

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND SPECIAL EXCEPTION		
(10 Music Fair Road)	*	OFFICE OF
3 rd Election District		
2 nd Council District	*	ADMINISTRATIVE HEARINGS
10 Music Fair Real Estate, LLP		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Diamond Automotive Services Inc.,		
<i>Contract Purchaser</i>	*	Case No. 2016-0127-SPHX
Petitioners		
* * * * *		

ORDER ON MOTION FOR RECONSIDERATION

Now pending is Petitioner’s Motion for Reconsideration, which concerns the requisite number of parking spaces for the Collectors Car Corral use, which includes a business office on the premises. Petitioner correctly notes the undersigned commented at the hearing that fewer than the provided 45 spaces would be required. Even so, the February 18, 2016 Order provided that “45 off-street parking spaces shall be provided for the vehicle storage and business office uses.” This was erroneous, and the motion will therefore be granted.

Instead, as noted by Petitioner’s counsel, the office space requires 14 spaces, while the vehicle storage aspect of the business (which is akin in some respects to a “warehouse”) would require 2 spaces, one for each employee on the “largest shift.” Mr. Heinle also testified occasionally customers will be dropped off at the facility to pick up their stored vehicle, and I believe 4 additional spaces should be provided for this eventuality.

The Petitioner also notes in its motion that it intends to utilize some of the excess spaces at 10 Music Fair Road to satisfy the parking requirements for 12 Music Fair Road, where Mr. Heinle will operate an automobile detailing business. While such arrangements are permitted under the B.C.Z.R., the Petitioner will need to “guarantee the continued future availability” located at 10 Music Fair Road, by way of a lease or similar contract of the spaces.

WHEREFORE, for the foregoing reasons it is this 8th day of March, 2016 Ordered by the Administrative Law Judge that the Motion for Reconsideration filed by Petitioner, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the special hearing relief granted in the Order dated February 18, 2016 be and is hereby amended, such that item no. (3) shall be stricken in its entirety and in its place the following shall be inserted:

(3) That 20 off-street parking spaces shall be provided for the vehicle storage and business office uses.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln