

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Walter L. Brewer, legal owner of the property situate in Baltimore County and which is described in the plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming use of the subject property for the storage of plumbing supplies.

See attached description

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

Contract Purchaser: Walter L. Brewer
Address: 3 Roosevelt Street
Timonium, Maryland 21093
Protestant's Attorney: John W. Hession, III
Address: 204 West Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY the Zoning Commissioner of Baltimore County, this 23rd day of April, 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 24th day of April, 1978, at 10:00 o'clock A.M.

(over)

April 3, 1978

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
NE/corner of Broad Avenue and
Roosevelt Street - 8th Election District
Walter L. Brewer - Petitioner
NO. 78-90-SPH (Item No. 37)

Dear Mr. Williams:

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

Very truly yours,

Eric D. Nenna
Zoning Commissioner

SED/me

Attachments

cc: Mr. & Mrs. Michael Farinacci
106 Roosevelt Street
Timonium, Maryland 21093

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

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
NE/corner of Broad Avenue and : ZONING COMMISSIONER
Roosevelt Street - 8th Election District :
Walter L. Brewer - Petitioner : OF
NO. 78-90-SPH (Item No. 37) :
: BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition for a Special Hearing to approve a nonconforming use for the storage of plumbing supplies. The property is located on the northeast corner of Broad Avenue and Roosevelt Street, in the Eighth Election District of Baltimore County.

A hearing was conducted in the Zoning Commissioner's hearing room and, subsequent thereto, on the subject property. Residents of the area were present at both hearings.

The property in question, as alleged, has operated as a plumbing supply yard for many years. The property owner now wishes to construct a building to store his supplies.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearings, in the judgment of the Zoning Commissioner, a portion of the subject property does enjoy a nonconforming use for the storage of plumbing supplies. Further, the Petitioner and the residents of the area have entered into an agreement. A copy of a letter, dated November 4, 1977, setting forth the provisions of the agreement, is attached hereto and made a part hereof as Zoning Commissioner's Exhibit No. 1. Said nonconforming use is enjoyed on Lot Nos. 57 through 62, as indicated on the plat attached hereto and made a part hereof and shown as Zoning Commissioner's Exhibit No. 2.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of April, 1978, that a Special Hearing to approve

AFFIDAVIT

LEGAL DESCRIPTION:
Beginning at a point at the northeast corner of Broad Avenue and Roosevelt Street being lots #19 thru 37 and 44 thru 62 of Timonium Heights as recorded in the land records of Baltimore County in Liber #5; Folio #82.

a nonconforming use for the storage of plumbing supplies, on that portion of the property indicated as Lot Nos. 57 through 62 on the attached plat, which hereto has been made a part hereof, and shown as Zoning Commissioner's Exhibit No. 2, should be and the same is GRANTED, from and after the date of this Order, subject to incorporation of the conditions set forth in the attached letter of November 4, 1977, and shown as Zoning Commissioner's Exhibit No. 1, it being intended that these conditions be incorporated herein and made a part hereof as restrictions and conditions of the granting of this Special Hearing.

It is further ORDERED that the rest and residue of the subject property does not enjoy a nonconforming use for the storage of plumbing supplies and that that portion of the property can be used only in accordance with the zoning classification it may enjoy.

Walter L. Brewer
Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE/corner of Broad Ave. & Roosevelt St., :
8th District : OF BALTIMORE COUNTY
WALTER L. BREWER, Petitioner : Case No. 78-90-SPH

ORDER TO ENTER APPEARANCE

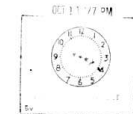
Mr. Commissioner:

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

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

I HEREBY CERTIFY that on this 11th day of October, 1977, a copy of the foregoing Order was mailed to Mr. Walter L. Brewer, 3 Roosevelt Street, Timonium, Maryland 21093, Petitioner.

John W. Hession, III
John W. Hession, III



TO: Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
Towson, Maryland 21204

I swear and affirm as follows:

My name is Gilbert H. Dorn and I reside at 2418 York Rd. I am 67 years of age. I am familiar with the property at Broad and Roosevelt Avenues, Timonium, Maryland, owned by Walter L. Brewer and was familiar with said property on January 2, 1945, when the Baltimore County Zoning laws became effective. At that time I resided at 2418 York Rd.

Of my own knowledge, there were plumbing materials, equipment, supplies and machinery stored on the said lots on January 2, 1945, and for a considerable period of time prior thereto. Mr. Brewer was engaged in the plumbing business prior to 1945. He resided at 3 Roosevelt Avenue immediately opposite the lots in question and conducted his business from 3 Roosevelt Avenue and said lots were used by him to store equipment and materials used in his plumbing business. The said lots have been continuously used for the storage of materials and equipment since prior to 1945 in the same manner in which they were used at the present time.

Walter L. Brewer
Witness

Gilbert H. Dorn
Affiant
2418 York Rd, Timonium, MD 21093
Address

Sworn to this 12 day of June, 1977, before me a

November 4, 1977



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

Re: Proposed Resolution of Brewer Special Hearing
 Case No. 78-90-SPH.

Dear Commissioner DiNenna:

On behalf of my client, myself, and everyone else involved, we wish to thank you for having come to the site and continued the hearing on November 3, 1977.

From our meeting on the site it is my understanding that you also recognize the existence of a nonconforming use for the storage of plumbing supplies and the use by Mr. Brewer in connection with his long existing plumbing business of a portion of the two-plus acre property which is the subject of this hearing.

