



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 Southwest corner of Fischer and Beach Roads which is presently zoned D.R. 5.5

Deed References: 047729/00129

10 Digit Tax Account #1501740882

Property Owner(s) Printed Name(s) 8225 Fischer Owner, 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

the applicability of the Order and Conditions in Zoning Case No. 86-417-XSPHA, to Zoning Case

No. 2022-0185 SPH

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

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:~~ Owner:

8225 Fischer Owner, LLC

Name – Type or Print

Signature

Suite 2305, 800 3rd Ave., New York, New York

Mailing Address City State

10033

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):~~

Wells-McComas Charitable and Civic Corporation

Name #1 Robert Zacherl

Name #2 – Type or Print

Signature #1

Signature #2

8230 Rosebank Avenue, Baltimore, MD

Mailing Address

City

State

21222

410-591-3233 rzacherl@streettrafficstudies.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name — Type or Print

CASE NUMBER 2024-0133-SPH Filing Date 5 / 4 / 2024

Do Not Schedule Dates:

Reviewer TJ

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: 2024-0133-SPH

Property Address: 8225/8227 Fischer Rd

Legal Owners (Petitioners): Wells-McComas Charitable / Civil Corp.

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): _____

Address: _____

Telephone Number: _____

*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

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

The Land referred to herein below is situated in the County of Baltimore, State of Maryland, and is described as follows:

PARCEL 1

BEGINNING FOR THE SAME at an iron bolt driven in the ground at the corner formed by the intersection of the southeast side of Fischer Road and the southwest side of Beech Road; said place of beginning being also the beginning of the whole tract of land containing 14.205 acres of which the parcel now being described is a part, and which said whole tract of land is described in a deed dated November 26, 1960, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3783, folio 612, from Baltimore County Realty Corporation to Conrad A. Fischer and wife; and running thence from said place of beginning, binding on the said southwest side of said Beech Avenue and binding on the first, second, third, fourth, fifth, sixth, seventh, eighth and part of the ninth lines of said whole tract of land, the nine following courses and distances, viz: South 52 degrees 32 minutes East 383.94 feet; South 43 degrees 55 minutes East 167.21 feet; South 17 degrees 23 minutes East 55.04 feet; North 49 degrees 27 minutes West 47.00 feet; South 30 degrees 43 minutes West 92.38 feet; South 74 degrees 59 minutes East 190 feet; South 07 degrees 37 minutes East 103.34 feet; south 39 degrees 20 minutes East 160 feet and South 66 degrees 42 minutes West 438.48 feet; thence for a line of division North 41 degrees 20 minutes West 814.11 feet to intersect the said southeast side of said Fischer Road and to intersect the eleventh line of said whole tract of land; thence binding on the said southeast side of said Fischer Road and binding on part of the eleventh line of said whole tract of land, North 48 degrees 40 minutes East 166.35 feet to the end of said eleventh line of said whole tract of land; thence binding on the twelfth and thirteenth lines of said whole tract of land and still binding on the said southeast side of said Fischer Road, the two following courses and distances, viz: North 41 degrees 25 minutes East 220 feet and North 43 degrees 34 minutes East 24.78 feet, more or less to the place of beginning.

For Information Only: Containing 9.198 acres of land, more or less.

For Information Only: Premises known as 8227 Fischer Road and Beech Avenue, Baltimore, MD and is designated as Parcel ID: 15-1501740882.

PARCEL 2

BEGINNING FOR THE SAME at a point on the southeast side of Fischer Road, 40 feet wide at the end of the 10th line of the whole tract of land containing 14.205 acres, of which the lot now being described is a part and which said whole tract of land is described in a Deed dated November 26, 1960, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3783, folio 612 from Baltimore County Realty Corporation to Conrad A. Fischer and wife and running thence from said place of beginning, binding on the said southeast side of said Fischer Road and binding on part of the 11th line of said whole tract of land, North 48 degrees 40 minutes East 117.72 feet; thence leaving the said southeast side of said Fischer Road, at right angles thereto and running for a line of division, South 41 degrees 20 minutes East 760.11 feet to intersect the 9th line of said whole tract of land; thence binding on part of said 9th line of said whole tract of land and running South 66 degrees

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BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

42 minutes West 123.80 feet to the end of said 9th line; thence binding on the 10th line of said whole tract of land and running North 41 degrees 20 minutes West 721.78 feet more or less to the place of beginning.

For Information Only: Containing 2.00 acres of land more or less.

For Information Only: Premises known as 8225 Fischer Road, Baltimore, MD and is designated as Parcel ID: 15-1503474960.

PARCEL 3

BEGINNING FOR THE SAME at a point on the southeast side of Fischer Road, 40 feet wide, at a point on the 11th line of the whole tract of land containing 14.205 acres, of which the lot now being described in part and which said whole tract of land is described in a Deed dated November 10, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3952, folio 422 from Conrad A. Fischer and Frances A. Fischer, his wife, who have conveyed to Howard Calvert Bregel and Calvert Ross Bregel, Trustees, grounds herein distance 117.72 feet northeasterly, measured along said 11th line of said whole tract of land from the beginning of said 11th line; and running thence from said place of beginning, binding on the said southeast side of Fischer Road and binding on part of said 11th line of said whole tract of land, North 48 degrees 40 minutes East 165.88 feet; thence leaving the said southeast side of Fischer Road, at right angles thereto and running for a line of division heretofore made, South 41 degrees 20 minutes East 814.11 feet to intersect the 9th line of said whole tract of land; thence binding on part of said 9th line of said whole tract of land and running South 66 degrees 42 minutes West 174.45 feet; thence for another line of division North 41 degrees 20 minutes West 760.11 feet, more or less, to the place of beginning.

For Information Only: Containing 3.00 acres of land more or less.

For Information Only: Premises is known as Fischer Road, Parcel No. 15-1506201630.

ALL BEING MORE CURRENTLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF FISCHER ROAD (40' WIDE R.O.W.) AND THE SOUTHWESTERLY LINE OF BEACH ROAD (40' WIDE R.O.W.);

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE FIFTEENTH ELECTION DISTRICT, COUNTY OF BALTIMORE, STATE OF MARYLAND, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A SET MAG NAIL AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF FISCHER ROAD (40' WIDE R.O.W.) AND THE SOUTHWESTERLY LINE OF BEACH ROAD (40' WIDE R.O.W.), AS SHOWN IN PLAT BOOK JWB 14, PAGE 26;

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THENCE ALONG SAID BEACH ROAD THE FOLLOWING (3) COURSES AND DISTANCES:

1. S 59°53'05" E A DISTANCE OF 383.83 FEET TO A SET ½" REBAR WITH CAP "MD 21710 PROP MKR";
2. S 51°16'05" E A DISTANCE OF 167.21 FEET TO A SET MAG NAIL;
3. S 24°44'05" E A DISTANCE OF 55.04 FEET TO A FOUND ⅝" REBAR WITH CAP "SITE RITE INC PROPMKR";

THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF LAND NOW OR FORMERLY OF MICHAEL J. AND JANNA A. HOLDEN THE FOLLOWING (3) COURSES AND DISTANCES:

1. N 56°48'05" W A DISTANCE OF 47.00 FEET TO A SET ½" REBAR WITH CAP "MD 21710 PROP MKR";
2. S 23°21'55" W A DISTANCE OF 92.38 FEET TO A POINT;
3. S 82°20'05" E A DISTANCE OF 190.00 FEET TO A POINT;

THENCE ALONG THE BLACK RIVER THE FOLLOWING (2) COURSES AND DISTANCES:

1. S 14°58'05" E A DISTANCE OF 103.34 FEET TO A POINT;
2. S 46°41'05" E A DISTANCE OF 160.00 FEET TO A POINT;

THENCE ALONG THE NORTHWESTERLY LINE OF LAND NOW OR FORMERLY OF MALISSA THIESS S 59°20'55" W A DISTANCE OF 438.48 FEET TO A POINT;

THENCE ALONG THE NORTHWESTERLY LINE OF LAND NOW OR FORMERLY OF AMERICAN YEAST CORPORATION THE FOLLOWING (2) COURSES AND DISTANCES:

1. S 59°20'55" W A DISTANCE OF 174.45 FEET TO A POINT;
2. S 59°20'55" W A DISTANCE OF 123.80 FEET TO A POINT;

THENCE ALONG THE NORTHEASTERLY LINE OF LAND NOW OR FORMERLY OF REEMA LLC, N 48°41'05" W A DISTANCE OF 721.78 FEET TO A SET ½" REBAR WITH CAP "MD 21710 PROP MKR";

THENCE ALONG THE SOUTHEASTERLY MARGIN OF FISCHER ROAD THE FOLLOWING (5) COURSES AND DISTANCES:

1. N 41°18'57" E A DISTANCE OF 117.72 FEET TO A POINT;
2. N 41°18'56" E A DISTANCE OF 165.88 FEET TO A POINT;
3. N 41°18'55" E A DISTANCE OF 166.35 FEET TO A SET ½" REBAR WITH CAP "MD 21710 PROP MKR";

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CIVIL ENGINEERS & LAND SURVEYORS

4. N 34°03'55" E A DISTANCE OF 220.00 FEET TO A POINT;
5. N 36°12'55" E A DISTANCE OF 24.88 FEET TO THE POINT AND PLACE OF BEGINNING;

CONTAINING THEREIN 14.198 ACRES (618481 SQUARE FEET) MORE OR LESS AND INTENDING TO DESCRIBE THE SAME LANDS AS DESCRIBED IN TITLE COMMITMENT NUMBER 53993, DATED APRIL 28, 2022 8:00 AM, PUBLISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY.

JEROME D. BRUNNER

PROFESSIONAL LAND SURVEYOR NO. 0021710

STATE OF MARYLAND



DATED: 07/28/2022

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 6/11/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0133-SPH

INFORMATION:

Property Address: 8225 & 8227 Fischer Road
Petitioner: Wells-McComas Charitable and Civic Corporation
Zoning: DR 5.5
Requested Action: Special Hearing

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

Special Hearing – To determine whether or not the Zoning Commissioner should approve the applicability of the order and conditions in Zoning Case No. 86-417-XSPHA to Zoning Case No. 2022-0185-SPH.

The subject site consists of two parcels of land approximately 14.2 acres in a DR 5.5 zone, currently being used as a trucking facility. The property is located on the south eastern corner of Beach and Fischer Roads in the Dundalk area. The surrounding use is both residential and Industrial. The residential use along Beach Road consists of single family homes facing Back River.

Beach Road and a strip of landscaped screening separate the trucking facility from the residential homes. The adjacent properties along Fischer Road are of similar industrial use with shipping container storage, auto storage, and another trucking facility. An inlet from the Back River runs along the opposite side of the two lots with another strip of trees and brush.

The property itself has been in use as a Class II trucking facility since 1983 under a special exemption granted on 3/18/1982, Case No. 1978-0165-ASPH. The previous Zoning for these two lots were MH.

The site is improved with an 8-inch crushed stone surface on the storage lot closest to the adjacent residential houses along Beach Road and the Back River. The crushed stone surface was the subject of a variance from the Baltimore County Zoning Regulations, under BCZR 410A3B.6, requiring a durable and dustless surface in place of the existing stone. The variance was granted under Case No. 91-376-SPHA, which subsequently allowed for the continued use of the existing crushed stone surface.

A recent Code Enforcement constituent complaint was filed under CC2314424 by the residential neighbors stating that the new owners of this trucking facility were operating beyond the permitted hours of 7:00 am to 7:00 pm, working until dark and then beginning again in the early morning. Listed under the same case, Code Enforcement received several complaints that the new property owners were removing the buffer of trees and brush along Fischer and Beach Roads. Removing any of the Landscape

screening is in direct violation of condition number 8, Case No. 86-417-XSPHA, where a minimum of 23' width strip of trees and shrubs shall be planted and maintained along Beach and Fischer Roads.

In addition, constituent complaints have been reported citing heavy dust in the residential area coming from the trucking facility and spilling over into the residential side of Beach Road.

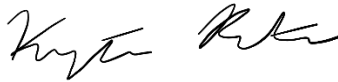
It is worth mentioning that this site is within the boundaries of the following Community Plans: Greater Dundalk-Edgemere Community Conservation Plan, Eastern Baltimore County Revitalization Strategy and the Wells-McComas Community Conservation Plan.

The Department of Planning finds that the applicability of the order and conditions in Zoning Case No. 86-417-XSPH do apply to Zoning Case No. 2022-0185-SPH. And furthermore, Zoning Case No. 2022-0185-SPH does not supersede any conditions set forth in case No. 86-417-XSPH unless otherwise expressed by the Administrative Law Judge.

The Department of Planning would recommend that the lot with crushed stone at 8229 & 8227 Fisher Road be paved or replaced with a durable and dustless surface to prevent dust spilling into the adjacent residential area. Current complaints by the community, filed with Code Enforcement and cited by the Petitioner, support the need for a dustless surface. Previous recommendations to the Zoning Commissioner from the Office of Planning and Zoning in a letter dated May 16, 1991, by Planning and EPS, in response to case No. 91-376-SPHA were opposed to any variance of a durable and dustless surface. The previous comments state "Residents impacted by commercial and industrial uses that lack durable and dustless surfaces consistently oppose any variances to paving regulations."

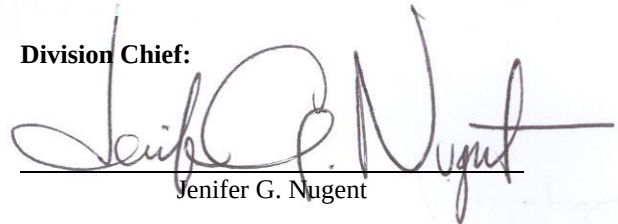
For further information concerning the matters stated herein, please contact Shawn Frankton at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: John B. Gontrum, Esq.
Well-McComas Charitable Civil Corp.
8225 Fischer Owner, LLC.
Maria Mougridis, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Zoning History

8225 & 8227 Fischer Road

1. Case No.: 1978-0165-ASPH: Petition for Special Exception and Site Plan Approval for Class II Trucking Facility, granted 3/18/1982.
2. Case No. 86-417-XSPHA (copy of Opinion and Order attached hereto): Petition for Special Exception to permit the expansion of an existing Class II truck terminal on part of Site II; a Special Hearing to approve an amendment to the previously approved Site Plan in Case No. 78-165-ASPH to separate Site I from Site II and remove restrictions 5, 6, 7 and 8 of said plan; and variances for Site II to permit a minimum setback of 100 feet from a residential area and paving a section of 8-inch crushed stone in the storage area, granted September 12, 1989 subject to the following 9 restrictions:
 1. The easternmost access (proposed exit) on Fischer Road shall not be moved closer to Beach Road than indicated on Petitioner's Exhibit No. 1. Other than that exit and roadway within 100 feet from the property at that exit, no part of the expansion and storage area use shall be within 140 feet of a residential area. Lateral telephone poles shall establish that distance and its measurement shall be demonstrated to an Inspector from the Baltimore County Zoning Office within 120 days from the date of the final Order in this case.
 2. The 24-foot roadway from entrance to exit shall be paved in accordance with standards established in Section 401A.3B.6 of the B.C.Z.R.
 3. The storage yard shall be utilized only for container and/or trailer storage.
 4. Hours of operation shall not exceed 7:00 a.m. to 7:00 p.m. six days a week.
 5. In the area outside the lateral telephone poles noted above, the stone shall be removed and the area renaturalized.
 6. Container stacking shall not exceed three high.
 7. Compliance with Baltimore County Health Department comments of February 24, 1986.
 8. Compliance with the Baltimore County Landscape Manual to include plantings along the Fischer Road frontage. A minimum width strip of 32 feet of trees and shrubs, deciduous and non-deciduous, as approved by the Baltimore County Office of Planning, shall be planted and maintained along Beach Road. A substantial number of these plantings, as determined by the Office of Planning, shall be a minimum of 10 feet high.

