

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONERS OF BALTIMORE COUNTY:

I, or we, George & Clara Slater, legal owner 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone, for the following reasons:

See attached description.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a Junk Yard.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception, 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.

George Slater, Jr.
Clara Slater
 Legal Owner
 Address: 1500 North Point Blvd.
Baltimore, Maryland 21213
1729 Glen Curtis Road
Baltimore, Maryland 21220
 Protestant's Attorney
 Address: 140 1/2 St. ...

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of February, 1978, 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 11th day of February, 1977, at 1:00 o'clock P.M.

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
 for Junk Yard : COUNTY BOARD OF APPEALS
 W/S of Earl's Road 2180 feet West of : OF
 Eastern Avenue :
 15th District :
 George and Clara Slater : BALTIMORE COUNTY
 Petitioners : File No. 77-149-X
 G & H Motors, Inc. :
 Contract Purchaser :

OPINION

This case comes before this Board on an appeal from a decision of the Zoning Commissioner granting the requested special exception for a junk yard use in an M.H.-I.M. zoned area. This case was heard "de novo" in its entirety on June 12, 1979, and from testimony presented the following facts became evident.

The subject property consists of ten (10) acres of land located in an M.L.-I.M. district. The rear 5 acres of this parcel is already leased to Hercules Auto Parts and is presently being used as a junk yard. This rear section abuts or is in very close proximity to two already existing junk yards, i.e. Ewing's Auto Parts and Orinoff's Auto Parts. On the north, the property abuts another existing junk yard that has been in operation for some years. Directly across the road from this parcel is a large active road and gravel mining operation owned by the Flintkote Corporation. The rest of the surrounding land abutting this parcel is wooded and unused. An onsite inspection by a member of this Board confirmed all of these facts, and also noted that the wooded area to the south was very marshy, with large areas of standing water, and did not seem suitable for residential development. No homes were visible from this property in any direction. From these conditions as presented and with the M.L.-I.M. zoning, it is the opinion of this Board that the proposed use for this parcel is proper.

However, the question of Section 408 of the Baltimore County Zoning Regulations as applied to this property, was raised in open hearing. As previously noted, the subject property contains 10[±] acres. The rear 5 acres is already properly zoned and leased to Hercules Auto Parts. The Petitioner asks a special exception for the rear 5 acres so it can be leased to Chase Auto Parts, a firm specializing in dismantling and selling used

George Slater, et ux - No. 77-149-X

2.

foreign car parts. None of these firms are in any way connected with each other or with the property owner, but are separate individual independent businesses, leasing land from the owner for their own respective uses.

Section 408.1 states:

"The area of land so to be used shall not be less than 1 acre or more than 5 acres."

In the Board's opinion, Section 408.1 would not apply in this case. It should be noted that ownership of the land involved is not mentioned. The section clearly states "The area of land so to be used" etc., and the requested special exception meets these area requirements. The requested special exception also meets all the requirements of Section 502.1.

After due consideration of all the physical aspects of the parcel's location and zoning, and the application of these two sections of the Baltimore County Zoning Regulations, it is the opinion of this Board that the Zoning Commissioner's decision of May 15, 1978 was, in fact, correct, and will so order, with restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of July, 1979, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner, dated May 15, 1978, be affirmed, and the Special Exception GRANTED, subject to the following restrictions:

1. There be erected along the entire Earl's Road frontage a stockade type privacy fence, set 50' back from Earl's Road to shield the operation from view, and that said fence extend 50' along both property lines from this fence toward the rear of the property.
2. That some type of screening be planted between this fence and Earl's Road, and that this area be maintained in neat and orderly appearance.

George Slater, et ux - No. 77-149-X

3.

3. That no vehicles be parked between this fence and Earl's Road.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William J. Blondell
 William J. Blondell, Acting Chairman
John A. Miller
 John A. Miller
LeRoy B. Spang
 LeRoy B. Spang

ORDER RECEIVED FOR FILING
 DATE Feb 15 1979
 BY John A. Miller

77-149-X
 2147

Baltimore County
 Office of planning and zoning
 TOWSON, MARYLAND 21284
 021-684-3800

S. ERIC DINENNA
 ZONING COMMISSIONER

May 15, 1978

Richard R. Beauchemin, Esquire
 807 W. R. Grace Building
 Charles and Baltimore Streets
 Baltimore, Maryland 21202

RE: Petition for Special Exception
 W/S of Earles Road, 2180' W
 of Eastern Avenue - 15th
 Election District
 George Slater, et ux - Petitioners
 NO. 77-149-X (Item No. 123)

Dear Mr. Beauchemin:

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

Very truly yours,
S. ERIC DINENNA
 Zoning Commissioner

SED/jhm
 Attachments
 cc: William J. Blondell, Esquire
 628 Eastern Avenue
 Baltimore, Maryland 21221
 Roy E. Estes, Esquire
 208 Washington Avenue
 Towson, Maryland 21204
 John W. Hession, III, Esquire
 People's Counsel

July 18, 1979

John W. Hession, III, Esq.
 People's Counsel
 County Office Building
 Towson, Md. 21204

Re: File No. 77-149-X
 George and Clara Slater

Dear Mr. Hession:

Enclosed herewith is copy of Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,
Muriel E. Buddenhammer

- Encl.
- cc: Richard R. Beauchemin, Esq.
 Mr. George Slater
 William J. Blondell, Esq.
 Roy E. Estes, Esq.
 Mr. Vera Rose
 Mr. Grace E. Reed
 Mrs. L. K. Perkins
 Mr. Russell F. Rose
 Mr. Clifford L. Chisholm
 Mr. Nathaniel Reed
 Mr. Reginald E. Meyers
 Mr. J. W. Gosnell, Jr.
 Mr. Robert W. Nichols
 Mr. William Hammond
 Mr. James E. Dyer
 Mr. Leslie Groff
 Mr. James Howell
 Board of Education

LAW OFFICER
 WILLIAM J. BLONDELL, JR., CHARTERED
 828 EASTERN AVENUE
 BALTIMORE, MARYLAND 21201

WILLIAM J. BLONDELL, JR.
 RAYMOND J. GANNON
 KATHLEEN H. O'CONNELL

February 15, 1977

PHONE MU 9-7878

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

Re: 77-149X
 The Petition of George and Clara Slater
 and James Gosnell

Dear Mr. DiNenna:

Kindly enter my appearance on behalf of the protestants set forth below:

Vera Rose
 3006 Bengies Road
 Baltimore, Maryland 21220

Grace E. Reed
 Route 16, Box 518-1/2
 Baltimore, Maryland 21220

Mrs. L. K. Perkins
 201 Earls Road
 Baltimore, Maryland 21220

Russell F. Rose
 3006 Bengies Road
 Baltimore, Maryland 21220

Clifford L. Chisholm
 3001 Tangles Road
 Baltimore, Maryland 21220

Nathaniel Reed
 Route 16, Box 518-1/2
 Baltimore, Maryland 21220

PER 17 77 AM
 FEB 17 1977
 ZONING COMMISSIONER

S. Eric DiNenna February 15, 1977

Reginald E. Meyers
 540 Harles Road
 Baltimore, Maryland 21220

Very truly yours,
William J. Blondell, Jr.
 William J. Blondell, Jr.

NJB:gp

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met...

ORDER RECEIVED FOR FILING
DATE 1/15/77
BY [Signature]
MEMORANDUM
The above-captioned case having been granted a Special Exception for a junk yard... IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of May, 1977...

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of... the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of May, 1977... that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a... zone, and/or the Special Exception for... be and the same is hereby DENIED.

Phone: 667-4922

FRANK S. LEE

Registered Land Surveyor
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21217

November 26, 1976

G & H Motors
West side of Earles Road north of Eastern Avenue
15th District Baltimore County, Maryland

Beginning for the case on the west side of Earles Road at the distance of 2180 feet more or less measured along Earles Road from the west side of Eastern Avenue and thence running and binding on the west side of Earles Road North 13 degrees 58 minutes 50 seconds West 296 feet, thence leaving Earles Road for three lines of division as follows:- South 69 degrees 16 minutes 10 seconds West 750.55 feet, South 20 degrees 46 minutes 50 seconds East 296.54 feet and North 69 degrees 13 minutes 10 seconds East 715.28 feet to the place of beginning.

Containing 5.03 acres of land more or less.



