

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of July, 1974, that the herein described property or area should be and the same is hereby reclassified from M. I. and B. R. Zones to a M. I. Zone; a Special Exception for a junk yard should be and the same is GRANTED; and Variances from Section 408.2, to permit dismantling zero feet from another zone in lieu of the required 300 feet, to permit a 32 foot setback from the front street line in lieu of the required 50 feet, and to permit dismantling within 11 1/2 feet of adjoining property in lieu of the required 30 feet and, Section 258.1 (238.2), to permit a rear yard of 11 1/2 feet in lieu of the required 10 feet should be and the same are GRANTED. From and after the date of this Order, subject to the following restrictions:

1. That no dismantled or junk vehicles be stored on the subject property, other than those in the process of being dismantled.
2. If such use as granted herein ceases, right to the Special Exception is hereby voided.
3. The subject property will be the subject of review by the Zoning Commissioner's Office and any violation of this Order will be an automatic denial of any future use of the subject property as petitioned for.
4. Approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

THEREFORE IT IS ORDERED by the Code Enforcement Hearing Officer, this 5 day of September 2003 that a civil penalty be imposed in the amount of \$5000.

IT IS FURTHER ORDERED that the civil penalty in the amount of \$5000 shall be suspended on condition the Respondent removes all unlicensed and/or inoperative motor vehicles from the public street and from the subject property on or before 12 September 2003. IT IS FURTHER ORDERED that the Respondent shall prepare and submit a site plan for approval by Zoning Review with a copy of this Order on or before 1 November 2003. After approval, a copy of the approved plan shall be submitted for the file on or before 30 December 2003.

If the Respondent fails to correct the violations in the time allotted, then the civil penalty imposed shall be \$5000.

IT IS FURTHER ORDERED that the inspector, monitor the property to determine whether the violation has been corrected.

Signed: Stanley J. Schapiro
Stanley J. Schapiro
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

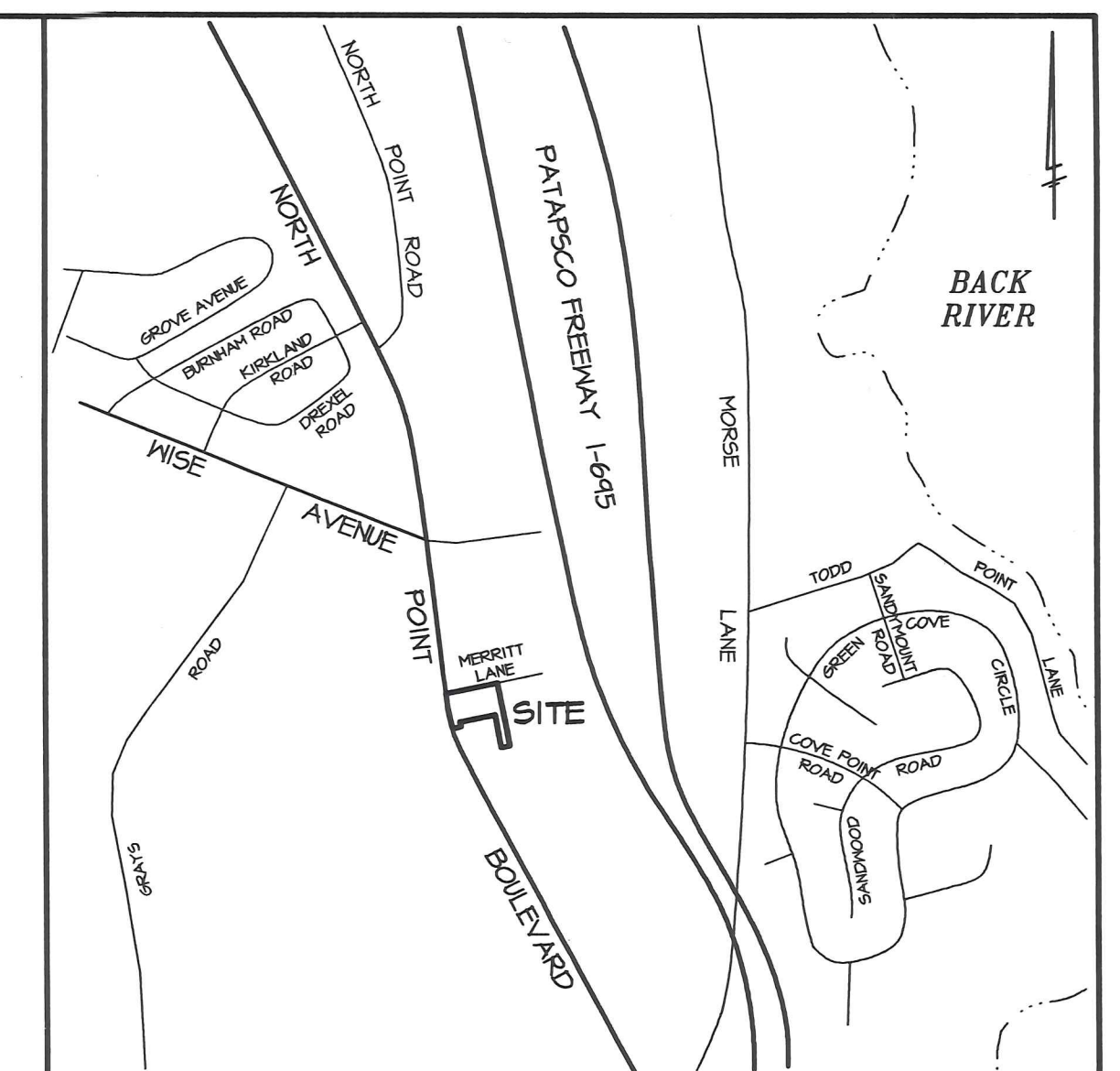
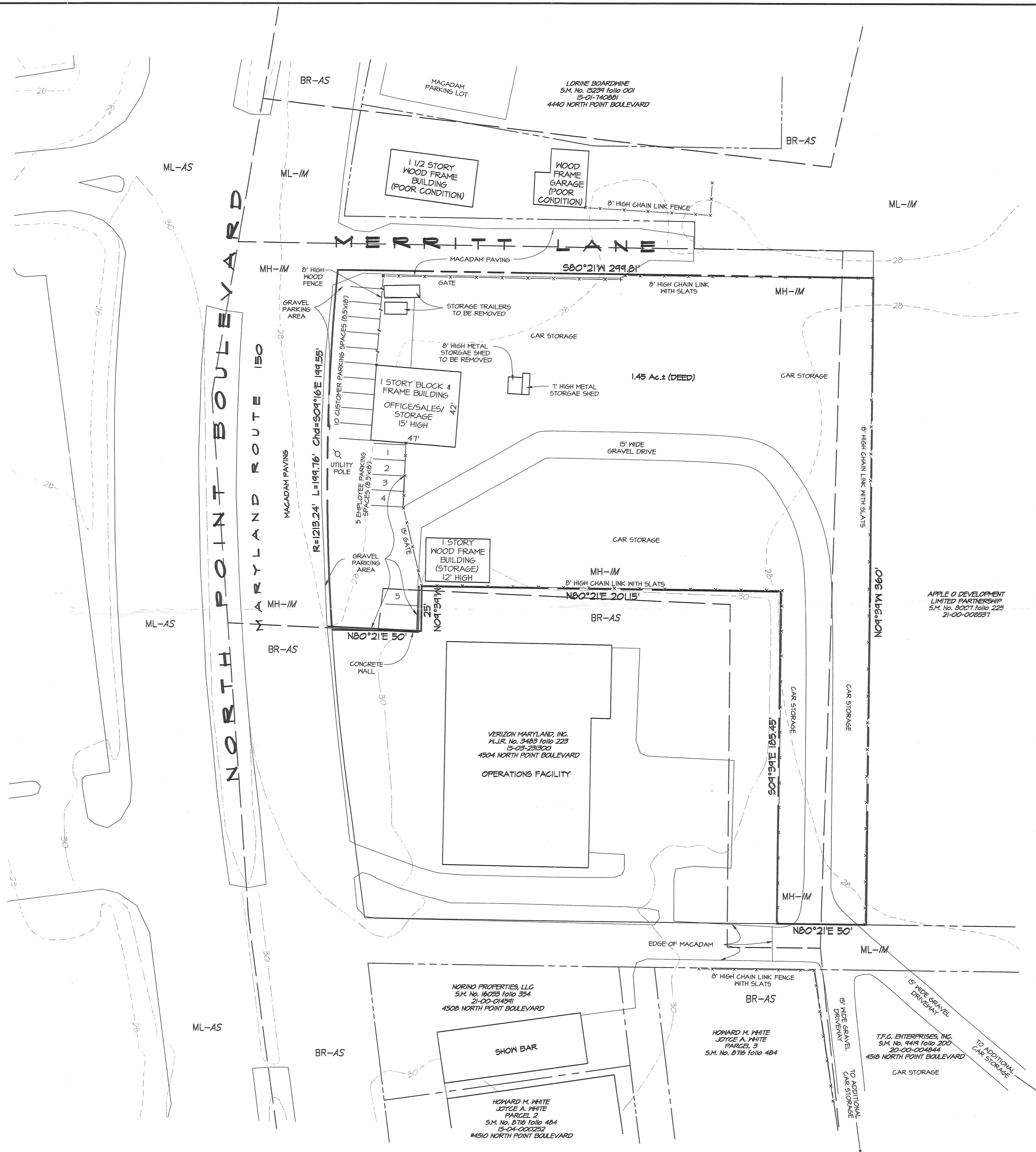
EXISTING BUILDING

