

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Charles W. Brewer and
I, or we, Hildred R. Brewer, legal owners 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 506.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the non-conforming use of a property as a junk yard, including the dismantling and storage for sale of used motor vehicle parts.

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.

None
Contract Purchaser
Address
Petitioner's Attorney
William E. Chamberlain
Address 1760 Eastern Blvd., 21221

ORDERED By the Zoning Commissioner of Baltimore County, this 26th day of January, 1976, 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 April, 1976, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL HEARING
NE/S of Golden Ring Road, 240' E of Race Road - 15th Election District
Charles W. Brewer, et ux - Petitioners
NO. 76-205-SPH (Item No. 167)

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition filed by Charles W. and Hildred R. Brewer, for a Special Hearing to approve the nonconforming use of the subject property as a junk yard, including the dismantling and storage for sale of used motor vehicle parts. Said property is located on the northeast side of Golden Ring Road, 240 feet east of Race Road, in the Fifteenth Election District of Baltimore County.

Testimony indicated that an auto parts, junk yard business has been in operation at the subject location since the early 1940's and that the Petitioner has operated his auto parts, junk yard business at this location since 1953. Mr. Paul Fischer, a long-time resident of the area, indicated that he recalls the dismantling of automobiles and the storage of junk vehicles since the early 1940's. In fact, some of the Protestants, present at the hearing, indicated that the sale of parts, junk vehicles, etc., has existed on the subject property for many years.

Several residents, in protest to the subject Petition, indicated that they felt that the junk and/or disabled vehicles should not be stored in front of the fence along Golden Ring Road, as it was not aesthetically appealing.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, nonconforming use does exist.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of June, 1976, that the Special Hearing to approve the nonconforming use of the subject property as a junk yard, including the dismantling and storage for sale of used motor vehicle parts should be and the same is hereby GRANTED, from and after the date of this Order.

Zoning Commissioner of Baltimore County

PETITION FOR SPECIAL HEARING

Charles W. Brewer and Hildred R. Brewer, his wife
Description of 7308, 10 and 12 Golden Ring Road:

BEGINNING for the same on the northeasterly side of Golden Ring Road at a point distant two hundred forty (240') feet southeasterly from the corner formed by the intersection of the northeasterly side of Golden Ring Road and the southeasterly side of Race Road and running thence southeasterly binding on the northeasterly side of Golden Ring Road one hundred seventy-five (175') feet; thence northerly two hundred (200') feet; thence northwesterly sixty-five (65') feet; thence northerly twenty-five (25') feet; thence northwesterly one hundred ten (110') feet; thence southerly on a line parallel with Race Road two hundred twenty-five and 60/100 (225.60') feet more or less to the point of beginning.

EXHIBIT 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date March 19, 1976
FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-205-SPH - Petition for Special Hearing to approve the non-conforming use of a property as a Junk Yard.
Northeast side of Golden Ring Road 240 feet East of Race Road.
Petitioner - Charles W. Brewer and Hildred R. Brewer

15th District

Hearing: Monday, April 5, 1976 at 1:00 P.M.

Since this hearing is for the sole purpose of determining whether or not the existing use of this property is a non-conforming one as defined by the Baltimore County Zoning Regulations, it would be inappropriate for this office to comment as to the appropriateness of this use.

William D. Fromm
Director of Planning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 26, 1976

William E. Chamberlain, Esq.
1760 Eastern Blvd.,
Baltimore, Md. 21221

RE: Special Hearing Petition
Item 167
Charles W. & Hildred R. Brewer -
Petitioners

Dear Mr. Chamberlain:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you March 17, 1976 under the above referenced subject.

Very truly yours,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.,
Chairman,
Zoning Plans Advisory Committee

FTH:JD
Enclosure

baltimore county
department of public works
TOWSON, MARYLAND 21204

March 18, 1976

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

Re: Item #167 (1975-1976)
Property Owner: Charles W. & Hildred R. Brewer
N/ES Golden Ring Rd., 240' S/E of Race Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Hearing to approve non-conforming use as a junk yard.
No. of Acres: 225.6 x 175 District: 15th
200 110

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.

