



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 1997

Mr. Richard L. Greene, Jr.
Arbutus Auto Painting & Bodyworks, Inc.
4619-21 Leeds Avenue
Baltimore, MD 21229

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

Dear Mr. Greene:

This letter is in response to your request dated May 5, 1997 concerning the above referenced site. The staff has reviewed your building addition proposal and has determined the following: The parking for the paint booth addition is based on service garage requirements of 3.3 parking spaces per 1,000 square feet or 3 spaces for the 720-square foot addition. Parking may be located within the booth or other buildings. If shown and numbered on the plan with minimum 8'x12' x 18 feet dimensions. The staff is unable to confirm more than 12 parking spaces on this plan, although your letter indicates that 22 spaces will be available with parking in buildings. The plan must show the spaces as stated above. There also appears to be a conflict with the Baltimore County Zoning Regulations (BCZR) concerning the extension of a nonconforming setback.

Section 303.2 of the BCZR requires that a front average setback be maintained with commercial fire resistant structures within 100 feet of the joint side property lines, and does not allow for extension of a nonconforming setback. Based on this requirement, the concrete office building and one story brick service building (both shown on adjacent separate lots) will require that an average of approximately 14 feet be maintained for the front building addition setback. A zoning variance is required for relief from this regulation if plan adjustments cannot be made. If revised plans are submitted showing BCZR compliance, the staff can further consider your request for a spirit and intent determination, otherwise a zoning hearing is necessary for resolution of the above referenced setback conflict. Please provide a copy of this letter with any future correspondence or revised plans.

Mr. Richard L. Greene, Jr.
May 14, 1997
Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 76-133-SPH

Enclosure

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4619-21 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036
FAX 410-242-0045

May 5, 1997

Permits & Development Management
111 W. Chesapeake Avenue, Room 109
Towson, Maryland 21286
Attn: Arnold Jablon, Director

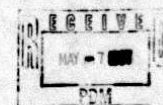
Dear Mr. Jablon:

Our intention is to build an addition onto the established complex at 4619-21 Leeds Avenue. The extension will house a new EPA and BOCA compliant spray booth. It will be less than 25% of the building space allowed under the non-conforming use granted by the Special Hearing, 76-133-SPC, January 16, 1976. Section 104.3, for non-conforming uses, allows for additions less than 25% of the building. The original buildings covered by the non-conforming use is 6,975 square feet, and the additional space required is 720 square feet which is 9.7% of the original space.

The initial structure, built in the early twenties was used as a service garage. In the early forties the owners utilized it for body and paint work and added a second building which housed a Chrysler dealership. Ownership changed in the sixties and the complex continued to be used as an auto service center and body shop. In 1975, a special hearing was held for a parking variance and to allow the sale of used cars. In conjunction with the sale of used cars they continued to use the initial building for body and paint work.

Due to the age of the existing building in question, extensive renovations would have to be completed to accommodate a spray booth. Without the addition we want to acquire, this type of renovation would cause a two to three month loss of production which would be detrimental to our business.

The enclosed area plot from 1975 shows the existing body and paint shop. Also enclosed is a copy of the original plot with a red lined sight plan that shows our proposed addition. Parking spaces available have actually increased over the



spaces shown on the 1975 plot.

Parking spaces required in 1975 for this site was 27 spaces with 12 spaces available under the variance. With the new addition, the spaces available will now be 22 with parking inside the building in accordance with current code.

There will be no change in the use of this property located at 4619-21 Leeds Avenue, Baltimore, Maryland.

We trust these facts will demonstrate spirit intent on our part. The addition is the most cost effective method to expand our paint shop and create a healthier environment for our employees and the community. Thank you for your consideration concerning this matter.

Sincerely,

Richard L. Greene, Jr.
Richard L. Greene, Jr.

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Ave
Towson, Md 21204

(410) 887-3335

April 17, 1997

DLH Environmental
7958 Lakecrest Drive
Greenbelt, MD 20770

RE: Arbutus Auto Painting & Body
4621 Leeds Avenue
DRC Number 04147C, Dist 13C1

Dear Sir:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland and as provided in Section 602 (d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on April 14, 1997, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (A)(7) with landscaping plans to Avery Harden.

Now that you have received an A-7 limited exemption, please proceed with building permit application.

DLH Environmental
Arbutus Auto Body & Painting
April 17, 1997
Page 2

A copy of this letter must be presented when submitting engineering/construction plans to this office and/or when applying for a building permit.

Please be advised that Phase 2 review fees may apply, depending on the amount of site disturbance and/or the requirement of a Public Works Agreement, also, please be advised that sidewalks will be required.

Herein find a commercial site plan checklist which will serve as a guide when preparing plans for building permit applications. Please be advised, plans not meeting minimum checklist requirements will not be accepted for filing, which will consequently delay building permit approval. Please note, the "conceptual" plan required for DRC review, does not necessarily meet the checklist guidelines. Therefore, it should not be assumed that the DRC plan is acceptable for building permit applications.

Should you have any questions regarding the above, please contact the Zoning Review Section at 887-3391.