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9. A revised plan shall be submitted for approval by the Office of Planning for compliance with the requirements of the Chesapeake Bay Critical Area legislation.

3. Case No.: 1991-0376-SPHA: Petition for Special Hearing to approve an amended site plan and to amend the 1st, 6th, and 7th restrictions of the approved Site Plan and Special Exception on a Class II Truck Terminal Use on Site 1 and a request for variance from Section 410A-3B6 to permit the existing crushed stone throughout the site (Case No. 78-765-ASPH), dismissed without prejudice on January 27, 1998.
4. Case No.: 2022-0185-SPH: To confirm the existence and permitted operation of a Class II Trucking Facility in accordance with Section 410A of the Baltimore County Zoning Regulations, and to confirm the existence of a lawful nonconforming use pursuant to Section 104 of the Baltimore County Zoning Regulations, granted 10-23-2022.

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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: June 20, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0133-SPH
Address: 8225 /8227 FISCHER RD
Legal Owner: 8225 Fischer Owner, LLC

Zoning Advisory Committee Meeting of June 4, 2024.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) and includes Critical Area buffer and is subject to Critical Area requirements. The applicant is seeking to confirm the applicability of the Order and Conditions in Zoning Case No. 86-417-XSPHA to Zoning Case No. 2022-0185 SPH. Based on the zoning petition and accompanying site plan, no development activity is proposed. Any development proposed for the property must meet the IDA 10% pollution reduction and Critical Area buffer requirements. Addressing the IDA 10% pollution reduction and Critical Area buffer requirements for any future development on the property will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

Based on a Geographic Information System aerial of the property, there are tidal wetlands and waters in the rear of the property that generate a Critical Area buffer. This is a commercial property which consists mostly of hard surface with

some vegetation within the Critical Area buffer. As indicated above, there is no development proposed with this zoning petition. Addressing the Critical Area buffer and the IDA 10% pollution reduction requirements for any future development will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

There is no proposed development associated with this zoning petition. Addressing the Critical Area buffer and the IDA 10% pollution reduction requirements for any future development will be consistent with established land-use policies.

Reviewer: Gris Batchelder

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director **DATE:** May 29, 2024
Department of Permits, Approval, and Inspections

FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0133-A

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

BPR: No comments

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0133-SPH

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

DPR: No comment.

DPW-T: A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=7.7) per panel FIRM 2400100440F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 6-24, 40-15 (the latest edition of the Baltimore County Code) and Bill 42-15, and Section 32-4-414 of Article 32, Title 4 of the Baltimore County Code, 2003, as amended. The LiMWA is not on the property.

Landscaping: If Special Hearing is successful, a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required.

Recreations & Parks: Need to address LOS - Open Space requirements (Code Section 32-6-108, the latest LOS requirements) & No Greenways affected.



Certificate of Posting

Case# 2024-0133-SPH
 Petitioner/Developer
Whiteford Law

Date of Hearing/Closing
November 20, 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 8225/8227 Fischer Road October 29, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

Martin Ogle
 9912 Maidbrook Road
 Parkville, Md. 21234
 443-629-3411



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

September 12, 1989

Phyllis C. Friedman
People's Counsel for Baltimore County
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 86-417-XSPHA
Margaret Corkran

Dear Ms. Friedman:

Enclosed is a copy of the final Opinion and Order
issued this date by the County Board of Appeals in the subject
matter.

Sincerely,


Kathleen C. Weidenhammer
Administrative Assistant

Encl.

cc: Robert Romadka, Esquire
John B. Gontrum, Esquire
Ms. Marjorie Hill
✓ Mr. David Sheeks
Mr. Michael Northop
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
W. Carl Richards, Jr.
Arnold Jablon, County Attorney

2024-0133-SPH

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 86-417-XSPHA

O P I N I O N

As to the Petition for Special Hearing, the Board is requested to approve certain amendments to a special exception which was previously granted for this property by this Board in 1983. Essentially, the Petitioner now asks the Board to divide the subject property into two parcels to be known as Site I and Site II. Further, the Petitioner requests that certain restrictions imposed with the 1983 special exception, numbered 5, 6, 7 and 8, be removed from the Order as it applies to Site I.

Lastly, the Petitioner seeks variances from Section 410A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum setback of 100 feet from the trucking facility to a residential area instead of the required 300 feet, and also, from Section 410A.3B.6 of the B.C.Z.R. to permit a paving section of 8-inch crushed stone in the storage area of the site.

2024-0133-SR17

Testimony and evidence received by the Board elicited certain information about the history and proposed use of the property. The site of approximately 14.2 acres is located on the southeast corner of Beach and Fischer Roads in eastern Baltimore County. It is zoned M.H.-I.M. and for business reasons has been divided by the property owner into two parcels, known as Site I and Site II. Site I is not actively operated by the Petitioner personally but is the subject of a long-term lease to another trucking company. By and large, the relief requested herein by the Petitioner affects only Site II as indicated above. However, the property owner requests through her petitions a recognition of the existence of Site II as an independent facility as when compared with Site I.

The Board heard from a number of witnesses, both in support of and opposed to the petitions. In support, the Board heard from Charles Stark, a project manager and land surveyor with the George W. Stephens Company. Mr. Stark prepared the site plan received in evidence by the Board as Petitioner's Exhibit No. 2 which fully delineates the proposed use. Mr. Stark further testified about the industrial character of the neighborhood and that the proposed site plan is in conformance with the Zoning Advisory comments prepared by the various County agencies for this plan. He further discussed the need for the petitioned variances and the proposed use of the property.

Freeman Corkran, a relative of the Petitioner, also testified in favor of the petitions. He indicated that the property was purchased in 1978 and as indicated above, Site I has been rented to another trucking facility on a long-term basis. He stated his desire to obtain the petitioned variances to increase the site's capacity for storage. He testified that the crusher run paving on Site II has existed there since 1978 and about the commercial and

2024-0133-SPH

business nature of the majority of the neighborhood. He addressed the requirements for a special exception under Section 502.1 of the B.C.Z.R. and opined that the petitioned special exception in this case should be granted.

Howard Lynch, an environmentalist, also testified. His testimony centered on the petitioned variance to permit a section of 8-inch crushed stone in the storage area as opposed to paving. He offered alternatives, such as a light oil coating, which would make the surface dust-free and allay air quality concerns.

In opposition to the petitioned variances, David Sheeks, a 9-year resident and adjoining property owner, testified. He described the present activities on site and voiced concerns as to the overcrowding of the site, the encroachment of industrial use in neighboring residential areas and concerns about the air quality. Specifically, he fears an aggravated air quality problem with dust if an expansion of the site and petitioned variances are granted.

Steven Nowicki, another long-term resident, also testified. He agreed with Mr. Sheeks and voiced concerns about the proximity of an existing truck terminal to residential development, as well as an inordinate amount of dust which could be generated by the site.

Lastly, Majorie Hill, of the Wells-McComas Improvement Association, testified in opposition to the project. Her concerns were similar to those expressed by the other protestants.

