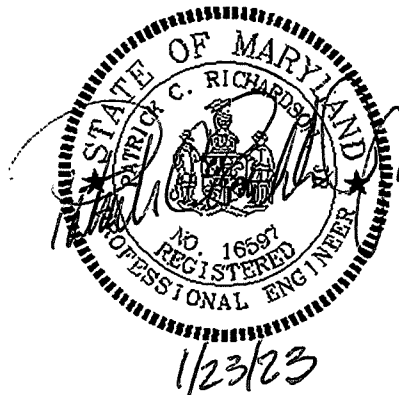
CIVIL | COMMERCIAL
RESIDENTIAL
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.
7 DENEISON ST. | TIMONIUM, MD 21093
410-560-1502 | RICHARDSONENGINEERING.NET

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

BEGINNING FOR THE SAME at 1650 feet east more or less from the intersection of Eastern Avenue and North Point Boulevard on the South side of North Point Boulevard thence binding on the South side of North Point Boulevard (1) South 70 degrees 12 minutes 57 seconds East 228.00 feet, (2) South 25 degrees 12 minutes 57 seconds East 32.53 feet, thence following a 50' right of way North Point (Spur) Boulevard the following bearing and distance (3) South 19 degrees 47 minutes 03 seconds West 121.00 feet, thence (4) North 70 degrees 12 minutes 57 seconds West 118.85 feet, (5) South 21 degrees 18 minutes 15 seconds West 179.85 feet, to meet the north side of Old North Point Road and then binding on the north side of the 40 foot right of way, (6) North 70 degrees 50 minutes 45 seconds West 20.12 feet, (7) North 70 degrees 46 minutes 17 seconds West 49.89 feet, (8) North 21 degrees 18 minutes 15 seconds East 174.23 feet, (9) North 70 degrees 12 minutes 07 seconds West 62.00 feet, (10) North 19 degrees 47 minutes 03 seconds East 150.31 feet, to the place of beginning.

Containing a net area of 43,367 S.F OR 0.996 Ac. ±.



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: 08-15-2023

2023-0022-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 801 North Point Boulevard Currently Zoned BL-AS, DR 5.5
Deed Reference 46483 / 370 10 Digit Tax Account # 1501020220
Owner(s) Printed Name(s) Northpoint Property, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Variance** from Section(s) 409.6A(2) 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:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

J. Neil Lanzi
Name - Type or Print J. Neil Lanzi
Signature [Signature]
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address _____ City _____ State _____
21204 / 410 659-1390 / nlanzi@wcslaw.com
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Northpoint Property, LLC By: Kai Tang, Owner
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 [Signature] Signature #2 _____
1303 Dundalk Avenue Baltimore MD
Mailing Address _____ City _____ State _____
21222 / 917 815-2279 / tangkai2000@hotmail.com
Zip Code _____ Telephone #'s (Cell and Home) _____ Email Address _____

Representative to be contacted:

J. Neil Lanzi
Name - Type or Print J. Neil Lanzi
Signature [Signature]
102 W. Pennsylvania Ave Ste 406 Towson MD
Mailing Address _____ City _____ State _____
21204 / 410 659-1390 / nlanzi@wcslaw.com
Zip Code _____ Telephone # _____ Email Address _____

Case Number 2023-0022-A Filing Date 2 / 7 / 23 Do Not Schedule Dates _____ Reviewer SC

Case No. 2022-

Property Address: 801 North Point Boulevard

Petitioner: Northpoint Property, LLC

ATTACHMENT TO PETITION

Petitioner, Northpoint Property, LLC, for the property known as 801 North Point Boulevard, Baltimore County, Maryland, hereby petitions the Administrative Law Judge for the following zoning relief from the Baltimore County Zoning Regulations:

1. Variance to § 409.6.A(2) of the Baltimore County Zoning Regulations (BCZR) to allow 96 parking spaces in lieu of the required 112 parking spaces.
2. For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The Administrative Law Judge has the power to grant all of the above zoning relief that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will be providing reasons in support of the zoning relief requested at the hearing.



Richardson
ENGINEERING

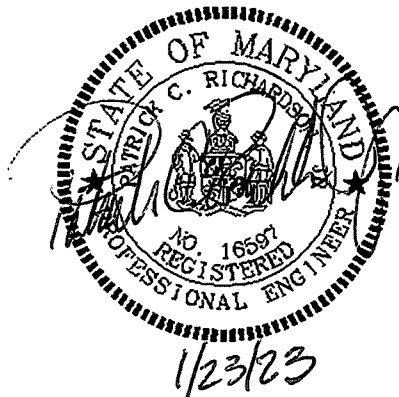
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15th ELECTION DISTRICT
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PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2023

2023-0022-A

**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: 2023-0022-A

Petitioner: Northpoint Property, LLC

Address or Location: 801 North Point Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kai Tang

Address: 1303 Dundalk Avenue
Baltimore, MD 21222

Telephone Number: 917-815-2279

NORTHPOINT PROPERTY LLC213 VIRGINIA AVE
ESSEX, MD 21221-6911

01-22

1005

7-163/520 MD
8099DATE 1/3/23PAY
TO THE
ORDER OFBaltimore County
Five hundred even\$ 500.00

DOLLARS

BANK OF AMERICA

ACH R/T 052001633

FOR

⑈001005⑈ ⑆052001633⑆ 446050181135⑈

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPTNo. **219093**Date: 2/7/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0006		6156					\$ 500

Total: \$ 500.00

Rec

From: Northpoint Property LLCFor: VERANCE 2023-2022-APublic Hearing**DISTRIBUTION**

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**50

CERTIFICATE OF POSTING

2023-0022-A

RE: Case No.: _____

Petitioner/Developer: _____

North Point Property, LLC, Kai Tang

March 20, 2023

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:

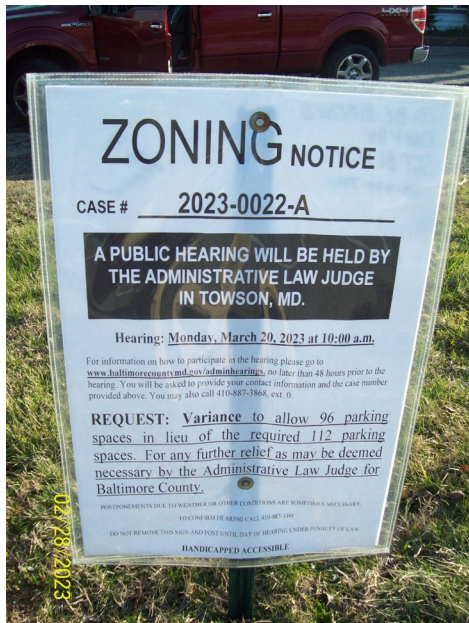
Ladies and Gentlemen:

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: _____

801 North Point Boulevard ***SIGN 1***

February 28, 2023

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



Sincerely,

 February 28, 2023
(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

2023-0022-A

RE: Case No.: _____

Petitioner/Developer: _____

North Point Property, LLC, Kai Tang

March 20, 2023

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:

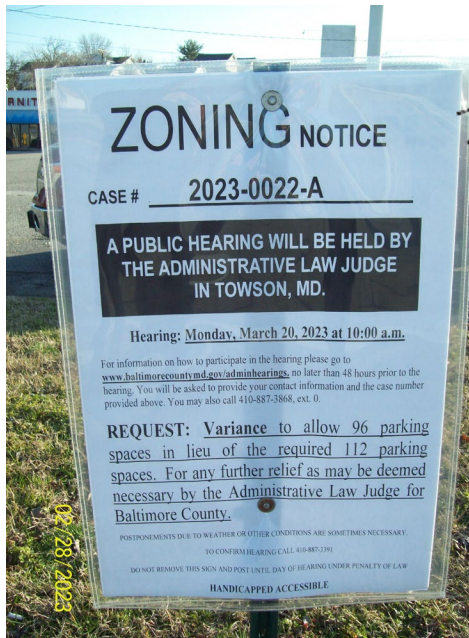
Ladies and Gentlemen:

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: _____

801 North Point Boulevard ***SIGN 2***

February 28, 2023

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



Sincerely,

 February 28, 2023

(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)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 2/16/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-022-A

INFORMATION:

Property Address: 801 North Point Boulevard
Petitioner: Northpoint Property, LLC c/o Kai Tang, Owner
Zoning: BL AS, DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for Variance to Section 409.6.A(2) of the Baltimore County Zoning Regulations to allow 96 parking spaces in lieu of the required 112 and for any further relief as may be deemed necessary by the Administrative Law Judge.

The subject site is an approximately 1.12 acre parcel between North Point Boulevard and North Point Road and can be accessed from either. The site is improved with a one-story building, which appears to be a now vacant restaurant, and associated parking. The property owner is proposing a one story, 1,520 square foot addition on the west elevation to expand to create a 7,027 square foot restaurant.

The subject site is within the boundaries of the following community plans: the Eastern Baltimore County Revitalization Strategy, the Eastern Baltimore County Pedestrian and Bicycle Access Plan, and the Greater Dundalk-Edgemere Community Conservation Plan. The site is also within the boundary of the Greater Dundalk Sustainable Community Plan.

The site has been the subject of six prior Zoning Variances. Cases 1946-0744, 1948-1316, 1953-2507, and 1955-3408 pertained to zoning reclassifications. Case 1965-0135 was granted to allow a movie theater, not a drive-in. Case 1989-0402-A requested a Variance to permit 102 parking spaces in lieu of the required 109; the Variance was approved with the condition the petitioners landscape the property in compliance with the Baltimore County Landscape Manual.

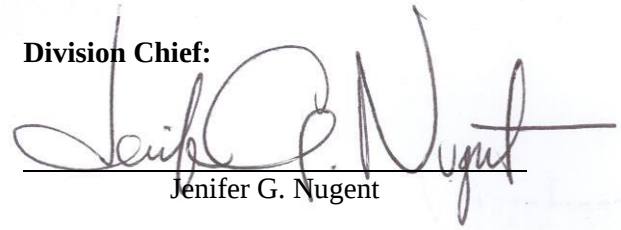
The Department of Planning has no objection to the requested relief, as the restaurant will still have adequate parking and is providing handicap spaces.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:


Taylor Bensley

Division Chief:


Jenifer G. Nugent

SL/JGN

c: J. Neil Lanzi
David Birkenthal
Ngone Seye Diop
Jeff Perlow, Zoning Review
Lajuanda Whitaker, Zoning Review
Office of 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: February 16, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0022-A
Address: 801 North Point Blvd.
Legal Owner: Northpoint Property, LLC. - Kai Tang (Owner)

Zoning Advisory Committee Meeting of February 20, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
801 North Point Road; 1,650' E of intersection *
Of Eastern Blvd & North Point Blvd * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Northpoint Property LLC * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2023-022-A

* * * * *

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/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of February, 2023, a copy of the foregoing Entry of Appearance was emailed to J. Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 W. Pennsylvania Avenue, Suite 406, Towson, Maryland 21204, nlanzi@wcslaw.com, Attorney for Petitioner(s).

Peter Max Zimmerman/rmw
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING February 13, 2023
FORMAL OR INFORMAL RESPONSE DUE AT February 20, 2023 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, myneighborhoodimprovrment@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: 2023-0022-A **Reviewer:** Shaun Crawford
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: Northpoint Property, LLC./ Kai Tang (Owner)
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 801 NORTH POINT BLVD

Location: Property located beginning at 1,650 feet East of intersection of Eastern Blvd. and Northpoint Blvd.

Existing Zoning: BL **Area:** 1.12 ACRES

Proposed Zoning:

VARIANCE:

1.) BCZR 409.6A(2): To allow 96 parking spaces in lieu of the required 112 parking spaces.

2.) For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Attorney: J. Neil Lanzi

Prior Zoning Cases: 1965-0135-X; 1989-0402-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0020-A **Reviewer:** Mitchell Kellman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Janet Deery
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 7 MARYHILL CT

Location: Property located on the South side of Maryhill Court, 245 feet Southwest the centerline at Velvet Hill Drive.

Existing Zoning: DR 2 **Area:** .375 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an accessory building (detached shed) in the side yard in lieu of the required rear yard and amend the Final Development Plan (FDP) of Velvet Hills (last approved), Lot 14 only.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/27/2023

Miscellaneous Notes:

Case Number: 2023-0021-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Yevgeniy and Irina Leychenko
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 5 ASHMERE RD

Location: Property located on the Northeast side of Ashmere Rd. (50 feet), 67 feet Southeast of Oakmere Rd. (50 feet)

Existing Zoning: DR 3.5 **Area:** 13,338 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of the required 2.5 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/06/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0023-SPH **Reviewer:** Jason Seidelman

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

Type: SPECIAL HEARING

Legal Owner: Ebenezer Grace Worship center, Inc.

