

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the decision rendered in the accompanying Special Hearing Order, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of April, 1983, that the Petition for Variance is hereby DISMISSED.

Stephen E. Collins
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE April 29, 1983
BY John P. Lacey, Jr.
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The petitioner herein seeks approval of a nonconforming use for off-street parking in a residential zone, including the size of the spaces.
2. In support thereof, the petitioner introduced many exhibits by which the history of the subject site was sought to be established. Petitioner's Exhibit 7, a photocopy of a page from the Atlas of Baltimore County, 1915, designates the subject property as a hotel. Petitioner's Exhibit 11 includes a photocopy of pictures of the site as contained in a book entitled Colonial History of Catonsville by George C. Keidel, Ph.D., Bicentennial Edition, edited and annotated by Ed H. Parkison, which was published by The American Bicentennial Committee of Catonsville, 1976, depicting the nature of the improvements on the site in the 1880's, and also a newspaper article of October 3, 1969. The latter states, in part, "...in the 1800s it was known as the Catonsville Gardens where farmers, driving their cattle and other animals to the stockyards in Baltimore, would stop for refreshment and lodging while penning the animals in the rear..." Petitioner's Exhibits 3 and 4 (deeds) establish the ownership and configuration of the property as being the same from September, 1945 through the Petitioner's acquisition on February 11, 1977. The site contains 23,631 square feet and is used as shown on the site plan prepared by Bill Monk, dated October, 1982, and marked Petitioner's Exhibit 1. Petitioner's Exhibit 9, a segment of the 1945 Use District Map, shows the property to have been zoned "E" Commercial and "A" Residence; Petitioner's Exhibit 10, a photocopy of a portion of the 1970 Comprehensive Zoning Maps, shows the property to have been zoned B.L. (Business, Local) with a C.C.C. (Commercial, Community Core) District superimposed thereon and D.R.16 (Density, Residential); and Petitioner's Exhibit 8, a photocopy of a portion of the 1980 Comprehensive Zoning Maps, shows that the D.R.16 zoned area changed to R-O (Residential-Office).
3. No one appeared in opposition at the time of the public hearing.
4. The finding of a nonconforming use being conducted on the subject property will not adversely affect the health, safety, and general welfare of the community.

and, thus, a public hearing is required.

Having established the past use of the subject property, a plan marked Petitioner's Exhibit 25, showing the internal use of the second floor of the improvement for business purposes, was introduced; the first floor is used as a restaurant. The petitioner proposes to construct 836 square feet of additional storage space, as indicated on both Petitioner's Exhibits 1 and 25, in that area presently existing as a concrete slab. This proposal requires a review to determine the adequacy of the on-site parking. The first floor restaurant would require 94 parking spaces and the second floor offices, including the proposed storage addition, would require 10 spaces. The petitioner contends that the parking requirements for the restaurant use need not be met since that use predates the Baltimore County Zoning Regulations and that the requirements applicable to the office use and proposed addition are met since the 38 spaces shown on Petitioner's Exhibit 1 have always been in the rear of the site.

Based upon the exhibits provided and the testimony offered, the use of the subject property predates the aforementioned regulations and, thus, a nonconforming use has been established. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of April, 1983, that a nonconforming use for off-street parking in a residential zone, including the size of the spaces, has existed and has been conducted, in accordance with the site plan marked Petitioner's Exhibit 1, prior to the adoption of the Baltimore County Zoning Regulations

ORDER RECEIVED FOR FILING
DATE April 29, 1983
BY John P. Lacey, Jr.
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 5, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ZAC Meeting of November 9, 1982
Item Nos. 86, 87, 88, 89, 90, 91, 92, and 93.

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 86, 87, 88, 89, 90, 91, 92, and 93.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Atlantic Ave
83-166 ASPH

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 90, Zoning Advisory Committee Meeting of Nov. 9, 1982
Property Owner: Atlantic Air Conditioning and Heating, Inc.
Location: S/S Frederick Rd. 125' E. of Bishop's Lane
Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)



Maryland Department of Transportation
State Highway Administration

Louise K. Brinkman
Secretary
W. S. Collier
Administrator

November 12, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of Nov. 9, 1982
ITEM: #90.
Property Owner: Atlantic
Air Conditioning and Heating
Inc.
Location: S/S Frederick
Road, Route 144, 125' E.
from centerline of Bishop's
Lane.
Existing Zoning: B.L.-CCC
Proposed Zoning: Special
Hearing to approve a non-
conforming use as off-
street parking in a
residential zone, including
size of spaces. Variance
to permit 38 parking spaces
in lieu of the required 103
spaces.
Acres: 23,631 sq. ft.
District: 1st

Dear Mr. Hammond:

On review of the site plan of October 1982 and field inspection, the State Highway Administration offers the following comments.

On the day of inspection a vehicle count of the lot revealed 14' parked vehicles.

If the site is found not to be a non-conforming use and special exemptions are granted, then the frontage of the site must be improved to meet current State Highway Administration Standards.

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-462-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Zoning Item # 90
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
{ } The results are valid until _____
{ } Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- (X) No health hazards are anticipated.
- () Others _____

John J. Forrest
John J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

Mr. W. Hammond

-2-

November 12, 1982

This would consist of a 20' wide paved depressed entrance with 3' transitions on each side and the repair or replacement of all deteriorated curb, gutter and sidewalk along the property frontage.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Wimbley



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. RENCKE
CHIEF

December 20, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Atlantic Air Conditioning and Heating, Inc.

Location: S/S Frederick Road 125' E. from centerline of Bishop's Lane

Item No.: 90

Zoning Agenda: Meeting of November 9, 1982

Gentlemen:

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

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

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 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", 1974 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.

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

REVIEWED BY *John J. Forrest* Noted and Approved: *Robert M. Wynn*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mh/cn

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dube, Superintendent

Towson, Maryland - 21204

Date: November 8, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: November 9, 1982

RE: Item No: 86, 87, 88, 89, 90, 91, 92, 93
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNI/bp

PETITION FOR SPECIAL HEARING AND VARIANCE

1st Election District

ZONING: Petition for Special Hearing and Variance
LOCATION: South side of Frederick Road, 125 ft. East of the centerline of Bishops Lane
DATE & TIME: Tuesday, January 18, 1983 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming use or off-street parking in a residential zone, including size of spaces and Variance to permit 38 parking spaces in lieu of the required 103 spaces

The Zoning Regulation to be excepted as follows:
Section 409.2.b (3)(5) - parking spaces required for a restaurant and other office and non-retail use

All that parcel of land in the First District of Baltimore County

Being the property of Atlantic Air Conditioning & Heating, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, January 18, 1983 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

DESCRIPTION

Beginning for the same at a point on the south side of Frederick Road 125' East from the centerline of Bishop's Lane, and running thence

the next following courses and distances:

- (1) South 16 degrees east 231'
- (2) North 74 degrees east 102.3'
- (3) North 16 degrees west 231'
- (4) South 74 degrees West 102.3'

to the place of beginning.

