



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

March 22, 2024

Jennifer Busse, Esquire – jbusse@rosenbergmartin.com
Rosenberg Martin Greenberg, LLP
25 S. Charles Street, 21st Floor
Baltimore, MD 21201

RE: Petition for Special Exception
Case No. 2024-0034-X
Property: 9214 Pulaski Highway

Dear Ms. Busse:

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 black ink that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: Matthew Bishop – matt.bishop@kimley-horn.com
Patrick Koch – pkoch@hkequipment.com
Matthew Curran – mcurran@makenziecommercial.com

IN RE: PETITION FOR SPECIAL EXCEPTION*	BEFORE THE
(9214 Pulaski Highway)	
15 th Election District	*
6 th Council District	
BBD Realty, LLC	*
<i>Legal Owner</i>	
H & K Equipment	*
<i>Contract Purchaser/Lessee</i>	
	*
Petitioners	Case No. 2024-0034-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of BBD Realty, LLC legal owner and H & K Equipment, contract purchaser (“Petitioners”) for the property located at 9214 Pulaski Highway, Middle River (the “Property”). The Petition for Special Exception was filed under Baltimore County Zoning Regulations (“BCZR”), §502.1, to allow a contractor's equipment storage yard in the BR zone pursuant to BCZR, §236.2.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Patrick Koch, representative from H & K Equipment, attended the hearing in support of the Petition along with Matthew Bishop, professional landscape architect of Kimley Horn, who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 1). Jennifer Busse, Esquire and Rosenberg Martin Greenberg, LLP represented the Petitioners. There were no Protestants or interested citizens who attended the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Department of Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”) and Department of Environmental Protection and Sustainability (“DEPS”) which these agencies did not oppose the requested relief.

FINDINGS OF FACT

The Property is comprised of 4 parcels (Parcels 1304, 1305, 1306 and 745) which collectively measure 3.13 acres +/-, and is improved with a 1-story, 21,796 sf commercial building. (Pet. Ex. 1). The building, previously occupied by a Merchant's Tire store, fronts on Pulaski Highway, the western side is largely wooded, while the rear yard borders a railroad. (Pet. Ex. 3). It is surrounded by other industrial and commercial uses along Pulaski Hwy. which is a dual lane highway. (Pet. Ex. 3). The Property is split-zoned Business Roadside (BR), and Manufacturing, Light with and Industrial Major overlay district (ML-IM). (Pet. Ex. 2). Street view photographs depict the building and 2 access points from Pulaski Hwy., as well as paved parking lot in the front.

Mr. Bishop was accepted as an expert in landscape architecture. H & K Equipment has contracted to purchase the Property to operate an industrial and commercial vehicle and equipment rental business. Petitioner intends to store and/or park all vehicles and equipment in the rear of the Property as shown on the Site Plan. (Pet. Ex. 1). The underlying BR zone permits a contractor's equipment storage yard by Special Exception. Mr. Koch testified that when its existing customers rent equipment, they do so via email or telephone, and the equipment is then delivered to them at the job site. Toward that end, while the Petitioner does not anticipate customers coming to the Property, the required number of parking spaces (17) will be provided. Petitioner will also be repairing vehicles and equipment on the Property which is permitted by right in the BR zone. The hours of operation are Monday-Friday, 7:30 am-5:00 pm.

The proffered evidence confirmed that the proposed use meets each of the Special Exception factors and will not cause any detrimental or adverse impacts which are not already inherent in the proposed use. The existing building also meets all of the bulk regulations and

therefore no Variance relief is needed. No improvements are planned for the Property other than interior renovations to the building.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Based on the exhibits and testimony detailed above, I find that the Special Exception relief should be granted. Specifically, I find that the uncontroverted evidence supports each of the Special Exception factors in BCZR, §502.1 and that the proposed use is within the spirit and intent of the BCZR particularly in light of the lack of opposition from the surrounding community.

I find that the proposed contractor's equipment storage yard will not be detrimental to the health, safety or general welfare of the surrounding area because it is in an ideal location surrounded by other commercial and industrial uses, on Pulaski Hwy., and has close proximity to I-95 and I-695. No residences will be impacted. It will not create congestion in the roads, streets, or alleys and will not overcrowd the land, or cause undue concentration of population, as it is not a use which attracts people to the Property. There is no potential for fire, panic or other dangers as no hazardous material or equipment is being stored on the Property. There is no impact on public services or improvements and no interference with light or air as the existing building is already served by public water and sewer. The Property is not located in any deficient areas

on the Basic Services Map. The Petitioner is not expanding the building. The proffered evidence confirmed that the use is consistent with the purposes of the BR zone, that no Variances are needed, and there is no Master Plan conflict. Additionally, I find the proposed use has met each of the requirements of BCZR, §238. There is no effect on impermeable surface by this proposed use as the parking lot and building already exist. There will not be any detrimental effect on environmental or natural resources of the Property or the vicinity as confirmed by the lack of opposition or comment by DEPS.