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 9116 9118 BELAIR RD

Location: Property located Northeast corner of intersection of Belair Rd. (75 feet) and Minte Dr. (40 feet).

Existing Zoning: DR 1 NC & BL

Area: 0.188 ACRES AND 0.264 ACRES

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7 and 259.14: To approve the use of an NC overlay district property to serve a development on an adjacent property including access, storm water management, a turn around area, water and sewer utility lines, connections to adjacent public roads.

Attorney: Jennifer Busse

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0024-A **Reviewer:** Shaun Crawford

Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Regina Smith

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 7939 GALLOPING CIR

Location: Property located beginning at North side of Galloping Circle 101 feet North of Cantwell Drive.

Existing Zoning: DR 5.5

Area: 7,535 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B01.2.C.1.b.(1972 CZMP Section V.B.5.a): To permit a dwelling addition with a window to tract boundary setback of 21 feet in lieu of the required 35 feet tract boundary setback. And to amend the last approved final development plan of Parkview Trail, lot 568 only.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/06/2023

Miscellaneous Notes:

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1501020220

Owner Information

Owner Name: NORTHPOINT PROPERTY LLC Use: COMMERCIAL
Principal Residence: NO

Mailing Address: 1303 DUNDALK AVE Deed Reference: /46483/ 00370
BALTIMORE MD 21222-

Location & Structure Information

Premises Address: NORTH POINT BLVD Legal Description: 1.122 AC
BALTIMORE 21224- SWS NORTH PT BLVD
1500 E EASTERN BLVD

Map: 0096	Grid: 0017	Parcel: 0227	Neighborhood: 31504.04	Subdivision: 0000	Section:	Block:	Lot:	Assessment Year: 2021	Plat No:	Plat Ref:
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Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1965	4,712 SF		1.1200 AC	24

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements

RESTAURANT/ C3

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	374,000	374,000		
Improvements	376,800	368,100		
Total:	750,800	742,100	742,100	742,100
Preferential Land:	0	0		

Transfer Information

Seller: 801 NORTH POINT BOULEVARD LLC	Date: 03/01/2022	Price: \$1,100,000
Type: ARMS LENGTH IMPROVED	Deed1: /46483/ 00370	Deed2:
Seller: AB-GLO ASSOCIATES	Date: 11/09/2016	Price: \$750,000
Type: ARMS LENGTH IMPROVED	Deed1: /38241/ 00282	Deed2:
Seller: MOFFETT REALTY C O	Date: 09/09/1965	Price: \$26,000
Type: ARMS LENGTH IMPROVED	Deed1: /04514/ 00162	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0022-4



1973-0292-A
1977-0250-SPHA
2009-0076-SPHA
2013-0259-A
1993-0429-SPHXA
1959-4641-X
2005-0099-SPHA
2007-0112-SPHA
2015-0206-A
1991-0199-SPHA
1994-0197-A