Also known as 583 Frederick Road



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERDER
DIRECTOR

January 18, 1983

Mr. William E. Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 90, Zoning Advisory Committee Meeting, November 9, 1982, are as follows:

Property Owner: Atlantic Air Conditioning and Heating, Inc.
Location: S/S Frederick Road 125' E. from centerline of Bishop's Lane
Acres: 23,631 sq. ft.
District: 1st.

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 subject property is located in the Patapsco Drainage Area for sewer; therefore, the petitioner must comply with (Bill 178-79) Growth Management requirements.

Sincerely yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development

JLW:rh

9 Bishops Lane
Catonsville, Maryland 21228
January 10, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Bill:

ATLANTIC AIR CONDITIONING
HEATING, ETC.

I live at 9 Bishops Lane, Catonsville, Maryland, and my side yard adjoins 383 Frederick Road, which is commercial property that has a dual use at the present time. Offices of Atlantic Air Conditioning and Heating, Inc. and a tavern/restaurant, operating as McPatrick's Pub, use these premises.

Your office has a zoning notice posted - Case # 83-160-SPHA - for the purpose of considering a request to reduce the number of required parking spaces for this property's use, and to reduce the size of the required parking spaces.

I am not opposed to you rendering a favorable decision on behalf of the applicants, because, generally, they have improved the appearance of the premises; and several years ago, they paved, with blacktop, their entire parking area that formerly was crusher run. This latter improvement has caused the parking of automobiles to be a specific problem to me.

In three instances in the past year, automobiles have caused damage to my chain link fence separating the properties. One instance was minor, but two of them were very serious and caused expenditures of approximately four hundred dollars. In these severe cases, I brought the matter to the attention of the owners. Because it was my property damage, they were not concerned; however, on two occasions, my wife and I were promised that they would erect parking barriers to prevent the automobiles from getting too close to our fence, so that any further mishaps could be prevented.

If your office approves this exception to zoning regulations for parking variances, I seek your support to require adequate safeguarding of the parking spaces adjoining my property to prevent further damage from occurring to my fence.

Your cooperation in this matter is urgently solicited, and if you feel it imperative that I appear, in person, to voice this concern, I am prepared to do so.

Please contact me at my office, 494-4511, or my home, 747-8809, if this letter cannot serve as a basis to get the required protection to my property.

Very truly yours,

Paul H. Heinicke
Paul H. Heinicke

	PARKING CODE REQUIREMENTS	PARKING SPACES REQUIRED	
		ASSUMING 4,000 sq. ft. TOTAL FLOOR AREA	PER 150 PERSONS RATED CAPACITY
BALTIMORE COUNTY	1 SP. PER 50 sq. ft. TOTAL FLOOR AREA (1955)	94	ASSUMING 33% OF RATED CAPACITY = 50 SPACES
ANNAPOLIS	30% OF RATED CAPACITY		45
ANNE ARUNDEL CO.	1/5 SEATS OR 1/2 FLOOR WHICH EVER IS GREATER	24	30
BALTIMORE CITY	1/200 sq. ft. FLOOR AREA OR 1/100 sq. ft. FLOOR AREA	24 (MAX)	
CARROLL COUNTY	1/10 PERSONS OF MAXIMUM CAPACITY		50
HOWARD COUNTY	1/4 SEATS + 1/2 EMPLOYEES OR 1/200 sq. ft. FLOOR AREA		38 + EMPLOYEE PARKING
HARFORD COUNTY	TAVERNS - 1/50 sq. ft. FLOOR AREA TO CUSTOMER SERVICE EXCLUDING FOOD PREP. + STORAGE		
COMPARATIVE ANALYSIS OF PARKING REQUIREMENTS FOR RESTAURANTS IN LOCAL POLITICAL JURISDICTIONS IN MARYLAND		PAGE #	83-160 SPHA
EXHIBIT		WILLIAM P. MONK land planner	P.O. BOX 11415 Baltimore, Maryland 21239



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 20, 1983

Mr. George W. Brown, President
Atlantic Air Conditioning & Heating, Inc.
383 Frederick Road
Baltimore, Maryland 21228

RE: Petitions for Special Hearing and Variance
S/S of Frederick Road, 125' E of the centerline of Bishops Lane - 1st Election District
Atlantic Air Conditioning & Heating, Inc. - Petitioner
NO. 83-160-SPHA (Item No. 96)

Dear Mr. Brown:

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

Very truly yours,

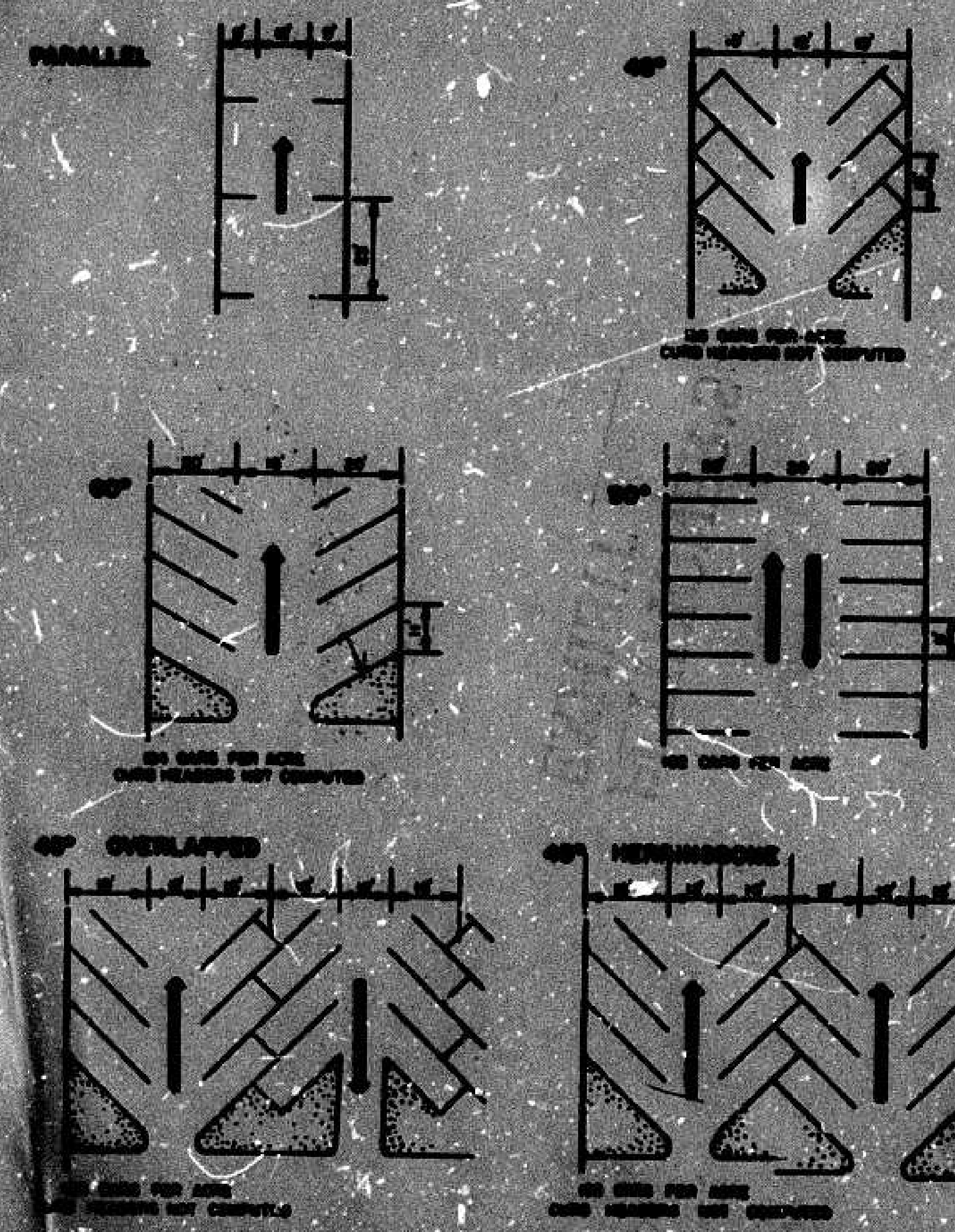
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