It is my understanding that based upon the discussion with the Farinaccis, the Adams and Mrs. Doda, that occurred on November 3, the following proposed resolution of the matter has been agreed upon by all:

1. Mr. Brewer is to be allowed to construct a 24' x 48' garage/storage building similar to that as shown in the Umbaugh Pole Building brochure, Petitioner's Exhibit 4;

2. The storage of plumbing materials and of trailers, backhoes, trucks and other plumbing equipment which is taking place on the subject property is to be concentrated on lots 57 through 62 at the northwest corner of the subject property in question;

3. The 126-foot frontage along Broad Avenue and the 125-foot frontage of Lots 57 through 62 along the north side of the Paper Alley which bisects Section I of Timonium

Commissioner's Exhibit
 #1

Page three

reaching what we believe to be a very fair result both for the neighborhood and for the property owner, I am

Respectfully,

Newton A. Williams
 Newton A. Williams

APPROVED AND AGREED AS ABOVE:

Doris Farinacci

Michael Farinacci

Gina Adams

Robert Adams

Mrs. Albert J. Doda

Walter L. Brewer
 Walter L. Brewer

Page two

Weights are to be both enclosed and screened by a 6-foot high or higher (at the option of Mr. Brewer) Page-type chain link fence with interwoven slats to form a physical barrier except on the gates, which are to be kept unscreened pursuant to Baltimore County Police procedures;

4. As soon as the building is constructed and legally available for occupancy the material stored in the semi-trailer on the property is to be stored indoors and the trailer removed from the property as per the pending District Court proceedings and proceedings in Violation Case 77-155-V, C-77-281, and we assume that the District Court proceedings will be stayed and the trailer allowed to remain until building permits can be obtained and the building actually built;

5. The premises are to be kept in a neat and orderly condition pursuant to Deputy Zoning Commissioner Martinak's Order of March 17, 1977, as well as pursuant to this letter of understanding and a similar condition which you may wish to incorporate into any Order in this matter;

6. The headquarters or office type trailer shall be allowed to remain but shall either be stored indoors or within the fenced and screened area; and

7. Mr. Brewer and all of the concerned neighbors are to cooperate with regard to the neighborhood problem being experienced with congregations of teenagers in the area, including incidents of vandalism, littering, etc.

Pursuant to your request and our discussions, copies of this letter are being sent to Mr. and Mrs. Farinacci, Mr. and Mrs. Adams, Mrs. Albert J. Doda and Mr. Brewer and we would ask that if this letter reflects their understanding of the agreement reached at the continued hearing on November 3, that they please sign two copies of this letter, returning one to this office and return the other in the enclosed, addressed envelope directly to your office for inclusion in your file.

Thanking you, your Deputy Mr. Martinak, Mr. Byrnes, and other members of your Staff for your assistance in

Page three

reaching what we believe to be a very fair result both for the neighborhood and for the property owner, I am

Respectfully,

Newton A. Williams
 Newton A. Williams

APPROVED AND AGREED AS ABOVE:

Doris Farinacci

Michael Farinacci

Gina Adams

Robert Adams

Mrs. Albert J. Doda

Walter L. Brewer

Since the meeting on November 3, I have never received any type of notification and specifically the letter of November 4.

I am opposed to any construction or use of the land in Timonium Heights that does not conform with the residential zoning of the neighborhood.

December 3, 1977

Pauline K. Doda
 Pauline K. Doda

Page three

reaching what we believe to be a very fair result both for the neighborhood and for the property owner, I am

Respectfully,

Newton A. Williams
 Newton A. Williams

APPROVED AND AGREED AS ABOVE:

Doris Farinacci
 Doris Farinacci

Michael Farinacci
 Michael Farinacci

Gina Adams

Robert Adams

Mrs. Albert J. Doda

Walter L. Brewer

Page three

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Respectfully,

Newton A. Williams
 Newton A. Williams

APPROVED AND AGREED AS ABOVE:

Doris Farinacci

Michael Farinacci

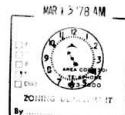
Gina Adams
 Gina Adams

Robert Adams
 Robert Adams

Mrs. Albert J. Doda

Walter L. Brewer

March 10, 1978



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

Re: Proposed Resolution of Brewer Special Hearing - Case No. 78-90-SPH.

Dear Commissioner DiNenna:

On February 22, the Honorable Gerard W. Wittstadt, sitting in the District Court, has continued Case No. 78-90-SPH for an additional 90 days, that is until May 22 of this year.

As you will recall, the only remaining claim to violation involves a trailer in which some plumbing supplies are being stored.

We know that you are extremely busy with the cycle zoning, but we would respectfully refer you to our letter of November 4, 1977, with the attached exhibit, a copy of which is enclosed herewith for your convenience. Both of the Adams agree that allowing the construction of a small garage-type building, fenced as outlined in our November 4 letter, with the other conditions set out therein, would be in the best interests of the neighborhood involved. Unfortunately, a Mrs. Doda, who is a resident of Timonium Heights but whose property is not located near the Brewer property does not agree.

As we have told you and as you know, Mr. Brewer is a long time resident of Timonium Heights, and his sons have been serving the community through their family plumbing business for many years. We know the construction of the small building requested and the construction of the nonconforming use of a portion of Mr. Brewer's

Page two

property for plumbing business use is in the best interests of the community, since it will be contained within a building or within a fenced, enclosed area.

If there is anything further that you need from this office, from our clients, or from any other connected with the case, please do not hesitate to contact us and we will make every effort to make such material available to you.