EXISTING PAVING

ZONING LINE

PROPERTY LINE

CONTOURS



VICINITY MAP
1" = 1000'

1. THE BOUNDARY SHOWN HEREIN IS FROM THE TITLE DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 10483.
3. CENSUS TRACT 452400 A.D.C. MAP 6 GRID 45 E-7
4. WATERSHED BALTIMORE HARBOR SUBWERSHED 42
5. SCHOOL DISTRICT 0X REGIONAL PLANNING DISTRICT 930
6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. HOURS OF OPERATION:
MON. - FRI. 8 AM - 5 PM
SAT. 8 AM - 4 PM
9. LIGHTING ONLY IN FRONT OF BUILDING.
10. GATES CLOSED AT NIGHT.
10. EMPLOYEES: 5
11. NUMBER OF JUNK CARS: 150±
12. CUSTOMERS AT ONE TIME: 3 PER DAY, 10
13. NO UNLICENSED AND/OR INOPERATIVE MOTOR VEHICLES (OR PARTS) MAY BE LOCATED IN THE DESIGNATED LOT, LOT, LOT AND/OR CUSTOMER PARKING SPACES SHOWN ON THIS PLAN. ANY MOTOR VEHICLES IN THE PROCESS OF BEING DISMANTLED MUST BE LOCATED INSIDE THE DESIGNATED SCREENED CAR STORAGE AREA SHOWN ON THIS PLAN.

T.F.C. ENTERPRISES, INC.
T/A G & H HERCULES
4500 NORTH POINT BOULEVARD
BALTIMORE, MARYLAND 21219
410-477-0230

DEPT. OF PERMITS & DEV. MGNT.
BY Jeffrey Paulsen
DATE 10/20/03

74-83-RXA

4500 NORTH POINT BOULEVARD
Deed Ref: S.M. No. 8424 folio 006
Tax Account No.: 16-00-008046
Zoned MH-1M & ML-1M; Maps SE 4H & SE 5H
Tax Map 104; Grid 21; Parcel 219
15th ELECTION DISTRICT
7th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30'

Date: July 9, 2003

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

		320 East Townsontown Boulevard Towson, Maryland 21286 (410) 823-4470			
NOTE #13 AND ORDERS ADDED		10/13/03			
REVISION	DATE	COMPUTED: S.A.L.	DRAWN: S.A.L.	CHECKED: B.E.D.	FILE: \\TCNorth\base.pro

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

ED
Mail
9/12/0

In the Matter of
TFC Enterprises Inc.
Respondents

Civil Citation No 01-4850A
4500 North Point Road
74-83-RXA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

AMENDED FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 6 August 2003, for a hearing on a citation for violations under the Baltimore County Zoning Regulations and Baltimore County Code for improperly storing unlicensed and inoperative motor vehicles, and failure to supply an approved site plan on property zoned MH-IM located at 4500 North Point Road.

