



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

May 16, 2024

Christopher DeCarlo, Esquire – cdecarlo@wtplaw.com
John Gontrum, Esquire – jgontrum@wtplaw.com
Whiteford, Taylor and Preston
1 W. Pennsylvania Avenue, Suite 300
Towson, MD 21204

RE: Petition for Special Exception
Case No. 2024-0084-X
Property: 10814 Red Lion Road

Dear Mr. DeCarlo and Mr. Gontrum:

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 blue ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB :dlm
Enclosure

c: Alto Properties, LLC – evergreenonly@gmail.com
Jim Barbey -jimbarbeyauto@aol.com

IN RE: PETITION FOR SPECIAL
EXCEPTION
(10814 Red Lion Road)
11th Election District
5th Council District
Alto Properties, LLC
Legal Owner

Petitioner

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BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No: 2024-0084-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Special Exception filed for property located 10814 Red Lion Road (the “Property”) by Alto Properties, LLC, the Petitioner. The Petition for Special Exception seeks approval from the Baltimore County Zoning Regulations (“BCZR”), §230.3 for a service garage.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing May 15, 2024. The Petition was properly advertised and posted. Akhtar Bashir, President of Alto Properties, LLC appeared in support of the Petition along with Patrick Richardson, PE of Richardson Engineering, the civil engineering firm who prepared and sealed a site plan (the “Site Plan”) (Pet. Ex. 2). Christopher DeCarlo, Esquire of Whiteford, Taylor and Preston represented the Petitioner. An interested citizen, Jim Barbey, a neighboring business owner to the subject property also appeared.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) who did not oppose the proposed service garage subject to conditions. Development Plans Review (“DPR”) also had comments but did not oppose the requested relief.

The Property is approximately 0.77 acres and is zoned BL. Mr. Richardson was accepted as an expert in the Baltimore County Zoning Regulations and Special Exceptions under BCZR

502.1. He testified that the subject property is bordered to the east by Red Lion Road, (a service road parallel to Rt 40) containing business and manufacturing uses. Running along the rear of the property is Proctor Avenue, which separates the subject property from residential properties, behind which are also railroad tracks. (Pet. Ex. 3 & 4) Mr. Richardson explained that the subject property presently contains 3 service bays and a residential dwelling that will be razed. (Pet. Ex. 5) The Petitioner is proposing to build 7 additional service bays with office space along the Proctor Avenue side of the subject property. (Pet. Ex. 2) Mr. Richardson, in response to DOP comments, explained that while the back of the service bays will be facing Proctor Avenue, the bay doors, which are often open during hours of operation will face the Red Lion Road side of the property which contains primarily commercial uses such as service garages, gas stations, and convenience stores. He explained that noise generated from the service bays will then be directed toward the commercial side of the property and away from the residential properties on the other side of Proctor Avenue. Mr. Richardson explained that moving the service bays further toward Red Lion Road, with the bays facing in that direction as well, would interfere with the ability to move vehicles in and out of the bays for service and with placement of required parking.

Petitioner Akhtar Bashir testified that he has operated a service garage in Baltimore City for 25 years and has purchased the subject property as a new location. He intends to use the three-bay garage presently on the property and to erect a new 7 bay garage after the dwelling on the property has been razed. He explained that his proposed hours of operation will be 9 am to 5pm Monday through Saturday. He testified that he has made significant efforts to clean up the subject property that was in poor condition when he purchased it in October 2023.

Nearby service garage owner, Jim Barbey testified that while he is concerned that having another service garage in the area will detract from his business, he is primarily concerned that any

service garage operating at the subject property should be held to the same zoning and licensing requirements that he has expended considerable funds to remain in compliance with.

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.

In regards to the requirements of BCZR 502.1, Mr. Richardson testified that the proposed Special Exception will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations.