00000373

R-1953-2610

R-1955-3408
R-1953-2507

PAI # 150534

UP-2019-0073SI

UP-2019-0060SI

UP-2018-0113SI

UP-2019-0058SI

UP-2018-0102SI

1505000500

UP-2019-0067SI

PAI # 150534

PAI # 150534

R-1946-0744

BM CT

NORTH POINT BLVD RAMP

R-1948-1316

BRAS

1972-0104-A 717
1990-0212-A 00000759 717-B

R-1946-0744

719

7 CD 15 ED

096C3

NORTH POINT BLVD

096B3

SE 1-E

1519715060

1965-0135-X

801

1501020220

1989-0402-A

1513751035

NORTH POINT (SPUR) BLVD
1600000310

1516350390
1523156430

811

813

1523350660

R-1972-0192
R-1946-0726

R-1955-3408
R-1953-2507

BLAS

DR 5.5

1971-0284-A
R-1950-1878
1999-0531-A

1600004487

809

1967-0123

1508303380

NORTH POINT RD

PAI # 128003

Pt. Bk./Folio # 005083C

1213002150
1213002020

12 ED

PAI # 128003

Pt. Bk. 0000042, Folio 0134

Lot # C
1208031400
PAI # 128038

PAI # 128038

Pt. Bk./Folio # 008001A

1223015890
Lot # B

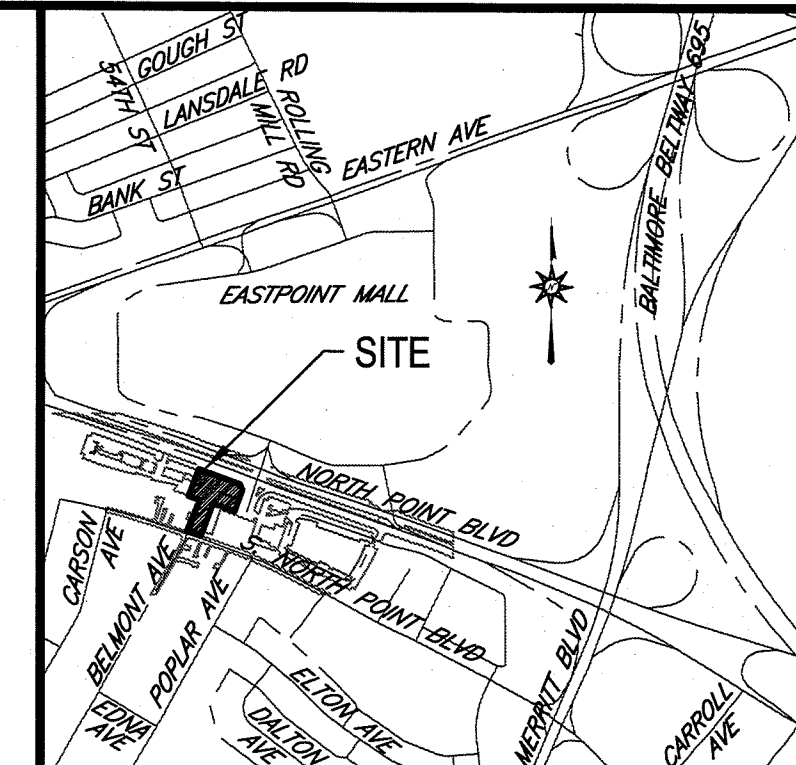
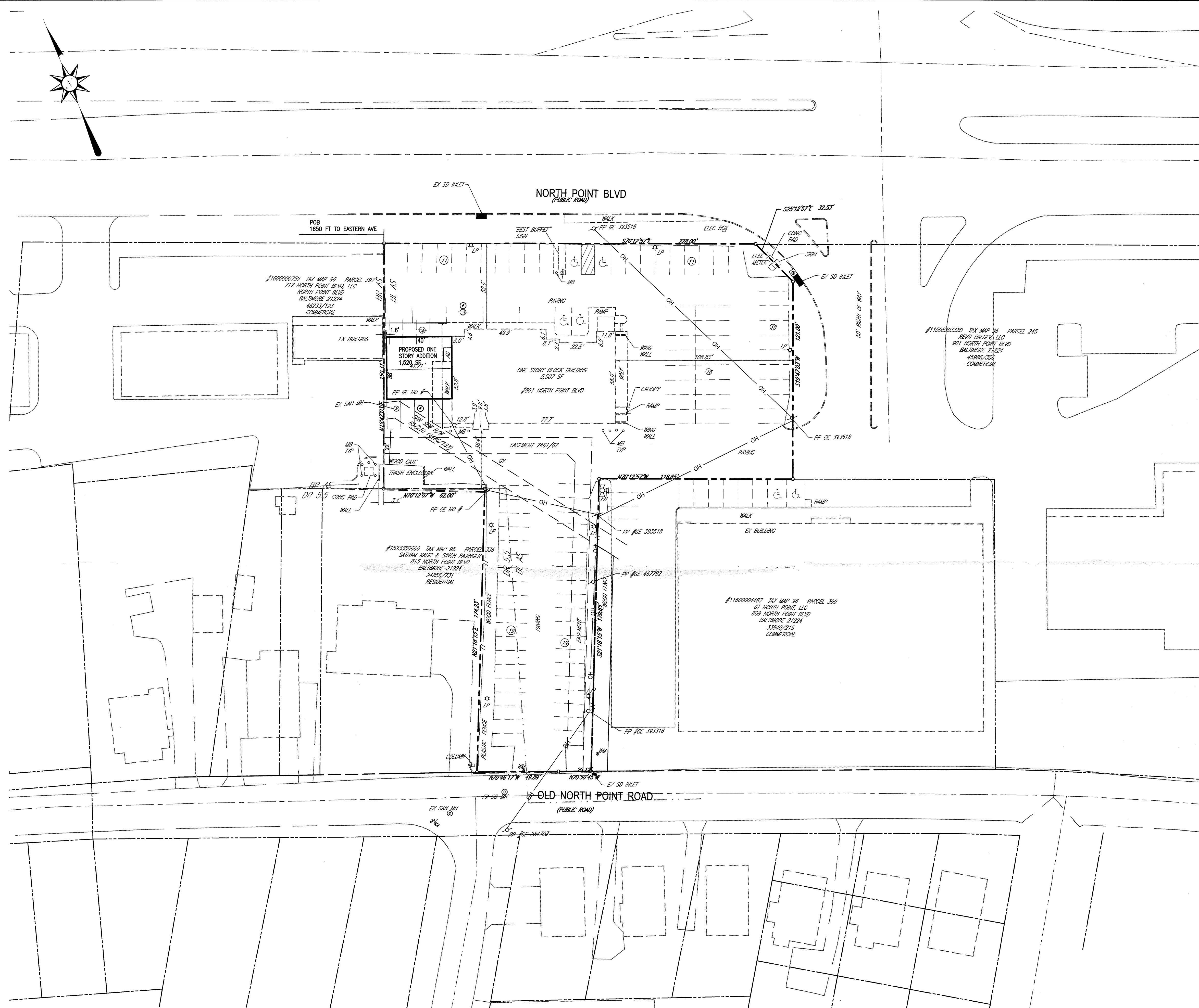
1214010860
Lot # A