D. Taylor, code enforcement inspector stated that the County received a complaint concerning the condition of the property and the storing of unlicensed and/or inoperable motor vehicles on the property and on the public streets.

On 16 June 2002, a code enforcement citation was issued pursuant to §1-7(d), Baltimore County Code. The citation was marked in evidence as Plaintiff's Exhibit 2A and was legally served on the Respondent.

The citation described the violations as follows: BCZR, §102.1; 101; 408.2, ZCPM, §500.9, BCC, §26-121(A), failure to properly store unlicensed and/or inoperable motor vehicles, failure to supply an approved site plan, non-compliance with Final Order No. 01-4850.

Further, the citation proposed a civil penalty of \$72,000 to be assessed. A code enforcement hearing date was scheduled for 6 August 2003.

Charles Mentzer, Esquire appeared on behalf of the Respondent.

D. Taylor, code enforcement inspector also testified.

coffin
file.

1974-0083-RXA

Testimony and evidence shows that the inspector found numerous unlicensed and/or inoperative motor vehicles at 4500 North Point Road, either on the parking lot or on the public street next to the office. The inspector took photographs on 13 May 2003 of the unlicensed and inoperative motor vehicles. The photographs were marked in evidence as Plaintiff's Exhibit 3A.

Mr. Taylor made a second inspection on 5 August 2003, and found the unlicensed motor vehicles had been removed. The photograph taken at that time was marked into evidence as Plaintiff's Exhibit 4A.

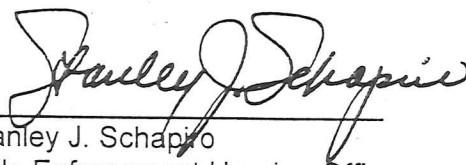
Pursuant to the correction notice and subsequent code enforcement citation issued, and hearing held, and for the reasons set forth above, it is found as a matter of law that code violations existed from 16 June 2003 and some of the violations are continuing.

THEREFORE IT IS ORDERED by the Code Enforcement Hearing Officer, this 5 day of September 2003 that a civil penalty be imposed in the amount of \$5000.

IT IS FURTHER ORDERED that the civil penalty in the amount of \$5000 shall be suspended on condition the Respondent removes all unlicensed and/or inoperative motor vehicles from the public street and from the subject property on or before 12 September 2003. IT IS FURTHER ORDERED that the Respondent shall prepare and submit a site plan for approval by Zoning Review with a copy of this Order on or before 1 November 2003. After approval, a copy of the approved plan shall be submitted for the file on or before 30 December 2003.

If the Respondent fails to correct the violations in the time allotted, then the civil penalty imposed shall be \$5000.

IT IS FURTHER ORDERED that the inspector, monitor the property to determine whether the violation has been corrected.

Signed: 
Stanley J. Schapiro
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

COUNTY OFFICE BLDG.
111 E. Calverton Ave.
Towson, Maryland 21204JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
DISTRICT PLANNING

PLANNING DEPARTMENT

JUNIOR ADMINISTRATION

INDUSTRIAL
DEVELOPMENTRichard R. Beauchemin, Esquire
607 W. R. Grace Building
Baltimore, Maryland 21202RE: Petition for Reclassification
and Special Exception
James W. Gosnell, Jr., et al -
Petitioners
Item No. 40 - Fifth Zoning Cycle