Mr. Richardson explained that the site is currently covered with gravel and that the Petitioner is proposing to pave which will reduce the total amount of impervious surface. Mr. Richardson

further noted that the proposed use was allowed by Special Exception in the B.L. zone and that any noise and traffic resulting from such an enterprise would have been legislative contemplated when the use so designated by the County Council. Additionally, Mr. Richardson opined that the adverse impacts of the use at the particular location in question would not be above and beyond those inherently associated with the special exception use.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 16th day of **May 2024** that the Petition for Special Exception per the BCZR, §230.3 for a service garage be, and it is hereby **GRANTED**; and,

IT IS FURTHER, ORDERED that, pursuant to BCZR, §502.3, the Special Exception is valid for a period of five (5) years from the date of this Order is and be **GRANTED**.

The relief granted herein shall be subject to the following:

1. 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 his 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.
2. The Redlined Site Plan (Pet. Ex. 2) is attached hereto and incorporated herein in its entirety.
3. Petitioner and all subsequent owners shall comply with the DPR and DOP ZAC comments which is attached hereto and made a part hereof. As directed by DOP comments. Petitioner has provided a factual basis for their proposed positioning of the proposed service garage, consequently amending the garage's placement will not be required.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm



PETITION FOR ZONING HEARING(S)

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

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

Address 10814 Red Lion Road which is presently zoned BL
Deed References: 48343/00330 10 Digit Tax Account #1108055378
Property Owner(s) Printed Name(s) Alto Properties, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
A Service Garage
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)

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

John B. Gontrum, Esq./Christopher M. DeCarlo, Esq.

Name – Type or Print

Signature

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State
21204 410-832-2055 jgontrum@wtplaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Alto Properties, LLC

Name #1 Akhtar Bashir

Name #2 – Type or Print

Signature #1

Signature # 2

4824 Ridge Road, Baltimore, MD

Mailing Address City State
21237 evergreenonly@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

CASE NUMBER 2024-0084-X Filing Date 3, 28, 24 Do Not Schedule Dates: _____ Reviewer JS

**ZONING PROPERTY DESCRIPTION FOR
10814 RED LION ROAD
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located at a point on the Southwest side of the intersection of Red Lion Road and Proctor Avenue. Then following along the centerline of Red Lion Road South 49 degrees West 105.60 feet. Then leaving Red Lion Road and running North 31 degrees West 260.70' feet. Then North 33 degrees 30 minutes East 115.50' feet to the centerline of Proctor Avenue. Following along Proctor Avenue South 31 degrees East 293.70 feet to the place of beginning.

Containing a net area of 28,918 square feet or 0.67 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021

2024-0084-X

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

No. 229541

Date: 3/28/24

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

Total: \$ 500.00

Rec From: JOHN GONTAUM / WHITEFORD TAYLOR PRESTON LLP

For: 10814 RED LION ROAD

2024-0084-X

ISS 24-0766

CASHIER'S
VALIDATION

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK.

HOLD AT AN ANGLE TO VIEW. DO NOT CASH IF NOT PRESENT.

Whiteford Taylor Preston LLP

Baltimore Operating
Seven Saint Paul Street
Baltimore, MD 21202-1636

M&T Bank
Manufacturers and Traders Trust Company
Commercial Banking

7-11/520

CHECK NO.
201444

DATE
03/21/2024

VOID AFTER 90 DAYS

PAY Five Hundred and 00/100 Dollar(s) ONLY

Amount
\$500.00

TO THE ORDER OF BALTIMORE COUNTY, MD


Authorized Signature

⑈ 201444 ⑈ ⑆ 052000113⑆ 9888052678 ⑈

**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: 2024-0084-X
Property Address: 10814 RED LION ROAD
Legal Owners (Petitioners): ALTO PROPERTIES, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