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 17th day of April, 1997, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

Arnold Jablon
Arnold Jablon
Director

AJ:DTR:cm

c: Bruce Seeley
Joyce Watson
File
Enclosure

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4621 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036

Baltimore County Department of Permits
and Development Management, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Attn: John Lewis, Planner II

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

Dear Mr. Lewis:

This letter is in response to your request dated May 15, 1997, concerning adequate parking spaces and setback of the proposed addition.

The revised parking plan submitted with this letter, shows parking within the buildings and on the lots, numbered and sized per BCZR, for a new total of 18 spaces (4 over the minimum requirement).

The setback determination was done by physically measuring the exact dimensions at the site at all the points indicated on the plan. The average setback dimension, per Section 303.2 (BCZR), shows that dimension to be 17'9" to the outside of the front wall. The calculations are shown on the drawing.

I hope that we have provided you with the necessary information so that your staff can further consider our request for a spirit and intent determination. Thank you for your consideration concerning this matter.

Sincerely,

Richard L. Greene, Jr.
Richard L. Greene, Jr.
Proprietor

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4621 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036

Baltimore County Department of Permits
and Development Management, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Attn: John Lewis, Planner II

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

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The setback determination was done by physically measuring the exact dimensions at the site at all the points indicated on the plan. The average setback dimension, per Section 303.2 (BCZR), shows that dimension to be 17'9" to the outside of the front wall. The calculations are shown on the drawing.

I hope that we have provided you with the necessary information so that your staff can further consider our request for a spirit and intent determination. Thank you for your consideration concerning this matter.

Sincerely,

Richard L. Greene, Jr.
Richard L. Greene, Jr.

June 26, 1997

13th Election District

Dear Mr. Greene:

Based on the ongoing correspondence and recent red-lined plan review, the staff confirms that the proposed new 720 square foot addition is approved as being within the spirit and intent of zoning case 76-133-SPH. Document this response on all future plans.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 76-133-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

038005

PAID RECEIPT

05/12/77 ON 7 LBS R 5294
NOTE: 5 543 ZONING VARIATION
OF NO. 038005
\$40.00 OF P-41-3
Baltimore County Maryland
Office Of Budget & Finance

DATE 5/12/77 ACCOUNT B-101-1150

AMOUNT \$ 40.00 (25%)