Dear Mr. Beauchemin:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southeast corner of North Point Boulevard and Merritt Avenue, in the Fifteenth District of Baltimore County. This property, which is currently zoned Business Roadside (B.R.) and Manufacturing Light (M.L.) is requesting a reclassification to Manufacturing Heavy (M.H.) and a Special Exception for a junk yard. This property contains 1.45 acres of land. Our field investigation revealed that the front portion of this property, which has been the source of agitation to motorists and community residents in this area as a used car lot and junk shop, has now been abandoned. There is an existing residence on the northeast corner of Merritt Avenue and North Point Boulevard and the Chesapeake and Potomac Telephone Co. have a one (1) story brick building on the south side of the subject site. North Point Boulevard at this location is a dual lane highway and the property on the opposite side is zoned industrial. This property was the subject of a meeting with one of the principals of this property. It was indicated to this office that this company proposes to process vehicles that they receive from various parts of the County, including the Baltimore County Police Department, for disposal. The process as it was explained, would typically function by a tractor trailer bringing in several junk vehicles for processing. Vehicles would be removed

Richard R. Beauchemin, Esquire
April 13, 1973
Page Two

from the truck at one end of the building, taken in one by one, go through a disassembling line system inside the structure, and where a particular part of the vehicle would be required for inventory purposes (for sale), these would be removed and stacked piled inside the building. Secondly, the remainder of the parts would be placed in various bins for transportation to a junk yard or junk yard scrap processor, who would shred or crush the remains and sell the remains to various steel companies for recycling. The area along North Point Boulevard has been a source of agitation and a dumping ground for many damaged, disabled motor vehicles. To date, the County does not have what we consider an acceptable means of processing junked automobiles and still be in a manner that would be acceptable to all concerned. Most of these operations have a tendency to become run-down, cluttered and not maintained. The area along the North Point Boulevard have been a prime example of this type of degradation to an area. Should this petition be granted, we feel that restrictions should be placed on this property that would require the property owner to come before the Zoning Commissioner for review at periodic intervals. And if at such time as the property became a nuisance or a source of agitation to the County, it should be abandoned. The Petitioners are advised to pay particular attention to the various Committee comments, especially with regard to the Bureau of Engineering, Department of Traffic Engineering and the State Highway Administration.

This petition for Reclassification and Special Exception is accepted for filing in the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1973 and October 15, 1973 will be forwarded to you well in advance.

Very truly yours,
JOHN J. DILLON, JR.
Chairman - Zoning Advisory Committee

JJD:gc
Enclosure
cc: Francis X. McGeady
J. Rayman & Sons, Corp.
P. O. Box 9562
Baltimore, Maryland 21237

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204Bureau of Engineering
ELIZABETH N. DIVER, P.E. CHIEF

April 26, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #40 (April to October 1973 - Cycle V)
Property Owner: Gosnell and Henninger
S/E cor. North Point Blvd. and Merritt Ave.
Present Zoning: B.R. and M.L.
Proposed Zoning: Reclass. to M.H.; Special Exception for
junk yard
District: 15th No. Acres: 1.45

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

North Point Boulevard is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Merritt Avenue is an existing road which will require improvement on a 60-foot right-of-way to support commercial or industrial land use.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

North Point Boulevard is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

#40 (April to October 1973 - Cycle V)
Property Owner: Gosnell and Henninger
2
April 26, 1973

Water and Sanitary Sewer:

Public water and sanitary sewerage are available to serve this property.

Very truly yours,

Elizabeth N. Diver
ELIZABETH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:CKH:es

2-54 Key Sheet
16 SE 30 Pos. Sheet
SE 1/4 & 54 Topo Sheets

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR
Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

April 27, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 40 - Cycle Zoning V - April to Oct. 1973
Property Owner: Gosnell & Henninger
North Point Blvd. & Merritt Ave.
Reclass to M.H. - District 15

Dear Mr. DiNenna:

The subject petition is requesting a change from BR & ML to MH. This reclassification of 1.45 acres is expected to reduce the trip density of the subject property and should, therefore, create less of a traffic problem.

Some difficulty may be expected by persons entering and exiting this site due to the heavy volume on North Point Boulevard.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRK:nc

Maryland Department of Transportation
State Highway Administration

April 26, 1973

Mr. S. Eric DiNenna
Zoning Commissioner, County
Office Building
Towson, Md. 21204

Att. Mr. John Dillon

Dear Mr. DiNenna:

The proposed roadside curb fronting the subject site on North Point Blvd. is incorrectly indicated on the plan. The curb should be approximately 60' from the centerline of the median and not 60'28' as indicated. The curb is to be exactly 35' from the edge of the travel way and the line with the existing curb fronting the Telephone Building. The existing edge of traveled way must be indicated.