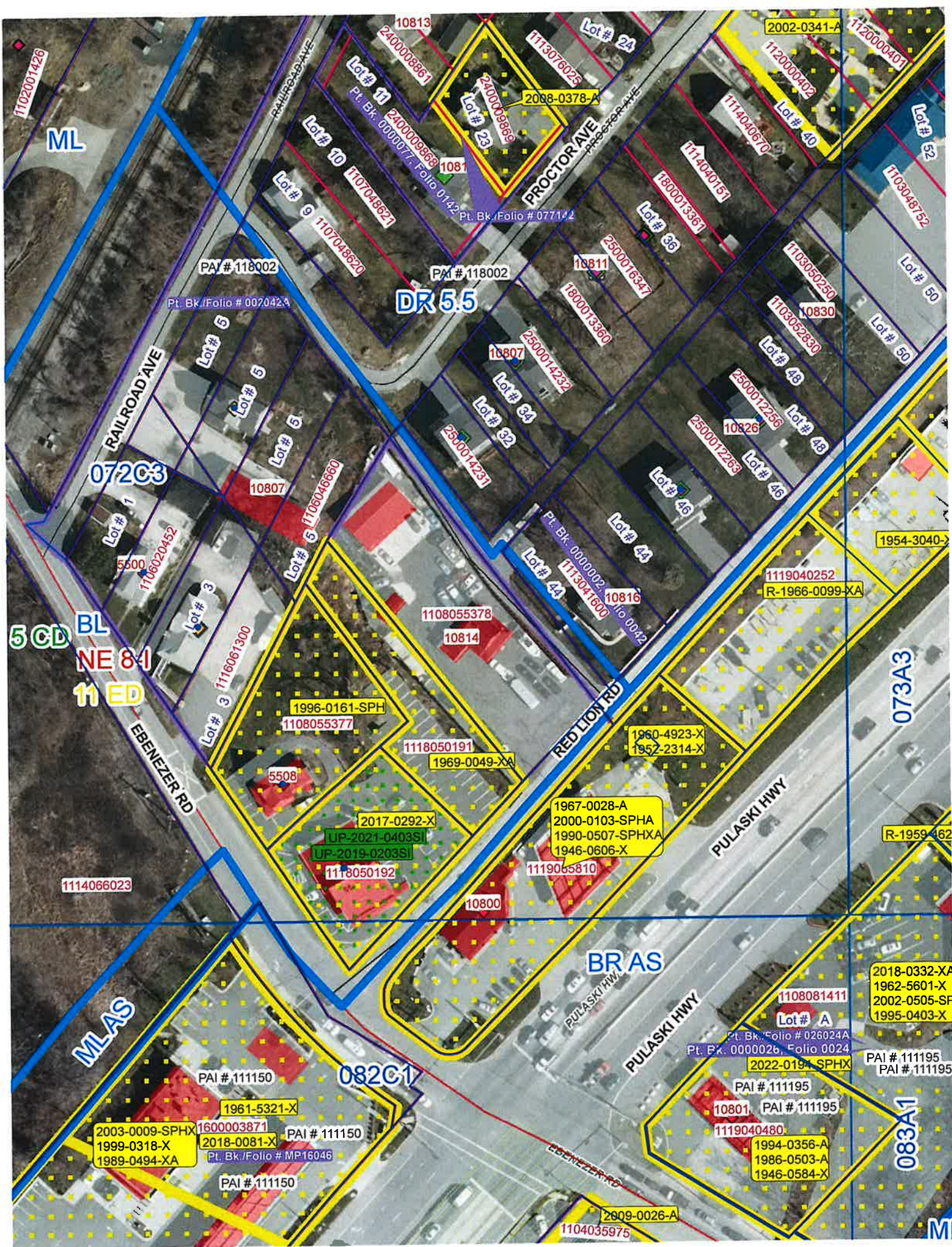
Name: Company/Firm (if applicable): JOHN GONTRUM / WHITEFOORD TAYLOR PRESTON, LLP
Address: 1 W. PENNSYLVANIA AVE.
SUITE 300
TOWSON, MD 21204
Telephone Number: 410-832-2055