RE: PETITION FOR SPECIAL EXCEPTION : COUNTY BOARD OF APPEALS
OF : OF
W/S of Earles Road, 2180' W : BALTIMORE COUNTY
of Eastern Avenue, : 15th District : FILE NO. 77-149 X
GEORGE SLATER, et ux, : Petitioners

MEMORANDUM

The above-captioned case having been granted a Special Exception - Junkyard before the Zoning Commissioner of Baltimore County on May 15, 1978 was heard on appeal on Tuesday, June 12, 1979. There were no protestants, however, the Deputy People's Counsel, Peter Max Zimmerman, Esquire, requested the Board of Appeals to clarify Section 408.1 of the Baltimore County Zoning Regulations.

Section 408.1 of the Baltimore County Zoning Regulations which were enacted in 1955 states under the caption of Junkyard the following:

The area of land so to be used shall be not less than one acre or more than five acres.
The subject property of five acres abuts and is contiguous to an additional five acres owned by the same party. The additional five acres is presently zoned junkyard and is leased to the Hercules Auto Parts, Inc., Corporation which is a separate legal entity from the owners of the entire ten acre tract. The proposed use of the subject property is to be leased to Chase Auto Recycling, Inc., another separate and completely distinct legal entity from not only the owners of the property but also from Hercules Auto Parts, Inc.

RECEIVED
BALTIMORE COUNTY
PLANNING & ZONING
DIVISION
FEB 15 1977

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 9, 1977

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 77-149-X... Petitioner - George Slater and Clara Slater

15th District

HEARING: Monday, February 14, 1977 (1:00 P.M.)

Section 406 of the Baltimore County Zoning Regulations (JUNK YARDS) states, in part, that the "area of land so to be used shall not be less than 1 acre or more than 5 acres." A cursory examination of the tax maps indicated that the subject 5.03-acre parcel is part of a 10-acre property (Tax Map 83, Parcel 170; Geo. E. Slater; 4852/62; 10:00 A.).

[Signature]
Norman E. Gerber
Acting Director of Planning

NEG:MGH:rw

Apparently the Deputy Counsel raises the question, can an owner of the entire ten acres lease to two separate and distinct junkyards five acres apiece under Section 408.1 of B.C.Z.R. Research reveals that 408.1 has never been interpreted by the Courts, however, the ground rules or basis for construction and interpretation of a zoning ordinance have been clearly firmly established by the appellate courts in the case of Gino's of Maryland, Inc. vs. City of Baltimore, 244 A.2d 218, 256 MD 621, the Court again upheld the position that zoning ordinances are in derogation of the common law and should be strictly construed, and although its plain purpose and intent must be given liberal effect, the ordinance should not be extended by implication to cases not clearly within the scope of that purpose and intent.

Applying such an interpretation to 408.1, it is to be noted that 408.1 has no reference whatever to the ownership of land and confines itself to the area of land to be used, only. In answer to the Deputy People's Counsel question, therefore, it seems clear that whether or not the subject property owner has an additional five acres already zoned to special exception - junkyard has no relevancy or relation to 408.1 so long as the subject property so zoned is being used to buy a separate legal entity. To interpret this otherwise would be to extend by implication matters not clearly within the scope of the purpose and intent of the statute. It seems quite obvious in that regard that if you had two parcels of five acres each abutting and contiguous to one another, both zoned special exception - junkyard and being used as such but owned by two different parties that the question would not even have come up.

-2-

We suggest that the mere ownership of the land is not sufficient to defeat the subject special exception so long as the use conforms to the area requirements of 408.1.

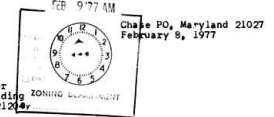
Respectfully submitted,
ARNOLD, BEAUCHEMIN & TINGLE, P.A.
By: [Signature]
Richard R. Beauchemin
Charles Center South
Suite 310
Charles & Lombard Streets
Baltimore, Maryland 21201
837-0215

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 15 day of June, a copy of the foregoing Memorandum was mailed to Peter Max Zimmerman, Deputy People's Counsel, County Office Building, Towson, Maryland 21284.

[Signature]
Richard R. Beauchemin

-3-



Mr. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Dear Sir:
The Bird River Civic Association and neighborhood, in general, wish to go on record protesting the granting of a Special Exception for the enlargement of a "junk yard" on Earls Road, the hearing for which is set for 1:00 P. M., February 14, 1977, before you. Our main objections are as follows:

The Special Exception for the existing Junk yard was heard by Deputy Zoning Commissioner, Edward D. Hardesty, on August 26, 1968 and was granted by him on November 14, 1968. At the hearing we protested in person and by way of a lengthy petition containing signatures from many area residents. The Special Exception was granted, but certain covenants and requirements were to be adhered to. They were as follows:

Requirement (1) A fence, of a screening nature, was to be erected quite a distance back from Earls Road and no junk was to be visible from Earls Road.

Compliance to No. (1) About a dozen sheets of used corrugated roofing was nailed on to several posts planted in the ground. Three wrecked and abandoned trailers were parked next to the end of this sheeting, and this constituted the entire fence. All kinds of old tires, wrecked cars and just general junk has been constantly stored in front of this, so called, "fence".

Requirement (2) Screening type shrubbery was to be planted between the fence and Earls Road to further screen the "junk area" and to beautify the property.

Compliance to No. (2) Absolutely no shrubbery was planted. Whatever weeds, briars, honeysuckle, etc. that volunteered has been allowed to grow. No maintenance, no mowing, etc. has ever been done.

Requirement (3) A ramshackle dwelling on the corner of this property on Earls Road was to be demolished and cleaned away.

Compliance to No. (3) The dwelling was razed by running a bulldozer through it. The debris was pushed into a large pile. This pile of debris is still in its original location today, some seven or eight years later.

Page -2-

February 8, 1977

As you can gather from the above, having this type eyesore and this type operation in the neighborhood does not create any happiness. To expand this operation is, in our opinion, totally unwarranted. Section 502.1 of the Baltimore County Zoning Regulations states that the operation requested must not be detrimental to the welfare of the area in order for the Special Exception to be granted. Compliance at the operation, which we have lived with for eight years, will convince anyone that this operation is detrimental to any neighborhood, no matter where.

In addition, there are already several other junk yards in the immediate area and seem to be actually abutting this property. However, the access to these yards is from Bengies Road and they are properly screened and maintained. For all of these above reasons, the Bird River Civic Association and neighbors respectfully request that this Special Exception be denied and that whatever procedures need to be instituted in order to get the original Special Exception back into compliance be implemented. Certainly one cancer in any neighborhood is bad, but to legally allow it to increase in size and scope is not in the context of reasonable zoning.

Thank you for your consideration of these items regarding this matter. Please enter my name on your records to be notified of your final decision in this matter.

Yours truly,
BIRD RIVER CIVIC ASSOCIATION
[Signature]
Raymond Reiner, President

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
 for Junk Yard : COUNTY BOARD OF APPEALS
 W/S of Earl's Road 2180 feet West of : OF
 Eastern Avenue : BALTIMORE COUNTY
 15th District : File No. 77-149-X
 George and Clara Slater, Petitioners :
 G & H Motors, Inc. :
 Contract Purchaser :

OPINION

This case comes before this Board on an appeal from a decision of the Zoning Commissioner granting the requested special exception for a junk yard use in an M.H.-L.M. zoned area. This case was heard "de novo" in its entirety on June 12, 1979, and from testimony presented the following facts became evident.

The subject property consists of ten (10) acres of land located in an M.L.-L.M. district. The rear 5 acres of this parcel is already leased to Hercules Auto Parts and is presently being used as a junk yard. This rear section abuts or is in very close proximity to two already existing junk yards, i.e. Erving's Auto Parts and Orinoff's Auto Parts. On the north, the property abuts another existing junk yard that has been in operation for some years. Directly across the road from this parcel is a large active sand and gravel mining operation owned by the Flintlake Corporation. The rest of the surrounding land abutting this parcel is wooded and unused. An onsite inspection by a member of this Board confirmed all of these facts, and also noted that the wooded area to the south was very marshy, with large areas of standing water, and did not seem suitable for residential development. No homes were visible from this property in any direction. From these conditions as presented and with the M.L.-L.M. zoning, it is the opinion of this Board that the proposed use for this parcel is proper.

However, the question of Section 408 of the Baltimore County Zoning Regulations as applied to this property, was raised in open hearing. As previously noted, the subject property contains 10 acres. The rear 5 acres is already properly zoned and leased to Hercules Auto Parts. The Petitioner asks a special exception for the road front 5 acres so it can be leased to Chase Auto Parts, a firm specializing in dismantling and selling used

foreign car parts. None of these firms are in any way connected with each other or with the property owner, but are separate individual independent businesses, leasing land from the owner for their own respective uses.

Section 408.1 states:

"The area of land to be used shall not be less than 1 acre or more than 5 acres."

In the Board's opinion, Section 408.1 would not apply in this case. It should be noted that ownership of the land involved is not mentioned. The section clearly states "The area of land to be used" etc., and the requested special exception meets these area requirements. The requested special exception also meets all the requirements of Section 502.1.

After due consideration of all the physical aspects of the parcel's location and zoning, and the application of these two sections of the Baltimore County Zoning Regulations, it is the opinion of this Board that the Zoning Commissioner's decision of May 15, 1978 was, in fact, correct, and will so order, with restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of July, 1979, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner, dated May 15, 1978, be affirmed, and the Special Exception GRANTED, subject to the following restrictions:

1. There be erected along the entire Earl's Road frontage a stockade type privacy fence, set 50' back from Earl's Road to shield the operation from view, and that said fence extend 50' along both property lines from this fence toward the rear of the property.
2. That some type of screening be planted between this fence and Earl's Road, and that this area be maintained in neat and orderly appearance.

3. That no vehicles be parked between this fence and Earl's Road.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William J. Blondell
 William J. Blondell, Acting Chairman
John A. Miller
 John A. Miller
Ray E. Estes
 Ray E. Estes

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
 W/S of Earles Road 2180' W of : OF BALTIMORE COUNTY
 Eastern Ave., 15th District : Case No. 77-149-X

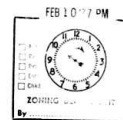
ORDER TO ENTER APPEARANCE

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 date which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kowaty, Jr.
 Charles E. Kowaty, Jr.
 Deputy People's Counsel
John W. Heslon, III
 John W. Heslon, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204

I HEREBY CERTIFY that on this 9th day of February, 1979, a copy of the foregoing Order was mailed to Richard R. Beauchemin, Esquire, 807 W. R. Grace Building, Baltimore, Maryland 21202, Attorney for Petitioners.

John W. Heslon, III
 John W. Heslon, III



RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
 W/S of Earles Rd., 2180' W of : OF BALTIMORE COUNTY
 Eastern Avenue, 15th District : Case No. 77-149-X
 GEORGE SLATER, et ux, Petitioners :

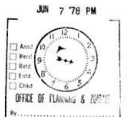
ORDER FOR APPEAL

Mr. Commissioner:
 Please note an appeal from your decision in the above-entitled case, under date of May 15, 1978, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
John W. Heslon, III
 John W. Heslon, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 9th day of June, 1978, a copy of the foregoing Order was mailed to Richard R. Beauchemin, Esquire, 807 W. R. Grace Building, Charles & Baltimore Streets, Baltimore, Maryland 21202, Attorney for Petitioners; William J. Blondell, Esquire, 628 Eastern Avenue, Baltimore, Maryland 21221; and Ray E. Estes, Esquire, 208 Washington Avenue, Towson, Maryland 21204, Attorneys for Protestants.

John W. Heslon, III



BALTIMORE COUNTY
 ZONING PLANS
 ADVISORY COMMITTEE

PETITION AND SITE PLAN
 EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 7, 1977

COUNTY OFFICE BLDG.
 111 W. Charles Ave.
 Towson, Maryland 21284
 Nicholas W.
 Acting 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

Richard R. Beauchemin, Esq.
 807 W. R. Grace Building
 Baltimore, Maryland 21202

RE: Special Exception Petition
 Item 123
 George & Clara Slater - Petitioners

Dear Mr. Beauchemin:

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 of the property. The following comments are a result of this review and inspection.

This currently vacant site, zoned M.H., is located on the west side of Earles Road approximately 2180 feet north of Eastern Avenue, in the 15th Election District. Adjacent properties are improved with residences to the north, an existing junk yard to the west and vacant land to the south.

This Special Exception is necessitated by your petitioner's proposal to establish a junk yard on this site. As indicated on the submitted site plan and coupled with Section 408 of the Zoning Regulations, your client should be reminded that no storage of junk or scrap is permitted within 30 feet of any property line, and 50 feet from the proposed future widening line, including the area to the south of the proposed building. This has been pointed out

Richard R. Beauchemin, Esq.
 Re: Item 123
 February 7, 1977
 Page 2

In light of the fact that the proposed fence is closer than 50 feet to the widening line. In addition, the aforementioned section states that no area of land so used for this use shall exceed five acres. In light of this, the area of the lot must be adjusted so as to comply with this requirement, and also verification that the proposed operation will not be a part of the existing junk yard to the west.

Particular attention should be afforded the comments of the Project and Development Planning office, as well as those of the Health Department.
 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,
Nicholas B. Commodari
 NICHOLAS B. COMMODARI,
 Acting Chairman, Zoning
 Plans Advisory Committee

NBC:JD
 Enclosure
 cc: Frank S. Lee
 1277 Neighbors Avenue
 Baltimore, Maryland 21207

**PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, **George A. Clara, Elizabeth**, legal owner(s) 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a **Special Exception**.

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

I, or we, agree to pay expense of above re-classification and/or Special Exception 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.

J. A. B. Williams, Inc.
1500 North Point Blvd.
Baltimore, Maryland 21219
Address: 1500 North Point Blvd.
Baltimore, Maryland 21219

George A. Clara, Elizabeth
1799 Glen Curtis Road
Baltimore, Maryland 21219

ORDERED: By the Zoning Commissioner of Baltimore County, this _____ day of _____, 1977, 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 held before the Zoning Commission of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1977, at _____ o'clock.

ORDER RECEIVED FOR FILING
DATE 1/15/77

FILED
1/15/77

MICROFILMED

177-149-X #123
X-6A1-66-6

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 7, 1977

CITY OFFICE BLDG.
111 E. CALVERT ST.
BALTIMORE, MARYLAND 21202

Nicholas W. Conner
City Planning Director

CHIEF OF BUREAU
PLANNING
TRAFFIC ENGINEERING
STATE BOARD COMMISSION
BUREAU OF PUBLIC PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
FIRE DEPARTMENT
BOARD OF EDUCATION
HUMAN ADMINISTRATION
SPURIAL DEVELOPMENT

Richard R. Beauchemin, Esq.
807 W. R. Grace Building
Baltimore, Maryland 21202

Re: Special Exception Petition
Item 123
George A. Clara Slater - Petitioners

Dear Mr. Beauchemin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of this 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.

This currently vacant site, sited N.E. is located on the west side of Baries Road approximately 2180 feet north of Eastern Avenue, in the 15th Election District. Adjacent properties are improved with residences to the north, an existing junk yard to the west and vacant land to the south.

This Special Exception is necessitated by your petitioner's proposal to establish a junk yard on this site. As indicated on the submitted site plan and coupled with Section 408 of the Zoning Regulations, your client should be reminded that no storage of junk or scrap is permitted within 30 feet of any property line, and 50 feet from the proposed future widening line, including the area to the south of the proposed building. This has been pointed out

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Richard R. Beauchemin, Esq.
Re: Item 123
February 7, 1977
Page 1

In light of the fact that the proposed fence is closer than 50 feet to the widening line, in addition, the aforementioned section states that no area of land so used for this use shall exceed five acres. In light of this, the area of the lot must be adjusted so as to comply with this requirement, and also verification that the proposed operation will not be a part of the existing junk yard to the west.

Particular attention should be afforded the comments of the Project and Development Planning office, as well as those of the Health Department.

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,
Nicholas W. Conner
Acting Chairman, Zoning Plans Advisory Committee

MBC:JD
Enclosure
cc: Frank S. Lee
1777 Neighbors Avenue
Baltimore, Maryland 21217

MICROFILMED



THORNTON M. SHOLLING, P.E.
DIRECTOR

January 21, 1977

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item 8123 (1976-1977)
Property Owner: George A. Clara Slater
W/E Baries Rd., 2180' N. Eastern Avenue
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03 District: 15th

Dear Mr. DiMenna:

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:

Baries Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way and realigned in this vicinity. Highway improvements are not required at this time. Highway right-of-way widening including any necessary reversible easements for slopes will be required in connection with any widening or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering.

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 Drainage:

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

Item 8123 (1976-1977)
Property Owner: George A. Clara Slater
Page 2
January 21, 1977

Storm Drainage (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 not available to serve this property. The Baltimore County Comprehensive Water and Sewerage Plan, adopted January 1976, indicates this property to be within the Urban Rural Conservation Line, in an "Existing Water Service Area with Planned Sewerage Service in 6 to 10 years".

