



TOWN OF NORTH EAST

OFFICE OF PLANNING AND ZONING

106 South Main Street
P. O. Box 528
North East, Maryland
21901-0528



410-287-5801
410-287-8267 Fax



www.northeastmd.org

NORTH EAST BOARD OF APPEALS

North East Town Hall Meeting Room
106 South Main Street / North East, Maryland
Thursday, October 27, 2022
7:00 P.M.

AGENDA

CALL TO ORDER: 7:00 P.M.

MINUTES: February 24, 2022

OLD BUSINESS:

NEW BUSINESS:

PUBLIC HEARING:

1. Case A-2022-03-V: A Variance application has been filed by Greenman-Pedersen, Inc., North East, Maryland. Property Owner: DK North East Station, LLC, 1777 Reisterstown Road, Baltimore, Maryland. Applicant has requested a (25') twenty-five foot front yard setback variance from the required (40') forty foot front yard setback for the purpose of accommodating 498 square feet of parking. Also found on Tax Map 31; Parcel 1314; Lot 1. "HCOD" Highway Corridor Overlay District. Zoning District: HC, Highway Commercial.

REPORTS:

MISCELLANEOUS:

NEXT MEETING: November 17, 2022

ADJOURNMENT:

ADA NOTICE – The Town of North East is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a public hearing or public meeting announced by the Town of North East, and who wishes to receive auxiliary aids, services or accommodations is invited to contact the Town at least 48 hours in advance, by calling 410-287-5801 or through the Maryland Relay Service (1-800-735-2258 TTY/Voice).



CASE NUMBER: _____

BOARD OF APPEALS APPLICATION
P.O. BOX 528 / 106 SOUTH MAIN STREET
NORTH EAST, MARYLAND 21901-0528
PHONE 410-287-5801 / FAX 410-287-8267

THIS APPLICATION IS FOR A VARIANCE

PART 1. APPLICANT INFORMATION

Owner _____ Representative ✓

APPLICANT NAME – (PLEASE PRINT CLEARLY – LIST ADDITIONAL NAMES ON PAGE 6): _____

Greenman-Pedersen, Inc.

APPLICANT ADDRESS: 15 Grandview Avenue, Suite 2

North East, MD 21901

TELEPHONE NUMBER: 443.753.5480

FAX NUMBER: _____

PART 2. PROPERTY INFORMATION

PROPERTY OWNER NAME – (PLEASE PRINT CLEARLY – LIST ADDITIONAL NAMES ON PAGE 6): _____

DK North East Station, LLC

1777 Reisterstown Road, Suite 165

PROPERTY OWNER ADDRESS: _____

Baltimore, MD 21208

TELEPHONE NUMBER: 410.902.0290

FAX NUMBER: _____

LOCATION OF PROPERTY: Southeast SIDE OF Pulaski Highway (MD Rte. 40) (STREET)

PROPERTY ADDRESS: Pulaski Highway, North East, MD 21901

TAX MAP # 031B

BLOCK # 0001

PARCEL # 1314

DEED REFERENCE: LIBER 04215

AND FOLIO 00267

ZONING CLASSIFICATION: Highway Commercial (HC) ACRES: 1.23 AC.

CRITICAL AREA LAND USE DESIGNATION: N/A

EXISTING USE OF PROPERTY: Vacant Commercial

PART 3. PROVISIONS OF APPLICATION

PROVISION OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM UNDER WHICH THIS APPLICATION IS BEING SUBMITTED (IF APPLICABLE): N/A

PROVISION OF NORTH EAST ZONING ORDINANCE UNDER WHICH THIS APPLICATION IS SUBMITTED (SECTION AND PARAGRAPH): _____

Section 5-9 (3) and 5-9 (5) - HC District Regulations

Section 4-5 (3) - Application of District Regulations

PURPOSE OF THIS APPLICATION (DESCRIBE): To seek variance from the Zoning Ordinance
for parking encroachment into front yard setback.

INDICATE VARIANCE REQUESTED - STATE IN FEET AND/OR SQUARE FEET): _____

To reduce front yard (north) setback from 40 feet to 15 feet for a length of approximately 25 feet
to accommodate 498 sf of parking.

PART 4 - REASON FOR REQUEST (ATTACH ADDITIONAL SHEETS IF NECESSARY)

STATE IN DETAIL THE REASONS WHY THIS REQUEST SHOULD BE GRANTED: _____

See attached.

PART 5 – SKETCH OF PROPOSED PROJECT

SKETCH THE LOCATION OF THE PROPOSED PROJECT ON THE PROPERTY, SHOWING DISTANCES FROM REAR, FRONT AND SIDE PROPERTY LINES TO PROJECT, AND THE DIMENSIONS OF THE PROJECT. IF THIS PROJECT IS IN THE CRITICAL AREA, A REQUEST FOR VARIANCE WILL NOT BE CONSIDERED UNTIL ALL PROVISIONS AND REQUIREMENTS ARE MET AS OUTLINED IN ARTICLE 9; SECTION 9-19 IN THE NORTH EAST ZONING ORDINANCE, AND APPLICABLE SECTIONS 1 E AND 1 F IN THE CRITICAL AREA PROGRAM.