Although, Merritt Avenue is not public street, the right of way serves several properties, therefore, the proposed curb along North Point Blvd. must return into Merritt Avenue on as large a radius as is practical (20' minimum).

Access to and from North Point Blvd. is subject to approval and permit from the State Highway Administration.

The 1972 average daily traffic count on this section of North Point Blvd. is 41,600 vehicles.

The plan should be revised prior to the hearing.

Very truly yours,
Charles Lee, Chief
Development Engineering Section
BT: John E. Meyers
Asst. Development Engineer

CLJ:Kdp

Henry H. Hughes
James J. O'Donnell
Zoning Administrator

Baltimore County Fire Department



Towson, Maryland 21204

822-7336

J. Austin Deitz
ChiefOffice of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Jack DillonAttention: Mr. ~~WILLIAM CHEN~~ CHEN, Chairman
Zoning Advisory Committee

Re: Property Owner: Gosnell and Henninger

Location: North Point Boulevard and Merritt Avenue

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973
40

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John Deitz* Noted and Approved: *John Deitz*
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

als
4/25/72BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 17, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICERMr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on reclassification, Zoning Advisory Committee
Meeting, April 4, 1973, are as follows:

Property Owner: Gosnell and Henninger
Location: North Point Blvd and Merritt Avenue
Present Zoning: M.L. and B.R.
Proposed Zoning: Reclass to M.H.
District: 15
No. Acres: 1.45

Since metropolitan water and sewer are available, no
health hazard is anticipated.

Very truly yours,

Thomas H. Deitz
Thomas H. Deitz, Director
BUREAU OF ENVIRONMENTAL SERVICES

NVR:sm

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 23, 1973

Mr. S. Eric Dinenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Dinenna:

Comments on Item #40, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Gosnell and Henninger
Location: SEC North Point Boulevard and Merritt Avenue
Present Zoning: B.R. and M.L.
Proposed Zoning: Reclassification to M.H., Special Exception for junk yard
District: 15
No. Acres: 1.45

Merritt Avenue is to be improved as a 60 foot right of way, therefore the plan should be revised to reflect the widening by locating all proposed improvements clear of the widening and meeting the required zoning setbacks.

All customer parking should be shown on the revised site plan along with the required 8 foot buffer.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHEESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3211 ZONING 484-3281

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 26, 1973

Mr. S. Eric Dinenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 40
Property Owner: Gosnell and Henninger
Location: North Point Boulevard and Merritt Avenue
Present Zoning: M.L. and B.R.
Proposed Zoning: Reclass to M.H.

Z.A.C. Meeting of:

District: 15
No. Acres: 1.45 acres

Dear Mr. Dinenna:

No bearing on student population.