Very truly yours,

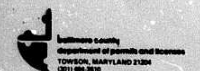
Edward B. Dwyer, P.E.
EDWARD B. DWYER, P.E.
Chief, Bureau of Engineering

MBC:EMM:PW:ee

cc: John Trimmer
John Bonars

S-W Bay Sheet
18 x 20 24 Pos. Sheets
NS 54 Topo
83 Top Map

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JOHN D. BEFFERT
DIRECTOR

December 14, 1976

Mr. S. Eric DiMenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21284

Dear Mr. DiMenna:

Comments on Item #123 Zoning Advisory Committee Meeting, December 13, 1976 are as follows:

Property Owner: George A. Clara Slater
Location: 478' Baries Road - 2230' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.

Acres: 5.03
District: 15th

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code (B.C.C.I.) 1976 Edition and the 1971 Supplement and other applicable codes.
- B. Building permit shall be required before construction can begin.
- C. Three sets of construction drawings will be required to file an application for a building permit.
- D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- E. Wood frame walls are not permitted within 7'0" of a property line. Current Building Department if distance is between 7'0" and 6'0" of property line.
- F. No comment.
- G. Requested setback measures conflict with the Baltimore County Building Code. See Section _____

Very truly yours,

Charles E. Dunham
Charles E. Dunham
Plans Review Chief
GMB:rcj

MICROFILMED

ORDER RECEIVED FOR FILING
DATE: May 19 1979
BY: [Signature]

Permitt to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met.

Special Exception for a junk yard should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of May, 1978, that the aforementioned Special Exception should be 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.

[Signature]
Zoning Commissioner of Baltimore County

Permitt to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of May, 1978, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain as is now zoned; and/or the Special Exception for a junk yard be and the same is hereby DENIED.

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RECEIVED BALTIMORE COUNTY
MAY 23 12 40 PM '79
COUNTY BOARD OF APPEALS
MAY 29, 1979

Baltimore County Board of Appeals
County Court House
Towson, Maryland 21204

Property Owners: George & Clara Slater
Locations: W/S Charles St. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard
Acres: 5.03
District: 15th

Very truly yours,
Ian J. Pomeroy, Director
BUREAU OF ENVIRONMENTAL SERVICES

MICROFILMED

baltimore county
department of public engineering
TOWSON, MARYLAND 21204
(301) 484-3500

January 24, 1977

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 #123, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:
Property Owner: George and Clara Slater
Location: W/S Earles Road 2180' N. Eastern Ave
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard
Acres: 5.03
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 type of paving must be indicated on the site plan. Evergreen screening should also be provided in addition to the screen fencing.
Junk should be prohibited from being stored or piled at a height greater than 5 1/2 feet unless the screening is increased to a greater height than proposed.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
W/S of Earles Road 2180' W of Eastern Ave., 15th District : OF BALTIMORE COUNTY
GEORGE SLATER, et ux, Petitioners : Case No. 77-119-X

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.

[Signature]
Charles E. Kautz, Jr.
Deputy People's Counsel

I HEREBY CERTIFY that on this 9th day of February, 1977, a copy of the foregoing Order was mailed to Richard R. Beauchemin, Esquire, 807 W. R. Grace Building, Baltimore, Maryland 21202, Attorney for Petitioners.

[Signature]
John W. Hession, III

FEB 10 7 17 AM
ZONING DEPARTMENT

MICROFILMED

baltimore county
department of public engineering
TOWSON, MARYLAND 21204
(301) 484-3500

January 13, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

RE: Item 123 - 2AC - December 13, 1976
Property Owner: George & Clara Slater
Location: W/S Earles Rd. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03
District: 15th

Dear Mr. DiNenna:
Should the requested special exception for a junk yard be granted, the developer will be required to meet all county standards in regards to entrance location, curb returns, etc.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate

MSF/hv

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
W/S of Earles Rd., 2180' W of Eastern Avenue, 15th District : OF BALTIMORE COUNTY
GEORGE SLATER, et ux, Petitioners : Case No. 77-119-X

Mr. Commissioners:
Please note an appeal from your decision in the above-entitled case, under date of May 15, 1978, to the County Board of Appeals; and forward all papers in connection therewith to said Board for hearing.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel

I HEREBY CERTIFY that on this 7th day of June, 1978, a copy of the foregoing Order was mailed to Richard R. Beauchemin, Esquire, 807 W. R. Grace Building, Charles & Baltimore Streets, Baltimore, Maryland 21202, Attorney for Petitioners; William J. Blondell, Esquire, 628 Eastern Avenue, Baltimore, Maryland 21221; and Roy E. Estes, Esquire, 208 Washington Avenue, Towson, Maryland 21204, Attorneys for Protestants.

[Signature]
John W. Hession, III

JUN 7 7 78 PM
OFFICE OF PLANNING & ZONING

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baltimore county
Department of Health
TOWSON, MARYLAND 21204

January 5, 1977

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

Dear Mr. DiNenna:
Comments on Item 123, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:

Property Owner: George & Clara Slater
Location: W/S Earles Rd. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03
District: 15th

Comments: Before final Health Department approval is granted, approved percolation tests and an approved water well must be provided.

Very truly yours,
Thomas H. Swelin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TSD/BJW/rth

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for Junk Yard : COUNTY BOARD OF APPEALS
W/S of Earle's Road 2180 feet West of Eastern Avenue 15th District : OF
George and Clara Slater : BALTIMORE COUNTY
Petitioners : File No. 77-149-X
G & C Motors, Inc. :
Contract Purchaser :

OPINION

This case comes before this Board on an appeal from a decision of the Zoning Commissioner granting the requested special exception for a junk yard use in an M.H.-1.M. zoned area. This case was heard "de novo" in its entirety on June 12, 1979, and from testimony presented the following facts became evident.

The subject property consists of ten (10) acres of land located in an M.L.-1.M. district. The rear 5 acres of this parcel is already leased to Hercules Auto Parts and is presently being used as a junk yard. This rear section abuts or is in very close proximity to two already existing junk yards, i.e. Ewing's Auto Parts and Orloff's Auto Parts. On the north, the property abuts another existing junk yard that has been in operation for some years. Directly across the road from this parcel is a large active sand and gravel mining operation owned by the Flintkote Corporation. The rest of the surrounding land abutting this parcel is wooded and unroad. An onsite inspection by a member of this Board confirmed all of these facts, and also noted that the wooded area to the south was very marshy, with large areas of standing water, and did not seem suitable for residential development. No homes were visible from this property in any direction. From these conditions as presented and with the M.L.-1.M. zoning, it is the opinion of this Board that the proposed use for this parcel is proper.

However, the question of Section 408 of the Baltimore County Zoning Regulation as applied to this property, was raised in open hearing. As previously noted, the subject property contains 10 acres. The rear 5 acres is already property zoned and leased to Hercules Auto Parts. The Petitioner asks a special exception for the rear 5 acres so it can be leased to Chase Auto Parts, a firm specializing in dismantling and selling used

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foreign car parts. None of these firms are in any way connected with each other or with the property owner, but are separate individual independent businesses, leasing land from the owner for their own respective uses.

Section 408.1 states:

"The area of land so to be used shall not be less than 1 acre or more than 5 acres."

In the Board's opinion, Section 408.1 would not apply in this case. It should be noted that ownership of the land involved is not mentioned. The section clearly states "The area of land so to be used" etc., and the requested special exception meets these area requirements. The requested special exception also meets all the requirements of Section 502.1.

After due consideration of all the physical aspects of the parcel's location and zoning, and the application of these two sections of the Baltimore County Zoning Regulations, it is the opinion of this Board that the Zoning Commissioner's decision of May 15, 1978 was, in fact, correct, and will so order, with restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of July, 1979, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner, dated May 15, 1978, be affirmed, and the Special Exception GRANTED, subject to the following restrictions:

- 1. There be erected along the entire Earl's Road frontage a stockade type privacy fence, set 50' back from Earl's Road to shield the operation from view, and that said fence extend 50' along both property lines from this fence toward the rear of the property.
2. That some type of screening be planted between this fence and Earl's Road, and that this area be maintained in neat and orderly appearance.

We suggest that the mere ownership of the land is not sufficient to defeat the subject special exception so long as the area conforms to the area requirements of 408.1.

Respectfully submitted,

ARNOLD, BEAUCHEMIN & TINGLE, P.A.

By:

Richard R. Beauchemin
Charles Center South
Suite 310
Charles & Lombard Streets
Baltimore, Maryland 21201
837-0215

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 15 day of June, a copy of the foregoing Memorandum was mailed to Peter Max Zimmerman, Deputy People's Counsel, County Office Building, Towson, Maryland 21204.