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

PARKING PATTERNS



Scale 1"=20'

150

PERSONS ARE ALLOWED IN THIS

194 HOUSE JUD

AT ANY TIME

NOT MORE THAN



CATONSVILLE BUSINESS ASSOCIATION, INC.

920 Frederick Road, Catonsville, Md. 21228

January 11, 1983

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

Re: Atlantic Air Conditioning and Heating, Inc.
583 Frederick Road

Dear Sir:

This letter is being written in support of Atlantic Air
Conditioning and Heating, Inc.'s request for a variance.

Atlantic Air Conditioning has owned the above property
since 1979 and they have made many improvements to the location.
They have been good neighbors in Catonsville, and the Business
Association believes their proposal will not adversely affect
traffic in the Catonsville Area.

The Catonsville Business Association, Inc. urges the
approval of Atlantic Air Conditioning and Heating, Inc.'s
request for a variance.

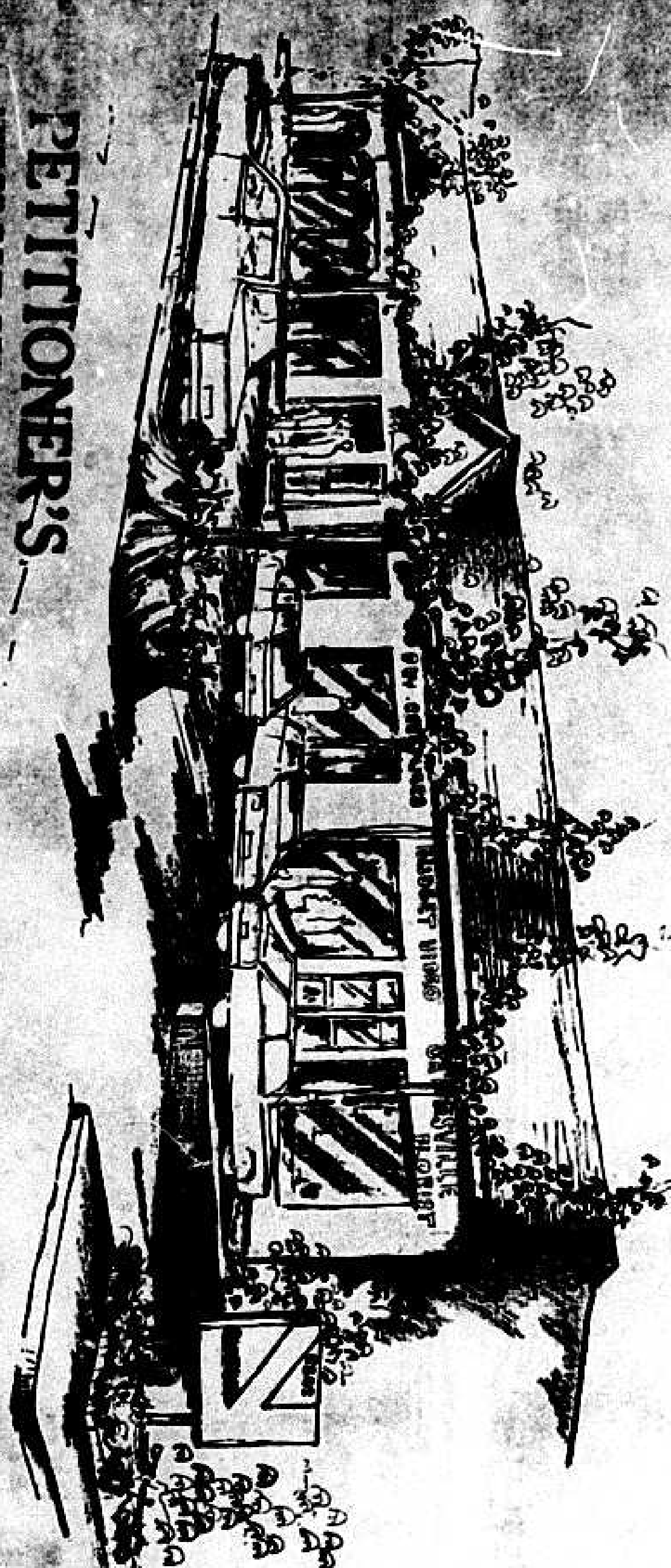
Very truly yours,

G. Howard Medicus
G. HOWARD MEDICUS
President

GHM:law

PETITIONER'S
EXHIBIT 28B

OFFICE OF PLANNING AND ZONING
PARADISE — EAST CATONSVILLE ENHANCEMENT STUDY
ADOPTED JULY 15, 1982
BALTIMORE COUNTY PLANNING BOARD
BALTIMORE COUNTY, MARYLAND



PETITIONER'S
EXHIBIT 28



COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

RONALD B. HICKERNELL
COUNCILMAN, FIRST DISTRICT

COUNCIL OFFICE: 758-8262/484-3386
CATONSVILLE DISTRICT OFFICE
754 FREDERICK ROAD

January 17, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland

Dear Bill,

I am writing in support of Mr. George Brown's
application for a zoning variance at 583 Frederick
Road in Catonsville. This variance would allow
for construction of an addition to his building without
necessitating modification of existing parking spaces
or expansion of the lot. The additional office space
does not mandate alterations to parking spaces.