Thanking you for your consideration in this matter and awaiting any questions that you may have, I am

Respectfully,

Newton A. Williams
 Newton A. Williams

NAW/hl
 Enclosure
 cc: The Hon. Clarence E. Ritter, Esquire
 3rd District Councilman
 14239 Phoenix Road
 Phoenix, Maryland 21131

Mrs. Patricia Wilhuser
 Assistant to Councilman Ritter
 Court House
 Towson, Maryland 21204

James B. Byrnes, III
 Zoning Enforcement Supervisor
 County Office Building 21204

Mr. and Mrs. Jerome Adams
 102 Roosevelt Street
 Lutherville/Timonium, Md. 21093

Mr. and Mrs. Michael Farinacci
 196 Roosevelt Street 21093

Mr. Walter L. Brewer
 3 Roosevelt Street 21093

Mr. David Hardican
 Umbaugh Pole Building Co.
 P.O. Box 73
 Hanover, Penna. 17331

LAW OFFICES OF
NOLAN, PAT'NHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

December 7, 1977

JAMES D. NOLAN
J. EARLE PAT'NHOFF
WILLIAM A. WILLIAMS
WILLIAM M. HENSON, JR.
KENNETH M. HARTMAN
THOMAS J. REISNER

AREA CODE 410
TELEPHONE
831-7800

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

Re: Proposed Resolution of Brewer Special
Hearing Case No. 78-90-SPE.

Dear Commissioner DiNenna:

As you will recall, a hearing was held earlier this year in this matter, and it was followed by a meeting on the property on November 3rd. This meeting on the property was attended by both of the close neighbors, namely Mr. and Mrs. Adams and Mr. and Mrs. Farinacci, as well as by Mrs. Albert J. Doda - a representative of the Timonium Heights neighborhood.

We believe that Mrs. Doda's negative response to my letter of December 1st, enclosing a copy of a letter dated November 4th, may be based on certain misconceptions.

As you explained, and as we explained to the neighbors, Mr. Brewer has been found by the Deputy Zoning Commissioner to have a nonconforming use for the storage of plumbing materials, plumbing supplies and equipment on his property located on the north side of Harding Street, east of Broad Avenue in the Timonium Heights Area of Baltimore County.

As you know, under Section 104 of the Baltimore County Zoning Regulations, Mr. Brewer can continue to exercise this nonconforming use on an indefinite basis, and thus, the question is not whether there will be plumbing supplies stored on the property, but rather the question is in what manner will they be stored.

Mr. Brewer and the closest neighbors, the Farinaccis and the Adams believe that the most compatible manner of storage as far as the neighborhood is concerned is to

Page two

allow Mr. Brewer to construct a building of moderate size on the northwest corner of his property, and to enclose that building within a stockade fence with interwoven lattice work to further screen the property from neighboring properties.

As you told everyone involved in this case, this is not a change in the neighborhood on which other changes can be based, and any Order that you would write in this matter is based upon an attempt to make this nonconforming use more compatible with its neighbors.

We are hopeful that Mrs. Doda may reconsider her position, based upon these factors, but in any case we would respectfully point out to you that the neighbors most closely involved, namely the Farinaccis and the Adams, have expressed their approval of the proposed building.

There is no doubt whatsoever in my mind that the most appropriate way to handle it so far as the neighborhood is concerned is to allow Mr. Brewer to construct the small building which he requests and to enclose it with a stockade type of fence or a cyclone type of fence with interwoven slats as a barrier to visibility.

Accordingly, we would respectfully request that an appropriate Order containing the specific terms and conditions set out in my letter of November 4th be written, and that this matter be closed in a compatible manner which we have proposed. Thanking you and your Staff for your consideration of this matter, I am, with best regards of the season,

Respectfully,

Newton A. Williams
Newton A. Williams

NAM/h1

cc: James B. Byrnes, III
Zoning Enforcement Section
Zoning Commissioner's Office

Mrs. Albert J. Doda
104 Harding Street 21093

Mr. and Mrs. Michael Farinacci
106 Roosevelt Street 21093

Mr. and Mrs. Robert Adams
100 Roosevelt Street 21093

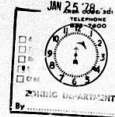
Mr. Walter L. Brewer
3 Roosevelt Street 21093

Mr. David Hardican
Umhaugh Pole Building Co.

LAW OFFICES OF
NOLAN, PAT'NHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

January 24, 1978

JAMES D. NOLAN
J. EARLE PAT'NHOFF
WILLIAM A. WILLIAMS
WILLIAM M. HENSON, JR.
KENNETH M. HARTMAN
THOMAS J. REISNER



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

Re: Proposed Resolution of Brewer Special
Hearing - Case No. 78-90-SPE.

Dear Commissioner DiNenna:

For your convenience I am enclosing another copy of my letter of November 4th with the seven points set out therein and also enclosed is a copy of the attached plat which is an exhibit to that November 4th letter and which may be of aid to you.

According to my notes the neighbors most closely affected, namely Mr. and Mrs. Farinacci and Mr. and Mrs. Adams, have expressed their approval of the points set out in my November 4th letter. However, Mrs. Doda, who lives at least a block away, indicated that she is not in favor of allowing the construction of this small garage and storage building, despite the advantages which both the Brewers and the other neighbors see in such a solution.

As you know, Mr. Brewer has been plagued by problems related to his property for several years now, and neighbors who originally raised the problem have moved from the neighborhood and the present occupants of the closest home formerly occupied by complaining parties are the Adams family, who have expressed their approval of this proposal.