THEREFORE, IT IS ORDERED this **22nd** day of **March, 2024**, by this Administrative Law Judge, that the Petition for Special Exception under BCZR, §502.1, to allow contractor's equipment storage yard in the BR zone pursuant to BCZR, §236.2, be, and it is hereby, **GRANTED.**

The relief granted herein shall be subject to the following:

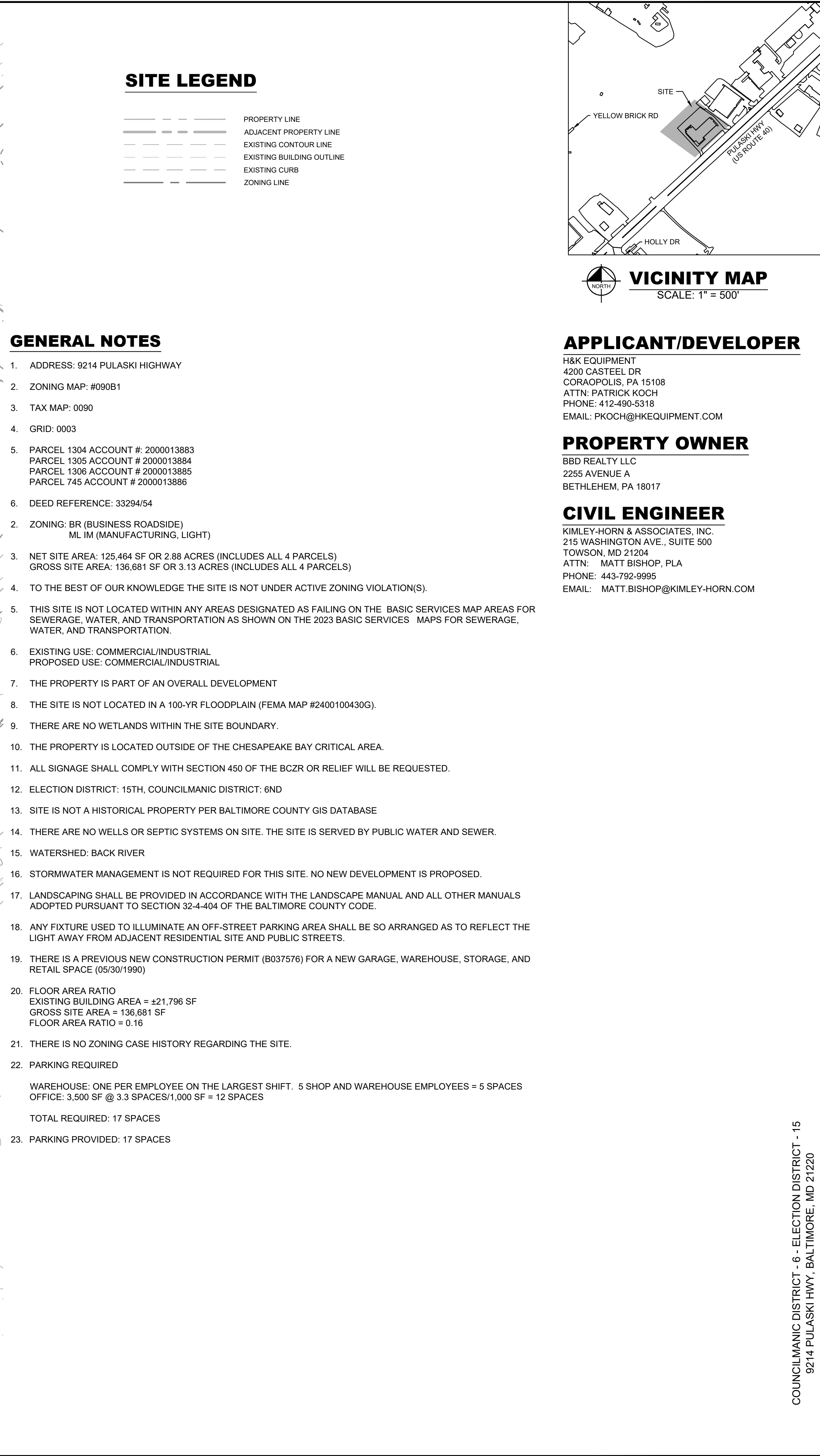
1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein in its entirety.
3. Petitioners must comply with the DPR/DPWT ZAC comment, a copy of which is attached hereto and made a part thereof.
4. The repair of all vehicles and equipment shall be performed inside the building and/or in the rear of the Property. All damaged or disabled vehicles and/or equipment shall be inside the building and/or stored in the rear of the Property. Otherwise, the Petitioner is permitted to store and/or park non-damaged and non-disabled vehicles and equipment in the front yard, but not more than 15 ft. in front of the required front building line in accordance with BCZR, §238.4.
5. All signs shall comply with BCZR, §450.

