

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

August 29, 2024

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

RE: Petition for Special Exception

Case No. 2024-0158-X

Property: 7253 Ambassador Road

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, Mauren E. Murphy

MAUREEN E. MURPHY Chief Administrative Law Judge

for Baltimore County

MEM:dlm Enclosure IN RE: PETITION FOR SPECIAL EXCEPTION\*

(7253 Ambassador Road)

2<sup>nd</sup> Election District

4<sup>th</sup> Council District

7253 Ambassador Owner, LLC

Legal Owner Caliber Collision

Contract Purchaser/Lessee

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2024-0158-X

**Petitioners** 

### **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 7253 Ambassador Owner, LLC, legal owner, and Caliber Collision, contract purchaser ("Petitioners"), for the property located at 7253 Ambassador Road, Woodlawn (the "Property"). The Petition for Special Exception was filed under Baltimore County Zoning Regulations ("BCZR"), §253.2.B.2, to allow a service garage.

A public WebEx hearing was scheduled virtually in lieu of an in-person hearing on September 9, 2024, at 1:30 PM.

On August 29, 2024, a formal request was received from Jennifer Busse, Esq. and Rosenberg Martin Greenberg, LLP seeking withdrawal of the Petition for Special Exception.

THEREFORE, IT IS ORDERED this 29th day of August, 2024, by this Administrative Law Judge, that the Petition for Special Exception under BCZR, 253.2.B.2, to allow a service garage, be and is hereby WITHDRAWN AND DISMISSED WITHOUT PREJUDICE.

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

MAUREEN E. MURPY

Mauren Z. Murph

Chief Administrative Law Judge

for Baltimore County



PETITION FOR ZONING HEARING(S)

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

To the Office of Administrative Lav	w of Baltimore County for the property located at:
Address_7253 Ambassador Road	which is presently zoned MHM ML I
Deed References: 37407/00177	10 Digit Tax Account # 1 9 0 0 0 0 1 4 3 2
Property Owner(s) Printed Name(s) 7253 Am	bassador Owner LLC
(SELECT THE HEARING(S) BY MARKING $\underline{X}$ AT THE APPRO	OPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	in Baltimore County and which is described in the description nade a part hereof, hereby petition for:
a Special Hearing under Section 500 7 of the 7o	oning Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	riling Regulations of Baitimore County, to determine whether
please see atta	iched
2. A Special Exception under the Zoning Regulation	ns of Baltimore County to use the herein described property for
	place see attached
3. a Variance from Section(s)	
The state of the s	
7.00	Court for the following research
	e zoning law of Baltimore County, for the following reasons
	y <u>or</u> indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachr	ment to this petition)
TO BE PR	RESENTED AT HEARING
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Property is to be posted and advertised as prescribed by the zoning requestion and advertising posting	ig, etc. and further agree to and are to be bounded by the zoning regulations
and restrictions of Baltimore County adopted pursuant to the zoning lav	
egal 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).	randor are perialises of perjary, and the are are regardered (e.g., er are prepare)
Contract Purchaser/Lessee:	Legal Owners (Petitioners):
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Derrick Stowers- Caliber Collision	7253 Ambassador Owner LLC/
Name-Type or Printy	Name #1 – Type or Print Name #2 – Type or Print
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Thursday,	
Signature	Signature #1 Signature # 2
2941 Lake Vista Drive Lewisville TX	1 Stone Chapel Rd Pikesville Maryland
Mailing Address City State derrick.stowers@	Mailing Address City State
75067 / 480-544-0383 / calibercollision.com	21208
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Totophono //	CONTROL SALES CANADA
Attorney for Petitioner:	Representative to be contacted:
Law Yang Basarian Marka Carata Marka	Jonnifor Busso - Becambera Martin Creenbera II D
Jennifer Busse - Rosenberg Martin Greenberg LLP	Jennifer Busse - Rosenberg Martin Greenberg LLP
Name- Type or Print	
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25 S. Charles Street, 21st FL Baltimore MD	Signature 25 S. Charles Street, 21st FL Baltimore MD
	Signature
25 S. Charles Street, 21st FL Baltimore MD	Signature  25 S. Charles Street, 21st FL Baltimore MD  Mailing Address City State