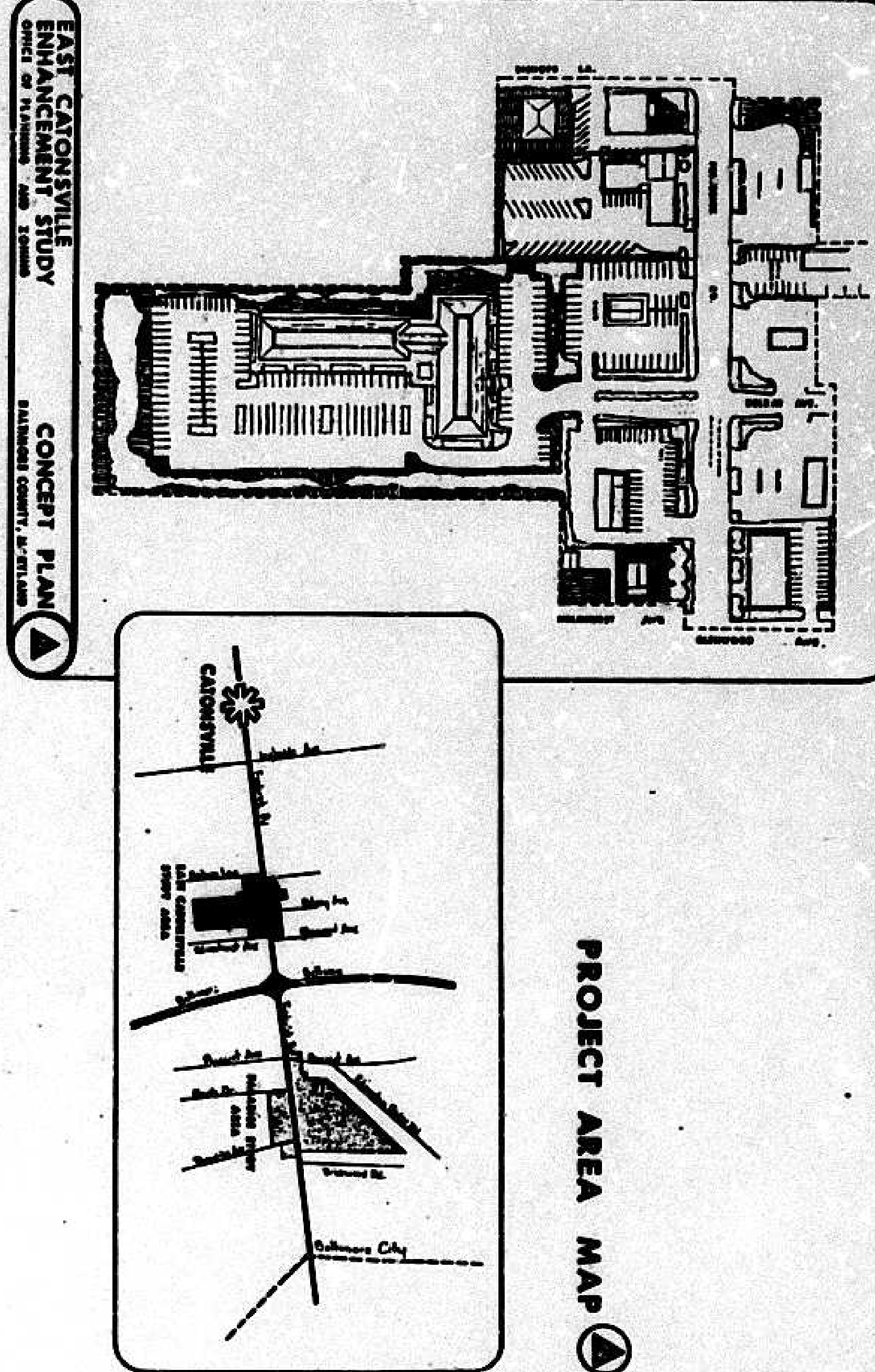
Since Mr. Brown's business property is located
in the East Catonsville Revitalization area, improvements
to his property would be consistent with the goals of
the program.

Sincerely,

Ronald B. Hickernell
County Councilman

RBH/1h

PETITIONER'S
EXHIBIT 28A



PROJECT AREA MAP A

THIS DEED, Made this 28th day of April, in the
year one thousand nine hundred and sixty, by and between ESTHER ROBINSON,
unmarried, of Baltimore City, in the State of Maryland, of the first part, and
WILLIAM C. MULLINEAUX, and EDITH M. MULLINEAUX, his wife, of Baltimore County,
State of Maryland, of the second part.

WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars
and other good and valuable considerations, the receipt whereof is hereby acknow-
ledged, the said ESTHER ROBINSON, unmarried, does grant and convey unto the said
WILLIAM C. MULLINEAUX and EDITH M. MULLINEAUX, his wife, each a one-half (1/2)
undivided interest as Tenants in Common, their heirs and assigns, in fee simple,
all that parcel of ground, situate, lying and being in Baltimore County, State
of Maryland, and described as follows, that is to say:-

BEGINNING for the same at a stone planted on the Southside
of the Frederick Road at the corner of the lot leased to Peter Green
and running thence with the said Turnpike, South 74 degrees East
6.2 perches to the lot heretofore conveyed to L. Van Bookelen thence
with said lot to the end thereof South 16 degrees East 14 perches
thence North 74 degrees East 6.2 perches thence North 16 degrees
West 14 perches to the place of beginning.

BEING all that parcel of ground described in a deed of
even date herewith and recorded or intended to be recorded among
the land records of Baltimore County immediately prior hereto,
from William C. Mullineaux and Edith M. Mullineaux, his wife, to
Esther Robinson, unmarried, the said Grantor hereto.

TOGETHER with the buildings and improvements thereupon erected,
made or being and all and every the rights, alleys, ways, easements, privileges,
appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said parcel of ground and premises,
above described and mentioned, and hereby intended to be conveyed, together with
the rights, privileges, appurtenances and advantages thereto belonging or
appertaining unto and to the proper use and benefit of the said WILLIAM C.
MULLINEAUX and EDITH M. MULLINEAUX, his wife, each a one-half (1/2) undivided
interest, as Tenants in Common, their heirs and assigns, in fee simple.

TRANSFER TAX NOT REQUIRED

Norman W. Wood
Director of Finance
Per: *Ethel S. Hickey*
Authorized Signature

PETITIONER'S
EXHIBIT 4

AND the said party of the first part hereby covenants that she
has not done or suffered to be done any act, matter or thing whatsoever, to
encumber the property hereby conveyed; that she will warrant specially the
property granted and that she will execute such further assurances of the same
as may be requisite.

WITNESS, the hand and seal of said Grantor.