Of course, nothing can be done during the Winter months, but if you are disposed to allow the construction of this small building which will be of considerable benefit to everyone concerned, Mr. Brewer and his contractor would hope to be in a position to do so as soon as the weather permits.

Page two

If it would be of aid to you, we would be happy to furnish any additional materials, but we believe that the details of the proposal which you might wish to incorporate in your Order are set out in points 1 through 7 in the enclosed letter of November 4th.

We know that your Office has been extremely busy since the 1st of the year, just as ours has. But Mr. Brewer is hopeful that this Winter will see a final resolution of this property. Thanking you for your attention to this matter, I am

Respectfully,

Newton A. Williams
Newton A. Williams

NAM/h1

Enclosure
cc: James B. Byrnes, III
Zoning Enforcement Supervisor
County Office Building
Towson, Md. 21204

Mr. and Mrs. Jerome Adams
102 Roosevelt Street
Lutherville/Timonium, Md. 21093

Mr. and Mrs. Michael Farinacci
106 Roosevelt Street 21093

Mr. Walter L. Brewer
3 Roosevelt Street 21093

Mr. David Hardican
Umhaugh Pole Building Co.
P.O. Box 73
Hanover, Pa. 17331

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 13, 1977

FROM: Leslie H. Grief, Director of Planning

SUBJECT: Petition #78-90-SPE, Petition for Special Hearing for a Nonconforming Use, Northeast corner of Broad Avenue and Roosevelt Street Petitioner - Walter L. Brewer

8th District

HEARING: Monday, October 24, 1977 (10:45 A.M.)

This office has no comment to offer on this type of petition.

Leslie H. Grief
Leslie H. Grief
Director of Planning

LHG:JHR

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Walter L. Brewer
3 Roosevelt Street
Towson, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

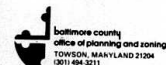
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 13th day of August 1977

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Walter L. Brewer
Petitioner's Attorney:

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee



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

Dear Mr. DiNenna:

Comments on Item #37, Zoning Advisory Committee Meeting, August 23, 1977, are as follows:

Property Owner: Walter Brewer
Location: NE/C Broad Avenue and Roosevelt Street
Existing Zoning: D.R.3.5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies

Acres: 2.227
District: 8th

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.

Since the petition is to determine a non-conforming use, this office will have no comment to make of this time.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning III

September 20, 1977

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 14, 1977

Mr. Walter L. Brewer
3 Roosevelt Street
Towson, Maryland 21203

RE: Special Hearing Petition
Item Number 37
Petitioner - Walter Brewer

Dear Mr. Brewer:

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, which is located on the northeast corner of Broad Avenue and Roosevelt Street in the 8th Election District, is currently zoned D.R. 3.5 as are the adjacent properties which are improved with single family dwellings. At the time of field inspection, two trailers, storage sheds, a stable and some construction equipment were existing on this property. However, it appeared that more construction equipment was stored on the lot on the south side of Roosevelt Street, also owned by you, than on the site in question. This site was the subject of a zoning violation hearing (Case #77-155-V) and this Special Hearing is being requested in order to determine whether a nonconforming use for the

Mr. Walter L. Brewer
Page 2
Item Number 37
October 14, 1977

storage of plumbing supplies exist on this property.

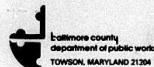
The submitted site plan lacks sufficient definitive information to determine the limits of the purported nonconforming use, therefore, it is impossible to determine whether the proposed building would exceed the limits of Section 104 of the Baltimore County Zoning Regulations. If it is decided that this site does enjoy a nonconforming status, the amount of expansion allowable should be determined at 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,

Nicholas B. Connodari
NICHOLAS B. CONNODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf



THORNTON M. MOURING, P.E.
DIRECTOR

September 13, 1977

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

Re: Item #37 (1977-1978)
Property Owner: Walter Brewer
N/E cor. Broad Ave. & Roosevelt St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.
Acreage: 2.227 District: 8th

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

Roosevelt Street, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Estelle street and Broad Avenue adjacent to this property, are unimproved 30-foot and 40-foot rights-of-way shown on the plat "Towson Heights" (recorded W.P.C. 5, Folio 82). These rights-of-way, if improved in the future as public roads, would also be as 30-foot closed section roadways on 50-foot rights-of-way. In that event, highway rights-of-way widenings, including any fillet areas for sight distance and any necessary reversible easements for slopes would be required in connection with any grading or building permit application.

It is the responsibility of the Petitioner to ascertain and clarify his rights in and to the unimproved alley which traverses this property, comprising Lots 19 through 37 and 44 through 62, Block "F" as shown on the plat "Towson Heights", recorded W.P.C. 7, Folio 82. Baltimore County has utility easement rights within the alleys and streets of "Towson Heights". The Petitioner is cautioned that encroachment by construction of any structure, including footings, will be permitted within County rights-of-way or utilities easements.

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

Setback 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.

Item #37 (1977-1978)
Property Owner: Walter Brewer
Page 2
September 13, 1977

Storm Drains

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 - result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water and Sanitary Sewer

A public water main exists in Roosevelt Street from York Road westerly to the east side of this property (Drawing #57-0439, File 3). Public sanitary sewerage exists in Roosevelt Street and Broad Avenue. Additional fire hydrant protection is required in the vicinity.

This property is tributary to the Jones Falls Sanitary Sewer System, subject to State Health Department regulations.