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

A handwritten signature in black ink, reading "Maureen E. Murphy". The signature is written in a cursive, flowing style.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm



PROPERTY LINE
 ADJACENT PROPERTY LINE
 EXISTING CONTOUR LINE
 EXISTING BUILDING OUTLINE
 EXISTING CURB
 ZONING LINE

1. ADDRESS: 9214 PULASKI HIGHWAY
2. ZONING MAP: #090B1
3. TAX MAP: 0090
4. GRID: 0003
5. PARCEL 1304 ACCOUNT #: 2000013883
PARCEL 1305 ACCOUNT # 2000013884
PARCEL 1306 ACCOUNT # 2000013885
PARCEL 745 ACCOUNT # 2000013886
6. DEED REFERENCE: 33294/54
7. ZONING: BR (BUSINESS ROADSIDE)
ML IM (MANUFACTURING, LIGHT)
8. NET SITE AREA: 125,464 SF OR 2.88 ACRES (INCLUDES ALL 4 PARCELS)
GROSS SITE AREA: 136,681 SF OR 3.13 ACRES (INCLUDES ALL 4 PARCELS)
9. TO THE BEST OF OUR KNOWLEDGE THE SITE IS NOT UNDER ACTIVE ZONING VIOLATION(S).
10. THIS SITE IS NOT LOCATED WITHIN ANY AREAS DESIGNATED AS FAILING ON THE BASIC SERVICES MAP AREAS FOR SEWERAGE, WATER, AND TRANSPORTATION AS SHOWN ON THE 2023 BASIC SERVICES MAPS FOR SEWERAGE, WATER, AND TRANSPORTATION.
11. EXISTING USE: COMMERCIAL/INDUSTRIAL
PROPOSED USE: COMMERCIAL/INDUSTRIAL
12. THE PROPERTY IS PART OF AN OVERALL DEVELOPMENT
13. THE SITE IS NOT LOCATED IN A 100-YR FLOODPLAIN (FEMA MAP #2400100430G).
14. THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARY.
15. THE PROPERTY IS LOCATED OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA.
16. ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR OR RELIEF WILL BE REQUESTED.
17. ELECTION DISTRICT: 15TH, COUNCILMANIC DISTRICT: 6ND
18. SITE IS NOT A HISTORICAL PROPERTY PER BALTIMORE COUNTY GIS DATABASE
19. THERE ARE NO WELLS OR SEPTIC SYSTEMS ON SITE. THE SITE IS SERVED BY PUBLIC WATER AND SEWER.
20. WATERSHED: BACK RIVER
21. STORMWATER MANAGEMENT IS NOT REQUIRED FOR THIS SITE. NO NEW DEVELOPMENT IS PROPOSED.
22. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
23. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
24. THERE IS A PREVIOUS NEW CONSTRUCTION PERMIT (B037576) FOR A NEW GARAGE, WAREHOUSE, STORAGE, AND RETAIL SPACE (05/30/1990)
25. FLOOR AREA RATIO
EXISTING BUILDING AREA = ±21,796 SF
GROSS SITE AREA = 136,681 SF
FLOOR AREA RATIO = 0.16
26. THERE IS NO ZONING CASE HISTORY REGARDING THE SITE.
27. PARKING REQUIRED

WAREHOUSE: ONE PER EMPLOYEE ON THE LARGEST SHIFT. 5 SHOP AND WAREHOUSE EMPLOYEES = 5 SPACES
OFFICE: 3,500 SF @ 3.3 SPACES/1,000 SF = 12 SPACES

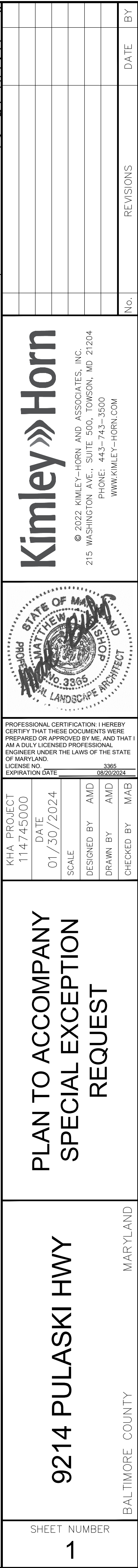
TOTAL REQUIRED: 17 SPACES
28. PARKING PROVIDED: 17 SPACES



H&K EQUIPMENT
200 CASTEEL DR
CORAOPOLIS, PA 15108
ATTN: PATRICK KOCH
PHONE: 412-490-5318
EMAIL: PKOCH@HKEQUIPMENT.COM

ABD REALTY LLC
255 AVENUE A
BETHLEHEM, PA 18017

KIMLEY-HORN & ASSOCIATES, INC.
115 WASHINGTON AVE., SUITE 500
CROWSON, MD 21204
ATTN: MATT BISHOP, PLA
PHONE: 443-792-9995
EMAIL: MATT.BISHOP@KIMLEY-HORN.COM



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: February 21, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0034-X

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

DPR: No comment

DPW-T: No Exception taken

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

Recreations & Parks: No Greenways affected.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 9214 Pulaski Highway

which is presently zoned BR & ML-IM

Deed References: 33294/00054

10 Digit Tax Account # 2 0 0 0 0 1 3 8 8 3

Property Owner(s) Printed Name(s) BBD Realty LLC

(2000013884, 2000013885 & 2000013886)

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

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

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

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

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

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

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

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

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

Contract Purchaser/Lessee:

H&K Equipment (Patrick Koch)

Name- Type or Print

Patrick Koch

Signature

4200 Casteel Drive Coraopolis PA
Mailing Address City State

15108 / 412-490-5318 / pkoch@hkequipment.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Jennifer Busse - Rosenberg Martin Greenberg LLP