TEST:

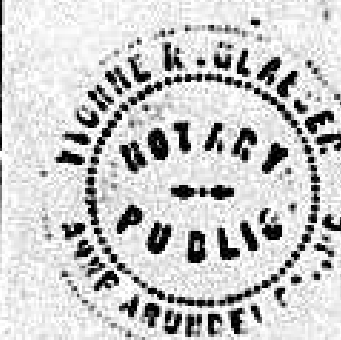
James P. Shuman

Esther Robinson (SEAL)
Esther Robinson

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 28th day of April,
in the year one thousand nine hundred and sixty, before me, the subscriber, a
Notary Public of the State of Maryland, and for the City of Baltimore, afore-
said, personally appeared ESTHER ROBINSON, unmarried, the above named grantor,
and she acknowledged the foregoing Deed to be her act.

AS WITNESS, my hand and Notarial Seal.



James P. Shuman
Notary Public

Rec'd for record MAY 2 1960 at 3:00
Per Ulster J. Rasmussen, Clerk
Mail to *Morris Fadden*
Receipt No. 1642-238-5-5-0

No Title Examination Made.

Norman W. Food
 Director of Finance
 Per: *Ethel Schindler*
 Authorized Signature

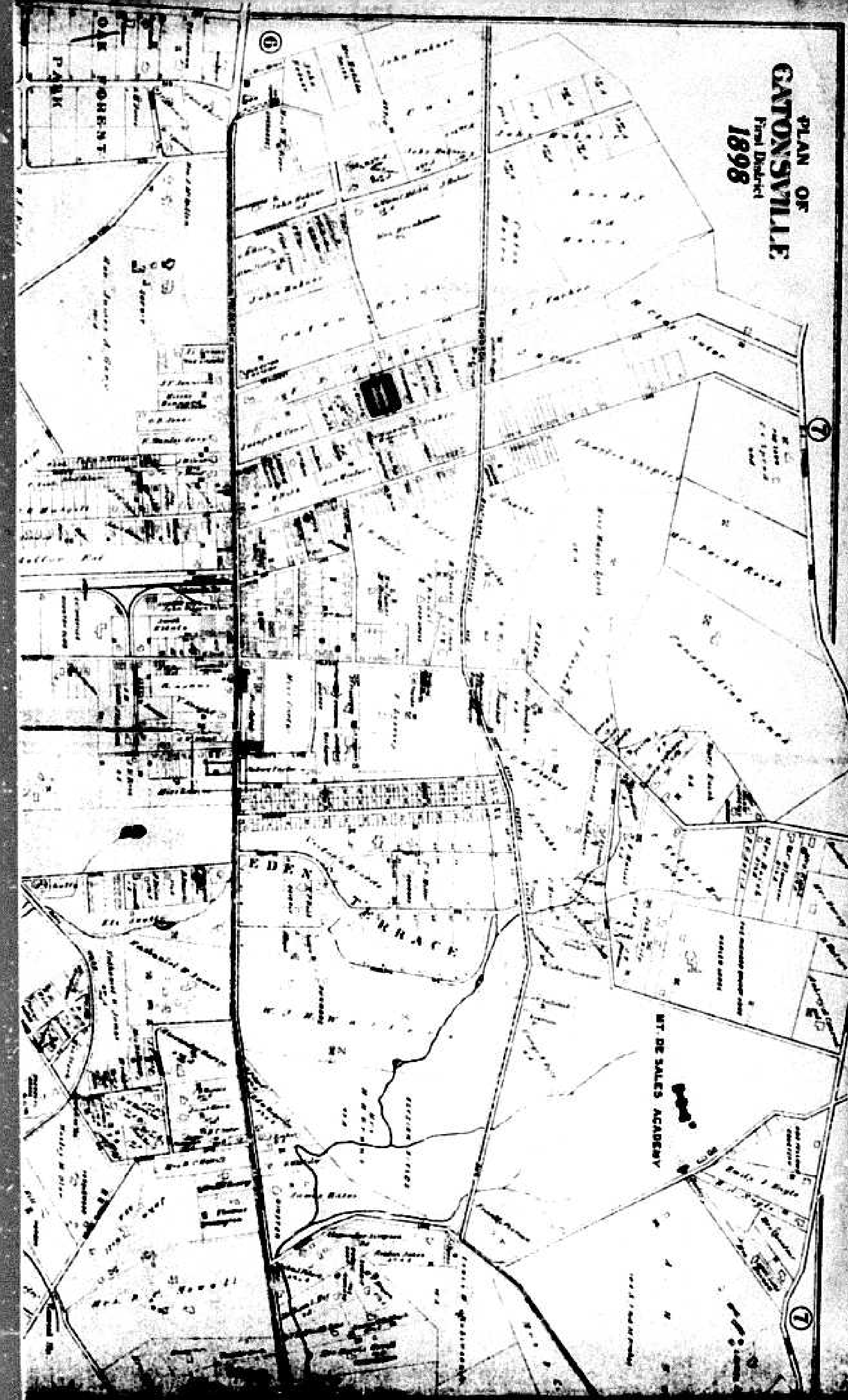
No Title Examination Made

3617515 16	1.125.0015
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Rec'd for record FEB 16 1977 at 1217
 Per Elmer E. Kahline, Jr., Clerk,
 Mail to Louise J. J. J. J. J.
 Receipt No. 1 2 3

1954-55 *Continued*

[illegible]



EXHIBIT

THIS DEED made this 11th day of September in the year 1898 by and between the undersigned parties of the first part and the undersigned parties of the second part.

Witnesseth that in consideration of the sum of Five Dollars and other good and valuable considerations this day sold the receipt whereof is hereby acknowledged the said EDWIN M. MULLINEUX his wife AUGUST M. PETERS and EDITH M. MULLINEUX his wife AUGUST M. PETERS to the said WILLIAM C. HAMMOND and his wife SARAH M. PETERS single ANTHONY P. ORLEN and JENNIE S. M. ORLEN his wife and convey unto the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety their entire and undivided interest in and to the certain lot of ground situated in the Baltimore County State of Maryland and being in the Baltimore County State of Maryland and described as follows:

Beginning for the same on the line of the north side of Frederick Road at a point between 100 feet 11 inches easterly from the northeast corner of the said Frederick Road and running thence easterly along the north side of said Frederick Road 100 feet to the northeast corner of the whole lot of ground described in a deed from Milton C. HAMMOND to the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife dated September 16 1898 and recorded in the Liber 278 of the 155 folios 355 thence northerly along said northeast corner 140 feet thence southerly at right angles to said outline 10 feet thence southerly parallel with said outline 150 feet more or less to the beginning.

Witness all and the same property therein secondly described which by deed dated August 1911 and recorded among the land records of Baltimore County in Liber C. R. M. 1277 folio 340 was granted and conveyed by the said Benjamin J. Peters to the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby in and to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety their assigns the survivor of them and the heirs and assigns of the survivor in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantors

Benjamin J. Peters (seal)
Edith M. Mullineux (seal)
Irvin P. Trill

EXHIBIT

THIS DEED made this 11th day of September in the year 1898 by and between the undersigned parties of the first part and the undersigned parties of the second part.