In order to determine whether the petitions can be granted, the Board must decide several issues, as presented by both the Petitioner and the Office of People's Counsel in their Memorandums. These are:

2024-0133-SPH

- 1) Whether this Board has the requisite authority to grant a variance of 100 feet for a trucking facility from a residential zone:

As indicated herein, the Petitioner seeks a variance from Section 410A.2 of the B.C.Z.R. Within that section, minimum setbacks for trucking facilities are provided from dwellings or other residential zones. Specifically, Section 401.2 provides that no trucking facility can be established or exist within 300 feet of a residential use.

The Office of the People's Counsel argues that this section of the B.C.Z.R. is not subject to variance in that it is akin to a use restriction. On the contrary, the Petitioner argues that the Zoning Commissioner, and this Board, has the authority to grant a variance generally except where specifically prohibited by the clear language of the regulations. Further, the Petitioner suggests that the subject regulation is of a height and area variety and not a use restriction. Section 307 of the B.C.Z.R. clearly provides the zoning authority to "grant a variance from height and area regulations." In our view, the petitioned variance falls within that classification. The regulation specifically prescribes certain distances and cannot be construed to prohibit or govern a use, only the location of that use within a certain site. Therefore, as to this first question, our answer must be "yes," that the Board does have the authority to consider such a variance.

- 2) Does this Board have the authority to alter and/or modify the special exception previously granted in this case?

The Office of the People's Counsel argues that such consideration of the proposed special exception is barred by the doctrine of res judicata. People's Counsel relies upon Board of County Commissioners v. Racine, 24 Md. App. 435 (1975) and Whittle v. Board of Zoning Appeals, 211 Md. 36 (1956) as authority for the

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proposition that this Board may not consider the property owner's Petition to modify its special exception. With this view we disagree. The law is clear that the doctrine of res judicata, although applicable to administrative hearings, will be applied only in circumstances where the issues are identical. In the subject case, we find that circumstances have changed. Although the general descriptive use on this site has remained continuous over the years, the evidence presented convinces us that the petitions presented frame significantly different issues. Thus, the Board is persuaded that it may consider the petitions before us.

3) Does the doctrine of self-created hardship bar the present petitions?

People's Counsel argues that by its division of the property into two sites, the Petitioner has created a self-imposed hardship which bars consideration of its petitions. Although business and financial considerations were no doubt primarily behind this decision, we do not believe, particularly in view of the history of this site, that the Petitioner has created a self-imposed hardship of that magnitude required by the law to prohibit consideration of his petitions.

4) Consideration of the petitioned Special Hearing, Special Exception and Zoning Variances:

As is well settled, this Board must consider the Petition for Special Exception in view of the requirements set forth in Section 502.1 of the B.C.Z.R., as well as the mandate contained within Schultz v. Pritts, 291 Md. 1, 432 A.2d 1321 (1981). After due consideration of the evidence and testimony before us, we are convinced that the Petitioner has met his burden. The existing area is heavily commercialized and in our view the special exception must be granted in that there are no adverse effects on public safety, health and welfare particularly associated with this site as compared with other sites within the

2024-0133-SPH

zone. On balance, the testimony and evidence presented in this case convinces us that there are no inherently detrimental effects on this particular locale and that the special exception must be granted under the doctrine of Schultz v. Pritts, (supra).

As to the special hearing, we are likewise persuaded that that should be granted, particularly in view of our decision regarding the special exception and variances herein.

As to the variances, we are persuaded that they should be granted. Specifically, the evidence before us compels us to find that mandate of Section 307 of the B.C.Z.R. and the cases which have construed that Section is satisfied. Particularly, the evidence convinces us that the variance requesting a crusher run surface as opposed to paving is more environmentally acceptable. As to the distance variance regarding use of the site as it relates to the adjoining residential property, we believe that the Petitioner has met his burden. Notwithstanding our decision in this regard, however, we are not unmindful of the neighbors/protestants' concern. The restrictions imposed within the Deputy Zoning Commissioner's decision of June 3, 1987 seem appropriate and are designed to reduce as far as practical any adverse impact of the site on adjoining property. We shall therefore adopt them herein.

O R D E R

It is therefore this 12th day of September, 1989 by the County Board of Appeals of Baltimore County ORDERED that a special exception to permit the expansion of an existing Class II truck terminal on part of Site II; a special hearing to approve an amendment to the previously approved site plan in Case No. 78-165-ASPH to separate Site I from Site II and to remove restrictions 5, 6, 7 and 8 of said plan; and variances for Site II to permit a

2024-0133-SPA

minimum setback of 100 feet from a residential area and a paving section of 8-inch crushed stone in the storage area, be and the same are hereby GRANTED, subject to the following restrictions:

1. The easternmost access (proposed exit) on Fischer Road shall not be moved closer to Beach Road than indicated on Petitioner's Exhibit No. 1. Other than that exit and roadway within 100 feet from the property at that exit, no part of the expansion and storage area use shall be within 140 feet of a residential area. Lateral telephone poles shall establish that distance and its measurement shall be demonstrated to an Inspector from the Baltimore County Zoning Office within 120 days from the date of the final Order in this case.
2. The 24-foot roadway from entrance to exit shall be paved in accordance with standards established in Section 401A.3B.6 of the B.C.Z.R.
3. The storage yard shall be utilized only for container and/or trailer storage.
4. Hours of operation shall not exceed 7:00 a.m. to 7:00 p.m. six days a week.
5. In the area outside the lateral telephone poles noted above, the stone shall be removed and the area renaturalized.
6. Container stacking shall not exceed three high.
7. Compliance with Baltimore County Health Department comments of February 24, 1986.
8. Compliance with the Baltimore County Landscape Manual to include plantings along the Fischer Road frontage. A minimum width strip of 32 feet of trees and shrubs, deciduous and non-deciduous, as approved by the Baltimore County Office of Planning, shall be planted and maintained along Beach Road. A substantial number of these plantings, as determined by the Office of Planning, shall be a minimum of 10 feet high.

2024-0133-SPH

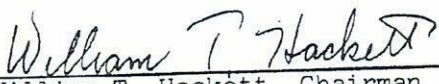
Case No. 86-417-XSPHA
Margaret Corkran

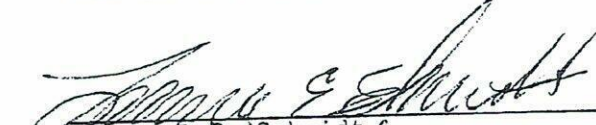
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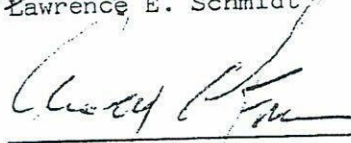
9. A revised plan shall be submitted for approval by the Office of Planning for compliance with the requirements of the Chesapeake Bay Critical Area legislation.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


William T. Hackett, Chairman


Lawrence E. Schmidt


Arnold G. Foreman

2024-0133-SPH

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 - 1501740882

Owner Information

Owner Name: 8225 FISCHER OWNER LLC Use: INDUSTRIAL
Principal Residence: NO

Mailing Address: STE 2305 Deed Reference: /47729/ 00129
800 3RD AVE
NEW YORK NY 10022-

Location & Structure Information

Premises Address: BEECH RD Legal Description: 9.198 AC LTS7A-12A
DUNDALK 21222- SWS BEECH RD
SE COR FISCHER RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0104 0004 0273 31503.04 0000 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1967 2,400 SF 9,2000 AC 07

StoriesBasementType	ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
SERVICE GARAGE/	C1

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	1,442,000	3,602,000		
Improvements	33,400	33,200		
Total:	1,475,400	3,635,200	1,475,400	2,195,333
Preferential Land:	0	0		

Transfer Information

Seller: PAYNE PROPERTY DEVELOPMENT LLC	Date: 01/25/2023	Price: \$9,200,000
Type: ARMS LENGTH MULTIPLE	Deed1: /47729/ 00129	Deed2:
Seller: ROBBINS MAURICE CORKRAN RAYMOND	Date: 01/22/2015	Price: \$1,650,000
Type: ARMS LENGTH MULTIPLE	Deed1: /35784/ 00408	Deed2:
Seller: HEINECKE WALTER E	Date: 03/28/1978	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /05867/ 00817	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:

2024-0133-SRH



Lot # 2 PAI # 150335

PAI # 150335 Pt. Bk. 0000050, Folio 0146

4028 PAI # 150335

Pt. Bk./Folio # 050146

PAI # 150335

Pt. Bk. 0000014, Folio 0026

Lot # 4

PAI # 158066

Pt. Bk./Folio # 014026C

PAI # 158066

8229

BEACH RD

FISCHER RD

8228

8228

SE 2-H

7 CD

15 ED

104B1

8227

8225

8211

Pt. Bk. 0000010, Folio 0123

Lot # 24

4102

SE 3-H

PAI # 158056

Pt. Bk./Folio # 010123

PAI # 158056

Lot # 23A

Lot # 21A

Lot # 21A

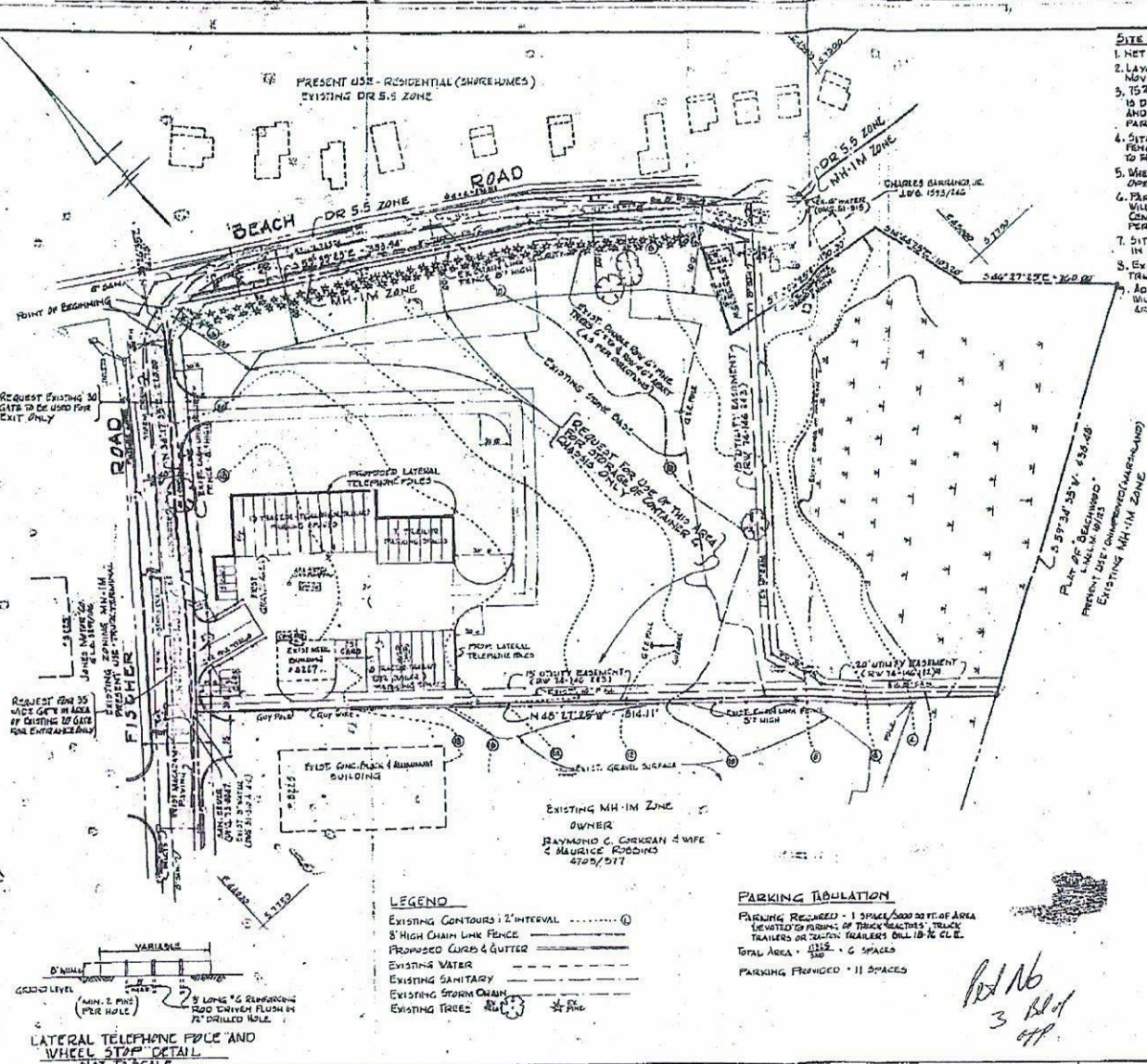
Lot # 20A

Lot # 19A

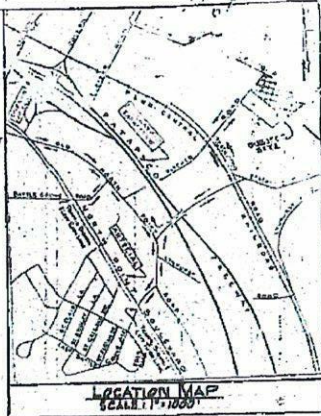
4113

BEACHWOOD RD

2084-6133-5PR4



- SITE STANDARDS**
1. NET AREA IS 9.193 ACRES
 2. LAYOUT PROVIDED FOR CONVENIENT FORWARD MOVEMENT OF VEHICLES
 3. 15% OF SITE USED FOR TRUCKING OPERATIONS IS DEVOTED TO PARKING BY TRUCK TRACTORS AND TRAILERS (MAX. NUMBER OF UNITS: 11 PARKING SPACES)
 4. SITE IS SURROUNDED BY 8' HIGH CHAIN LINK FENCE. SCREENING HAS BEEN PROVIDED ADJACENT TO RESIDENTIAL ZONE
 5. WHEEL STOPS WILL BE PROVIDED IN TRUCKING OPERATION AREA
 6. PARKING, LOADING AND MANEUVERING AREAS WILL BE PAVED WITH A BITUMINOUS CONCRETE OR CEMENT SURFACE OVER A SUITABLE BASE AS PER ORIGINAL SITE PLAN REQUIREMENTS
 7. SITE OBTAINS NATURALITY TO MARSH AREA IN REAR
 8. EXISTING BUILDING WILL BE UTILIZED FOR TRUCK TERMINAL FACILITIES
 9. ADDITIONAL LANDSCAPING IF REQUIRED WILL BE PROVIDED (PLAN BY LANDSCAPE ARCHITECT)



- GENERAL NOTES:**
1. AREA OF PARCEL: 9.193 ACRES
 2. EXISTING ZONING: MA-IM
 3. PRESENT USE: CLASS II TRUCK TERMINAL
 4. PROPOSED USE: CLASS II TRUCK TERMINAL AND STORAGE OF CONTAINERS AND CHASSIS
 5. EXISTING BUILDING WILL BE UTILIZED FOR TRUCK TERMINAL FACILITIES
 6. PUBLIC SANITARY SEWER AND WATER ARE AVAILABLE
 7. HOURS OF OPERATION: 24 HOURS - MAXIMUM NUMBER OF TRUCKS (TRACTOR AND TRAILER): 21
 8. REQUIRED SCREENING HAS BEEN PLANTED ON THE NORTH-EAST PROPERTY LINE
 9. LATERAL TELEPHONE POLES WILL BE USED AS WHEEL STOPS WHERE INDICATED (SEE DETAIL)
 10. NO UNJUNKED VEHICLES WILL BE STORED ON SITE
 11. ACCESS OR TRAVEL ROUTE TO THIS SITE WILL BE BY FISHER ROAD TO DEACHWOOD ROAD TO 2ND NORTH POINT ROAD TO NORTH POINT BLVD. OR FISHER ROAD TO BLACKWOOD ROAD TO 61ST NORTH POINT ROAD TO BATTLE GROVE OR GROVE ROAD TO NORTH POINT BLVD.
 12. NO OUTSIDE STORAGE OF AUTO PARTS IS PERMITTED

86-417-KSPM

PLAT TO ACCOMPANY PETITION FOR

SPECIAL HEARING TO AMEND THE APPROVED SITE PLAN FOR THE PURPOSE OF SHOWING SEPARATE BUSINESS ENTITIES ON SEPARATE PARCELS AND TO ALLOW ADDITIONAL USE OF THE LARGER OF SAID ENTITIES FOR THE STORAGE OF CONTAINERS AND CHASSIS AND A REQUEST FOR VARIANCE FROM SECTION 410 A.1 TO PERMIT A SETBACK OF 100 FEET FROM A RESIDENTIAL AREA INSTEAD OF THE REQUIRED 500 FEET AND A REQUEST FOR VARIANCE FROM SECTION 410 A.1'S B6 TO PERMIT A PAVING SECTION OF 8' CRUSHED STONE.

PL 16
3 Bldg
4PP

PARKING TABULATION

PARKING REQUIRED - 1 SPACE/500 SQ. FT. OF AREA
(DEVOTED TO PARKING OF TRUCK TRACTORS, TRUCK TRAILERS OR TRAILER TRAILERS) SHALL BE 2% C.E.

TOTAL AREA: 9.193 - 6 SPACES

PARKING PROVIDED: 11 SPACES

LEGEND

EXISTING CONTOURS 12' INTERVAL ①

8' HIGH CHAIN LINK FENCE ②

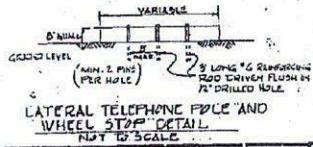
PROPOSED CURB & GUTTER ③

EXISTING WATER ④

EXISTING SANITARY ⑤

EXISTING STORM DRAIN ⑥

EXISTING TREES ⑦

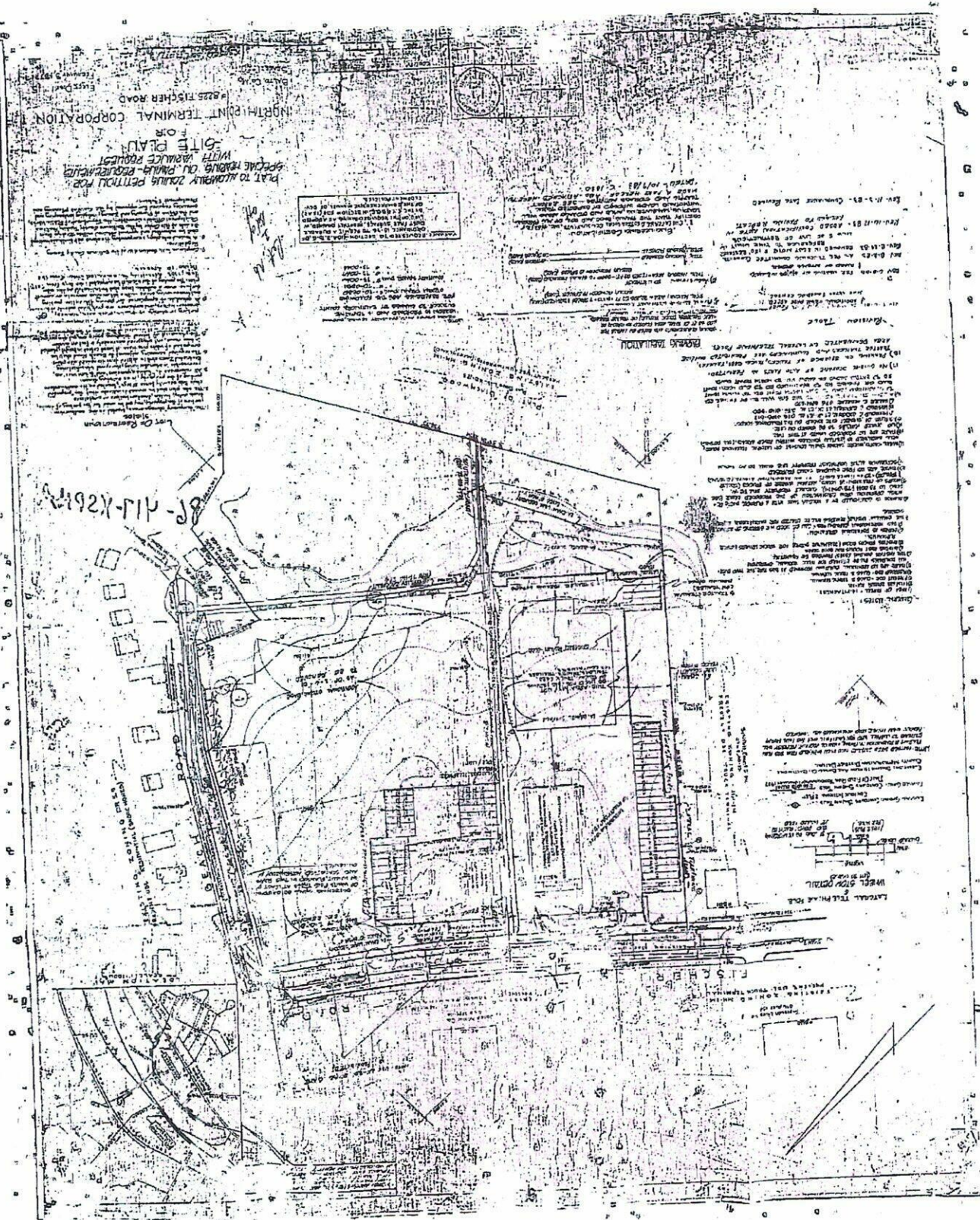


GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
133 ALLEGANY AVE.
TOWSON, MARYLAND 21204
(410) 551-1500



OWNERS
NORTH POINT TERMINAL COMPANY
2227 FISHER ROAD
BALTIMORE, MARYLAND
411-1415
(202) 455-5501/5017

SITE PLAN
NORTH POINT TERMINAL COMPANY
15TH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
SCALE: 1"=200' DATE: OCTOBER 10, 1993
FN 3698



2024-0133-SPH

GENERAL NOTES

THIS PLAN IS BASED ON ALTA SURVEY TITLED "ALTA/NSPS LAND TITLE SURVEY 8225 FISCHER ROAD, DUNDALK, MARYLAND 21222" PREPARED BY BLEW & ASSOCIATES, P.A. DATED 5/17/2022

- SITE ADDRESS:
8225 & 8227 FISCHER ROAD
BALTIMORE, MARYLAND 21222
- TOTAL SITE AREA: 14.21 AC. OR 618,987.6 S.F.
PARCEL 1: 2.01 AC. OR 87,555.6 S.F.
PARCEL 2: 9.2 AC. OR 400,752 S.F.
PARCEL 3: 3.0 AC. OR 130,680 S.F.
- OWNER/APPLICANT:
PAYNE PROPERTY DEVELOPMENT, LLC
10411 HALL INDUSTRIAL DRIVE
FREDERICKSBURG, VA 22408
- COUNTY INFORMATION
TAX MAP: 104
GRID: A-A-A-A: 3, 4, 6
PARCELS: A-A-B: 9, 273, 417
CENSUS TRACT: 4524
WATERSHED: BACK RIVER
COUNTY COUNCIL DISTRICT: 7
ELECTION DISTRICT: 15TH
ZONING MAP: 104B1
- TAX ACCOUNT NO.: 1506201630, 1501740882, 1503474960
- EXISTING USE: CLASS II TRUCKING FACILITY
PROPOSED USE: CLASS II TRUCKING FACILITY
- ZONE: DR 5.5 (DENSITY RESIDENTIAL; 5.5 UNITS/ACRE)
- THIS PROPERTY IS IN ZONE "X", "X-SHADED" AND "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO.2400100440G, WHICH BEARS AN EFFECTIVE DATE OF 5/5/2014 AND IS NOT / IS IN A SPECIAL FLOOD HAZARD AREA

ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD.