Richard R. Beauchemin
Richard R. Beauchemin

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- 3. That no vehicles be parked between this fence and Earl's Road.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Acting Chairman
John A. Miller
John A. Miller
Leroy M. Spitzer

MICROFILMED

Phone: 687-4932

FRANK S. LEE

Registered Land Surveyor
1277 HIGHGROVE AVE. - BALTIMORE, MD. 21207

November 26, 1976

O & H Utters
West side of Darles Road north of Eastern Avenue
15th District Baltimore County, Maryland

Beginning for the same on the west side of Darles Road at the distance of 2180 feet more or less measured along Darles Road from the west side of Eastern Avenue and thence running and binding on the west side of Darles Road North 13 degrees 58 minutes 50 seconds West 296 feet, thence leaving Darles Road for three lines of division as follows: South 69 degrees 16 minutes 10 seconds West 790.55 feet, South 20 degrees 46 minutes 50 seconds East 296.54 feet and North 69 degrees 13 minutes 10 seconds East 715.20 feet to the place of beginning.

Containing 5.03 acres of land more or less.

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RE: PETITION FOR SPECIAL EXCEPTION : COUNTY BOARD OF APPEALS
W/S of Earles Road, 2180' W : OF
of Eastern Avenue, : BALTIMORE COUNTY
15th District : FILE NO. 77-149 X
GEORGE SLATER, et ux, :
Petitioners :

MEMORANDUM

The above-captioned case having been granted a Special Exception - Junkyard before the Zoning Commissioner of Baltimore County on May 15, 1978 was heard on appeal on Tuesday, June 12, 1979. There were no protestants, however, the Deputy People's Counsel, Peter Max Zimmerman, Esquire, requested the Board of Appeals to clarify Section 408.1 of the Baltimore County Zoning Regulations.

Section 408.1 of the Baltimore County Zoning Regulations which were enacted in 1955 states under the caption of Junkyard the following:

The area of land so to be used shall be not less than one acre or more than five acres.

The subject property of five acres abuts and is contiguous to an additional five acres owned by the same party. The additional five acres is presently zoned junkyard and is leased to the Hercules Auto Parts, Inc., Corporation which is a separate legal entity from the owners of the entire ten acre tract. The proposed use of the subject property is to be leased to Chase Auto Recycling, Inc., another separate and completely distinct legal entity from not only the owners of the property but also from Hercules Auto Parts, Inc.

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RECEIVED
BALTIMORE COUNTY
JUL 16 1 21 PM '79
BY: [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiWenna, Zoning Commissioner Date: February 9, 1977
FROM: Norman E. Serber, Acting Director of Planning
SUBJECT: Petition #77-149-X - Petition for Special Exception for a Junk Yard. West side of Earles Road 2180 feet West of Eastern Avenue. Petitioner - George Slater and Clara Slater

15th District

HEARING: Monday, February 14, 1977 (1:00 P.M.)

Section 408 of the Baltimore County Zoning Regulations (JUNK YARDS) states, in part, that the "area of land so to be used shall not be less than 1 acre or more than 5 acres." A cursory examination of the tax map indicated that the subject 5.03-acre parcel is part of a 10-acre property (Tax Map 83, Parcel 1701; Geo. F. Slater; 4852/82; 10:00 A.).

Norman E. Serber
Acting Director of Planning

MEF:JGR:rw

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for Junk Yard : COUNTY BOARD OF APPEALS
W/S of Earl's Road 2180 feet West of : OF
Eastern Avenue : BALTIMORE COUNTY
15th District :
George and Clara Slater :
Petitioners : File No. 77-149-X
G & H Motors, Inc. :
Contract Purchaser :

OPINION

This case comes before this Board on an appeal from a decision of the Zoning Commissioner granting the requested special exception for a junk yard use in an M.H.-1-M. zoned area. This case was heard "de novo" in its entirety on June 12, 1979, and from testimony presented the following facts became evident. The subject property consists of ten (10) acres of land located in an M.L.-1-M. district. The rear 5 acres of this parcel is already leased to Hercules Auto Parts and is presently being used as a junk yard. This rear section abuts or is in very close proximity to two already existing junk yards, i.e. Ewing's Auto Parts and Crinoff's Auto Parts. On the north, the property abuts another existing junk yard that has been in operation for some years. Directly across the road from this parcel is a large active sand and gravel mining operation owned by the Flintkote Corporation. The rest of the surrounding land abutting this parcel is wooded and unused. An onsite inspection by a member of this Board confirmed all of these facts, and also noted that the wooded area to the south was very marshy, with large areas of standing water, and did not seem suitable for residential development. No homes were visible from this property in any direction. From these conditions as presented and with the M.L.-1-M. zoning, it is the opinion of this Board that the proposed use for this parcel is proper.

However, the question of Section 408 of the Baltimore County Zoning Regulations as applied to this property, was raised in open hearing. As previously noted, the subject property contains 10 acres. The rear 5 acres is already properly zoned and leased to Hercules Auto Parts. The Petitioner asks a special exception for the road front 5 acres so it can be leased to Chase Auto Parts, a firm specializing in dismantling and selling used

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foreign car parts. None of these firms are in any way connected with each other or with the property owner, but are separate individual independent businesses, leasing land from the owner for their own respective uses.

Section 408.1 states:

"The area of land to be used shall not be less than 1 acre or more than 5 acres."

In the Board's opinion, Section 408.1 would not apply in this case. It should be noted that ownership of the land involved is not mentioned. The section clearly states "The area of land to be used" etc., and the requested special exception meets these area requirements. The requested special exception also meets all the requirements of Section 502.1.

After due consideration of all the physical aspects of the parcel's location and zoning, and the application of these two sections of the Baltimore County Zoning Regulations, it is the opinion of this Board that the Zoning Commissioner's decision of May 15, 1978 was, in fact, correct, and will so order, with restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 18th day of July, 1979, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner, dated May 15, 1978, be affirmed, and the Special Exception GRANTED, subject to the following restrictions:

- 1. There be erected along the entire Earl's Road frontage a stockade type privacy fence, set 50' back from Earl's Road to shield the operation from view, and that said fence extend 50' along both property lines from this fence toward the rear of the property.
2. That some type of screening be planted between this fence and Earl's Road, and that this area be maintained in neat and orderly appearance.

MICROFILMED

- 3. That no vehicles be parked between this fence and Earl's Road.

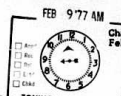
Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William J. Hockstetter, Zoning Commissioner, County Office Building, Towson, Maryland 21284. Acting Chairman. John A. Miller, William J. Hockstetter, John A. Miller, William J. Hockstetter, William J. Hockstetter, William J. Hockstetter.

MICROFILMED

GEORGE SLATER 77-149-X



Mr. Eric DiNenna, Zoning Commissioner, County Office Building, Towson, Maryland 21284.

Dear Sir: The Bird River Civic Association and neighborhood, in general, wish to go on record protesting the granting of a Special Exception for the enlargement of a "junk yard" on Earls Road, the hearing for which is set for 1:00 P. M., February 14, 1977 before you. Our main objections are as follows:

The Special Exception for the existing junk yard was heard by Deputy Zoning Commissioner, Edward D. Hardesty, on August 26, 1968 and was granted by him on November 14, 1968. At the hearing we protested in person and by way of a lengthy petition containing signatures from many area residents. The Special Exception was granted, but certain covenants or requirements were to be adhered to. They were as follows:

- Requirement (1) A fence, of a screening nature, was to be erected quite a distance back from Earls Road and no junk was to be visible from Earls Road.
Compliance to No. (1) About a dozen sheets of used corrugated roofing was nailed on to several sheets of used corrugated Three wrecked and abandoned metal posts planted in the ground, to the end of this sheeting, and this constituted the entire fence. All kinds of old tires, wrecked cars and just general junk has been haphazardly stored in front of this, so called, "fence".
Requirement (2) Screening type shrubbery was to be planted between the fence and Earls Road to further screen the "junk area" and to beautify the property.
Compliance to No. (2) Absolutely no shrubbery was planted. Whatever weeds, briars, honeysuckle, etc. that volunteered has been allowed to grow. No maintenance, no mowing, etc. has ever been done.
Requirement (3) A ramshackle dwelling on the corner of this property on Earls Road was to be demolished and cleaned away.
Compliance to No. (3) The dwelling was razed by running a bulldozer through it. The debris was pushed into a large pile. This pile of debris is still in its original location today, some seven or eight years later.

MICROFILMED

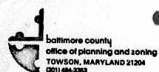
As you can gather from the above, having this type eyesore and this type operation in the neighborhood does not create any happiness. To grant this operation is, in our opinion, totally unwarranted. Section 502.1 of the Baltimore County Zoning Regulations states that the area in order for the Special Exception to be granted. Compliance at the operation, which we have lived with for eight years, will convince anyone that this operation is detrimental to the neighborhood, no matter where.