Name- Type or Print

J Busse

Signature

25 S. Charles Street, 21st FL Baltimore MD
Mailing Address City State

21201 / 410-727-8647 / jbusse@rosenbergmartin.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

BBD Realty LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2255 Avenue A Bethlehem PA
Mailing Address City State

18017 / /
Zip Code Telephone # Email Address

Representative to be contacted:

Jennifer Busse - Rosenberg Martin Greenberg LLP

Name - Type or Print

J Busse

Signature

25 S. Charles Street, 21st FL Baltimore MD
Mailing Address City State

21201 / 410-727-8647 / jbusse@rosenbergmartin.com
Zip Code Telephone # Email Address

CASE NUMBER 2024-0034-X Filing Date 2/21/2024 Do Not Schedule Dates: _____ Reviewer CP



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 9214 Pulaski Highway which is presently zoned BR & ML-IM
 Deed References: 33294/00054 10 Digit Tax Account # 2 0 0 0 0 1 3 8 8 3
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Contract Purchaser/Lessee:

H&K Equipment (Patrick Koch)

Name- Type or Print

Signature

4200 Casteel Drive	Coraopolis	PA
Mailing Address	City	State
15108	/ 412-490-5318	/ pkoch@hkequipment.com
Zip Code	Telephone #	Email Address

Attorney for Petitioner:

Jennifer Busse - Rosenberg Martin Greenberg LLP

Name- Type or Print

Signature

25 S. Charles Street	21st FL	Baltimore	MD
Mailing Address		City	State
21201	/ 410-727-8647	/ jbusse@rosenbergmartin.com	
Zip Code	Telephone #	Email Address	

Legal Owners (Petitioners):

BBD Realty LLC

Name #1 – Type or Print

Signature #1

SCOTT BONNETT
Name #2 - Type or Print

Name #2 – Type or Print

Signature # 2

2255 Avenue A	Bethlehem	PA
Mailing Address	City	State
18017	404 357 0332	Scottbennett51593@gmail.com
Zip Code	Telephone #	Email Address

Representative to be contacted:

Jennifer Busse - Rosenberg Martin Greenberg LLP

Name – Type of Print

Signature _____

25 S. Charles Street, 21st FL	Baltimore	MD
Mailing Address	City	State
21201	/ 410-727-8647	/ jbusse@rosenbergmartin.com
Zip Code	Telephone #	Email Address

CASE NUMBER 2024-0034-X Filing Date 2/2/2024 Do Not Schedule Dates: _____ Reviewer CF

Attachment to Zoning Petition

9214 Pulaski Highway

Petition for Special Exception to allow a Contractor Equipment Storage Yard in the BR zone per BCZR §236.2

And, any further relief as deemed required by the Administrative Law Judge.

4888-3674-5092, v. 2

2024-0034-X

Zoning Property Description for Special Exception Petition:
9214 Pulaski Highway

Beginning at a point located on the north side of Pulaski Highway which has a right of way width of 164' feet at the distance of 3,000 feet to the centerline of the nearest improved intersecting street Middle River Road which has a right of way width of 50 feet. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

1. South 47 degrees 31 minutes 37 seconds West, 374.20' to a point;
2. North 53 degrees 52 minutes 04 seconds West, 335.48' to a point;
3. North 46 degrees 59 minutes 55 seconds East, 318.60' to a point,
4. North 47 degrees 00 minutes 25 seconds East, 53.43' to a point,
5. South 54 degrees 13 minutes 11 seconds East, 342.84' to a point, and place of beginning.

Containing an area of 125,464 square feet or 2.88 acres of land, more or less and being located in the 15th Election District and 6th Council District of Baltimore County Maryland.



2024-0034-X



Certificate of Posting

Case# 2024-0034-X

Petitioner/Developer

Rosenberg Martin Greenberg

Jennifer Busse

Date of Hearing/Closing

March 18, 2024

Baltimore County Department of Permits and Management

County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204

Attention:

Ladies and Gentlemen:

This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at

9214 Pulaski Hwy on February 24, 2024. Signs 1A & 2A

Sincerely, Martin Ogle

Martin Ogle

9912 Maidbrook Road

Parkville, Md. 21234

443-629-3411

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 23, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0034-X
Address: 9214 PULASKI HWY
Legal Owner: H & K Equipment

Zoning Advisory Committee Meeting of February 23, 2024.

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

Additional Comments:

Reviewer: Earl D Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: February 21, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0034-X

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

DPR: No comment

DPW-T: No Exception taken

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

Recreations & Parks: No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 2/27/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0034-X

INFORMATION:

Property Address: 9214 Pulaski Highway

Petitioner: BBD Realty LLC

Zoning: BR, ML IM

Requested Action: Special Exception

The Department of Planning has reviewed the petition for the following:

Special Exception -

1. To allow a Contractor Equipment Storage Yard in the BR Zone per Baltimore County Zoning Regulations Section 236.2; and
2. For any further relief as deemed required by the Administrative Law Judge.