RECEIVED FROM Richard L. Green

FOR ZONING VARIATION
MAIDEN CHOICE LANE

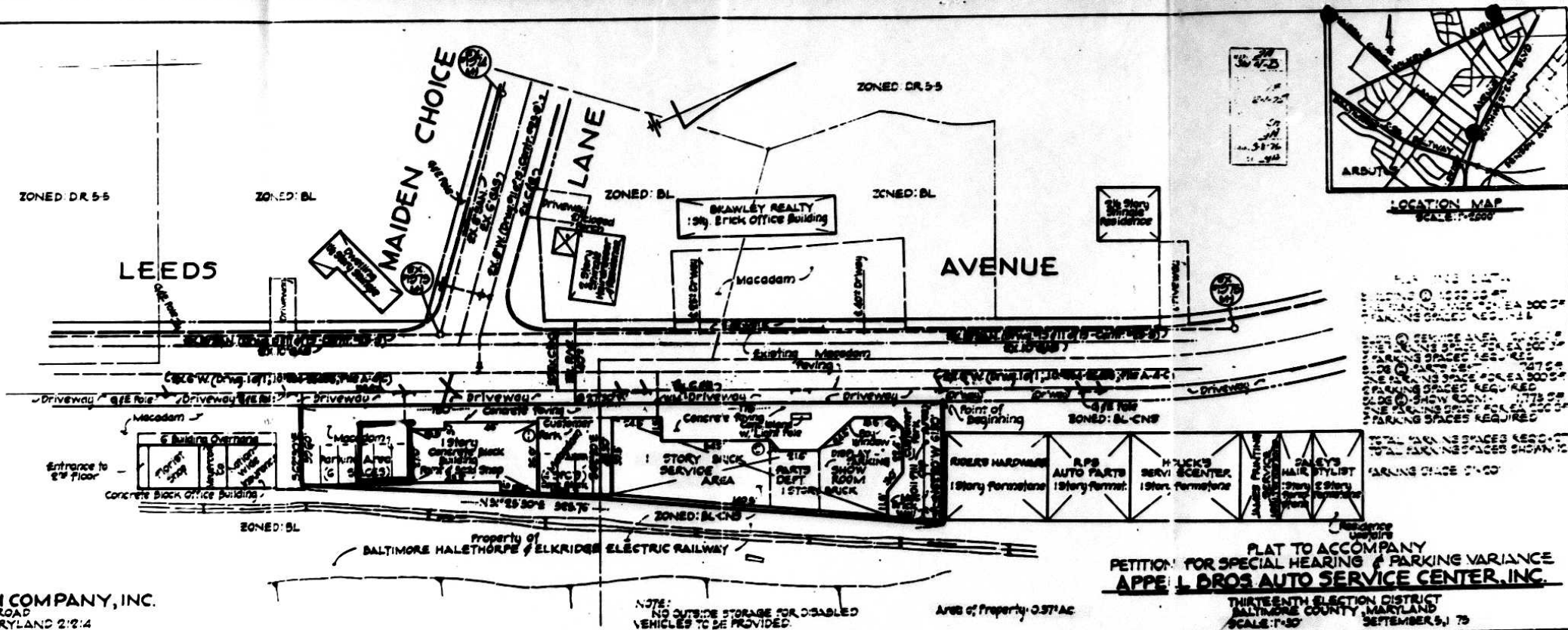
DISTRIBUTION
WHITE: CASHIER
PINK: AGENCY
YELLOW: CLERK

1442

CASHIER'S SIGNATURE



PREPARED BY:
B.D. LYNCH COMPANY, INC.
4507 HARTFORD ROAD
BALTIMORE, MARYLAND 21214



PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING & PARKING VARIANCE
APPEAL DROS AUTO SERVICE CENTER, INC.

THIRTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=30'
SEPTEMBER 5, 79

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

030005

PAID RECEIPT

05/27/75 ON 7 LBS & 50%
REF. 5 513 20046 VERIFICATION
CR. NO. 030005
\$40.00 OF P-41-D
Baltimore County Maryland
Office Of Budget & Finance

DATE 8/12/75 ACCOUNT 4-100000

AMOUNT \$ 40.00 (cash)

RECEIVED FROM P. CHASE & ASSOCIATES

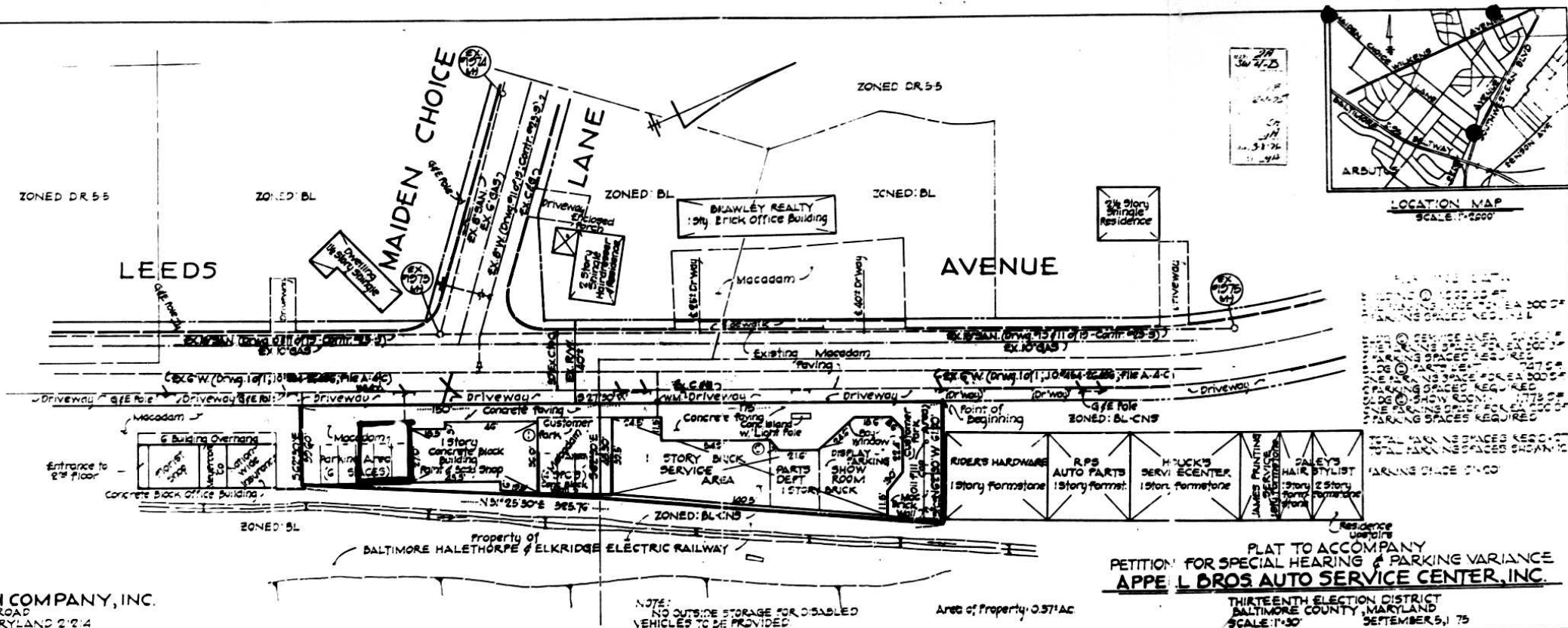
FOR

DISTRIBUTION
WHITE CASHIER PINK AGENCY YELLOW CUSTOMER

CASHIER'S VALIDATION



PREPARED BY:
B.D. LYNCH COMPANY, INC.
4507 HANFORD ROAD
BALTIMORE, MARYLAND 21214



ARBUTUS AUTO BODY, INC.