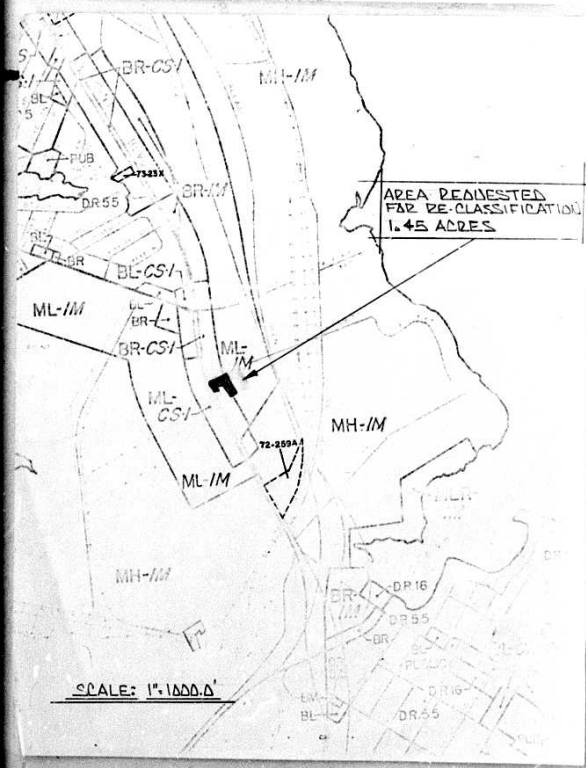
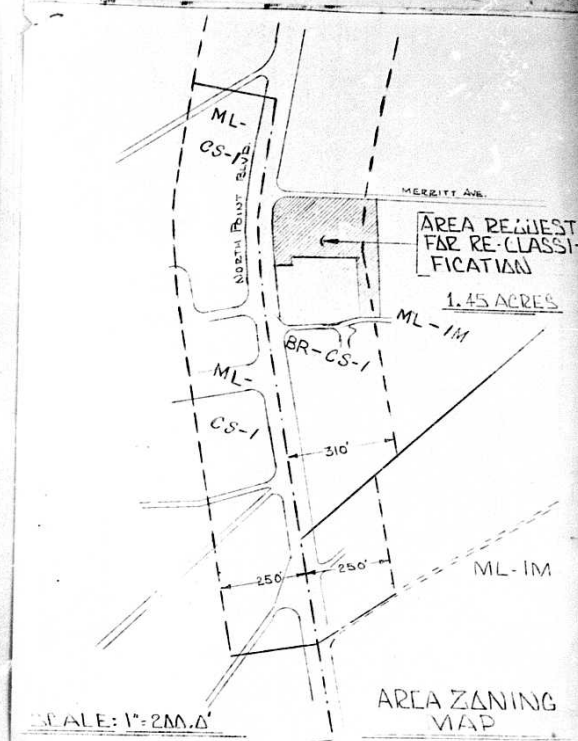
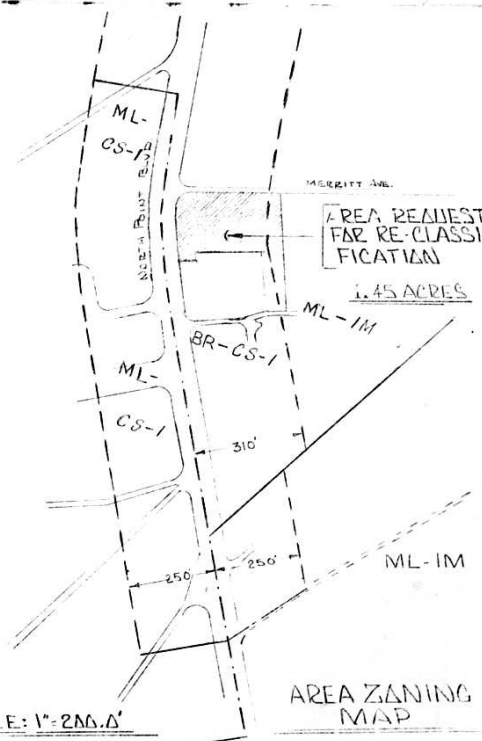
MHP/ml

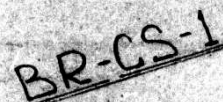
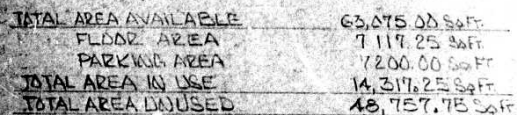
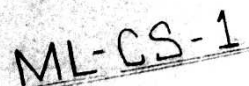
Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

H. MELIE PARKS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BERRY

MARCUS M. BODIN, Vice-President
JOSEPH M. MCGOWAN
ALVIN LORECK
JOSHUA R. WHEELER, Vice-President

T. BAYARD WILLIAMS, JR.
RICHARD W. THAYER, Vice-President
MRS. RICHARD F. MURPHY





REVISÉD PLANES

11. PAYMAN AND SONS
PO BOX 9562 EAST
DATE 1-26-64
DATE 3-26-75
G. and H. WATERS
4502 NORTH
SITE RAN