The subject site is comprised of four parcels totaling approximately 3.13 acres in the Middle River area. It is currently improved with a one-story commercial building, which is proposed to remain, per the submitted site plan, and associated surface parking. The site was previously used as a Michelin Tire Shop, and aerial imagery from 2022 shows the storage of tires behind the building, out of view from the public right-of-way. The site is primarily zoned BR, with the exception of the rear 46 feet of the site being zoned ML-IM. The site has no past Comprehensive Zoning Map Process (CZMP) Issues.

The site was previously the subject of Zoning Case 2023-0217-X, in which the Petitioner sought the same Special Exception that is currently requested. The Department of Planning contacted the representative for the petition via email on February 20th, 2024 seeking additional information on why the case was resubmitted. In a same day reply, the representative explained that Case 2023-0217-X was withdrawn prior to a Hearing because the Petitioner was not ready to move forward; they are ready to move forward now, and have no changes to the requested relief.

Uses surrounding the subject site are primarily commercial and industrial in nature. They include, but are not limited to, an indoor sporting facility, office space, trucking storage yards, an automotive repair shop, and equipment storage yards. In front of the subject site/across Pulaski Highway and behind the subject site are vacant, forested lots. Surrounding Zoning classifications include ML-IM, MH-IM, ML-AS, BR-IM, BL-AS, as shown in Figure 1 at the end of this memorandum.

The subject site is within the boundaries of the Eastern Baltimore County Revitalization Strategy and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. The Eastern Baltimore County

Revitalization Strategy recognizes this area as an Employment Center and states that “most of the corridor is zoned for light manufacturing uses with heavier business zoning stripping Pulaski Highway” (page 28).

The subject site is located in a commercial and industrial corridor, and it is surrounded by multiple similar uses, including trucking and equipment storage facilities. Further, the Department of Planning had no objections on the request when it came in as Case 2023-0217-X. As such, the Department of Planning has no objections to the requested Special Exception.

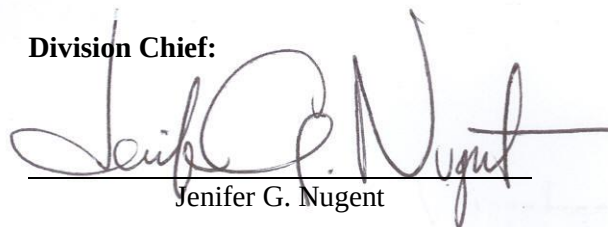
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:

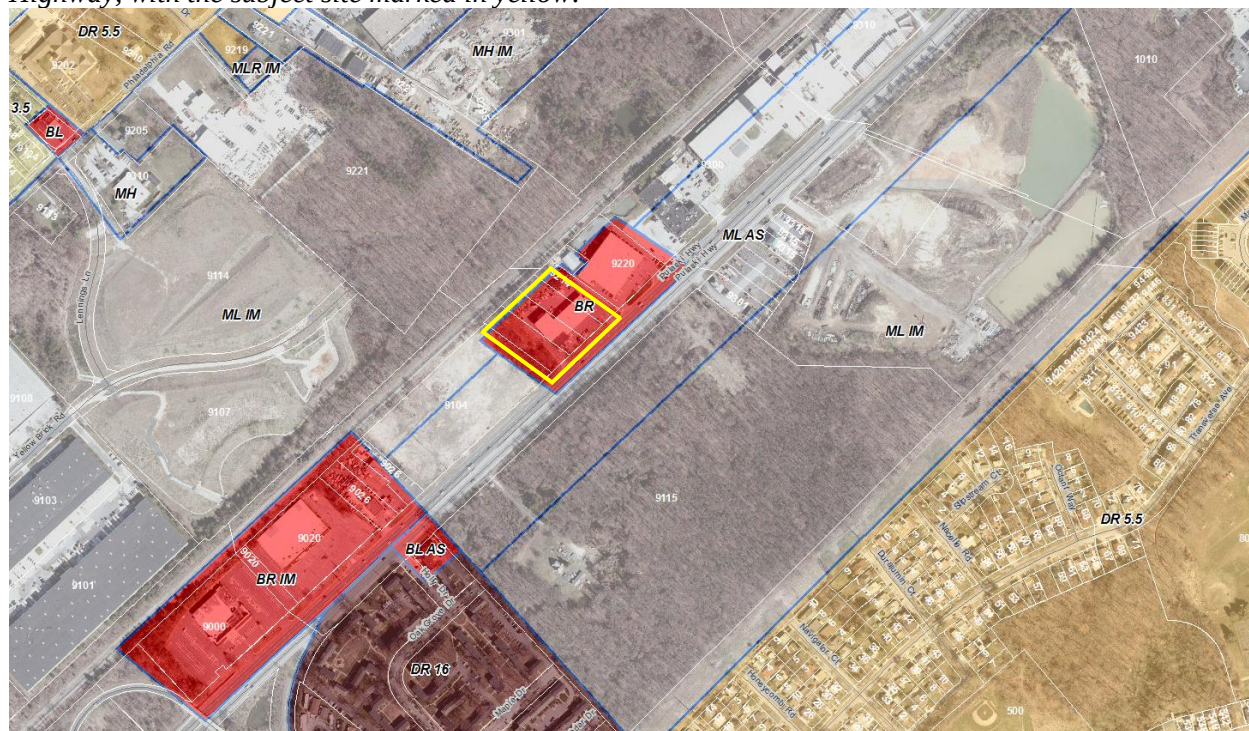


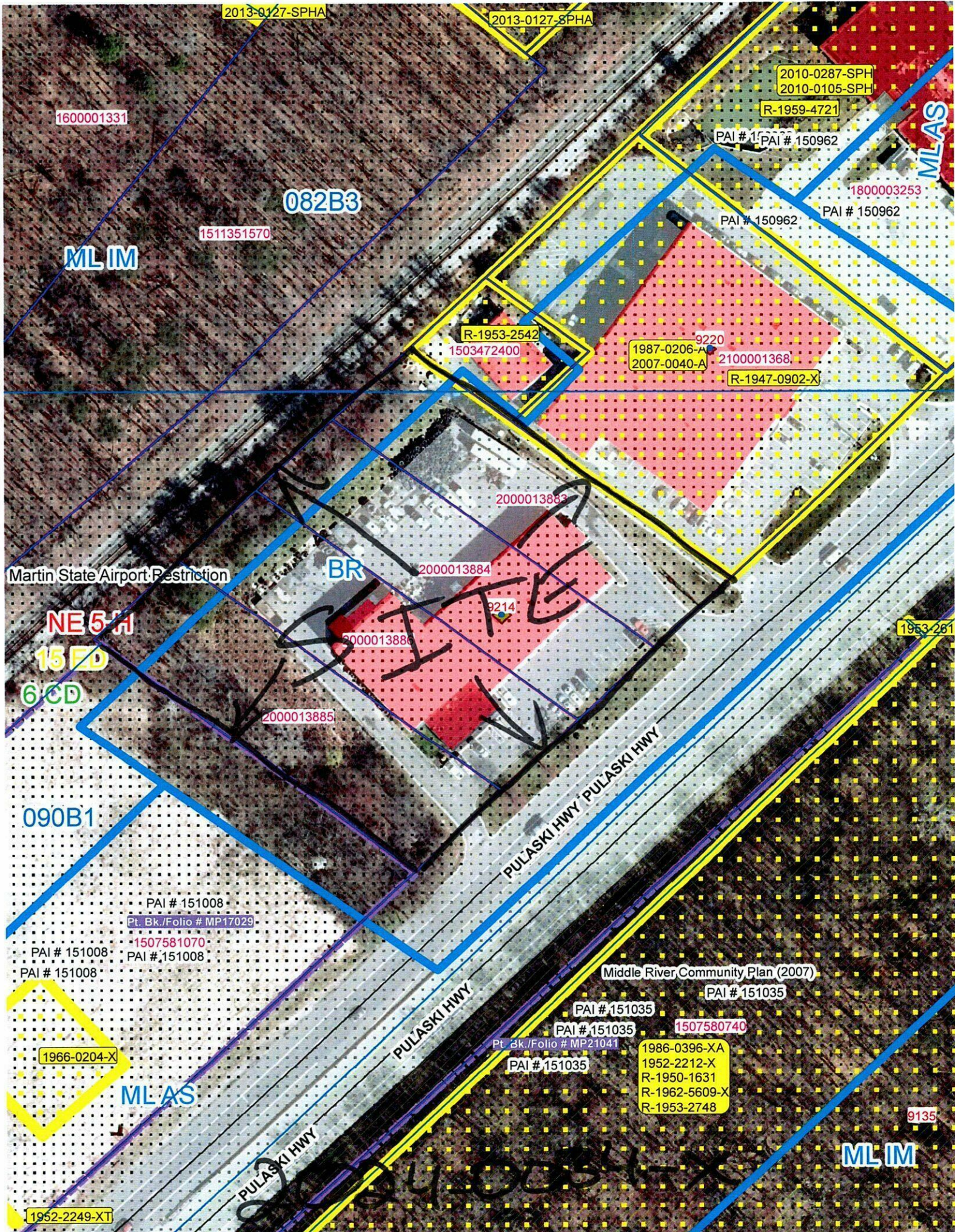
Jenifer G. Nugent

SL/JGN/KP

c: Jennifer Busse – Rosenberg, Martin, Greenberg LLP
Ainsley Pressl
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People’s Counsel for Baltimore County

Figure 1 – A screenshot of County GIS showing the Zoning Classifications in the vicinity of 9214 Pulaski Highway, with the subject site marked in yellow:





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: 2024-0034-X
Property Address: 9214 Pulaski Hwy
Legal Owners (Petitioners): BBD Realty LLC
Contract Purchaser/Lessee: H & K Equipment

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Jennifer Burke, Esq.
Address: Rosenberg Martin Greenberg
25 S. Charles St. 21st Floor
Balto MD 21201
Telephone Number: 410 227-6200

*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.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 2000013884

Owner Information

Owner Name: BBD REALTY LLC

Use: COMMERCIAL

Mailing Address: 2255 AVENUE A

Principal Residence: NO

Deed Reference: /33294/ 00054

BETHLEHEM PA 18017

Location & Structure InformationPremises Address: PULASKI HWY
BALTIMORE 21220-0000