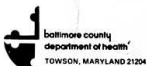
Very truly yours,

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

END;EAM:PMH:ss

cc: W. Minchell

S-W Key Sheet
58 NW 4 Pos. Sheet
See 15 A Type
51 Tax Map



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

November 1, 1977

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

Dear Mr. DiMenna:

Comments on Item #37, Zoning Advisory Committee Meeting, August 23, 1977 are as follows:

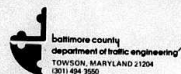
Property Owner: Walter Brewer
Location: NE/C Broad Ave. & Roosevelt St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.
Acreage: 2.227
District: 8th

Metropolitan water and sewer are available, therefore, no health hazards are anticipated.

Very truly yours,

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

KS:malh



STEPHEN COLLINS
DIRECTOR

September 23, 1977

Mr. S. Eric DiMenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item No. 37 - SAC - August 23, 1977
Property Owner: Walter Brewer
Location: NE/C Broad Ave. & Roosevelt St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.
Acreage: 2.227
District: 8th

Dear Mr. DiMenna:

Expansion of commercial traffic into this area can be expected to cause some congestion on the streets in the area.

Very truly yours,

Michael C. Flanagan
Michael C. Flanagan
Traffic Engineer Associate

NST/kam



Paul H. Reincke
Chief

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

Attention: Mr. Connodari Chairman
Zoning Advisory Committee

Re: Property Owner: Walter Brewer

Location: NE/C Broad Ave. & Roosevelt St.

Item No. 37

Zoning Agenda August 23, 1977

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "M" 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 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second source of vehicle access is required for the site.
3. The vehicle dead-end condition shown at _____
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of construction.
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 "Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

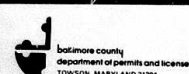
Reviewed: *Paul H. Reincke*

Special Inspection Division

Noted and

Approved: *Stephen M. Connodari*

Fire Prevention Bureau



JOHN D. SEYFERT
DIRECTOR

August 18, 1977

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

Re: Mr. DiMenna:

Comments on Item #37 Zoning Advisory Committee Meeting, August 23, 1977 are as follows:

Property Owner: Walter Brewer
Location: NE/C Broad Ave. & Roosevelt St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.

Acreage: 2.227
District: 8th

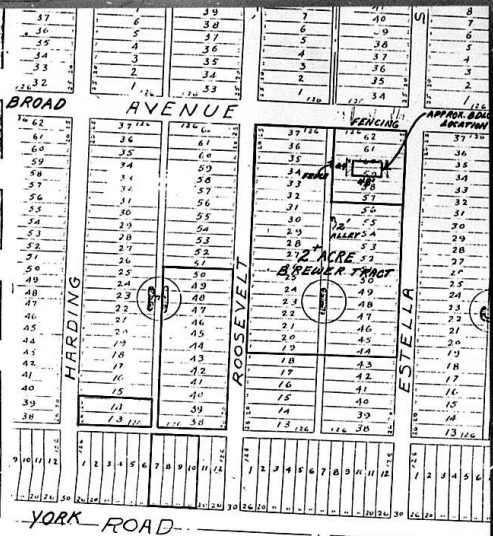
The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.I.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A 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 may 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. Burdhan

Charles E. Burdhan
Fire & Law Chief
CEB:rj



Part of Plat of
 Timonium Heights
 Filed for Record - Oct. 29, 1920
 ATTACHMENT TO LETTER OF NOV. 4, 1977 PER
 MEETING ON NOV. 2, 1977
 PLUMBING SUPPLIES AND
 EQUIPMENT FROM TWO-ACRE
 TRACT TO BE CONCENTRATED
 ON LOTS 57 TO 62, BROAD AVENUE
 SIDE AND 12' ALLEY SIDE TO BE
 FENCED AND SCREENED AS PER
 LETTER OF NOVEMBER 4, 1977.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 6, 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 a week of one time successive weeks before the 26th day of October, 1977, the 20th publication appearing on the 6th day of October, 1977.

THE JEFFERSONIAN
L. Frank Strick
 Manager.

Cost of Advertisement, \$

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#78-90
 SRN

District: 8th

Posted for: Heating, Plumbing, Oct. 24, 1977 @ 10:45 A.M. Date of Posting: 10-6-77

Petitioner: Walter L. Brewer

Location of property: N.C. 1000 & Broad Ave. & Roosevelt St.

Location of Sign: 1 Sign Posted on East End of #3 Roosevelt St. facing Roosevelt St.

Remarks:

Posted by: Paul H. New Signature Date of return: 10-13-77

OFFICE OF THE TIMES

NEWSPAPERS

TOWSON, MD. 21204 October 6, 1977

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Special Hearing-Walter L. Brewer 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 7th day of October, 1977 that is to say, the same was inserted in the issues of October 6, 1977.

STROMBERG PUBLICATIONS, INC.
 BY Ertha Burgee

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

No. 51873

DATE August 10, 1977 ACCOUNT 01-662

AMOUNT \$45.00

RECEIVED FROM Cash (Walter Brewer 3 Roosevelt St., Timonium, Md. 21093)