Pt. Bk. 0000005, Folio 0083

122008027

824

2013-00222A



VICINITY MAP
SCALE: 1" = 1,000'

GENERAL NOTES:

- OWNER:
NORTHPOINT PROPERTY, LLC
1303 DUNDALK AVE
BALTIMORE, MD 21222
- SITE AREA:
GROSS: 48,874.32 SF OR 1.122 AC±
NET: 43,367.32 SF OR 0.996 AC±
- DEED REF: LIBER 46483 FOLIO 370
- TAX ACCOUNT: #1501020220
- ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7th
WATERSHED: BACK RIVER
- TAX MAP #96, PARCEL 227
- ZONING: BL-AS, DR 5.5
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES:
EXISTING: RESTAURANT
PROPOSED: RESTAURANT
- SITE SERVICED BY PUBLIC WATER AND SEWER.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100420 G DATED MAY 5, 2014. ZONE "X" IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- BUILDING AREAS:
EXISTING: RESTAURANT 5,507 SF
PROPOSED: RESTAURANT 7,027 SF
- FLOOR AREA RATIO (F.A.R.):
EX: 5,507 SF / 43,367.32 SF = 7.87%
PROP: 7,027 SF / 43,367.32 SF = 16.20%
- PARKING:
REQUIRED - 16 PER 1,000 SF
RESTAURANT 5,507 SF + 1,520 SF = 7,027 SF / 1,000 SF X 16 = 112 SPACES
PROVIDED - 92 + 4 HANDICAP = 96 SPACES
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- SETBACKS REQUIRED FOR BL ZONE: PROP BUILDING LOCATED IN ZONE BL.
FRONT 10' PROPERTY LINE / 40' CENTERLINE ROAD
SIDE: 0', 10' FOR CORNER LOTS / ADJACENT TO RESIDENTIAL ZONE
REAR: 0', 20' ADJACENT TO RESIDENTIAL ZONE
- BASIC SERVICES: 2022
PLAN NO
W NO
S NO
T NO
- BOUNDARY SHOWN HEREON FROM WITMER ASSOCIATES, LLC, PLAN ENTITLED 'ALTA/NSPS LAND TITLE SURVEY' FOR 801 NORTH POINT BLVD.
- ZONING HISTORY:
CASE # 19890402 - PETITION REQUESTED VARIANCE TO PERMIT 102 PARKING SPACES IN LIEU OF REQUIRED 109 SPACES FOR PROPERTY ADDITION. PETITION FOR VARIANCE GRANTED 4/26/89.
CASE # 19850135 - PETITION TO REQUEST A SPECIAL EXCEPTION FOR A MOVIE THEATER, NOT A DRIVE-IN, BE GRANTED. SPECIAL EXCEPTION GRANTED 11/6/84.
CASE # 19553408 - PETITION TO REQUEST THAT PROPERTY BE RECLASSIFIED FROM AN "A" & "B" RESIDENTIAL ZONE TO A "E" COMMERCIAL ZONE FOR COMMERCIAL USE. SAID ZONING RECLASSIFICATION APPROVED 3/4/55.
CASE # 19532507 - PETITIONER WITHDRAWS PETITION FILED FOR RECLASSIFICATION OF PROPERTY.
CASE # 19481316 - PETITION FOR RECLASSIFICATION FROM "D" RESIDENTIAL ZONE TO "E" COMMERCIAL ZONE / "F" INDUSTRIAL LIGHT ZONE. ZONING RECLASSIFICATION APPROVED 11/24/48.
CASE # 19460744 - PETITION FOR RECLASSIFICATION FROM "A" RESIDENTIAL ZONE TO "E" COMMERCIAL ZONE. ZONING RECLASSIFICATION APPROVED 10/29/46.