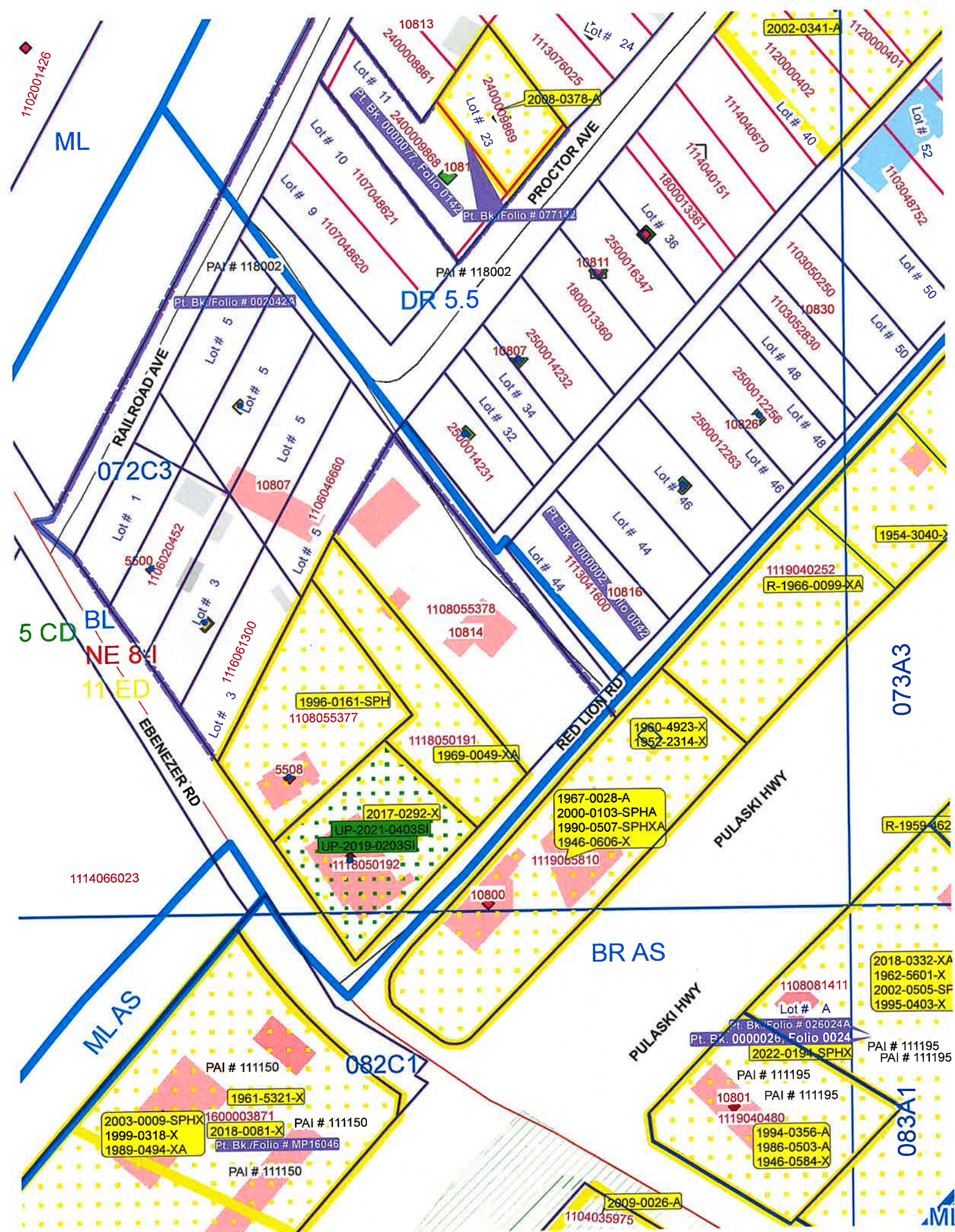
*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required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