General:

The Baltimore County Bureau of Engineering comment is limited to the fact that this property, which experiences severe flooding and inundation, and is also subject to tidal action, is entirely located in the area of the 100-year recurrence flood plain on Stemmers Run as identified and delineated in the Report on Stemmers Run Flood Plain Study, Job Order 4-216-1.

Further, this property is indicated as being within a "Special Flood Hazard Area" - Zone A (4-18-75) on the Department of Housing and Urban Development FIA Flood Hazard Boundary Map No. H127, effective April 18, 1975.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:FW:SS

cc: D. Grise
Bureau of Public Services

1-NW Key Sheet
12 NE 27 Pon. Sheet
NE 3 & 4 G Topo
90 Tax Map

William E. Chamberlain, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
NE/S of Golden Ring Road, 240'
E of Race Road - 15th Election
District
Charles W. Brewer, et ux -
Petitioners
NO. 76-205-SPH (Item No. 167)

Dear Mr. Chamberlain:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

GED/scw

Attachments

cc: Mr. Roland J. Griffin
7217 Golden Ring Road
Baltimore, Maryland 21221

John W. Hessian, III, Esquire
People's Counsel

WDF:NEG:mjs

To whom it may concern
I have known Mr. Brewer for twenty years as a business neighbor. Also his two sons when they became old enough to work with him. He has always conducted his business in a honorable way. He has never disturbed anyone to my knowledge. Whenever we were burdened with floods he was always ready to help. Although he had his losses too, and believe me you get to know your real neighbors when you are in floods as we are. Although his business was started at least ten years before he bought it, he has tried to keep a clean yard. He has had everything covered up with mud quite a few times and has jumped in and cleaned it up and started again.
With the roads that have been closed and the floods we have, he is only doing what all of us on Golden Ring Road are doing - and that is trying to make a living.
Sincerely
Armand Buckhardt

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
Northeast side of Golden Ring Road 240 feet : OF BALTIMORE COUNTY
East of Race Road, 15th District
CHARLES W. & HILDRED R. BREWER, : Case No. 76-205-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.
Deputy People's Counsel
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of April, 1976, a copy of the foregoing Order was mailed to William E. Chamberlain, Esquire, 1760 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioners.

John W. Hession, III

CD 200 No. 76-205-SPH
4-5-76 100
Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER
April 9, 1976
Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Dear Mr. DiNenna:
Comments on Item #167, Zoning Advisory Committee Meeting, February 17, 1976, are as follows:
Property Owner: Charles W. & Hildred R. Brewer
Location: NE/S Golden Ring Rd. 240' SE of Race Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Hearing to approve non-conforming use as a junk yard.
Acres: 225.6 x 175
200 110
District: 15th
Revised plot plan required indicating location of septic system and method of water supply.
Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES
RJW:pbs

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
March 10, 1976
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Item #167 (1975-1976)
Property Owner: Charles W. & Hildred R. Brewer
N/ES Golden Ring Rd., 240' S/E of Race Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Hearing to approve non-conforming use as a junk yard.
No. of Acres: 225.6 x 175 District: 15th
200 110
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.
General:
The Baltimore County Bureau of Engineering comment is limited to the fact that this property, which experiences severe flooding and inundation, and is also subject to tidal action, is entirely located in the area of the 100-year recurrence flood plain on Stemmers Run as identified and delineated in the Report on Stemmers Run Flood Plain Study, Job Order 4-215-1.
Further, this property is indicated as being within a "Special Flood Hazard Area" - Zone A (4-18-75) on the Department of Housing and Urban Development FIA Flood Hazard Boundary Map No. H127, effective April 18, 1975.
Very truly yours,
Ellsworth M. Diver, P.E.
Chief, Bureau of Engineering
END: EAM: FWR: ss
cc: D. Grise
Bureau of Public Services
I-MW Key Sheet
12 NE 27 Pos. Sheet
NE 3 & 4 G Topo
90 Tax Map

PERFECTION LAUNDRY, INC.
EST. 1929
Shop & Garage Rentals
MAILING ADDRESS:
% WILLIAM HENGEMINLE, PRES.
7800 OMEGA COURT
KINGSVILLE, MD. 21087
November 10, 1975
Mr. Eric DiNenna
Zoning Commissioner
Baltimore County, Md.
Dear Mr. DiNenna,
Since incorporation in 1929 our family has always held the controlling interest in the property at the corner of Golden Ring and Race roads. (7300 to 7306)
Our modern 100 HP coal fired steam boiler belched smoke unending five days a week into the clear skies. So did the prospering greenhouses across the street, so did the freight trains that bunkered at Stemmers Run station waiting to pull into Bay View yards. The auto graveyard run by Tony Danesi at 7308, 10 and 12 wasn't to worry to burn out a few junkers when he needed some more room for his spare parts. All of us worked together in those days and many a good used tire or battery needed for our laundry trucks was bought right next door.
Mr. Charles Brewer whom I first met in 1954 became a member of the Stemmers Run family. He came into our midst and always seemed to keep on driving for the good of all the community and the many people who worked for him. I am proud to know such a hard working individual.
Very little has changed in our area. Most of the smoke is gone. Instead of laundry trucks we now have service panel trucks, dump trucks and loaders. We still have the florist across the street and the used auto parts right next door.
I certify that that above is true and factual to the best of my knowledge.
William J. Hengeminle, Vice Pres. Phoebe G. Hengeminle, Pres.
Witness to all (both signatures) this 10th day of November, 1975.
Robert Louis Allen
my Commission expires July 1, 1976

OREMS TRAILER PARK
CLARENCE MCHALE
8101 PINE RIDGE RD.
BALTIMORE 81, MD.
Mrs. Eric DiNenna
Dear Sir:
I am writing this letter in behalf of Mr. Charles Brewer - 7308 Golden Ring Rd.
I am submitting the following information concerning the used car parts business at that location. Mr. Anthony Carmine took the location over around 1940. Mr. Brewer took the location over around 1952. He also extended his business to a location on Race Road also a corner roadside lot on Race & Hildred Ring Road. Property owned by W. Hengeminle. Mr. Brewer has devoted 23 years to this business and has improved the appearance of same greatly. The livelihood of his two sons & himself depend upon it. Having lived in this area for 35 years and being a neighbor & having my own business here. I would like to see Mr. Brewer continue his business at that location.
I remain Respectfully yours,
Clarence McHale
Mr. Anthony Carmine died & his sons operated same until Mr. Brewer took over

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE
PETITION AND SITE PLAN
EVALUATION COMMENTS

Item 167
William E. Chamberlain, Esq.
1760 Eastern Boulevard, Baltimore, Md. 21221
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 2nd day of March 1976
S. Eric DiNenna, Zoning Commissioner
Petitioner: Charles W. & Hildred R. Brewer
Petitioner's Attorney: William E. Chamberlain, Esq.
Reviewed by: Franklin I. Rogers, Jr., Chairman, Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
1118 Chesapeake Ave.
Towson, Maryland 21204

March 17, 1976

Franklin T. Hoggans, Jr.

Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

William E. Chamberlain, Esq.
1760 Eastern Blvd.,
Baltimore, Maryland 21221

RE: Special Hearing Petition
Item 167
Charles W. & Hildred R. Brewer -
Petitioners

Dear Mr. Chamberlain:

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 northeast side of Golden Ring Road, 240 feet southeast of Race Road, and is currently the site of Golden Ring Auto Parts junk yard. This operation consists of an office and retail area located within a 2-1/2 story frame building, and an 8 foot chain link fence enclosed area containing junked vehicles.