7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

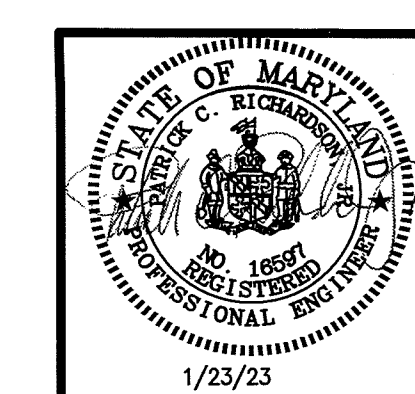
rich@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR

NORTHPOINT
PROPERTY, LLC
801 NORTH POINT BLVD
BALTIMORE COUNTY
15TH ELECTION DISTRICT

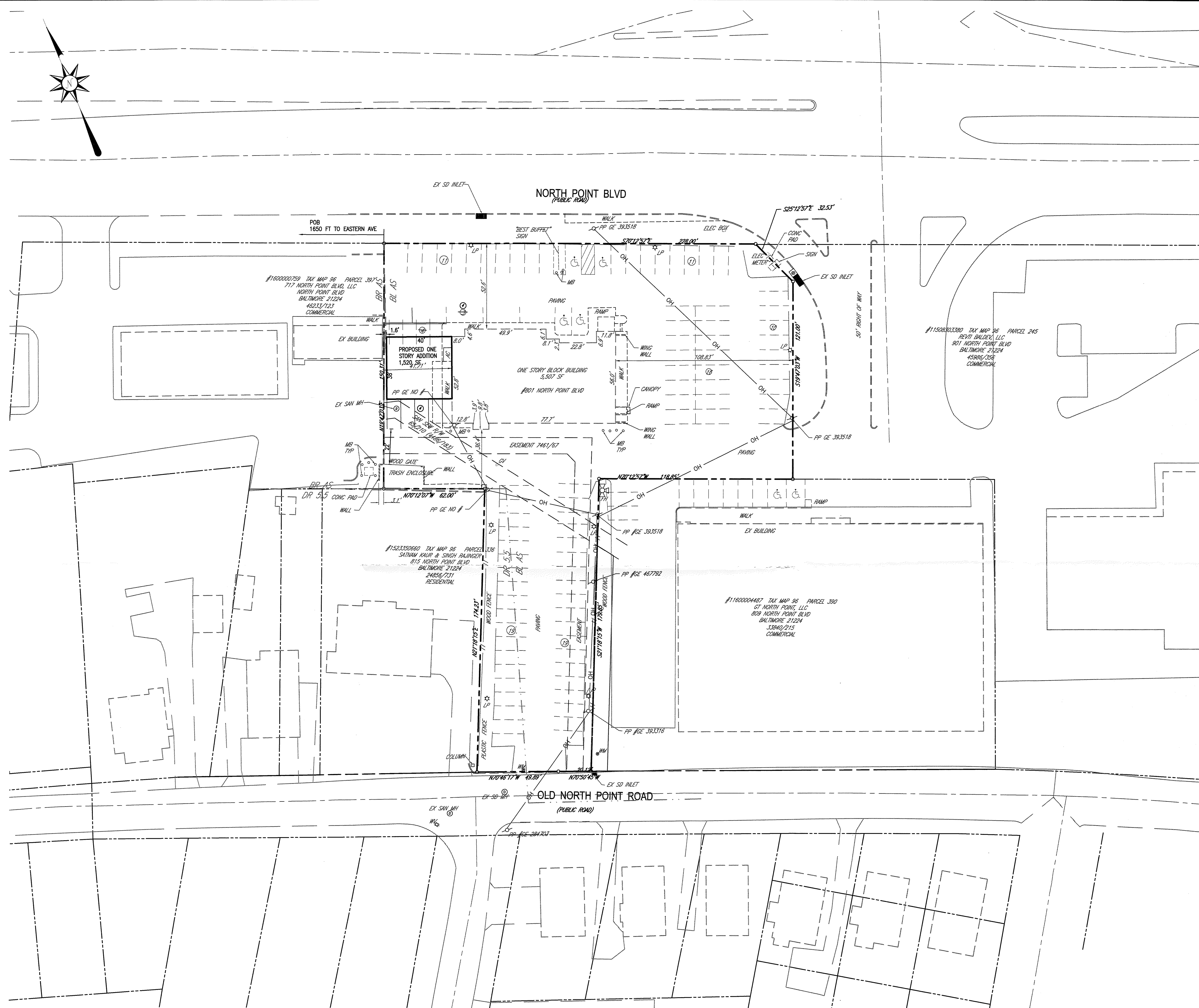
MARYLAND
7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	KAS	PCR	1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	11/24/22	22127	1 OF 1