Revised 3/2022

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 11 Account Number - 1108055378		
Owner Information		
Owner Name:	ALTO PROPERTIES LLC	Use: RESIDENTIAL
		Principal Residence: NO
Mailing Address:	4824 RIDGE RD BALTIMORE MD 21237-	Deed Reference: /48343/ 00330
Location & Structure Information		
Premises Address:	10814 RED LION RD WHITE MARSH 21162-1702	Legal Description: NS RED LION RD .77 AC 450 E COWENTON RD
Map:	Grid:	Parcel:
0072	0024	0528
Neighborhood:	Subdivision:	Section:
11010001.04	0000	
Block:	Lot:	Assessment Year:
	2024	
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1892	1,678 SF	
Property Land Area	County Use	
30,360 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNITASBESTOS SHINGLE/4
Quality	Full/Half Bath	Garage
2 full/ 1 half		
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		Phase-in Assessments
		As of
		As of
		As of
Land:	87,800	96,600
Improvements	128,900	166,400
Total:	216,700	263,000
Preferential Land:	0	0
		216,700
		232,133
Transfer Information		
Seller: RANA AZRA	Date: 08/29/2023	Price: \$200,000
Type: ARMS LENGTH IMPROVED	Deed1: /48343/ 00330	Deed2:
Seller: FEDERAL HOME LOAN MORTGAGE CORPORATION	Date: 06/04/2018	Price: \$174,900
Type: NON-ARMS LENGTH OTHER	Deed1: /40314/ 00005	Deed2:
Seller: SPECKMAN KENNETH H	Date: 09/12/2017	Price: \$130,675
Type: NON-ARMS LENGTH OTHER	Deed1: /39385/ 00262	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2023
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:		







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

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A Service Garage

3. ☐ a **Variance** from Section(s)

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Contract Purchaser/Lessee:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

John B. Gontrum, Esq./Christopher M. DeCarlo, Esq.

Name- Type or Print

Signature

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Whiteford, Taylor & Preston

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21204 410-832-2055 jgontrum@wtplaw.com

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Name #2 – Type or Print

Signature #1

Signature # 2

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Mailing Address City State

21237 evergreenonly@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Name — Type or Print

Zip Code Telephone # Email Address

CASE NUMBER 2024-0084-X Filing Date 3, 28, 24

Do Not Schedule Dates: _____ Reviewer JS



Richardson
ENGINEERING

CIVIL | COMMERCIAL
RESIDENTIAL
INDUSTRIAL

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

**ZONING PROPERTY DESCRIPTION FOR
10814 RED LION ROAD
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

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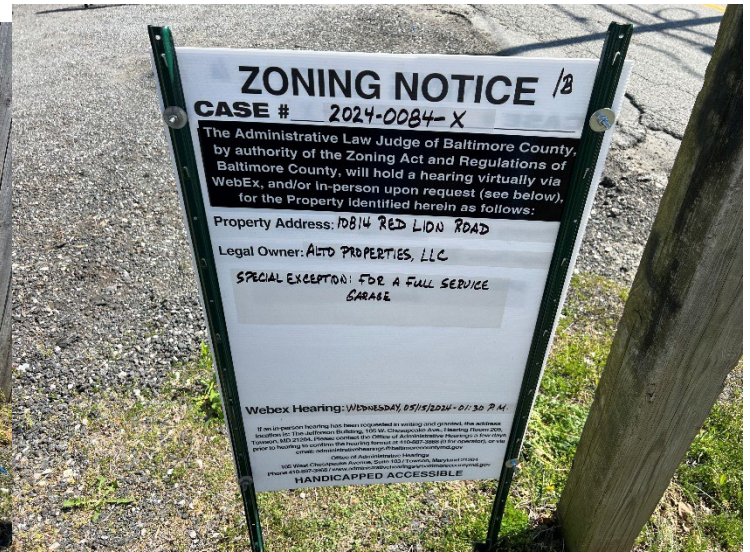
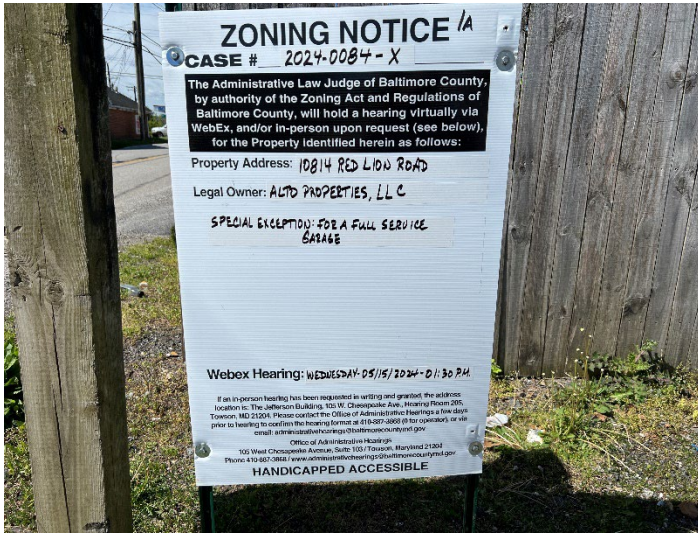
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LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021