4619 - 4621 LEEDS AVENUE

FRONT AVERAGE SETBACK CALCULATIONS

OFFICE BUILDING W/6 OVERHANG	20'-10"
EXISTING PAINT SHOP	19'-6"
EXISTING SERVICE DEPARTMENT	14'-6"
EXISTING BODY SHOP	16'-6"
AVERAGE SETBACK	17'-9"
NEW ADDITION SETBACK	17'-9"

PARKING HISTORY AND CURRENT PLAN

PARKING REQUIREMENTS AS OF 1-76
PARKING VARIANCE GRANTED
ZONING CASE 76-133-SPH
13TH ELECTION DISTRICT

27 SPACES REQUIRED
12 SPACES APPROVED

BLDG. 1 BODY SHOP 1,993 SF
1 SPACE PER 300 SF REQUIRED
(7 SPACES REQUIRED)

BLDG. 2 SERVICE AREA 2,462 SF
1 SPACE PER 300 SF REQUIRED
(9 SPACES REQUIRED)

BLDG. 2 PARTS DEPT. 747 SF
1 SPACE PER 300 SF REQUIRED
(2 SPACES REQUIRED)

BLDG. 2 SHOW ROOM 1,773 SF
1 SPACE PER 200 SF REQUIRED
(9 SPACES REQUIRED)

1 PARKING SPACE = 9' X 20'

14 SPACES REQUIRED PER PARKING
VARIANCE W/ ALLOWANCE FOR NEW
ADDITION

18 SPACES SHOWN

BLDG. 1 BODY SHOP 1,993 SF
3. 3 SPACES PER 1,000 SF
(7 SPACES REQUIRED)

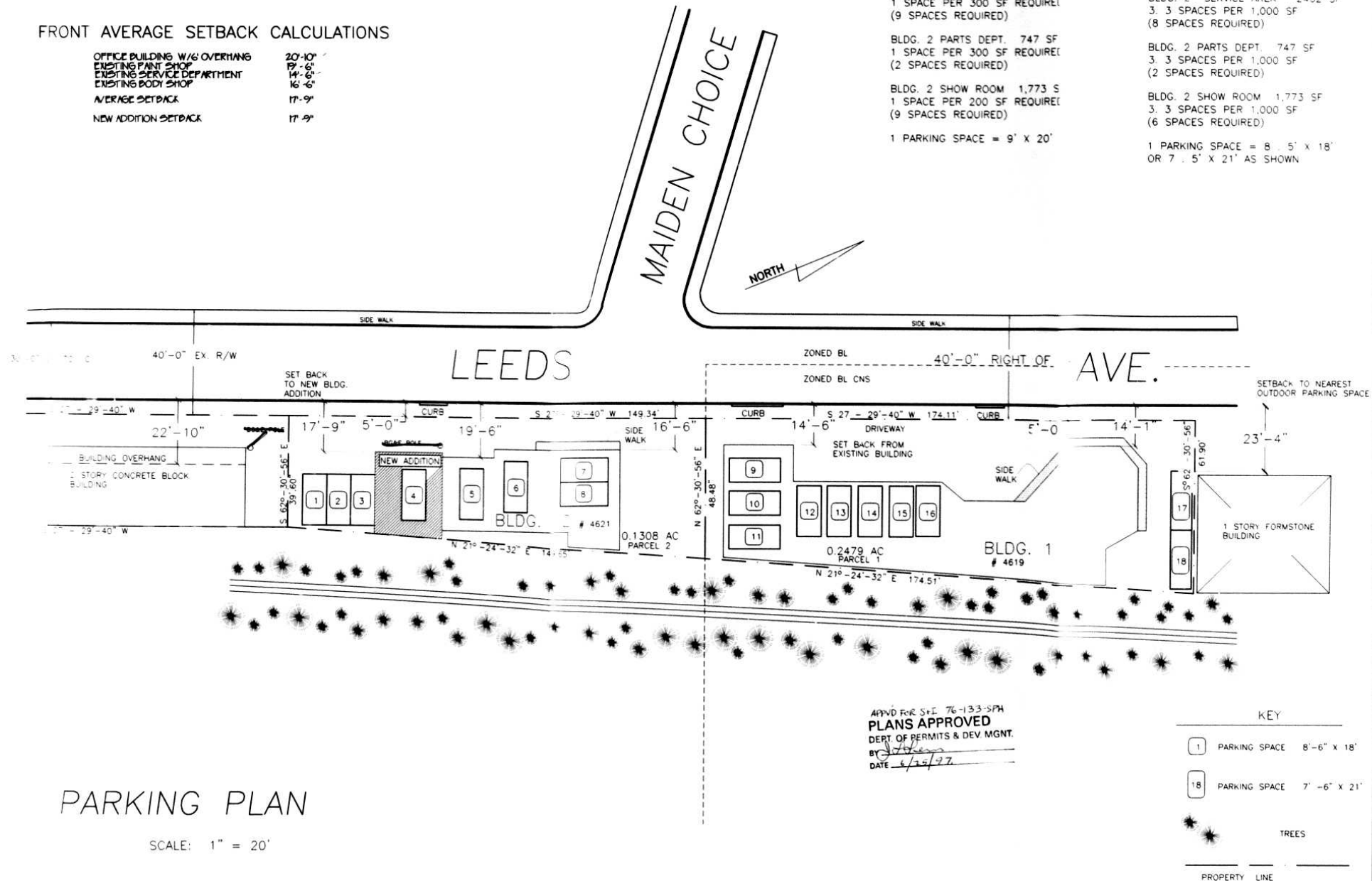
BLDG. 1 NEW ADDITION 700 SF
3. 3 SPACES PER 1,000 SF
(2 SPACES REQUIRED)