CASE NUMBER 2024-0158-X Filling Date 2 1204 Do Not Schedule Dates:



PETITION FOR ZONING HEARING(S)

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

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The undersigned legal owner(s) of the prope and plan attached he		Baltimore County and whice a part hereof, hereby pe		the description
1 a Special Hearing under Section 500.	7 of the Zonin	g Regulations of Baltimore	County, to deter	mine whether
or not the Zoning Commissioner should appr				
plea	ase see attache	ed		
2 a Special Exception under the Zoning	Regulations	of Baltimore County to use	the herein descr	ibed property for
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3. a Variance from Section(s)				
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(Indicate below your hardship or practical you need additional space, you may additional space)	an attachme		PRESENTED A	T HEARING". If
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CASE NUMBER 2024 -0158 X Filing Date 6 1212024 Do Not Schedule Dates:

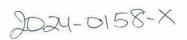
#### **Attachment to Zoning Petition**

#### 7523 Ambassador Road

Petition for Special Exception to allow a Service Garage in accordance with BCZR §253.2.B.2.

Any further relief deemed necessary by the Administrative Law Judge.

4861-1140-5763, v. 1



#### **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: August 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0158-X

Address: 7253 AMBASSADOR ROAD Legal Owner: 7253 Ambassador Owner, LLC

Zoning Advisory Committee Meeting of August 5, 2024.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
  - <u>X</u> Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

#### Additional Comments:

A class IV stream is located immediately north of this parcel which will cast a forest buffer onto the proposed development area.

Reviewer: Jannifer D. Anderson

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director DATE: July 30, 2024

Department of Permits, Approvals

**FROM:** Vishnu Desai, Supervisor

Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting

Case 2024-0158-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 Baltimore County Landscape Manual and a Lighting Plan is also required.

**Recreations & Parks:** No comment LOS & No Greenways affected.

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald DATE: 8/5/2024

Director, Department of Permits, Approvals and Inspections

**FROM:** Steve Lafferty

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 2024-0158-X

**INFORMATION:** 

**Property Address:** 7253 Ambassador Road

**Petitioner:** 7253 Ambassador Owner LLC, Elliott J. Sharaby

**Zoning:** ML-IM

**Requested Action:** Special Exception

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

Special Exception -

1. To allow a Service Garage in accordance with BCZR Section 253.3.B.2.

2. Any further relief deemed necessary by the Administrative Law Judge.

The proposed site is a 4.3542-acre property located in the Federal Center at Woodlawn Enterprise Zone surrounded by office and business uses. The proposed site has one previous zoning case for zoning reclassification (R-1963-0073-XA), which was granted, and is not in any historic district.

The applicant is proposing a service garage use on the site, which requires a special exception, and office buildings, which are a permitted use.

According to the Master Plan 2030 Place Types designations, this site is in a Core Retrofit area called Nodes. Nodes are the most strategic locations for retrofitting efforts. They are predominantly located along aging neighborhood centers, major arterials, near transit hubs or large greyfield sites. Nodes include adjacent residential and commercial properties that support walkable redevelopment with mid- to higher-residential density and a mix of uses that serve the community. Some primary land uses include high density residential uses, auxiliary and infill development, Civic/Institutional, Office/Commercial, and open space. The proposed service garage and office use are aligned with the vision and goals of the Master Plan 2030.

The site, pursuant to FEMA Maps 2400100359G and 2400100378G, is located in floodplain "Zone X", which is an area of minimal flood hazard. The property is not located within the Baltimore County Critical Area, and is not located in any failed Basic Services Map Areas.

The site is a spacious lot with proposed circulation that is ideal, with more than adequate parking provided. It is understood that the footprint of the building will not change and the western portion of the building will be converted in to a Caliber Collision service garage. It is noted that all signage will comply with Baltimore County Zoning Regulations Section 450. The vehicle storage area will be paved with all-weather materials over suitably compounded and compacted base materials and shall be properly drained. The storage areas are proposed to be screened with a 6" tall fence and all screening and landscaping will comply with the Baltimore County Landscape Manual.