2024-0084-X



Certificate of Posting

Case# 2024-0084-X

Petitioner/Developer

Whiteford Law

Chris Decarlo

Date of Hearing/Closing

May 15, 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

10814 Red Lion Rd April 24, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

Martin Ogle

9912 Maidbrook Road

Parkville, Md. 21234

443-629-3411

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 10, 2024

FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0084-A

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

BPR: No comment

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: April 9, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0084-X
Address: 10814 RED LION RD.
Legal Owner: Alto Properties, LLC

Zoning Advisory Committee Meeting of April 9, 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: April 8, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0084-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 Zoning Relief 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: 4/12/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0084-X

INFORMATION:

Property Address: 10814 Red Lion Road

Petitioner: Alto Properties, LLC

Zoning: BL

Requested Action: Special Exception

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

Special Exception – To approve a Service Garage use in the BL zone pursuant to Baltimore County Zoning Regulation Section 230.3

The proposed site is a 0.67-acre property zoned BL, located on Red Lion Road in close proximity of business, manufacturing and residential uses. The proposed site has no previous zoning case history and is not in any historic district.

The existing site is currently improved with a residential dwelling and a 3-bay garage. The proposal indicates that the dwelling will be razed, the existing 3-bay garage will remain, and they will erect a new 7 bay garage. The existing gravel parking lot will be repaved and striped. To the west of the proposed site are business and manufacturing uses. Immediately to the east are residential uses. RTA's are not applicable pursuant to the Baltimore County Zoning Regulations.

The proposed site has a road, Proctor Avenue, that bisects the business and residential zoning designations creating a buffer between the site and the immediate neighboring residential community. The requested special exception as said in the above request, does not appear to create any adverse impacts on the surrounding neighborhood and respects the public right-of-way. Ideally the Department of Planning would like to see the locations of the proposed 7-bay garage and the proposed parking spaces switched to help increase the distance between the proposed site and the residential uses to the east, which would lessen any adverse impacts or noise nuisances.

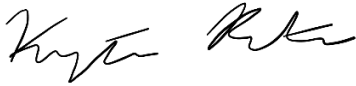
The Department of Planning has no objection to the granting of the above requested special exception conditioned upon the following:

1. Indicate on the plan the location of the proposed dumpster. The materials of the enclosure should match the principal structure. The dumpster should meet the requirements of Condition H. outlined in the Baltimore County Landscape Manual.

2. Provide landscaped peninsulas and/or islands to breakup the large run of proposed parking spaces pursuant to the Comprehensive Manual of Development Policies for Freestanding, Parking, 1(a), page 4. The applicant should coordinate with the Baltimore County Landscape Architect to ensure compliance with any additional landscaping requirements.
3. Revise the site layout to switch the location of the proposed 7-bay garage and the proposed parking spaces. If this is not feasible, a hardship, i.e. site or environmental constraints, must be indicated.
4. Compliance with all BL zoning regulations.
5. Any additional relief or conditions deemed necessary by the Baltimore County Administrative Law Judge.

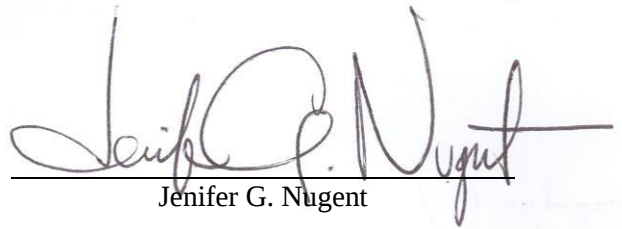
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

John B. Gontrum, Esq.
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/12/2024

FROM: Steve Lafferty
Director, Department of Planning

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The proposed site has a road, Proctor Avenue, that bisects the business and residential zoning designations creating a buffer between the site and the immediate neighboring residential community. The requested special exception as said in the above request, does not appear to create any adverse impacts on the surrounding neighborhood and respects the public right-of-way. Ideally the Department of Planning would like to see the locations of the proposed 7-bay garage and the proposed parking spaces switched to help increase the distance between the proposed site and the residential uses to the east, which would lessen any adverse impacts or noise nuisances.

