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WRITTEN SUBMITTAL IN SUPPORT OF RE-ZONING REQUEST

To: Pete Gutwald (Secretary to the Planning Board)

From: Lawrence E. Schmidt (Attorney for Property owner/Applicant) lschmidt@sgs-law.com

Property Address: 14313 Hanover Pike

Issue No.: 3-007
Tracking Number: CZMP20-00116

Property owner(s): Mario Mannarelli and Serafina Mannarelli

Applicants for zoning change: Mario Mannarelli and Serafina Mannarelli

Property size: 7.57+/- acres

Existing Zoning: RC 2 (7.57acres)

Requested zoning: BM (7.57 acres)

Staff recommendation: RC 2 (7.57 acres)

Existing/Historical use: Property has been vacant since 2007 but is improved with a parking lot and a large structure which had historically been used for a restaurant and/or night club that featured live entertainment. The commercial nature of the Property dates to 1948, when the Baltimore County Board of Appeals issued zoning approval in Case No.: R-1948-1138 to rezone the Property from "A" Residence to "E" Commercial and to permit a restaurant. In 1972, the Property was rezoned to BM with a small portion of RDP. The Property was used as a restaurant until 1997. From 1997 to 2007, the Property was used as a Daycare operation.

Justification for Zoning Change: The requested zoning change allows for the adaptive reuse of the Property in a manner consistent with its historic use. Pursuant to the Zoning Regulations, the existing RC-2 zoning classification on the Property was established to "foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses." (Section 1A01.1.B). The Property is not presently, nor historically, been used for agricultural purposes. The present and historic use of the Property is inconsistent with the purpose of RC-2 zoned land and inconsistent with the surrounding area. The Property is immediately adjacent to Maryland Route 30, a major traffic corridor. There is BR zoned property directly across the street from the Property. Mario and Serafina Mannarelli have owned the Property since 1980 and the instant rezoning request will greatly increase the utility of the obsolete RC-2 zoned Property thereby providing increased services to the community.

THE APPLICANT REQUESTS THAT THIS ISSUE BE SEQUESTED BY THE PLANNING BOARD AND THAT THE BM ZONING BE RECOMMENDED.

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