ZONE "X-SHADED" - AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF THE 100- YEAR AND 500A-YEAR FLOODS.

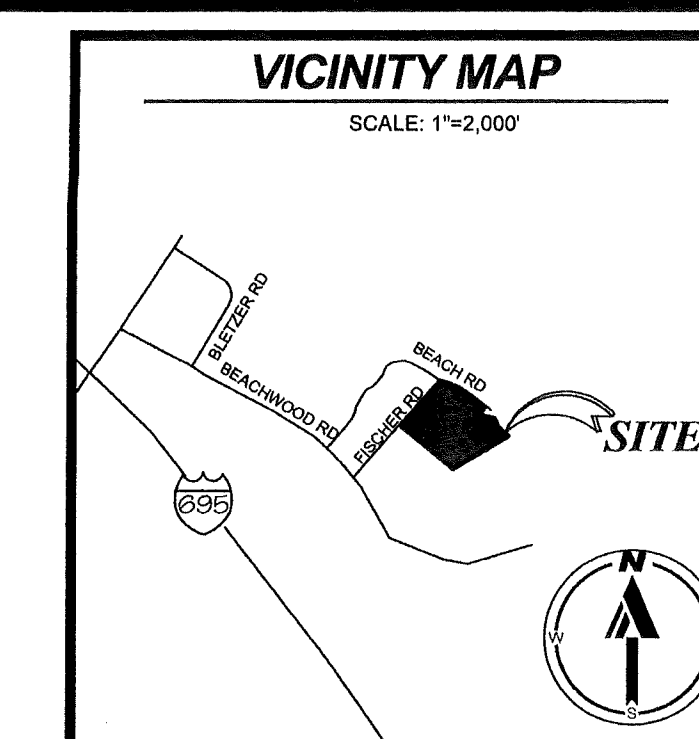
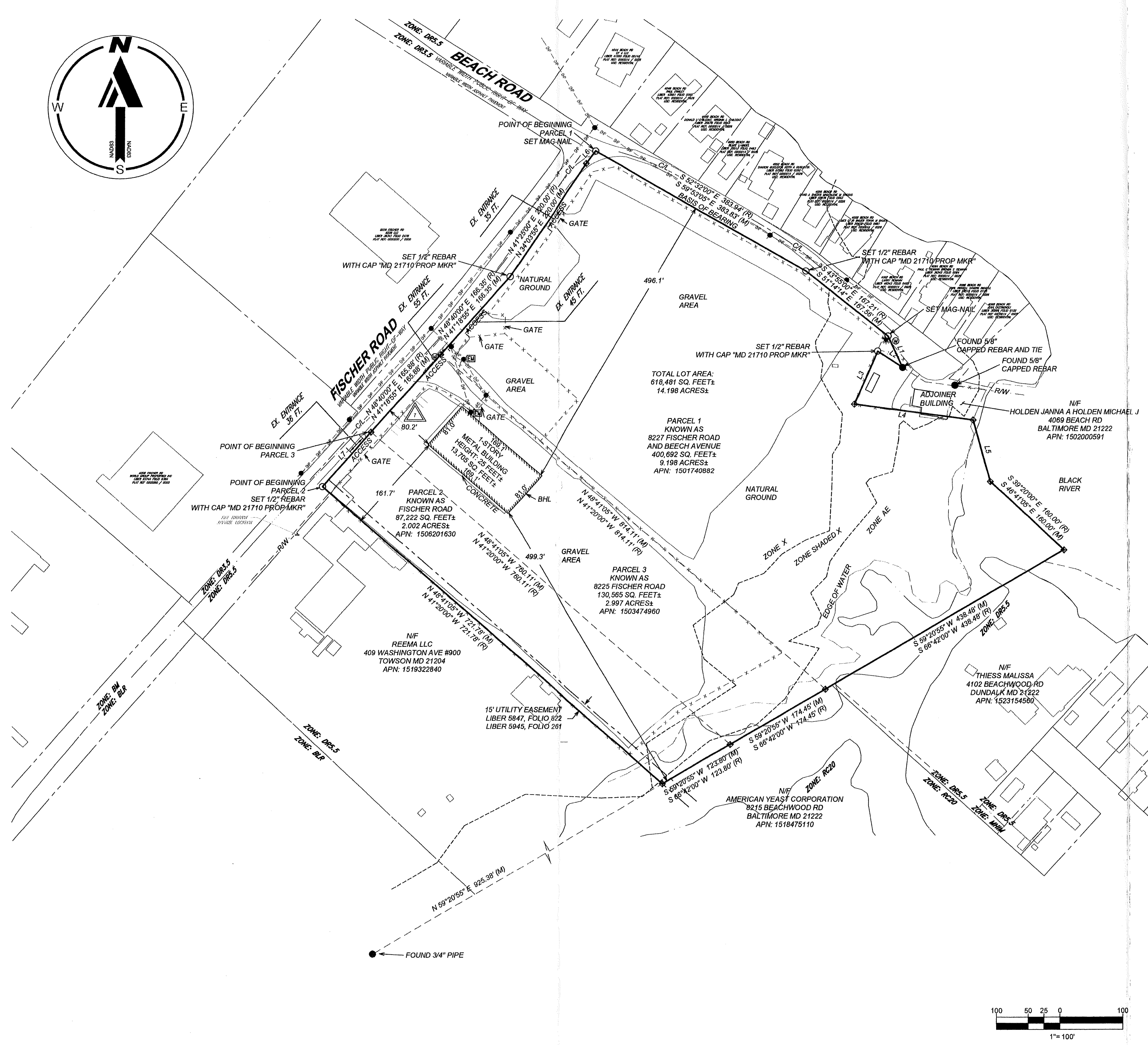
ZONE "AE" - THE BASE FLOODPLAIN WHERE BASE FLOOD ELEVATIONS ARE PROVIDED.
- ESTUARINE WETLANDS ARE PRESENT WITHIN THE SITE BOUNDARY.
- THE SUBJECT SITE IS NOT LOCATED WITHIN A WATER, SEWER OR TRANSPORTATION DEFICIENT AREA PER THE 2022 DRAFT BASIC SERVICES MAPS.
- NO CHANGES TO SITE LANDSCAPING ARE PROPOSED WITH THIS PLAN.
- NO CHANGES TO SITE LIGHTING ARE PROPOSED WITH THIS PLAN.
- PARKING:
REQUIRED PARKING: 1 SPACES/3,000 S.F. OF AREA DEVOTED TO PARKING OF TRUCK TRACTORS, TRUCK TRAILERS, OR TRUCKER TRAILERS PER BILL 1878 CLU
REQUIRED: 30,405 S.F. / 3,000 S.F. = 7 SPACES
PROVIDED: 7 SPACES
- BUILDING AREA (NO ADDITIONAL BUILDING SQUARE FOOTAGE IS BEING PROPOSED):
EXISTING: 13,705 S.F.
PROPOSED: 13,705 S.F.
- SETBACKS:
BUILDING: REQUIRED PROVIDED
NORTHWEST (FRONT) 40' 80.2'
EAST (FRONT) 40' 495.1'
SOUTHWEST (SIDE) 20' 161.7'
SOUTHEAST (REAR) 30' 499.3'
- MAXIMUM BUILDING HEIGHT: 50'
- SITE IS SERVED BY PUBLIC WATER AND SEWER.
- ALL SIGNAGE WILL COMPLY WITH SECTION 450 OF THE BCZR.
- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA - IDA AND LDA.
- THERE ARE NO HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
- FLOOR AREA RATIO: 0.022
- THE EXISTING SITE AND TRUCKING FACILITY ARE IN COMPLIANCE WITH THE BCZR SECTION 410A REQUIREMENTS FOR CLASS II TRUCKING FACILITIES