FOR Petition For Special Hearing

2500 CKE

VALIDATION OR SIGNATURE OF CASHIER

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

No. 57254

DATE Oct. 24, 1977 ACCOUNT 01-662

AMOUNT \$37.50

RECEIVED FROM Walter L. Brewer 3 Roosevelt Street, Timonium, Md. 21093

FOR Advertising and posting of property #78-90-SRN

3750 CKE

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

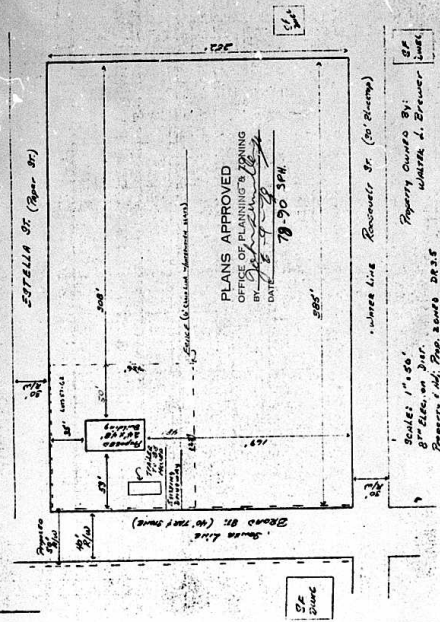
Your Petition has been received - this 10th day of Aug 1977. Filing Fee \$ 25.00 Received Check Cash Other

S. Eric DiNenna
 S. Eric DiNenna,
 Zoning Commissioner

Petitioner Walter Brewer Submitted by Walter Brewer

Petitioner's Attorney Reviewed by

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



LAW OFFICES OF
NOLAN, PLITZHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

November 4, 1977 DEC 6 7 7 PM

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

Re: Proposed Resolution of Brewer Special Hearing
Case No. 78-90-SPH

Dear Commissioner DiNenna:

On behalf of my client, myself, and everyone else involved, we wish to thank you for having come to the site and continued the hearing on November 3, 1977.

From our meeting on the site it is my understanding that you also recognize the existence of a nonconforming use for the storage of plumbing supplies and the use by Mr. Brewer in connection with his long existing plumbing business of a portion of the two-plus acre property which is the subject of this hearing.

It is my understanding that based upon the discussion with the Farinacci's, the Adams and Mrs. Doda, that occurred on November 3, the following proposed resolution of the matter has been agreed upon by all:

1. Mr. Brewer is to be allowed to construct a 24' x 48' garage/storage building similar to that as shown in the Unbaugh Pole Building brochure, Petitioner's Exhibit 4;
2. The storage of plumbing materials and of trailers, backhoes, trucks and other plumbing equipment which is taking place on the subject property is to be concentrated on lots 57 through 62 at the northwest corner of the subject property in question;
3. The 126-foot frontage along Broad Avenue and the 126-foot frontage of Lots 57 through 62 along the north side of the Paper Alley which bisects Section I of Timonium

Page two

Heights are to be both enclosed and screened by a 6-foot high or higher (at the option of Mr. Brewer) Page-type chain link fence with intervening posts to form a physical barrier except on the gates, which are to be kept unscreened pursuant to Baltimore County Police procedures;

4. As soon as the building is constructed and legally available for occupancy the material stored in the semi-trailer on the property is to be stored indoors and the trailer removed from the property as per the pending District Court proceedings and proceedings in Violation Case 77-155-V, C-77-283, and we assume that the District Court proceedings will be stayed and the trailer allowed to remain until building permits can be obtained and the building actually built;

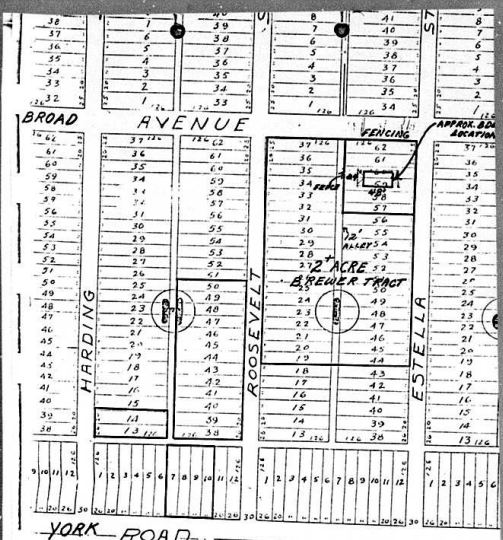
5. The premises are to be kept in a neat and orderly condition pursuant to Deputy Zoning Commissioner Martinak's Order of March 17, 1977, as well as pursuant to this letter of understanding and a similar condition which you may wish to incorporate into any Order in this matter;

6. The headquarters or office type trailer shall be allowed to remain but shall either be stored indoors or within the fenced and screened area; and

7. Mr. Brewer and all of the concerned neighbors are to cooperate with regard to the neighborhood problem being experienced with congregations of teenagers in the area, including incidents of vandalism, littering, etc.

Pursuant to your request and our discussions, copies of this letter are being sent to Mr. and Mrs. Farinacci, Mr. and Mrs. Adams, Mrs. Albert J. Doda and Mr. Brewer and we would ask that if this letter reflects their understanding of the agreement reached at the continued hearing on November 3, that they please sign two copies of this letter, returning one to this office and return the other in the enclosed, addressed envelope directly to your office for inclusion in your file.

Thanking you, your Deputy Mr. Martinak, Mr. Byrnes, and other members of your staff for your assistance in



Page three

reaching what we believe to be a very fair result both for the neighborhood and for the property owner, I am

Respectfully,

Newton A. Williams

APPROVED AND AGREED AS ABOVE:

Doris Farinacci

Michael Farinacci

Gina Adams

Robert Adams

Mrs. Albert J. Doda

Walter L. Brewer

Since the meeting on November 3, I have never received any type of notification and specifically the letter of November 4.

I am opposed to any construction or use of the land in Timonium Heights that does not conform with the residential zoning of the neighborhood.