PART 6. ADDITIONAL REQUIREMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY)

1. DESCRIBE HOW THE LITERAL ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE WOULD RESULT IN UNNECESSARY HARDSHIP. _____

See attached.

2. DESCRIBE ALL SPECIAL CONDITIONS AND CIRCUMSTANCES THAT EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE, OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME DISTRICT. _____

See attached.

3. DESCRIBE HOW THE LITERAL INTERPRETATION OF THE PROVISION OF THIS ORDINANCE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME DISTRICT UNDER THE TERMS OF THIS ORDINANCE. _____

See attached.

4. DO THE SPECIAL CONDITIONS AND CIRCUMSTANCES RESULT FROM THE ACTIONS OF THE APPLICANT? _____ YES ☒ NO

IF YES, EXPLAIN: N/A

5. DESCRIBE HOW GRANTING THE VARIANCE REQUESTED WILL NOT CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE THAT IS DENIED BY THIS ORDINANCE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONE NOR WILL IT BE DETRIMENTAL TO ADJACENT PROPERTIES. _____

See attached.

6. WILL THE CHARACTER OF THE DISTRICT BE CHANGED BY GRANTING A VARIANCE? (NO NONCONFORMING USE OR NEIGHBORING LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONE, AND NO PERMITTED USE OF LANDS, STRUCTURES, OR BUILDINGS IN OTHER ZONES SHALL BE CONSIDERED GROUNDS FOR THE ISSUANCE OF A VARIANCE). _____ YES ☒ NO

IF YES, EXPLAIN: N/A

7. DESCRIBE HOW THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE. _____

See attached.

8. DESCRIBE WHY THE GRANTING OF THE VARIANCE WILL NOT BE INJURIOUS TO THE NEIGHBORHOOD, OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE. _____

See attached.

9. IS THIS APPLICATION BASED UPON A LACK OF KNOWLEDGE OF THE RESTRICTIONS? _____ YES ☒ NO

IF YES, EXPLAIN: N/A

PART 7. LAPSE OF VARIANCE

THE NORTH EAST ZONING ORDINANCE SECTION 9-21. LAPSE OF SPECIAL EXCEPTION OR VARIANCE INDICATES THAT AFTER THE BOARD OF APPEALS HAS GRANTED A VARIANCE, THE VARIANCE GRANTED SHALL LAPSE AFTER THE EXPIRATION OF ONE YEAR IF NO SUBSTANTIAL CONSTRUCTION HAS TAKEN PLACE IN ACCORDANCE WITH THE PLANS FOR WHICH SUCH VARIANCE WAS GRANTED, OR IF THE BOARD DOES NOT SPECIFY SOME LONGER PERIOD THAN ONE YEAR AT THE TIME OF APPROVAL, THEN THE PROVISIONS OF THESE REGULATIONS SHALL THEREAFTER GOVERN.

1. IF YOUR REQUEST FOR A VARIANCE IS GRANTED, DO YOU WANT THE BOARD TO CONSIDER A REQUEST FOR EXPIRATION FOR SOME TIME LONGER THAN ONE YEAR? _____ YES ☒ NO