In addition, there are already several other junk yards in the immediate area and seem to be actually abutting this property. However, the access to these yards is from Bengies Road and they are properly screened and maintained. For all of these above reasons, the Bird River Civic Association and neighbors respectfully request that this Special Exception be denied and that whatever procedures need to be instituted in order to get the original Special Exception back into compliance be implemented. Certainly one concern in any neighborhood is bad, but to legally allow it to increase in size and scope is not in the context of reasonable zoning.

Thank you for your consideration of these items regarding this matter. Please enter my name on your records to be notified of your final decision in this matter.

Yours truly, BIRD RIVER CIVIC ASSOCIATION, Raymond K. Reiner, President.

MICROFILMED



S. ERIC DINENNA, ZONING COMMISSIONER

May 15, 1978

Richard R. Beauchemin, Esquire, 807 W. R. Grace Building, Charles and Baltimore Streets, Baltimore, Maryland 21202

RE: Petition for Special Exception W/S of Earles Road, 2180' W of Eastern Avenue - 15th Election District, George Slater, et ux - Petitioners NO. 77-149-X (Item No. 123)

Dear Mr. Beauchemin:

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

Very truly yours, S. ERIC DINENNA, Zoning Commissioner

Attachments: William J. Blondell, Esquire, 628 Eastern Avenue, Baltimore, Maryland 21221; Roy E. Estes, Esquire, 208 Washington Avenue, Towson, Maryland 21284; John W. Hesston, III, Esquire, People's Counsel

MICROFILMED

July 18, 1979

John W. Hesston, III, Esq., People's Counsel, County Office Building, Towson, Md. 21284

Re: File No. 77-149-X, George and Clara Slater

Dear Mr. Hesston:

Enclosed herewith is copy of Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours, Muriel E. Buddemeier

Encl.

- cc: Richard R. Beauchemin, Esq., Mr. George Slater, William J. Blondell, Esq., Roy E. Estes, Esq., Ms. Vera Rose, Mr. Orson E. Reed, Mrs. L. K. Perkins, Mr. Russell P. Rose, Mr. Clifford L. Chisholm, Mr. Nathaniel Reed, Mr. Reginald E. Meyers, Mr. J. W. Gossnell, Jr., Mr. Robert W. Nishols, Mr. William Hammond, Mr. James E. Dyer, Mr. Leslie Groat, Mr. James Harnell, Board of Education

MICROFILMED

LAW OFFICES, WILLIAM J. BLONDELL, JR., CHARTERED, 828 EASTERN AVENUE, BALTIMORE, MARYLAND 21201

February 15, 1977

WILLIAM J. BLONDELL, JR., HATIMON J. CANNOLAR, RUTHLENE M. O'CONNELL

Honorable S. Eric DiNenna, Zoning Commissioner for Baltimore County, County Office Building, Towson, Maryland 21284

Re: 77-149X, The Petition of George and Clara Slater and James Gossnell

Dear Mr. DiNenna:

Kindly enter my appearance on behalf of the protestants set forth below:

- Vera Rose, 3006 Bengies Road, Baltimore, Maryland 21220; Grace E. Reed, Route 16, Box 518-1/2, Baltimore, Maryland 21220; Mrs. L. K. Perkins, 201 Earls Road, Baltimore, Maryland 21220; Russell P. Rose, 3006 Bengies Road, Baltimore, Maryland 21220; Clifford L. Chisholm, 3001 Bengies Road, Baltimore, Maryland 21220; Nathaniel Reed, Route 16, Box 518-1/2, Baltimore, Maryland 21220



MICROFILMED

S. Eric DiNenna

February 15, 1977

Reginald E. Meyers, 140 Earles Road, Baltimore, Maryland 21220

Very truly yours, William J. Blondell, Jr.

WJB:gp

MICROFILMED

Richard B. Deanehans, Eng.
207 W. B. Green Building
Baltimore, Md. 21202

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Item 123

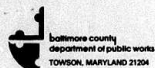
Your Petition has been received and accepted for filing
this 13th day of December 1976.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: George & Clara Slater

Reviewed by: *Nicholas B. Comodari*
Nicholas B. Comodari,
Planning & Zoning
Associate III

cc: Frank S. Lee
1177 East Chesapeake Avenue
Baltimore, Md. 21207



THOMYON M. MAZURKO, P.E.
DIRECTOR

January 21, 1977

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

Re: Item #123 (1976-1977)
Property Owner: George & Clara Slater
W/S Earle's Rd. 2180' N. Eastern Avenue
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03 District: 15th

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

Earle's Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way and realigned in this vicinity. Highway improvements are not required at this time. Highway right-of-way widening including 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 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 Drainage

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

Item #123 (1976-1977)
Property Owner: George & Clara Slater
Page 2
January 21, 1977

Storm Drainage: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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 not available to serve this property. The Baltimore County Comprehensive Water and Sewerage Plan, adopted January 1976, indicates this property to be within the Urban Rural Demarcation Line, in an "Existing Water Service Area with Planned Sewerage Service in 6 to 10 years".

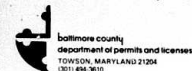
Very truly yours,

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

END:EAM:PMR:SS

cc: John Trenner
John Somers

Z-W Key Sheet
19 + 20 NE 42 Pos. Sheets
NE 5K Topo
83 Tax Map



JOHN A. SEVRETT
DIRECTOR

December 11, 1976

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

Dear Mr. DiNenna:

Comments on Item #123 Zoning Advisory Committee Meeting, December 13, 1976 are as follows:

Property Owner: George & Clara Slater
Location: W/S Earle's Road - 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.

Acres: 5.03
District: 15th

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- B. building permit shall be required before construction can begin.
- C. Three sets of construction drawings will be required to file an application for a building permit.
- D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- F. No comment.
- G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CSB:rr



STEPHEN E. COLLINS
DIRECTOR

January 13, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 123 - ZAC - December 13, 1976
Property Owner: George & Clara Slater
Location: W/S Earle's Rd. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03
District: 15th

Dear Mr. DiNenna:

Should the requested special exception for a junk yard be granted, the developer will be required to meet all county standards in regards to entrance location, curb returns, etc.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF/hv



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

January 5, 1977

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

Dear Mr. DiNenna:

Comments on Item 123, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:

Property Owner: George & Clara Slater
Location: W/S Earle's Rd. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.
Acres: 5.03
District: 15th

Comments: Before final Health Department approval is granted, approved percolation tests and an approved water well must be provided.

Very truly yours,

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

THD/SLW/rth



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

May 29, 1979

Baltimore County Board of Appeals
County Court House
Towson, Maryland 21204

Dear Sirs:

The following are additional comments on Item #123, Zoning Advisory Committee Meeting, December 13, 1976:

Property Owners: George & Clara Slater
Location: W/S Earle's Rd. 2180' N Eastern Ave.
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard
Acres: 5.03
District: 15th

According to the Soil Conservation Service maps, the soil in this area is classified as sassafras (SIA) which is sandy loam and is rated as slight for underground sewage disposal. This property is located within the coastal plain; therefore, soil testing is permitted only from February 1 through April 30.

The Slater property is located within the 11-30 year sewer service area in accordance with the Baltimore County Comprehensive Sewerage Plan.

Very truly yours,

Jan J. Furwai
Jan J. Furwai, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/WG/rth

cc: Pete Zimmerman

RECEIVED
BALTIMORE COUNTY
MAY 29 12 46 PM '79
COUNTY BOARD
OF APPEALS
BY: _____

January 24, 1977

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 #123, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:

Property Owner: George and Clara Slater
Location: W/S Earle's Road 2180' N. Eastern Ave
Existing Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard
Acres: 5.03
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 type of paving must be indicated on the site plan. Evergreen screening should also be provided in addition to the screen fencing.

Junk should be prohibited from being stored or piled at a height greater than 5 1/2 feet unless the screening is increased to a greater height than proposed.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planner III
Project and Development Planning

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 10, 1976

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

Z.A.C. Meeting of: December 13, 1976

Re: Item 123
Property Owner: George & Clara Slater
Location: 825 Earles Road 2180' N. Eastern Ave.
Present Zoning: H.H.
Proposed Zoning: Special Exception for a junk yard.

District: 15th
No. Acres: 5.03

Dear Mr. DiNenna:

No hearing on student population.