December 3, 1977

Pauline K. Doda

Part of Plat of
Timonium Heights
Filed for Record - Oct. 29, 1960
ATTACHMENT TO LETTER OF NOV. 4, 1977 PER
MEETING ON NOV. 3, 1977
PLUMBING SUPPLIES AND
EQUIPMENT FROM TWO+ ACRE
TRACT TO BE CONCENTRATED
ON LOTS 57 TO 62, BROAD AVENUE
SIDE AND 12' ALLEY SIDE TO BE
FENCED AND SCREENED AS PER
LETTER OF NOVEMBER 4, 1977.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 25, 1977

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

Z.A.C. Meeting of: August 25, 1977

RE: Item No: 37
Property Owner: Walter Brewer
Location: NE/C Broad Ave. & Roosevelt St.
Present Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.

District: 8th
No. Acres: 2.227

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MND/lsp

JOSEPH H. MCCORMAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
HAROLD H. BOSTRAB

THOMAS H. BOWEN
MRS. LORRAINE F. CHURCH
ROGER B. HATLEY

ALVIN LORECK
MRS. HILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT T. BUREL, SUPERINTENDENT

WALTER L. BREWER
3 Roosevelt Street
Towson, Maryland
21203

To whom it may concern:

Dear Sir:

Here are some pictures. I have lived here since 1940. I was the fourth house in the field here from the Fair Grounds to Padonia Road; not counting the York Road, Smiths Amoco, Corvairs Gas Station, and Polley's Ice House were here then. Since then everything has become commercial. I have been around a long time. My father sold the Towson Produce Market in 1933. Charles Field was the lawyer. I know thousands of people and thousands of people know me. You can ask these people to verify. A lot of these people have died. Here are some names. But they all know that I own land in section H, I and J.

MRS. COVALEY
OUR SMITH
MRS. POLLEY
TOM ELLIOTT
TROY
ED WAYS
CARTEL GILL
MR. CASLIN
MR. MIX
BOB HINTON
LEONARD MASON
RUSSELL ELLIOTT
MR. BALWIN
EDNA BURKE
GEORGE WAYS

I sold land to Smitty's Barber Shop on Penn. Avenue. His daughter owns land in section H.

WALTER L. BREWER

Walter L. Brewer Sr.

2C
Petch 3
A



N.E. Cor
Broad & Roosevelt
Note
8" pipe going
to one house

B



N.E. Cor
Broad & Roosevelt
Co. bgt. 10 Lots
Sec. J did not
show St.
Is now a torn
age park. Tired
of calling Police

C



Have cleaned up
all material is
now mostly
stored in trailer.
Move trailer at
times back &
forth on jobs.

Walter L. Brewer Sr.

Roosevelt At.
Looking West.

Roosevelt At.
Tom O'Connell's
Garden
(Verify)

Carroll Gaslan's
Home
4 Roosevelt St.

Walter L. Brewer Sr.

G



Looking West
on my Property.
Note Padonia B.
My Lots are
19-37 Sec. I
44-62 Sec. I
County took 10 lots
from me & sliced
dave. 15.

H



5 m. horse stable
in back

I



Horse Corral

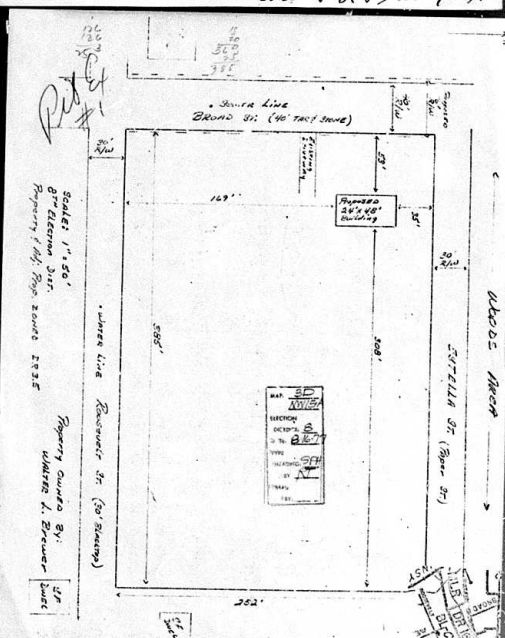
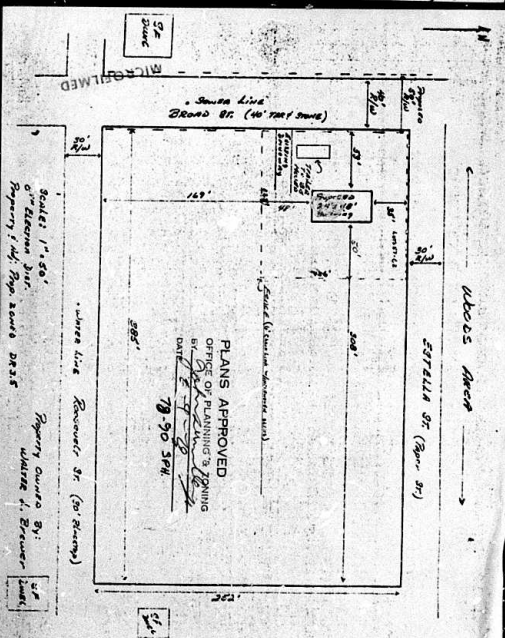
Walter L. Brewer Sr.



Picture
taken of
Broad St.
Looking
South.
Padonia Rd.
Note.
Pad hole
sticking up
in Grd.



Walter L. Brewer Sr.



BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: August 25, 1977

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

Z.A.C. Meeting of: August 25, 1977

RE: Item No. 1
Property Owner: Walter Brewer
Location: 5111 Broad Ave. & Roosevelt St.
Present Zoning: R-4 L.S.
Proposed Zoning: Special Hearing to approve the non-conforming use for the storage of plumbing supplies.