The Department of Planning has no objection to the granting of the above requested special exception conditioned upon the following:

1. Indicate on the plan the location of the proposed dumpster. The materials of the enclosure should match the principal structure. The dumpster should meet the requirements of Condition H. outlined in the Baltimore County Landscape Manual.

2. Provide landscaped peninsulas and/or islands to breakup the large run of proposed parking spaces pursuant to the Comprehensive Manual of Development Policies for Freestanding, Parking, 1(a), page 4. The applicant should coordinate with the Baltimore County Landscape Architect to ensure compliance with any additional landscaping requirements.
3. Revise the site layout to switch the location of the proposed 7-bay garage and the proposed parking spaces. If this is not feasible, a hardship, i.e. site or environmental constraints, must be indicated.
4. Compliance with all BL zoning regulations.
5. Any additional relief or conditions deemed necessary by the Baltimore County Administrative Law Judge.

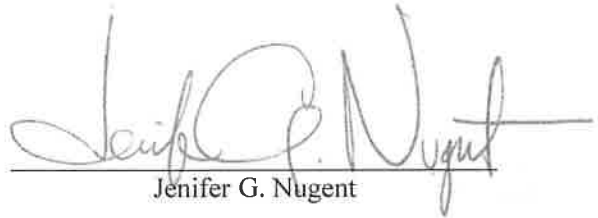
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

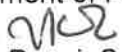
SL/JGN/KP

John B. Gontrum, Esq.
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0084-X

DATE: April 8, 2024

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 Zoning Relief 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

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 10, 2024

FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0084-A

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

BPR: No comment

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: April 9, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0084-X
Address: 10814 RED LION RD.
Legal Owner: Alto Properties, LLC

Zoning Advisory Committee Meeting of April 9, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

ZAC AGENDA

Case Number: 2024-0084-X **Reviewer:** Jason Seidelman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: Alto Properties, LLC
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 10814 RED LION RD

Location: Northwest corner of intersection of Red Lion Road and Proctor Avenue

Existing Zoning: BL **Area:** .077 AC

Proposed Zoning:
SPECIAL EXCEPTION:
for a Service Garage.

Attorney: John Gontrum

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

SHA 4-5-2024

Miscellaneous Notes:

NO OBJECTIONS TO APPROVAL

Case Number: 2024-0085-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Michael & Susan Ford
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: 14029 BLENHEIM RD

Location: Southeast side of Blenheim Road, southwest of Sweet Air Road

Existing Zoning: RC 5 **Area:** 5.309 AC

Proposed Zoning:

VARIANCE:

to permit an accessory building (garage) with a height of 20 ft. in lieu of the required maximum height of 15 ft. per Section 400.3, BCZR. To permit an accessory building (garage) to be located in the side and front yards in lieu of the required rear yard per Section 400.1, BCZR.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