The Department of Planning has no objection to the granting of the above requested relief pending the following conditions are met:

- 1. Coordinate with the Baltimore County Landscape Architect to provide adequate interior and exterior perimeter screening and landscaping on the site.
- 2. Provide architectural elevations and details of the proposed dumpster enclosure. Elevations should include dimensioning, colors, and materials to be used and comply with Condition H. of the Baltimore County Landscape Manual.
- 3. Provide elevations and details of all proposed fencing.
- 4. Provide elevations and details of all proposed signage. Details should include sign type, any illumination, colors, and materials to be used.
- 5. Provide to the Baltimore County Landscape Architect any Lighting or Photometric Plans for review and approval.
- 6. Any further relief deemed necessary by the Administrative Law Judge.

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

**Division Chief:** 

Jenifer G. Nugent

Prepared by:

Krystle Patchak

SL/JGN/KP

Jennifer Busse-Rosenberg Martin Greenberg LLP Derrick Stowers- Caliber Collision Yolanda Gregory, Community Planner Jeff Perlow, Zoning Review Kristen Lewis, Zoning Review Office of Administrative Hearings People's Counsel for Baltimore County



Certificate of Posting

Case# 2024-0158-X

Petitioner/Developer

Rosenberg Martin Greenberg

Jennifer Busse

Date of Hearing/Closing

September 9, 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 7253 Ambassador Road on August 17, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