Legal Description: NWS PULASKI HWY .701

2081 NE MARTIN BLVD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0090 0003 1305 31502.04 0000 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
0.7000 AC 06

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value As of 01/01/2024	Phase-in Assessments As of 07/01/2023 As of 07/01/2024	
Land:	335,000	335,000		
Improvements	0	0		
Total:	335,000	335,000	335,000	335,000
Preferential Land:	0	0		

Transfer Information

Seller: MERCOR PULASKI LLC	Date: 03/12/2013	Price: \$2,435,714
Type: ARMS LENGTH MULTIPLE	Deed1: /33294/ 00054	Deed2:
Seller: GORDON RAYMOND T, JR	Date: 06/27/2008	Price: \$2,511,635
Type: ARMS LENGTH MULTIPLE	Deed1: /27140/ 00663	Deed2:
Seller: PERLBERG DANIEL S	Date: 01/06/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07445/ 00776	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
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:

2024-0034-X

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 229483

Date: 2-2-2024

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					500.00

Total: 500.00

Rec From: 9214 Pulaski Hwy

For: 2024-0034-X

BR, ML, IM

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CP

23-0129



Rosenberg
Martin
Greenberg LLP

ATTORNEY OPERATING ACCOUNT
25 SOUTH CHARLES STREET, 21ST FLOOR
BALTIMORE, MARYLAND 21201
(410) 727-6600



First National Bank

60-1809/433

90201

PAY: Five Hundred Dollars and 00/100

NUMBER

90201

DATE

1/8/2024

AMOUNT

500.00

TO THE
ORDER
OF

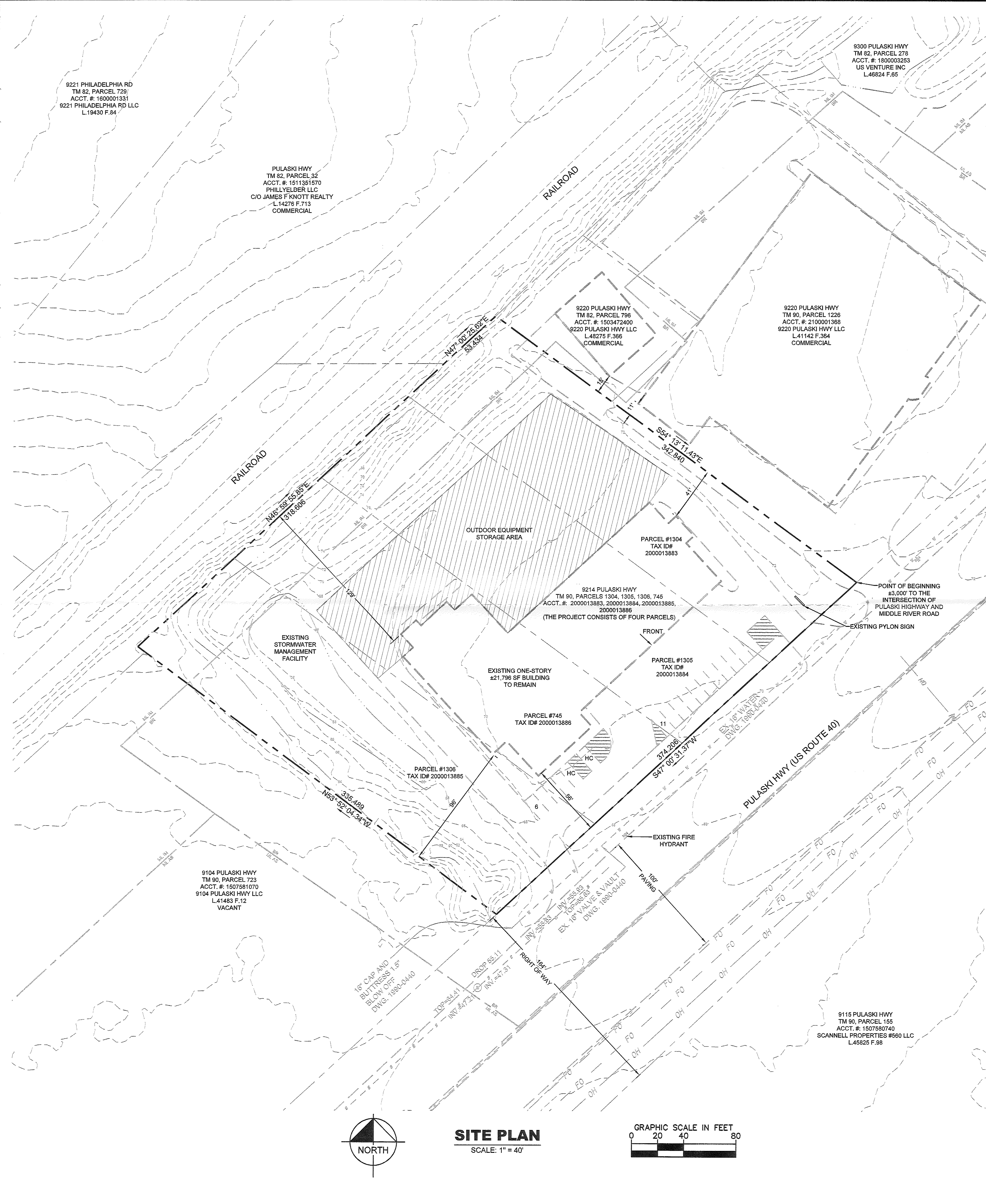
Baltimore County

VOID AFTER 90 DAYS

Barth

SECURED BY
EZSHIELD



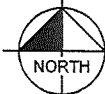


PROPERTY LINE
ADJACENT PROPERTY LINE
EXISTING CONTOUR LINE
EXISTING BUILDING OUTLINE
EXISTING CURB
ZONING LINE

- ADDRESS: 9214 PULASKI HIGHWAY
2. ZONING MAP: #090B1
3. TAX MAP: 0090
4. GRID: 0003
5. PARCEL 1304 ACCOUNT #: 2000013883
PARCEL 1305 ACCOUNT # 2000013884
PARCEL 1306 ACCOUNT # 2000013885
PARCEL 745 ACCOUNT # 2000013886
6. DEED REFERENCE: 33294/54
7. ZONING: BR (BUSINESS ROADSIDE)
ML IM (MANUFACTURING, LIGHT)
8. NET SITE AREA: 125,464 SF OR 2.88 ACRES (INCLUDES ALL 4 PARCELS)
GROSS SITE AREA: 136,681 SF OR 3.13 ACRES (INCLUDES ALL 4 PARCELS)