BLDG. 2 SERVICE AREA 2,462 SF
3. 3 SPACES PER 1,000 SF
(8 SPACES REQUIRED)

BLDG. 2 PARTS DEPT. 747 SF
3. 3 SPACES PER 1,000 SF
(2 SPACES REQUIRED)

BLDG. 2 SHOW ROOM 1,773 SF
3. 3 SPACES PER 1,000 SF
(6 SPACES REQUIRED)

1 PARKING SPACE = 8'-5" X 18'
OR 7'-5" X 21' AS SHOWN



DLH Environmental

12600 YARDARM PLACE, WOODBRIDGE, VA 22192 (703) 643-3053

ARBUTUS AUTO BODY, INC.
4619 - 4621 LEEDS AVE.
BALTIMORE MD 21229

06/16/97 REV. 3
PAM JENKINS

PP-1

PARKING PLAN
SHEET 1 OF 1

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert Appel and Vernon Appel, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the continuation of the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles for the premises known as Appel Bros., Auto. Services, Inc. 4619-21 Leeds Avenue, Baltimore, Maryland.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: Vernon Appel
 Address: Legal Owner
Vernon Appel-9300 Avondale Avenue
Baltimore, Md. 21234
Robert Appel-10325 E Malcolia Circle
Cockeysville, Md. 21030
 Petitioner's Attorney: Joseph L. Friedman
 Address: 1220 Fidelity Building
Baltimore, Maryland 21201
 Protestant's Attorney: _____

ORDERED By the Zoning Commissioner of Baltimore County, this 1st day of December, 1975, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of January, 1976, at 10:30 o'clock A.

Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: December 24, 1975
 FROM: William D. Fromm, Director of Planning
 SUBJECT: Petition#76-133-A. Petition for a Special Hearing for a Non-Conforming Use for the Sale of Used Automobiles.
 East side of Leeds Avenue 257 feet North of Maiden Choice Lane.
 Petitioner - Robert Appel and Vernon Appel

13th District

HEARING: Monday, January 5, 1976 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comment to offer on this petition.

William D. Fromm
 Director of Planning

WDF:NEG:rw

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
 E/S of Leeds Avenue, 257' N of : DEPUTY ZONING
 Maiden Choice Lane - 13th Election : COMMISSIONER
 District :
 Robert and Vernon Appel - :
 Petitioners :
 NO. 76-133-SPH (Item No. 94) : OF
 : BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of February, 1976, that the Order dated January 16, 1976, passed in this matter should be and the same is hereby Amended on Page 2 by deleting the following:

"...subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning."

George J. Martinak
 Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
 East side of Leeds Avenue 257 feet North : OF BALTIMORE COUNTY
 of Maiden Choice Lane, 13th District :
 VERNON AND ROBERT APPELL, : Case No. 76-133-SPH
 Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kuntz, Jr.
 Charles E. Kuntz, Jr.
 Deputy People's Counsel
John W. Hession, III
 John W. Hession, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

I hereby certify that on this 22nd day of December, 1975, a copy of the foregoing Order was mailed to Joseph L. Friedman, Esquire, 1220 Fidelity Building, Baltimore, Maryland 21201, Attorney for Petitioner.



Baltimore County Fire Department

PAUL H. REINCKE
 Chief



Towson, Maryland 21204
 875-7310

Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
 Zoning Advisory Committee

Re: Property Owner: Robert & Vernon Appel

Location: SE/S of Leeds Avenue opposite Maiden Choice Lane

Item No. 94 Zoning Agenda November 18, 1975

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 _____ EXCEEDS the maximum allowed by the Fire Department.

() 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.

(X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: Paul H. Reincke Noted and Approved: James H. Murphy
 Planning Group Acting Deputy Chief
 Special Inspection Division Fire Prevention Bureau

January 16, 1976

Joseph L. Friedman, Esquire
 1220 Fidelity Building
 Baltimore, Maryland 21201

RE: Petition for Special Hearing
 E/S of Leeds Avenue, 257' N of
 Maiden Choice Lane - 13th Election
 District
 Robert and Vernon Appel -
 Petitioners
 NO. 76-133-SPH (Item No. 94)

Dear Mr. Friedman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

George J. Martinak
 GEORGE J. MARTINAK
 Deputy Zoning Commissioner

GJM/mc

Attachments

cc: John W. Hession, III, Esquire
 People's Counsel

February 11, 1976

Joseph L. Friedman, Esquire
 1220 Fidelity Building
 Baltimore, Maryland 21201

RE: Petition for Special Hearing
 E/S of Leeds Avenue, 257' N of
 Maiden Choice Lane - 13th Election
 District
 Robert and Vernon Appel -
 Petitioners
 NO. 76-133-SPH (Item No. 94)

Dear Mr. Friedman:

I have this date passed my Amended Order in the above captioned matter in accordance with the attached.