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

NSP/ml

CERTIFICATE OF PUBLICATION
TOWSON, MD. January 27, 1977
THIS IS TO CERTIFY THAT THE ANNEXED ADVERTISEMENT WAS PUBLISHED IN THE JEFFERSONIAN, A WEEKLY NEWSPAPER PRINTED AND PUBLISHED IN TOWSON, BALTIMORE COUNTY, MD., ONCE IN EACH OF SEVEN SUCCESSIVE WEEKS BEFORE THE 14th DAY OF FEBRUARY, 1977, THE 14th PUBLICATION APPEARING ON THE 27th DAY OF JANUARY, 1977.
H. Leach
THE JEFFERSONIAN,
Manager.
Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 27, 1977

THIS IS TO CERTIFY THAT THE ANNEXED ADVERTISEMENT WAS PUBLISHED IN THE JEFFERSONIAN, A WEEKLY NEWSPAPER PRINTED AND PUBLISHED IN TOWSON, BALTIMORE COUNTY, MD., ONCE IN EACH OF SEVEN SUCCESSIVE WEEKS BEFORE THE 14th DAY OF FEBRUARY, 1977, THE 14th PUBLICATION APPEARING ON THE 27th DAY OF JANUARY, 1977.

H. Leach
THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 Jan. 27, 1977

THIS IS TO CERTIFY THAT THE ANNEXED ADVERTISEMENT OF Petition for Special Exception was inserted in the following:

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 14th day of February, 1977, that is to say, the same was inserted in the issues of Jan. 27, 1977.

STROMBERG PUBLICATIONS, INC.

By *Pete Strunk*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 15th day of December 1976. Filing Fee \$..... Received Check Cash Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner J.W. Cornell Submitted by J.W. Cornell
Petitioner's Attorney Richard B. Benschman Reviewed by Richard B. Benschman

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 7-7-78

Posted for: Board of Appeals

Petitioner: _____

Location of property: _____

Location of Signs: 445 Earles Road 2180' W. of
Charles Eastman

Remarks: _____

Posted by: G. Pallard Date of return: 7-7-78

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 2-22-77

Posted for: Henry Wasyk Feb. 14, 1977, 11:00 AM

Petitioner: Henry Wasyk

Location of property: 445 Earles Rd 2180' West of Earles Ave.

Location of Signs: Sign on East side of Earles Road

Remarks: _____

Posted by: Paul H. Hess Date of return: 2-2-77

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 19th day of December 1976.

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner George A. Clara Slater
Petitioner's Attorney Richard B. Benschman Reviewed by Richard B. Benschman
or Frank S. Lee
1377 Baltimore Avenue
Baltimore, Md. 21207
Richard B. Benschman,
Planning & Zoning
Associate III



BALTIMORE COUNTY, MARYLAND No. 73347
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: June 26, 1978 ACCOUNT: 01-662
AMOUNT: \$75.00
RECEIVED John V. Heslian, III, Esquire
Cost of Appeal for Petition for Special Exception
for Case No. 77-119-X
75.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 42868
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: January 21, 1977 ACCOUNT: 01-662
AMOUNT: \$50.00
RECEIVED G-M Motors, Inc., 1500 North Point Blvd., Balto., Md. 21293
Petition for Special Exception for George Slater
77-119-X
50.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 46406
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: Feb. 11, 1977 ACCOUNT: 01-662
AMOUNT: \$12.25
RECEIVED Messrs. Arnold, Benschman & Huber, 807 W. E. Grace Bldg., Charles and Balto. Sts., Baltimore, Md. 21202
Advertising and posting of property for George Slater - 77-119-X
12.25
VALIDATION OR SIGNATURE OF CASHIER

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 10, 1976

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

Z.A.C. Meeting of: December 13, 1976

Re: Item 123
Property Owner: George & Clara Slater
Location: 905 Earles Road 2180* N. Eastern Ave.
Present Zoning: M.H.
Proposed Zoning: Special Exception for a junk yard.

District: 15th
No. Acres: 5.03

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

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

NNP/ml

CELESTINE M. BRIDGMAN, PRESIDENT
E. BARBARA MULLINEY, JR., VICE-PRESIDENT
JOHN JOHNSON, SECRETARY

WAFERD W. STERNIS
TUDOR M. BROWN
WILLIAM L. GARDNER, JR., CLERK

NORRIS B. ROBERTS
WALTER W. WATSON
ROBERT W. HARRIS, JR., TREASURER

CERTIFICATE OF PUBLICATION
TOWSON, MD. January 27, 1977
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of three successive weeks before the 14th day of February 1977, the RZA publication appearing on the 21th day of January 1977.
THE JEFFERSONIAN,
H. Leank Shultz
Manager
Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 27, 1977
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of three successive weeks before the 14th day of February 1977, the RZA publication appearing on the 21th day of January 1977.

THE JEFFERSONIAN,
H. Leank Shultz
Manager

Cost of Advertisement, \$.....

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 42868
DATE: January 24, 1977 ACCOUNT: 01-662
AMOUNT: \$50.00
FROM: George & Clara Slater, 1650 North Point Blvd., Balto., Md. 21117
FOR: Petition for Special Exception for George Slater 77-110-X
\$46.00 50.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 46406
DATE: Feb. 14, 1977 ACCOUNT: 01-662
AMOUNT: \$12.25
FROM: Messrs. Arnold, Samochin & Babor, 807 W. E. Street 2122, Chesapeake and Balto., Wis.
FOR: Baltimore, Md. 21202
Advertising and posting of property for George Slater 77-110-X
\$25.00 14 42.25
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 73347
DATE: June 26, 1978 ACCOUNT: 01-662
AMOUNT: \$75.00
RECEIVED: John V. Messian, III, Requirer
FOR: Cost of Appeal for Petition for Special Exception for George Slater 77-110-X
\$25.00 42.25 27 75.00
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 15
Posted for: Board of Appeals
Petitioner: George Slater
Location of property: 905 Earles Road, 2180* N. of Earles Avenue
Location of Sign: W. Earles Road, 2180* N. of Earles Avenue
Remarks: Petition for Special Exception for George Slater 77-110-X
Posted by: *G. Slater*
Signature Date of return: 7-7-78

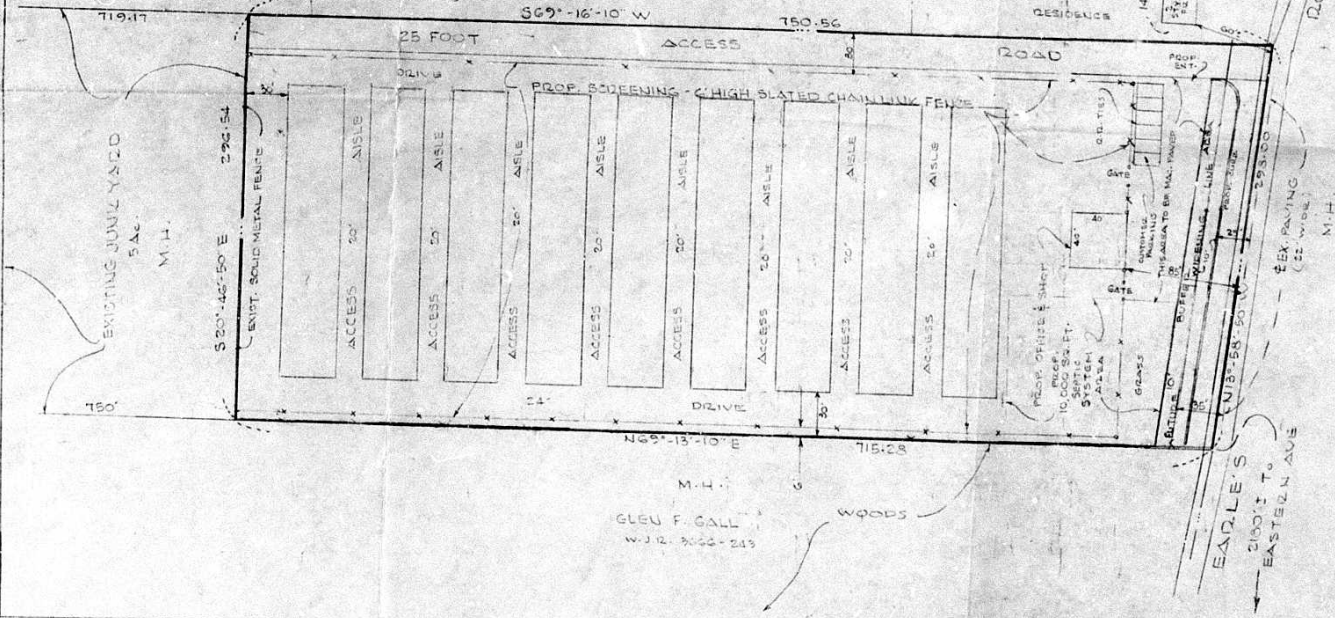
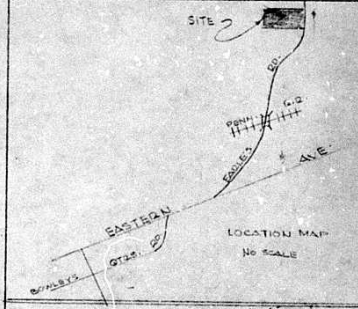


CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 15
Posted for: Henry Brady, 2114 14th St. N.W., Wash. D.C.
Petitioner: Henry Brady
Location of property: 1450 E. 14th St. N.W. of Wash. D.C.
Location of Sign: 1450 E. 14th St. N.W. of Wash. D.C.
Remarks: Petition for Special Exception for Henry Brady
Posted by: *W. H. Hest*
Signature Date of return: 2-2-77

OFFICE OF THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 Jan. 27, 1977
THIS IS TO CERTIFY that the annexed advertisement of Petition for Special Exception was inserted in the following:
 Casonville Times Towson Times
 Dundalk Times Arbutus Times
 Essex Times Community Times
 Suburban Times East Suburban Times West
weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 14th day of February 1977, that is to say, the same was inserted in the issues of Jan. 27, 1977.
MICROFILMED STROMBERG PUBLICATIONS, INC. BY: *Peter Shink*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 15th day of October 1976. Filing Fee \$..... Received Check Cash Other
S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner
Petitioner: *J.W. Powell* Submitted by: *J.W. Powell*
Petitioner's Attorney: *Richard B. Bannock* Reviewed by: *Richard B. Bannock*
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.
MICROFILMED

Item 123
Richard B. Bannock, Esq.
607 W. E. Green Building
Baltimore, Md. 21202
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 15th day of December 1976.
S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner
Petitioner: *George & Clara Slater*
Petitioner's Attorney: *Richard B. Bannock* Reviewed by: *Richard B. Bannock*
cc: Frank S. Lee
1177 Delaplace Avenue
Baltimore, Md. 21237
MICROFILMED



EXIST. USE - NONE
 PROP. USE - JUNK YARD
 EXIST. ZONING - M.H.
 FLOOR, FOUND. - M.H., WITH A SPECIAL EXCEPTION FOR A JUNK YARD.
 AREA OF LOT - 503 SQ. AC.
 AREA OF PROP. BLDG. - 10,000 SQ. FT.
 EXIST. UTILITIES - NONE

NOTE: M.H. ZONE EXTENDS 300' ON ALL SIDES BEYOND PROPERTY.

PARKING DATA

NO. OF CUSTOMER SPACES REQ. (1/2 passenger) (8 spaces @ 9.4 FT. x 5.5 spaces @ 8.5 FT.) = 11 SPACES
 NO. OF TRUCKS PROVIDED - 2 SPACES
 DRIVE LANE AND ACCESS AISLES TO BE PAVED WITH A DULABLE DUSTLESS SUBBASE.

PROPOSED JUNK YARD FOR
G.H. MOTORS

15th DISTRICT BALTIMORE COUNTY, MARYLAND
 2004.8.11.1500 DATE: 11.25.12

28
 M. H.
 11/27/12
 11/11



FRANK S. LIFE
 117 ANDERSON AVE
 BALTIMORE, MD. 21201

BENGIES RD.

EARLS RD.

WOODED AREA

WOODED AREA

WOODED AREA

CAMPBELL'S SAND + GRAVEL PITS

- A - 521 EARLS RD
- B - Reggie Meyers
- C - CLIFFORD CHISHOLM
3001 BENGIES RD.
- D - 518 1/2 REED
- E - RUSSELL ROSE
3006 BENGIES RD

EWING'S JUNKYARD

A

B

WOODED AREA

WOODED AREA

UNUSED LAND

UNUSED LAND

4 HOUSES

BAR

HOUSE

C

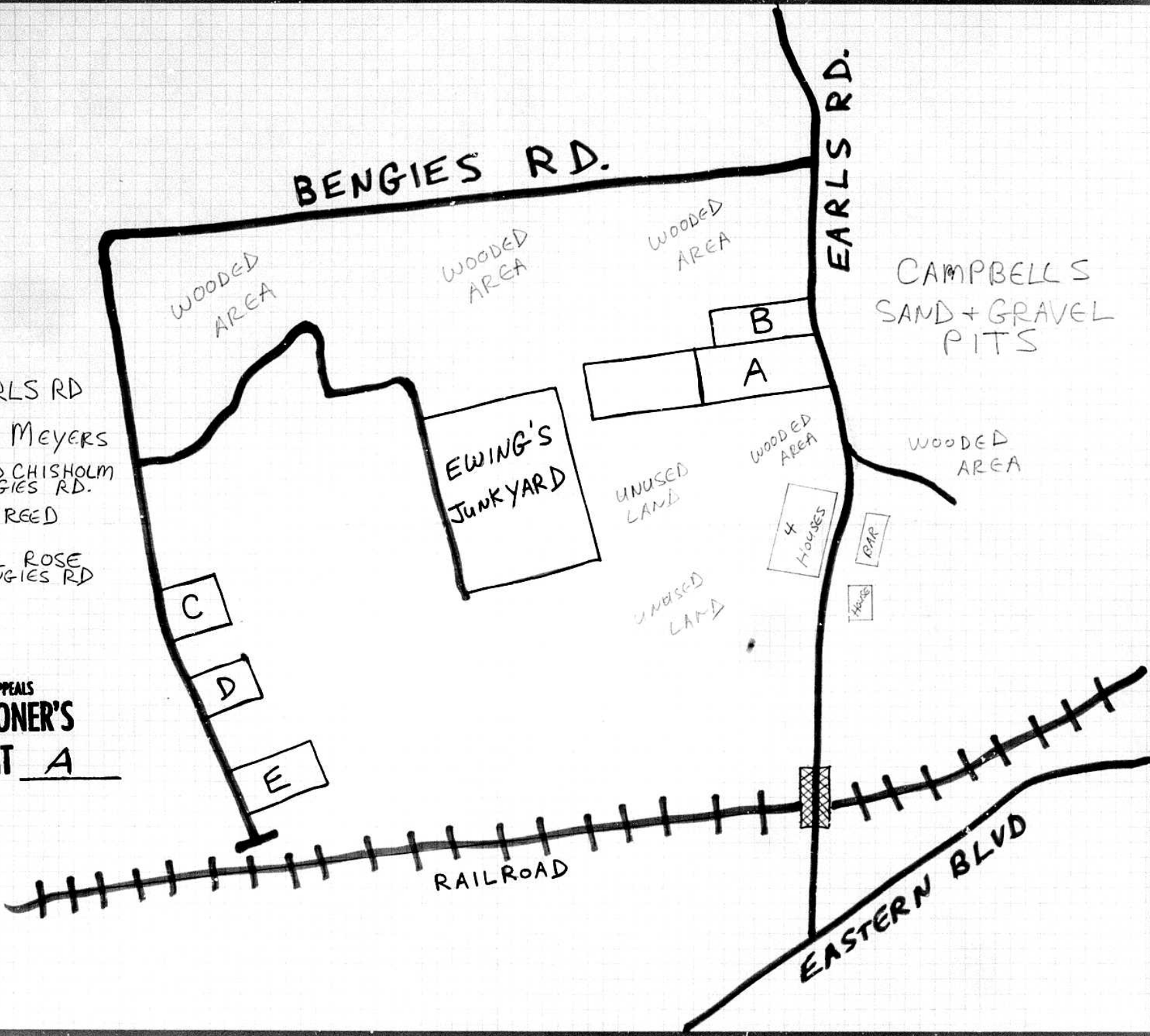
D

E

BOARD OF APPEALS
PETITIONER'S
EXHIBIT A

RAILROAD

EASTERN BLVD



BENGIES RD.

EARLS RD.

WOODED AREA

WOODED AREA

WOODED AREA

CAMPBELL'S
SAND + GRAVEL
PITS

- A - 521 EARLS RD
- B - Reggie Meyers
- C - CLIFFORD CHISHOLM
3001 BENGIES RD.
- D - 518 1/2 REED
- E - RUSSELL ROSE
3006 BENGIES RD

EWING'S
JUNKYARD

UNUSED
LAND

WOODED
AREA

WOODED
AREA

4
Houses

BAR

Houses

UNUSED
LAND

BOARD OF APPEALS
PETITIONER'S
EXHIBIT A

C

D

E

B

A

RAILROAD

EASTERN BLVD

MICROFILMED