A. IF YES, STATE WHY YOU CAN NOT REACH SUBSTANTIAL COMPLETION IN ONE YEAR:

N/A

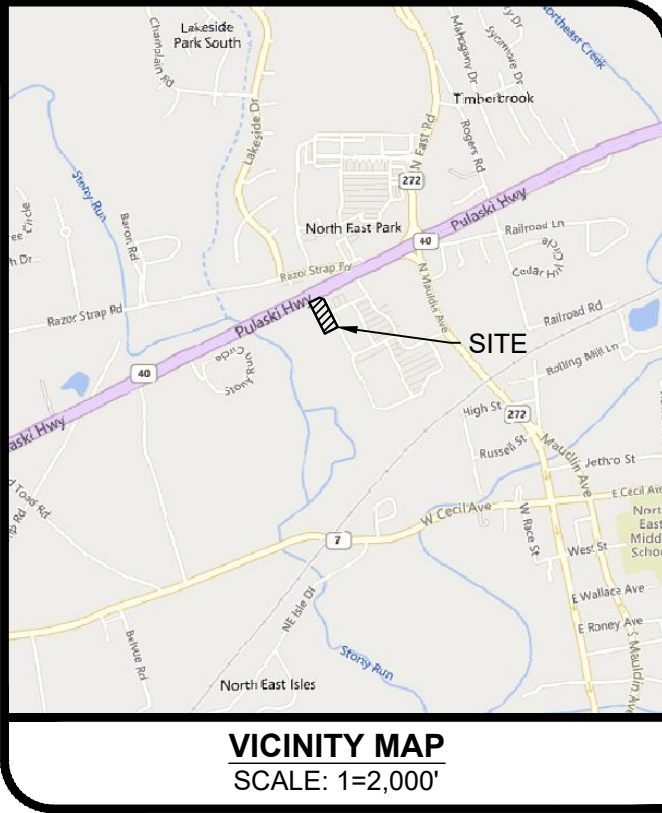
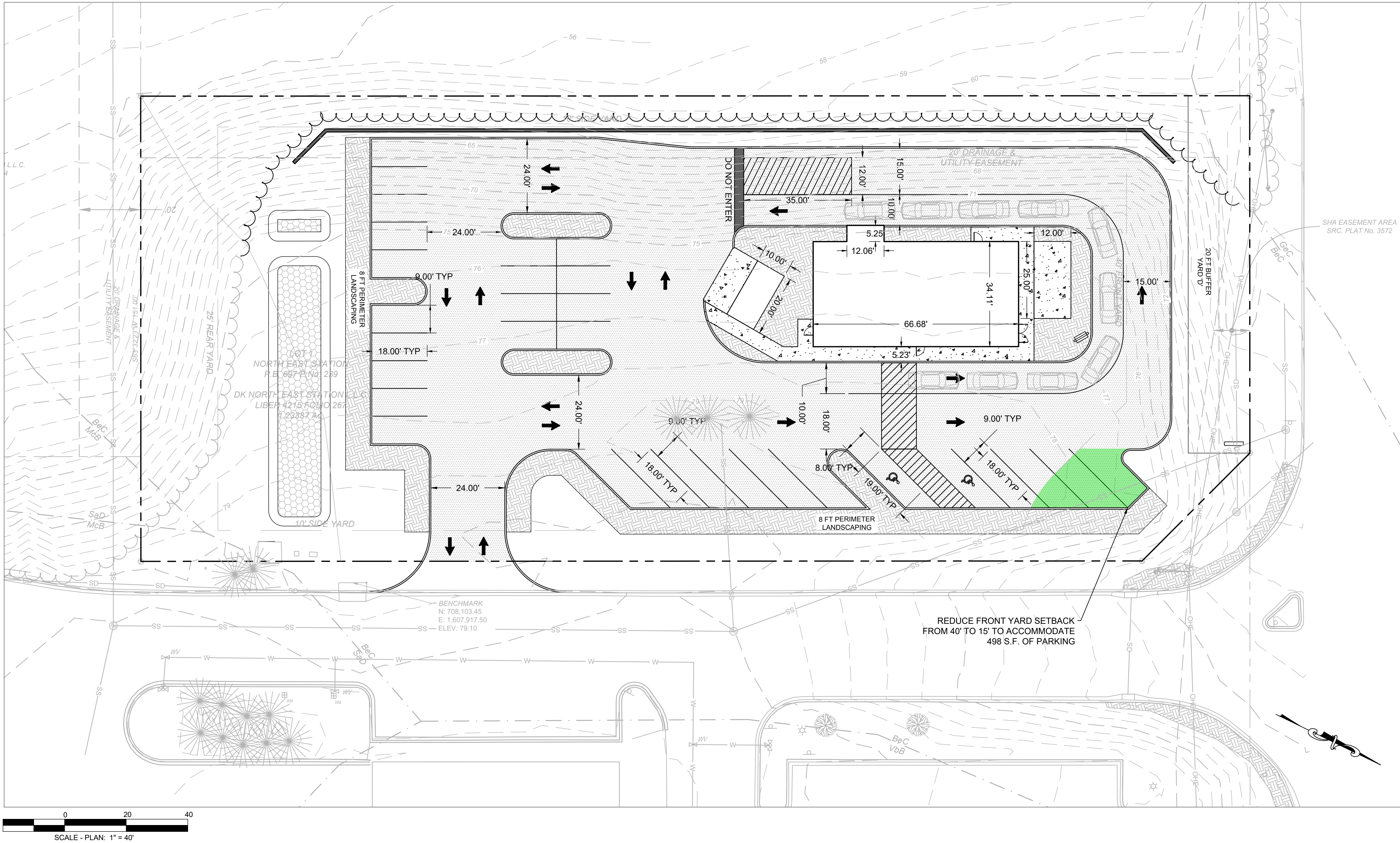
B. IF YES, STATE THE DATE YOU WOULD LIKE THE BOARD TO CONSIDER FOR EXPIRATION OF THE VARIANCE? (PLEASE STATE MONTH/DAY/YEAR):

N/A

MONTH

DAY

YEAR



REVISIONS	
DATE	

OWNER / DEVELOPER

DK NORTH EAST STATION LLC
1777 REISTERSTOWN ROAD
SUITE 165
BALTIMORE, MD 21208
410-902-0290

ENGINEER

GPI

GREENMAN-PEDERSEN, INC.
ENGINEERING AND CONSTRUCTION SERVICES
15 GRANDVIEW AVENUE, SUITE 2
NORTH EAST, MD 21901
443.753.5480

DRAWING TITLE

VARIANCE REQUEST EXHIBIT

PROJECT

LOT 1 NORTH EAST STATION
PULASKI HIGHWAY, NORTH EAST, MD 21901

SEAL

DRAFTING: CF CHECKED: JS
PLOT DATE: 9/19/2022
PROJECT NUMBER: 2200087