Very truly yours,

George J. Martinak
 GEORGE J. MARTINAK
 Deputy Zoning Commissioner

GJM/mc

Attachments

cc: John W. Hession, III, Esquire
 People's Counsel

APR 07 1976

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that in accordance with the power granted unto the Deputy Zoning Commissioner by Section 500.7 of the Baltimore County Zoning Regulations, it is hereby determined that the use as herein requested will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Regulations and, therefore, the Special Hearing to approve the continuation of the use of said property for the sale of used automobiles, and to determine legal nonconforming use for sale of used automobiles should be

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 14th day of January, 1976, that the herein Petition for the Special Hearing to approve the continuation of the use of said property for the sale of used automobiles, and to determine legal nonconforming use for sale of used automobiles should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of January, 1976, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 23, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204
Franklin T. HOGANS, Jr.
Chairman

Joseph L. Friedman, Esq.
1220 Fidelity Building
Baltimore, Maryland 21201

RE: Special Hearing Petition
Item 94
Robert & Vernon Appell - Petitioners

Dear Mr. Friedman:

The Zoning Plans 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 side of Leeds Avenue opposite Maiden Choice Lane, and is currently improved with two one-story buildings presently utilized as an automobile sales and service operation. This area of Leeds Avenue is developed with strip commercial stores on the southeast side.

The petitioner is requesting a Special Hearing to determine the legal non-conforming status of the existing used car sales operation.

The Committee noted at the time of field inspection that off street parking along the subject frontage often occurred in a manner in conflict with

Joseph L. Friedman, Esq.
Re: Item 94
December 23, 1975
Page 2

Baltimore County parking specifications. The submitted plat, although indicating parking spaces in accordance with County standards, does not accurately reflect parking conditions in the field. The Committee feels that the frontage of this property should be curbed to eliminate illegal and hazardous parking, as well as to create defined entrances to assure adequate circulation and access. The subject plan must be revised accordingly prior to the hearing.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. HOGANS, Jr.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

December 22, 1975

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

Re: Item #94 (1975-1976)
Property Owner: Robert & Vernon Appell
S/ES of Leeds Ave. opp. Maiden Choice Lane
Existing Zoning: BL
Proposed Zoning: Special Hearing to approve the continuation of the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles.
No. of Acres: 0.3786 District: 13th

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:

Leeds Avenue, an existing County road, is proposed to be improved in the future as a 40-foot closed section roadway on a 50-foot right-of-way. Highway improvements, including highway right-of-way widening and any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

The construction and/or reconstruction of sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

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.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #94 (1975-1976)
Property Owner: Robert & Vernon Appell
Page 2
December 22, 1975

Storm Drains: (Cont'd)

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property, which is tributary to the Herbert Run - Patapsco River sanitary sewer system, subject to State Health Department imposed restrictions.

Very truly yours,

Ellsworth N. Diver
Chief, Bureau of Engineering

END:EAM:PW:RSS

cc: J. Trenner

G-SW Key Sheet
15 SW 15 Pos. Sheet
SW 4 D Topo
101 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 29, 1975

Joseph L. Friedman, Esq.
1220 Fidelity Building
Baltimore, Maryland 21201

RE: Special Hearing Petition
Item 94
Robert & Vernon Appell -
Petitioners

Dear Mr. Friedman:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you today, December 29, 1975 under the above referenced subject.

Very truly yours,

Franklin T. HOGANS, Jr.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

December 8, 1975

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

Dear Mr. DiNenna:

Comments on Item #94, Zoning Advisory Committee Meeting, November 18, 1975, are as follows:

Property Owner: Robert & Vernon Appell
Location: SE/S of Leeds Avenue opposite Maiden Choice Lane
Existing Zoning: BL
Proposed Zoning: Special Hearing to approve the continuation of the use of said property for the sale of used automobiles & to determine legal non-conforming use for sale of used automobiles.
No. of Acres: 0.3786
District: 13th

Since this is a variance for an existing used auto dealership and public water and sewer are existing, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJD:dlg

December 4, 1975

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

Re: Item 94 - ZAC - November 18, 1975
Property Owner: Robert & Vernon Appell
Location: SE/S of Leeds Avenue opp. Maiden Choice Lane
Existing Zoning: BL
Proposed Zoning: Special Hearing to approve the continuation of the use of said property for the sale of used automobiles & to determine legal non-conforming use for sale of used automobiles.
No. of Acres: 0.3786
District: 13th

Dear Mr. DiNenna:

Since the used car lot is existing, no increases in traffic generation are expected by this petition.

The entire frontage of this site should be curbed except for driveway entrances.

At the time of the field inspection, it was noted that vehicles were parked on the sidewalk; the sidewalk and public right of way must not be used for parking.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

December 19, 1975

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 #94, Zoning Advisory Committee Meeting, November 18, 1975, are as follows:

Property Owner: Robert and Vernon Appell
Location: SE/S of Leeds Avenue opposite Maiden Choice Lane
Existing Zoning: B.L.
Proposed Zoning: Special Hearing to approve the continuation of the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles
No. of Acres: 0.3786
District: 13th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site is not in compliance with Section 405A.1. The site plan must be revised to show the required screening.