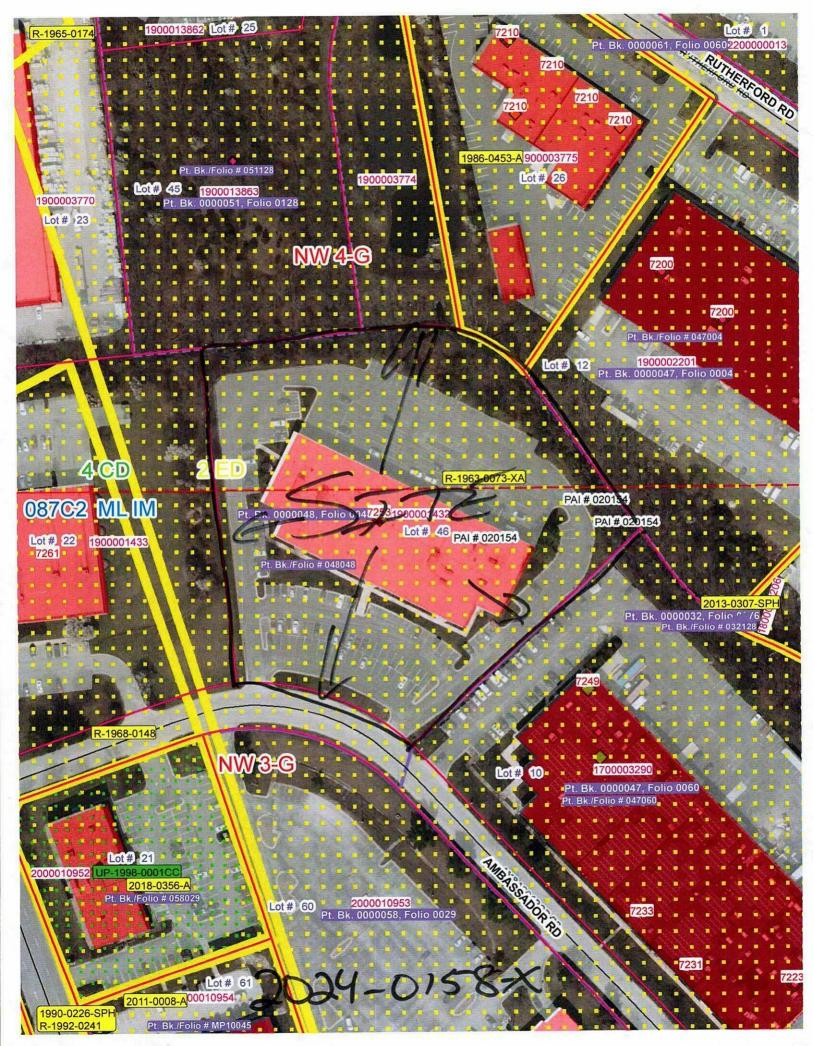
yoska gl

Martin Ogle

9912 Maidbrook Road

Parkville, Md. 21234

443-629-3411



# 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: 2024-0158-X Property Address: 7253 Ambassedor RO
Balt. mare M 21244
Legal Owners (Petitioners): 7253 Ambassalor Owner LLC
Contract Purchaser/Lessee: Derrick Stowers
PLEASE FORWARD ADVERTISING BILL TO:  Name: Company/Firm (if applicable):
Name: Company/Firm (if applicable):
Address: 25 S. Charles ST 215 PI
Baltimore no 21201
Telephone Number: 40-727-8647

<sup>\*</sup>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.

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### Real Property Data Search ( ) Search Result for BALTIMORE COUNTY

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Special Tax Recapture:	None			_				
Account Identifier:	District 02 Acc	ount Number - 1	900001432	$\rightarrow$				
	(	Owner Inforr	mation					
Owner Name:	7253 AMBASSADOR OWNER LLCUse: INDUSTRIAL Principal Residence:NO							
Mailing Address:	5918 SIMMONDS BALTIMORE MD		Deed Refe		77/ 00177			
	Locatio	n & Structur	e Informa	ition				
Premises Address:		1			gal Description: 4.3542 AC 7253 AMBASSADOR RD RUTHERFORD BUSINESS CTF			
Map: Grid: Parcel: New 0087 0012 0663 100	ghborhood: Subdivisi 00.04 0000	on: Section: E	Block: Lot: A	ssessment Yea				
Town: None								
Primary Structure Built	Above Grade Living	Area Finished	l Basement	Area Property	Land Area County Use			
Stories Basement Type	Exterio	r Quality Full/Ha	If Bath Gare	/ ige Last Notice	of Major Improvements			
	ICE BUILDING /	C3	Dutir Guit	go Luot Honoc	or major improvements			
		Value Inforn	nation					
	Base Value	Value		hase-in Asses	smonts			
	base value	As of		As of	As of			
		01/01/20	)22	7/01/2023	07/01/2024			
Land:	1,362,000	1,362,000						
Improvements	3,896,200	3,631,800						
Total:	5,258,200	4,993,800		5,141,600	4,993,800			
Preferential Land:	0	0						
	Т	ransfer Info	rmation					
Seller: 7253 AMBASSAI	DOR ROAD LLC	Date: 04/19/201	6	Price	e: \$5,790,000			
Type: ARMS LENGTH IMPROVED		Deed1: /37407/ 00177		Deed	Deed2:			
Seller: ROUSE-TEACHERS PROPERTIES		Date: 12/21/200			Price: \$0			
Type: NON-ARMS LENGTH OTHER		Deed1: /23107/ 00373			Deed2:			
Seller: RUTHERFORD 4 PARTNERSHIP	46 LIMITED	Date: 09/10/199	6	Price	e: \$0			
Type: NON-ARMS LENG	GTH OTHER	Deed1: /11790/	00573	Deed	12:			
	Ex	emption Info	ormation					
Partial Exempt Assessments:Class		07/01/2023		07/01	07/01/2024			
County:	000		0.00		e e manurum que en <sup>est</sup> (Colon Colon Colo			
State:	000		0.00					
Municipal:	000		0.00 0.00	0.00	0.00 0.00			
Special Tax Recapture:	: None							
	Homeste	ad Applicati	on Inforn	nation				
Homestead Application								
	Homeowners' T	ax Credit Ar	polication	Information	1			
Homeowners' Tax Cred		•	25/400000000		N.T.			
nomeowners rax cred	in Application Status:	NO Application	Date:					