Witnesseth that in consideration of the sum of Five Dollars and other good and valuable considerations this day sold the receipt whereof is hereby acknowledged the said EDWIN M. MULLINEUX his wife AUGUST M. PETERS and EDITH M. MULLINEUX his wife AUGUST M. PETERS to the said WILLIAM C. HAMMOND and his wife SARAH M. PETERS single ANTHONY P. ORLEN and JENNIE S. M. ORLEN his wife and convey unto the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety their entire and undivided interest in and to the certain lot of ground situated in the Baltimore County State of Maryland and being in the Baltimore County State of Maryland and described as follows:

Beginning for the same on the line of the north side of Frederick Road at a point between 100 feet 11 inches easterly from the northeast corner of the said Frederick Road and running thence easterly along the north side of said Frederick Road 100 feet to the northeast corner of the whole lot of ground described in a deed from Milton C. HAMMOND to the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife dated September 16 1898 and recorded in the Liber 278 of the 155 folios 355 thence northerly along said northeast corner 140 feet thence southerly at right angles to said outline 10 feet thence southerly parallel with said outline 150 feet more or less to the beginning.

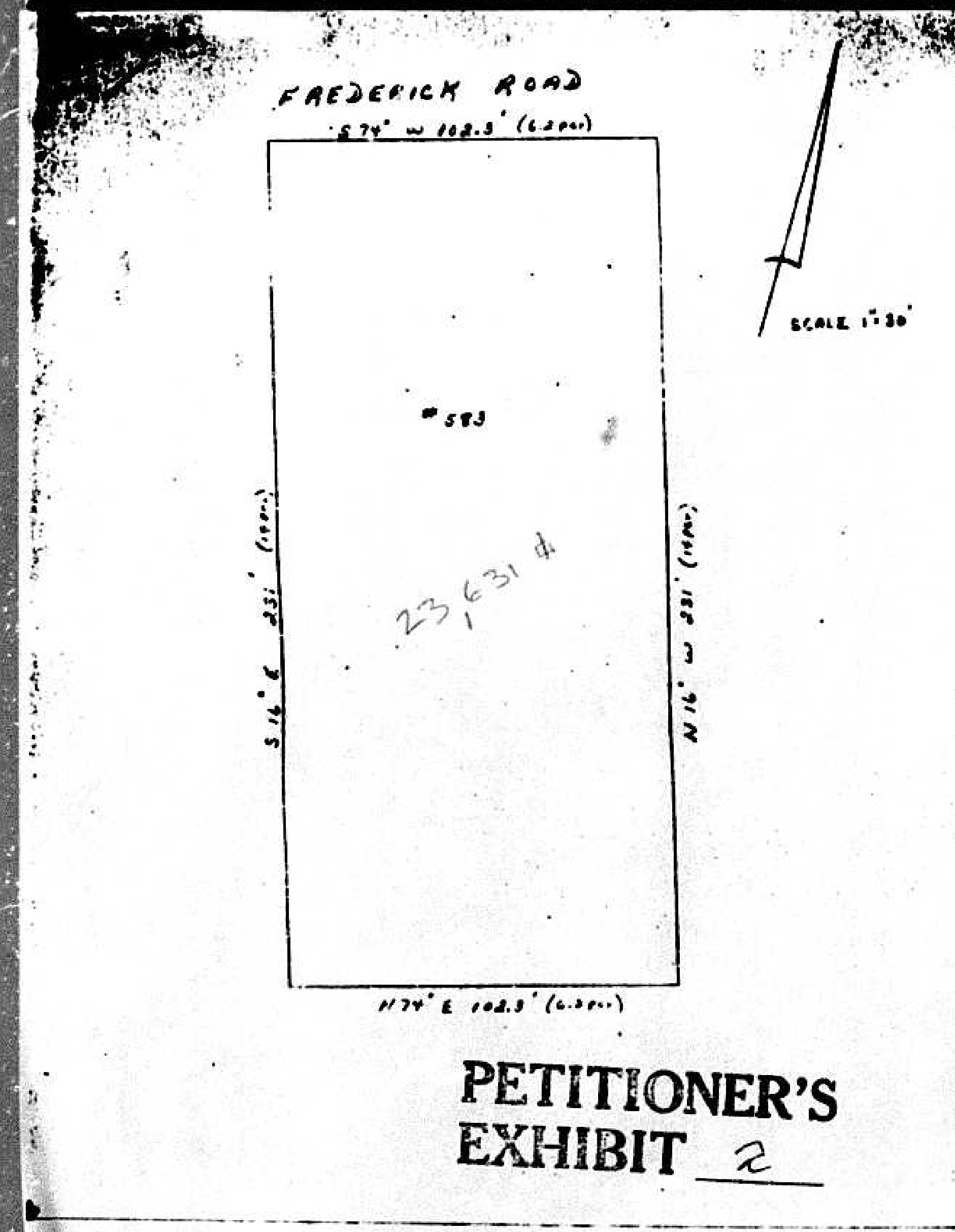
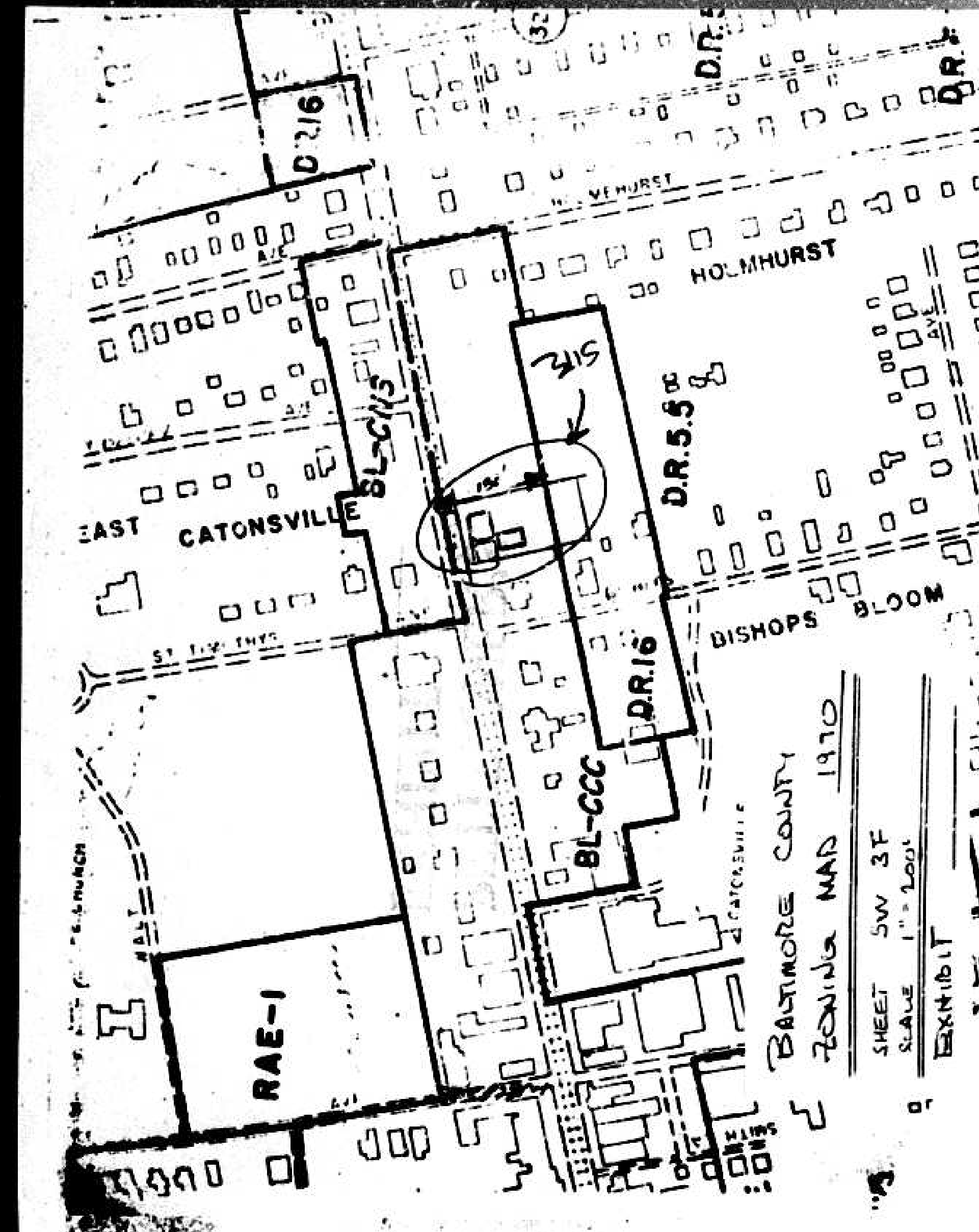
Witness all and the same property therein secondly described which by deed dated August 1911 and recorded among the land records of Baltimore County in Liber C. R. M. 1277 folio 340 was granted and conveyed by the said Benjamin J. Peters to the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby in and to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said WILLIAM C. HAMMOND and EDITH M. MULLINEUX his wife as tenants by the entirety their assigns the survivor of them and the heirs and assigns of the survivor in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantors

Benjamin J. Peters (seal)
Edith M. Mullineux (seal)
Irvin P. Trill



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 14, 1983

Atlantic Air Conditioning & Heating, Inc.
c/o George W. Brown, President
583 Frederick Road
Catonsville, Maryland 21228

Re: Petitions for Special Hearing and Variance
S/S Frederick Rd., 125' E of c/l of
Bishop's Lane
Atlantic Air Conditioning & Heating, Inc.
Case No. 83-160-SPHA

Dear Sir:

This is to advise you that \$58.80 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

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

DATE 1/27/83 ACCOUNT R-01-615-000

AMOUNT \$58.80

RECEIVED FROM Atlantic Air Conditioning and Heating, Inc.
FOR Advertising & Posting Case No. 83-160-SPHA

8 02400000588010 5273A

VALIDATION OR SIGNATURE OF CARRIER

Office of PATUXENT
10750 Little Patuxent Pkwy.
Columbia, MD 21044

December 30 19 82

THIS IS TO CERTIFY, that the annexed advertisement of

Special Hearing 40176

was inserted in the following:

☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for successive weeks before the day of January 19 83, that is to say, the same was inserted in the issues of

December 30, 1982

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

December 23, 1982

Atlantic Air Conditioning & Heating, Inc.
c/o George W. Brown, President
583 Frederick Road
Catonsville, Maryland 21228

NOTICE OF HEARING
Re: Petition for Special Hearing
S/S of Frederick Rd., 125' E of the
c/l of Bishop's Lane
Atlantic Air Conditioning & Heating, Inc. - Petitioner
Case 83-160-SPHA

TIME: 9:30 a.m.

DATE: Tuesday, January 18, 1983

PLACE: Room 106, County Office Building, 111 West
Chesapeake Avenue, Towson, Maryland