Very truly yours,

John L. Wimbley
John L. Wimbley, Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 17, 1975

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

Z.A.C. Meeting of: November 18, 1975

Re: Item 94
Property Owner: Robert & Vernon Appell
Location: SE/S of Leeds Avenue opposite Maiden Choice Lane
Present Zoning: B.L.
Proposed Zoning: Special Hearing to approve the continuation of the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles.

District: 13th
No. Acres: 0.3786

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WSP/ml

H. ENGLISH PARKS, PRESIDENT
EUGENE G. WESS, VICE-PRESIDENT
MRS. ROBERT L. BERNY

MARCUS M. ROTENBERG
JOSEPH N. MCGUIRE
ALVIN LORICK
JOSHUA B. WHEELER, SUPERVISOR

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.C.
MRS. RICHARD K. WUERTEL

1-Sign

76-133-SPH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th Date of Posting: Dec. 20, 1975
Posted for: Petition for Special Hearing
Petitioner: Robert Appell
Location of property: E/S of Leeds Ave. 250' N of Maiden Choice Lane
Location of Signs: E/S of Leeds Ave. opposite Maiden Choice Lane
Remarks: Thomas E. Bahnd
Posted by: Thomas E. Bahnd Date of return: Dec. 21, 1975

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: D.S.										
Revised Plans: Change in outline or description										
Previous case:										

PETITION FOR A SPECIAL HEARING - 13TH DISTRICT
ZONING: Petition for a Special Hearing for a Non-Conforming Use for the Sale of Used Automobiles
LOCATION: East side of Leeds Avenue 250' North of Maiden Choice Lane
DATE & TIME: Monday, January 1975 at 10:30 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles.
All that parcel of land in the Thirteenth District of Baltimore County, beginning at a point in the Eastern line of Leeds Avenue and two hundred fifty seven feet Northwesterly from the centerline of Maiden Choice Lane and thence North 62 degrees 30 minutes 00 seconds East, 81.80 feet; thence North 31 degrees 24 minutes 30 seconds East, 323.75 feet; thence South 62 degrees 30 minutes 00 seconds East, 39.80 feet; thence running with minutes 00 seconds East, 323.00 feet to the place of beginning.
Containing 16483 square feet or 0.3786 of an acre of land.
Being the property of Robert Appell and Vernon Appell, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday, January 5, 1975 at 10:30 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY (538)

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 18, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time, 1975, before the 5th day of JANUARY, 1976, the first publication appearing on the 18th day of December, 1975.

THE JEFFERSONIAN

John L. Wimbley
Manager

Cost of Advertisement, \$.....

PETITION FOR A SPECIAL HEARING - 13TH DISTRICT
ZONING: Petition for a Special Hearing for a Non-Conforming Use for the Sale of Used Automobiles
LOCATION: East side of Leeds Avenue 250' North of Maiden Choice Lane
DATE & TIME: MONDAY JANUARY 5, 1976 at 10:30 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles.
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Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY (538)

Dec. 18

OFFICE OF
THE TIMES
NEWSPAPERS

RANDALLSTOWN, MD. 21133 Dec. 18, 1975

THIS IS TO CERTIFY, that the annexed advertisement of petition for Special Hearing- Robert Appell was inserted in the following

☐ Catonsville Times
☐ Dundalk Times
☐ Essex Times
☐ Towson Times
☐ St. Annes Times
☐ Community Times

weekly newspapers published in Baltimore County, Maryland, once a week for one week before the 5th day of January, 1976, that it to say, the same was inserted in the issues of Dec. 18, 1975.

STROMBERG PUBLICATIONS, INC.

BY *Pat Smink*

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Joseph L. Friedman, Esq.
1320 Fidelity Building
Baltimore, Md. 21201
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 1st day of January 1976

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Robert & Vernon Appell

Petitioner's Attorney Joseph L. Friedman

Reviewed by *Franklin T. Rogans, Jr.*
Franklin T. Rogans, Jr.
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 6th day of November 1975. Item # 25-00

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Appell Brothers Submitted by *Joseph L. Friedman*

Petitioner's Attorney Joseph L. Friedman Reviewed by *D.S.*

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Dec. 5, 1975 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED Messrs. Stahl, Friedman & Sobotka
1220 Fidelity Bldg., 2nd Fl., Baltimore, Md. 21201
FOR: Petition for Special Hearing for
Vernon Appell - 76-133-SPH

28281800 9 250000

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Jan. 5, 1976 ACCOUNT: 01-662

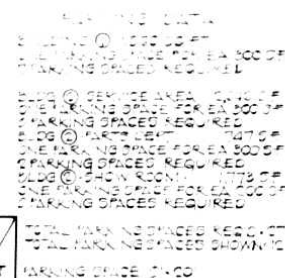
AMOUNT: \$57.75

RECEIVED FROM Cash - Robert and Vernon Appell
FOR: Advertising and posting of property - 76-133-SPH