9. TO THE BEST OF OUR KNOWLEDGE THE SITE IS NOT UNDER ACTIVE ZONING VIOLATION(S).
10. THIS SITE IS NOT LOCATED WITHIN ANY AREAS DESIGNATED AS FAILING ON THE BASIC SERVICES MAP AREAS FOR SEWERAGE, WATER, AND TRANSPORTATION AS SHOWN ON THE 2023 BASIC SERVICES MAPS FOR SEWERAGE, WATER, AND TRANSPORTATION.
11. EXISTING USE: COMMERCIAL/INDUSTRIAL
PROPOSED USE: COMMERCIAL/INDUSTRIAL
12. THE PROPERTY IS PART OF AN OVERALL DEVELOPMENT
13. THE SITE IS NOT LOCATED IN A 100-YR FLOODPLAIN (FEMA MAP #2400100430G).
14. THERE ARE NO WETLANDS WITHIN THE SITE BOUNDARY.
15. THE PROPERTY IS LOCATED OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA.
16. ALL SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR OR RELIEF WILL BE REQUESTED.
17. ELECTION DISTRICT: 15TH, COUNCILMANIC DISTRICT: 6ND
18. SITE IS NOT A HISTORICAL PROPERTY PER BALTIMORE COUNTY GIS DATABASE
19. THERE ARE NO WELLS OR SEPTIC SYSTEMS ON SITE. THE SITE IS SERVED BY PUBLIC WATER AND SEWER.
20. WATERSHED: BACK RIVER
21. STORMWATER MANAGEMENT IS NOT REQUIRED FOR THIS SITE. NO NEW DEVELOPMENT IS PROPOSED.
22. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
23. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
24. THERE IS A PREVIOUS NEW CONSTRUCTION PERMIT (B037576) FOR A NEW GARAGE, WAREHOUSE, STORAGE, AND RETAIL SPACE (05/30/1990)
25. FLOOR AREA RATIO
EXISTING BUILDING AREA = 421,796 SF
GROSS SITE AREA = 136,681 SF
FLOOR AREA RATIO = 0.16
26. THERE IS NO ZONING CASE HISTORY REGARDING THE SITE.
27. PARKING REQUIRED

WAREHOUSE: ONE PER EMPLOYEE ON THE LARGEST SHIFT. 5 SHOP AND WAREHOUSE EMPLOYEES = 5 SPACES
OFFICE: 3,500 SF @ 3.3 SPACES/1,000 SF = 12 SPACES

TOTAL REQUIRED: 17 SPACES
28. PARKING PROVIDED: 17 SPACES

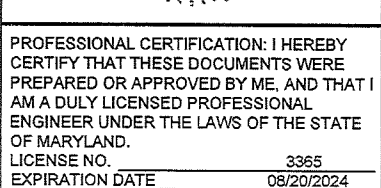


SCALE: 1" = 500'

H&K EQUIPMENT
4200 CASTEEL DR
CORAOPOLIS, PA 15108
ATTN: PATRICK KOCH
PHONE: 412-490-5318
EMAIL: PKOCH@HKEQUIPMENT.COM

BBD REALTY LLC
2255 AVENUE A
BETHLEHEM, PA 18017

KIMLEY-HORN & ASSOCIATES, INC.
215 WASHINGTON AVE., SUITE 500
TOWSON, MD 21204
ATTN: MATT BISHOP, PLA
PHONE: 443-792-9995
EMAIL: MATT.BISHOP@KIMLEY-HORN.COM



PLAN TO ACCOMPANY SPECIAL EXCEPTION REQUEST

SHEET NUMBER		BALTIMORE COUNTY		MARYLAND	
1					