DISTRICT: 18
No. Acres: 2.22

Dear Mr. DiSenna:

No bearing on student population.

Very truly yours,

Walter L. Brewer
W. Nick Petrowski,
Field Representative

WSP/tp

JOSEPH H. WILKINSON, SECRETARY
P. BARBARA WILLIAMS, CLERK
MARILYN M. WILKINSON
THOMAS W. BROWN
WILLIAM J. CAMPBELL
ROBERT A. HARRIS
ALVIN LORECK
MRS. WILTON M. SMITH
RICHARD W. TRULLY, JR.

WALTER L. BREWER
3 Roosevelt Street
Timonium, Maryland
21093

To whom it may concern:

Dear Sir:

Here are some pictures. I have lived here since 1960. I was the fourth house in the field here. From the Fair Grounds to Patonia Road; not counting the York Road Smiths Awn. Converse Gas Station and Peller's Ice house were here then. Since then everything has become some thing. I have been around a long time. My father sold the Towson Produce Market in 1933. Charles Field was the owner. I know thousands of people and thousands of people know me. You can ask these people to verify. Most of these people have lived here are some names. But they all know that I own land in section 1, 2 and 3.
MRS. COVLEY
ONE OWNER
MRS. POLLEY
THE ELLIOTT
TOWNS
ED. WAYS
CARVER GILL
MR. CASLIN
MR. MITT
BOB STUNTON
LEONARD WASON
RUSSELL ELLIOTT
MR. BALDWIN
EDNA BURKE
GEORGE WAYS
I sold land to Smith's Barber Shop on Penn. Avenue. His daughter owns land in section 1.

WALTER L. BREWER

Walter L. Brewer



4-2 Ave
Broad & Roosevelt
Note
4-2 Ave
to one house



4-2 Ave
Broad & Roosevelt
Note
4-2 Ave
to one house



Handwritten
all material in
New York City
shred in 1960
New York City
to New York City
to New York City

Walter L. Brewer



Handwritten
all material in
New York City
shred in 1960
New York City
to New York City
to New York City

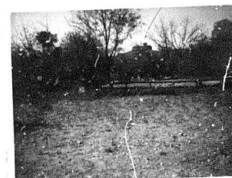


Handwritten
all material in
New York City
shred in 1960
New York City
to New York City
to New York City



Handwritten
all material in
New York City
shred in 1960
New York City
to New York City
to New York City

Walter L. Brewer



Looking out
on my property
note: Peller's
My Lots are
19-37 300 I
24-42 300 I
County is 1000
400 ac. of land
200 ac.



100 ac. of land
200 ac.



400 ac. of land

Walter L. Brewer

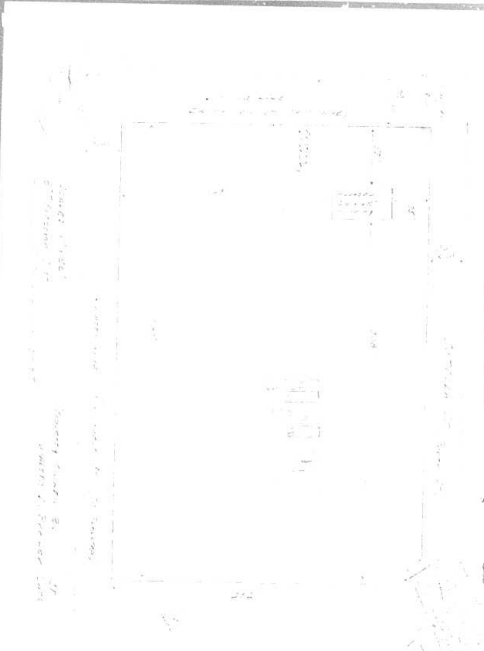
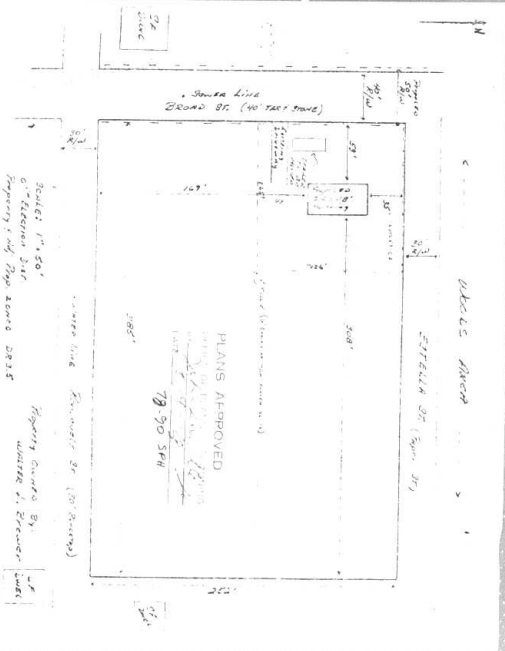


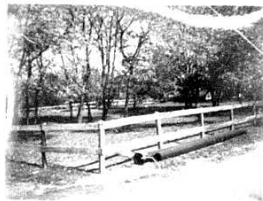
100 ac. of land
200 ac.



100 ac. of land
200 ac.

Walter L. Brewer







Umbaugh has offices in
the following cities:



Backyard storage

Two-car garage

Storage building

Hobbyhouse

We build
many different
buildings



...for
many different
seasons



Stable

Barn

Horse trailer