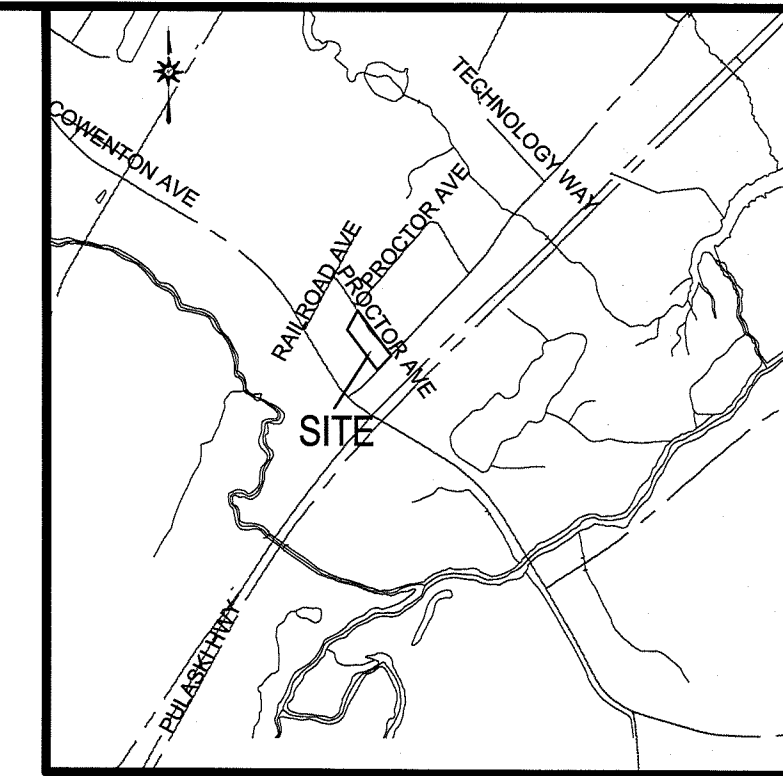
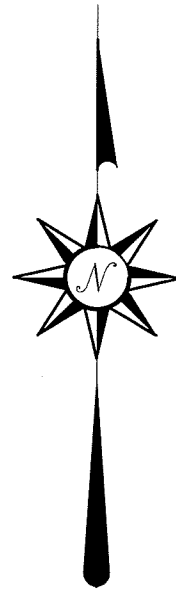
Violation Cases: None

Closing Date:

SHA 4-5-2024

Miscellaneous Notes:

NO OBJECTIONS TO APPROVAL



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: ALTO PROPERTIES LLC, 4824 RIDGE RD, BALTIMORE MD 21237
- SITE AREA: NET 28,918 SF or 0.67 Ac.±
- USES: EXISTING: RESIDENCE; PROPOSED: SERVICE GARAGE
- EXISTING GARAGE: 1,640 SF; PROPOSED GARAGE: 4,200 SF
- UTILITIES: PUBLIC WATER & SEWER
- DEED REFERENCE: 48343/330
- TAX ACCOUNT #1108055378
- COUNCILMANIC DISTRICT: 5TH
- ELECTION DISTRICT: 11TH
- CENSUS TRACT: 411302
- ZONING: BL (PER 200 SCALE GIS TILE #072C3)
- TAX MAP #72, GRID #24, PARCEL #528
- WATERSHED: BIRD RIVER
- PRIOR PERMITS ON FILE- NONE
- PRIOR ZONING CASES ON FILE- NONE
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
- THE SITE DOES NOT LIE WITHIN A FLOOD ZONE ACCORDING TO FEMA MAP #2400100295H
- NOVEMBER 2, 2023
- THE SITE DOES NOT LIE WITHIN A TRAFFIC DEFICIENT AREA
- BASIC SERVICE MAPS:

TYPE	DEFICIENT (Y/N)	NOTE
SEWER	N	
WATER	N	
TRANSPORTATION	N	
- SETBACKS FOR BL:

TYPE	REQUIRED	PROVIDED
FRONT	40' (FROM CL OF RD)	40'±
SIDE	0'	10'±
REAR	20'	102'±
- PARKING REQUIRED: SERVICE GARAGE 5,840 SF @ 3.3/1000SF = 19 SPACES
- PARKING PROVIDED: 25 SPACES OUTSIDE, 10 SPACES INSIDE
- TOTAL: 35 SPACES

2024-0084-X



Richardson
ENGINEERING

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

rick@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR
EVERGREEN AUTO
SERVICE

10814 RED LION ROAD

BALTIMORE COUNTY
11TH ELECTION DISTRICT

MARYLAND
5TH COUNCILMANIC DISTRICT

REVISIONS

DRAWN BY:	CHECKED BY:	SCALE:
LNK	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:
12-19-23	23196	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: 08-15-2025



3/19/24