ZONING HISTORY

- CASE NO.: 1978-0165-ASPH
PETITION FOR SPECIAL EXCEPTION AND SITE PLAN APPROVAL FOR CLASS II TRUCKING FACILITY WAS GRANTED 3/19/1982.
- CASE NO.: 1991-0376-SPHA
PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDED SITE PLAN AND TO AMEND THE 1ST, 6TH, AND 7TH RESTRICTIONS OF THE APPROVED SITE PLAN AND A SPECIAL EXCEPTION ON CLASS II TRUCK TERMINAL USE ON SITE 1 AND A REQUEST FOR VARIANCE FROM SECTION 410A-386 TO PERMIT THE EXISTING CRUSHED STONE THROUGHOUT THE SITE (CASE NO. 78-165-ASPH) WAS DISMISSED WITHOUT PREJUDICE ON JANUARY 27, 1998.

COMMERCIAL PERMIT HISTORY

NONE



LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- SET MONUMENT AS NOTED
- ◆ COMPUTED/MEASURED POINT
- ⚡ POWER POLE
- ⚡ ELECTRIC METER
- ⚡ WATER METER
- ⚡ FIRE HYDRANT
- ⚡ MEASURED/COMPUTED DIMENSION
- ⚡ RECORD DIMENSION
- ⚡ RIGHT-OF-WAY
- ⚡ CENTERLINE
- ⚡ NOW OR FORMERLY
- ⚡ BUILDING HEIGHT LOCATION
- ⚡ BOUNDARY LINE
- ⚡ FORTY LINE
- ⚡ CENTERLINE OF ROAD
- ⚡ RIGHT-OF-WAY
- ⚡ FENCE
- ⚡ OVERHEAD POWER
- ⚡ WATER LINE
- ⚡ FLOOD LINE
- ⚡ NOT TO SCALE
- ⚡ ZONE: XX
- ⚡ ZONING LINE

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS				
REV	DATE	COMMENT	DRAWN BY	CHECKED BY

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FOR CONCEPT PURPOSES ONLY

PROJECT No.:	MDA220119.00
DRAWN BY:	CAD / DE ~
CHECKED BY:	JDM
DATE:	06/07/2022
CAD I.D.:	

PROJECT: **PLAN TO ACCOMPANY SPECIAL HEARING REQUEST** FOR CATALYST INVESTMENT PARTNERS

8225 FISCHER ROAD,
DUNDALK, MARYLAND 21222
BALTIMORE COUNTY

BOHLER
801 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

J.J. UCCIFERRO
PROFESSIONAL ENGINEER
LICENSE NO. 3694
EXPIRATION DATE: 02/28/2024

SHEET TITLE: **PLAN TO ACCOMPANY SPECIAL HEARING REQUEST**

SHEET NUMBER: **1**

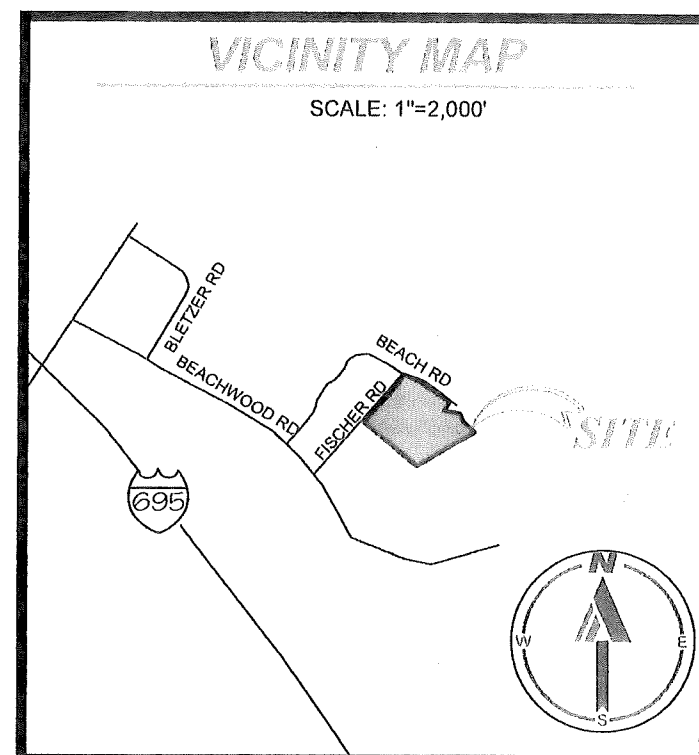
ORG. DATE - 06/07/2022

THIS PLAN IS BASED AN ALTA SURVEY TITLED "ALTA/NSPS LAND TITLE SURVEY 8225 FISCHER ROAD, DUNDALK, MARYLAND 21222" PREPARED BY BLEW & ASSOCIATES, P.A. DATED 5/17/2022

- ## ZONING HISTORY

1. CASE NO.: 1978-0165-ASPH
PETITION FOR SPECIAL EXCEPTION AND SITE PLAN APPROVAL FOR CLASS II TRUCKING FACILITY WAS GRANTED 3/18/1982.
2. CASE NO.: 1991-0376-SPHA
PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDED SITE PLAN AND TO AMEND THE 1ST, 6TH, AND 7TH RESTRICTIONS OF THE APPROVED SITE PLAN AND SPECIAL EXCEPTION FOR CLASS II TRUCK TERMINAL USE ON SITE 1 AND A REQUEST FOR VARIANCE FROM SECTION 410A-386 TO PERMIT THE EXISTING CRUSHED STONE THROUGHOUT THE SITE (CASE NO. 78-165-ASPH) WAS DISMISSED WITHOUT PREJUDICE ON JANUARY 27, 1998.

NONE



● FOUND MONUMENT AS NOTED
 ○ SET MONUMENT AS NOTED
 ⊕ COMPUTED/MEASURED POINT
 P POWER POLE
 E ELECTRIC METER
 W WATER METER
 F FIRE HYDRANT
 (M) MEASURED/COMPUTED DIMENSION
 (R) RECORD DIMENSION
 ROW RIGHT-OF-WAY
 C/L CENTERLINE
 N/O NOW OR FORMERLY
 BHL BUILDING HEIGHT LOCATION

_____ BOUNDARY LINE
 - - - - - FORTY LINE
 - - - - - CENTERLINE OF ROAD
 - - - - - RIGHT-OF-WAY
 X - - - - FENCE
 - - - - - OVERHEAD POWER
 _____ WATER LINE
 - - - - - FLOOD LINE
 _____ NOT TO SCALE

ZONE: XX ZONING LINE

[illegible]

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PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE

PROJECT No.: MDA220119.00
DRAWN BY: ~ CAD / DE ~
CHECKED BY: JDM
DATE: 06/07/2022

PROJECT: **PLAN TO
ACCOMPANY
SPECIAL HEARING
REQUEST**

CATALYST
INVESTMENT
PARTNERS

8225 FISCHER ROAD,
DUNDALK, MARYLAND 21222
BALTIMORE COUNTY

BOHLER//

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

J.J. UCCIFERRO

PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 30604
PROFESSIONAL CERTIFICATION
I, JOSEPH H. UCCIFERRO, 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 No. 30604, EXPIRATION DATE: 6/26/2018