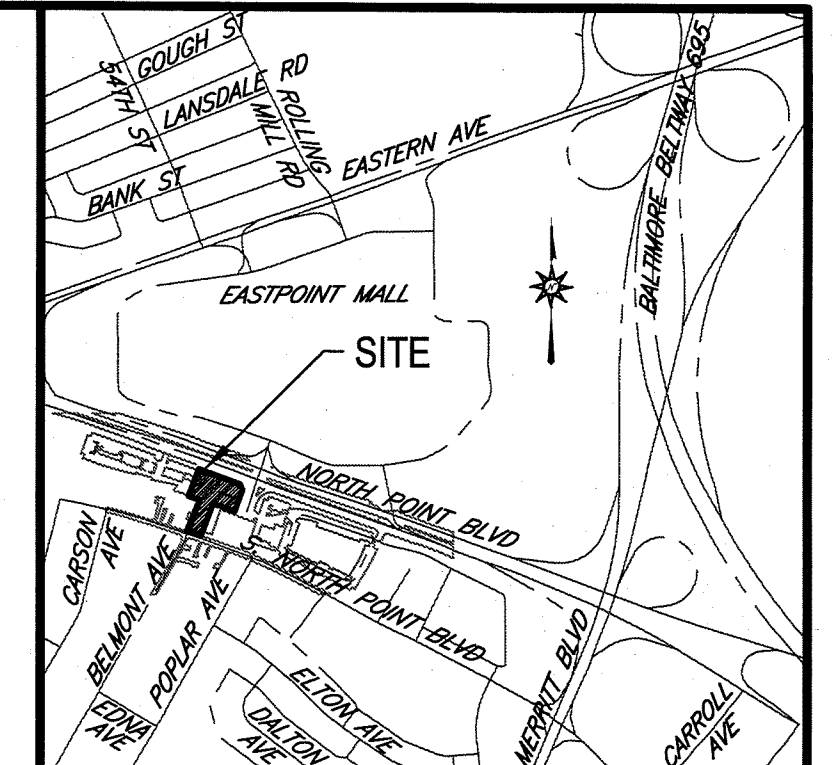
PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2023

2023-0022-A



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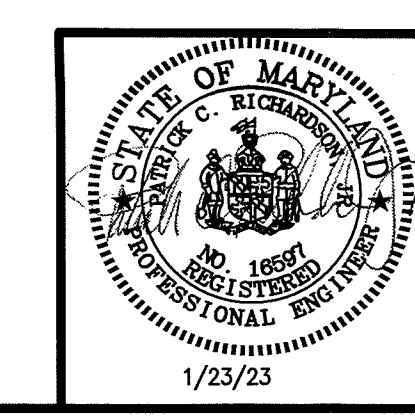
rich@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR

NORTHPOINT
PROPERTY, LLC
801 NORTH POINT BLVD
BALTIMORE COUNTY
15TH ELECTION DISTRICT

MARYLAND
7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY: KAS	CHECKED BY: PCR	SCALE: 1" = 30'
	DATE: 11/24/22	JOB NO.: 22127	SHEET NO.: 1 OF 1



PROFESSIONAL CERTIFICATION:
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ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2023

2023-0022-A