Field inspection revealed a parking area for customers to be located in the front of the sales office building as well as in front of the enclosed junk yard area. Such parking is accomplished in a head-in fashion with turn around within the right-of-way of Golden Ring Road.

William E. Chamberlain, Esq.
Re: Item 167
March 17, 1976

This property abuts to the west commercial uses along Golden Ring Road, and to the east an open area presently without utilization. Single family residential uses lie to the south and east along Golden Ring Road. The Stemmers Run water course abuts this property along its northernmost property line, and has been known to severely flood the subject property in the recent past.

The subject plan must be revised to indicate the existing zoning of the subject property as well as those properties adjacent.

If the comments of the Bureau of Engineering indicate a proposed widening of Golden Ring Road, the plans must be revised to reflect same. If, further, the petitioner owns other properties shown, then this must be noted.

Baltimore County operations concerning construction and improvement of utilities and right of ways to the east of this property are presently undertaken and have apparently created a sediment control problem along the frontage of this property. The existing junk yard area is not surfaced in any way, and this may have been a contributing factor to this surface run-off.

The plan must be revised to reflect the comments herein and those of the other departments 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. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman, Zoning Plans
Advisory Committee

FTH:JD
Enclosure

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE E. COLLINS
DIRECTOR

March 3, 1976

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

Re: Item 167 - ZAC - February 17, 1976
Property Owner: Charles W. & Hildred R. Brewer
Location: NE/S Golden Ring Rd. 240' SE of Race Road
Existing Zoning: M.L. - I.M.
Proposed Zoning: Special Hearing to approve non-conforming use as a junk yard
No. of Acres: 225.6 x 175
200 x 110
District: 15th

Dear Mr. DiNenna:

No increase in trip generation from this site is expected.

The entire frontage of the site should have curb and gutter, except for driveway openings and no backing into the public right-of-way from the parking areas is to be permitted.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:mc

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Heincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles W. & Hildred R. Brewer

Location: NE/S Golden Ring Rd. 240' SE of Race Rd.

Item No. 167 Zoning Agenda February 17, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "r" 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.

(X) 6. Site plans are approved as drawn.

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

Reviewed: *John L. Wimbley* Noted and Approved: *Paul H. Heincke*
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

March 15, 1976

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 # 167, Zoning Advisory Committee Meeting, February 17, 1976, are as follows:

Property Owner: Charles W. and Hildred R. Brewer
Location: NE/S Golden Ring Road 240' SE of Race Road
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Hearing to approve non-conforming use as a junk yard
Acres: 225.6 x 175
200 x 110
District: 15th

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 parking area at the front of the site does not meet County standards.

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: February 19, 1976

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

Z.A.C. Meeting of: February 17, 1976

Re: Item 167
Property Owner: Charles W. & Hildred R. Brewer
Location: NE/S Golden Ring Rd. 240' SE of Race Rd.
Present Zoning: M.L.-I.M.
Proposed Zoning: Special hearing to approve non-conforming use as a junk yard.

District: 15th
No. Acres: 225.6 x 175
200 x 110

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

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

WSP/ml

W. EUGENE PARKS, President
EUGENE E. WESS, Vice-President
HAROLD L. BERRY

MARSHALL W. ROTHSCHILD
JOSEPH N. MCGOWAN
ALVIN KORECK
JOSHUA R. WHEELER, At-Large

T. BAYNE, Jr.
RICHARD W. TRAVEL VMD
MRS. RICHARD K. TRAVEL

VALIDATION OR SIGNATURE OF CASHIER



MAP NO. 13 SECTION 5 T. 1 N. R. 1 E. S. 1 DATE 1/16/76	SCALE 1"=20' DATE 1/16/76	KEY BENT 1/16/76 1/16/76	LOCALITY ECKX CHARLES BLEIER PROPERTY ELECTION DIST. NO. 15	SHEET
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