28281800 5 577500

VALIDATION OR SIGNATURE OF CASHIER





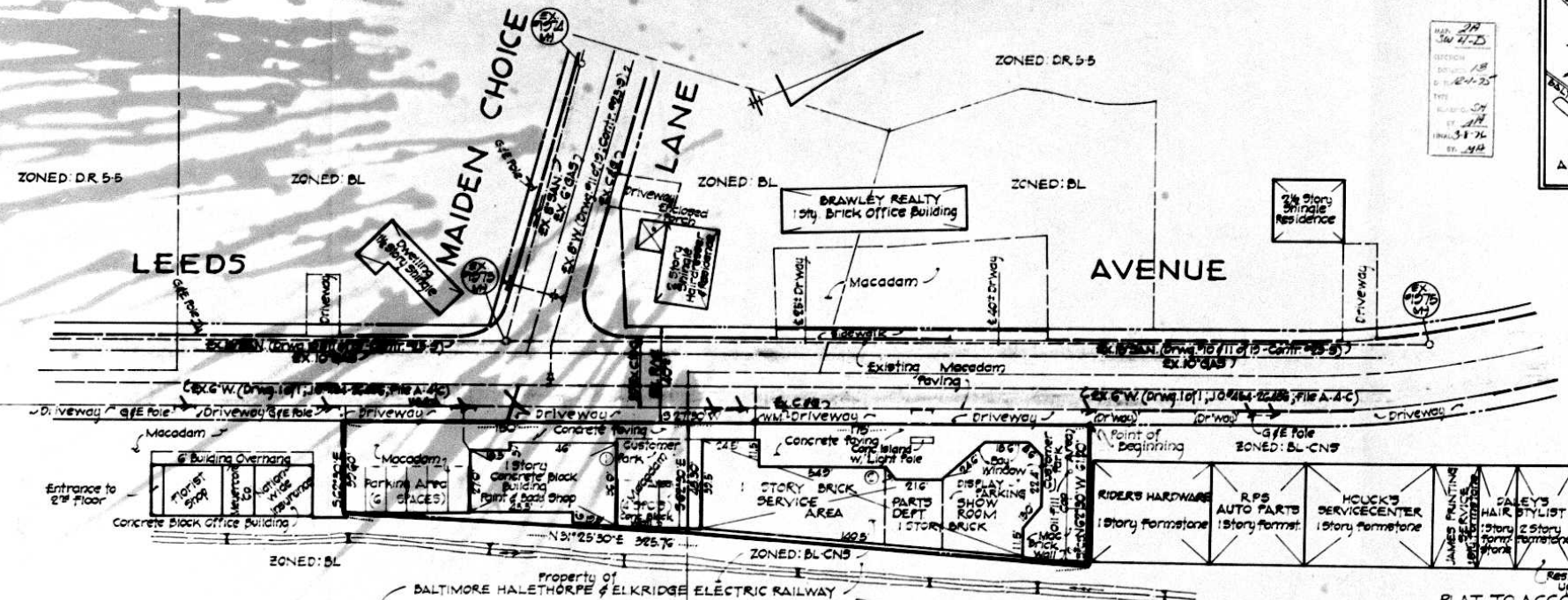
PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING & PARKING VARIANCE
APPELL BROS AUTO SERVICE CENTER, INC.

THIRTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE 1"=30' SEPTEMBER 5, 1975

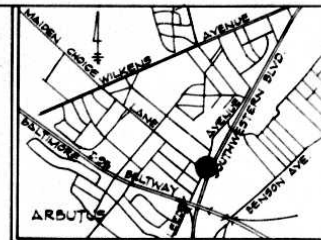




PREPARED BY:
B.D. LYNCH COMPANY, INC.
4907 HARFORD ROAD
BALTIMORE, MARYLAND 21214



MAP
NO. 44-D
SECTION
18
6-24-75
TWP.
RANGE 27
BY
JUL 31-76
ST. 44



LOCATION MAP
SCALE: 1"=200'

PARKING DATA
BUILDING ① 1000 SQ. FT.
ONE PARKING SPACE FOR EA. 200 SQ. FT.
PARKING SPACES REQUIRED

BLDG ② SERVICE AREA - 1040 SQ. FT.
ONE PARKING SPACE FOR EA. 200 SQ. FT.
PARKING SPACES REQUIRED
BLDG ③ PARTS DEPT. - 747 SQ. FT.
ONE PARKING SPACE FOR EA. 200 SQ. FT.
PARKING SPACES REQUIRED
BLDG ④ SHOW ROOM - 1775 SQ. FT.
ONE PARKING SPACE FOR EA. 200 SQ. FT.
PARKING SPACES REQUIRED

TOTAL PARKING SPACES REQD. - 12
TOTAL PARKING SPACES SHOWN - 12
PARKING SPACE ① - 20'

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING & PARKING VARIANCE
APPELL DROS AUTO SERVICE CENTER, INC.

THIRTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=30' SEPTEMBER 5, 1975

NOTE:
NO OUTSIDE STORAGE FOR DISABLED
VEHICLES TO BE PROVIDED

Area of Property: 0.571 AC