cc: Mr. William P. Monk
P. O. Box 11415
Baltimore, Maryland 21209

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

DATE 10-26-82 ACCOUNT R-01-615-000

AMOUNT 27.92

RECEIVED FROM *[Signature]*
FOR *[Signature]*

8 02400000588010 5273A

VALIDATION OR SIGNATURE OF CARRIER

PETITIONER'S
EXHIBIT 2

ZONING DISTRICT NO. 1

PETITIONER'S EXHIBIT 9

ZONING DEPARTMENT + BALTIMORE COUNTY

USE DISTRICT MAP

FIRST ELECTION DISTRICT OF BALTIMORE COUNTY
SOUTH SECTION

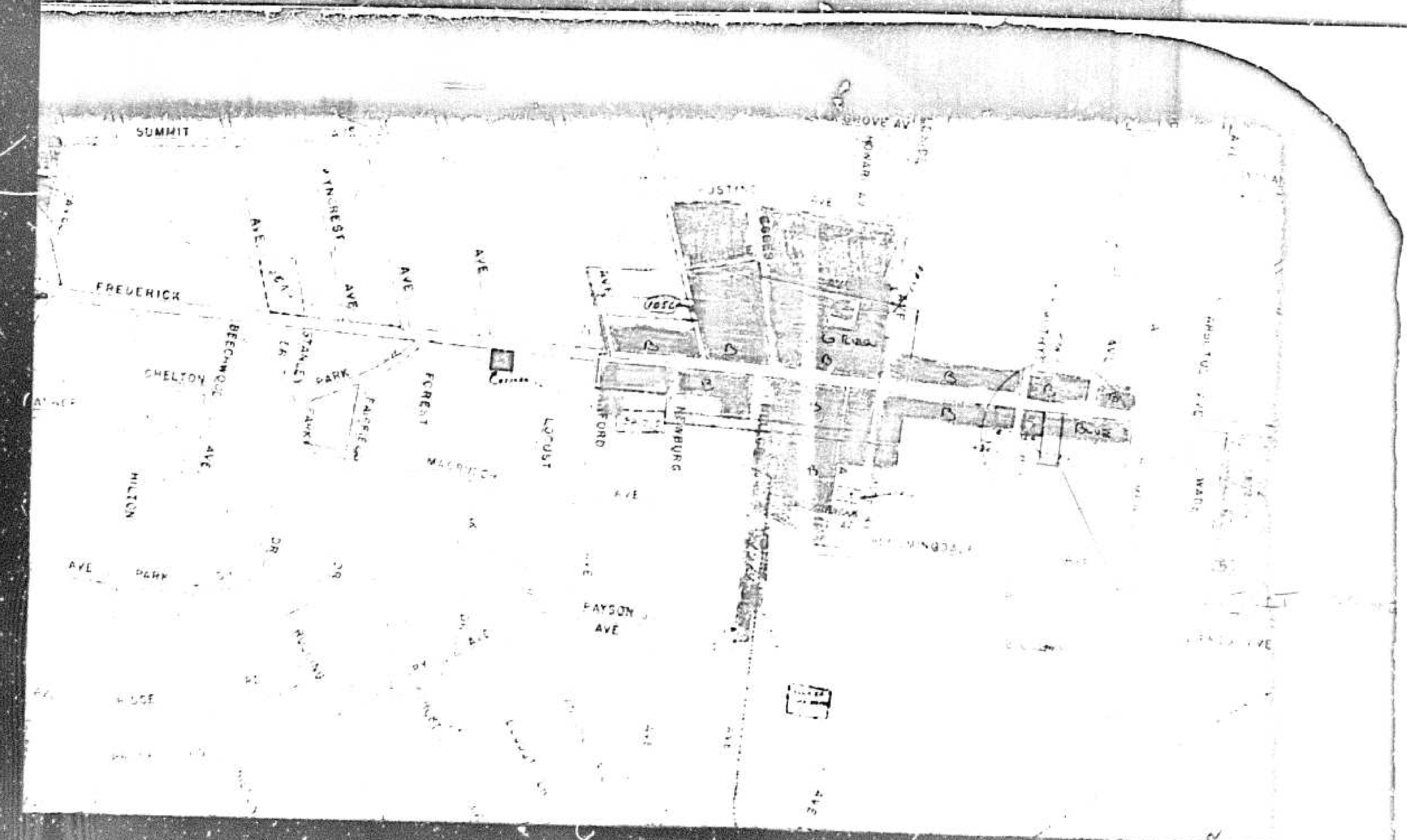
SCALE
1" = 1000'
300 FEET TO 1 INCH

LEGEND

1" RESIDENTIAL ZONE-R-1	2" RESIDENTIAL ZONE-R-2
3" RESIDENTIAL ZONE-R-3	4" RESIDENTIAL ZONE-R-4
5" RESIDENTIAL ZONE-R-5	6" RESIDENTIAL ZONE-R-6
7" COMMERCIAL ZONE-C-1	8" COMMERCIAL ZONE-C-2
9" INDUSTRIAL ZONE-I-1	10" INDUSTRIAL ZONE-I-2

MAP PREPARED & PLOTTED
BY STANLEY J. KROLL

BALTIMORE COUNTY
ZONING MAP
1945
EXHIBIT



PETITION FOR SPECIAL HEARING AND VARIANCE 1st Election District

ZONING: Petition for Special Hearing and Variance.
LOCATION: South side of Frederick Road, 127 ft. West of the centerline of Bishop Lane.
DATE & TIME: Tuesday, January 15, 1962 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, to authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Special Hearing under Section 207 of the Baltimore County Zoning Regulations. To determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should set aside a non-conforming use for off street parking in a residential area, including the use of space and surface to permit 25 parking spaces in lieu of the required 100 spaces.

The Zoning Regulations to be amended as follows:
Section 49.2 (3) (b) - parking spaces required for a restaurant and/or office and non-retail use.
All that parcel of land in the First District of Baltimore County, beginning for the same at a point on the south side of Frederick Road 25 feet East from the centerline of Bishop Lane, and running thence the west half twice square and its aliquots.

(1) South 16 degrees east 250 feet
(2) North 74 degrees east 202.2 feet
(3) North 16 degrees west 221 feet
(4) South 74 degrees West 192.7 feet
to the place of beginning.

Also known as 581 Frederick Road, being the property of Atlantic Air Conditioning & Heating, Inc., as shown on plat filed with the Zoning Department.

Hearing Date: Tuesday, January 15, 1962 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of
WILLIAM E. HARTMANN
Zoning Commissioner
of Baltimore County
Dec 15

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 30, 1962

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on the 15th day of January, 1962, the day of publication appearing on the 15th day of December, 1962.

THE JEFFERSONIAN,
Manager

End of Advertisement

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting 12-30-62

Posted for Special Hearing of Variance

Petitioner Atlantic Air Conditioning & Heating, Inc.

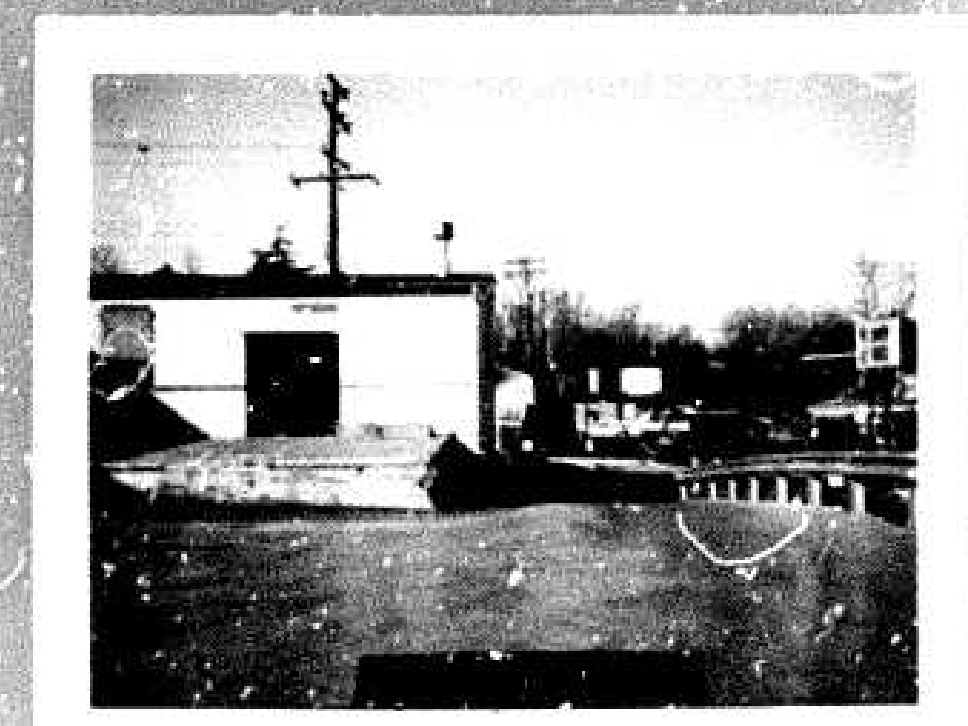
Location of property S.W. of Frederick Rd., 127 ft. E. of the centerline of Bishop Lane

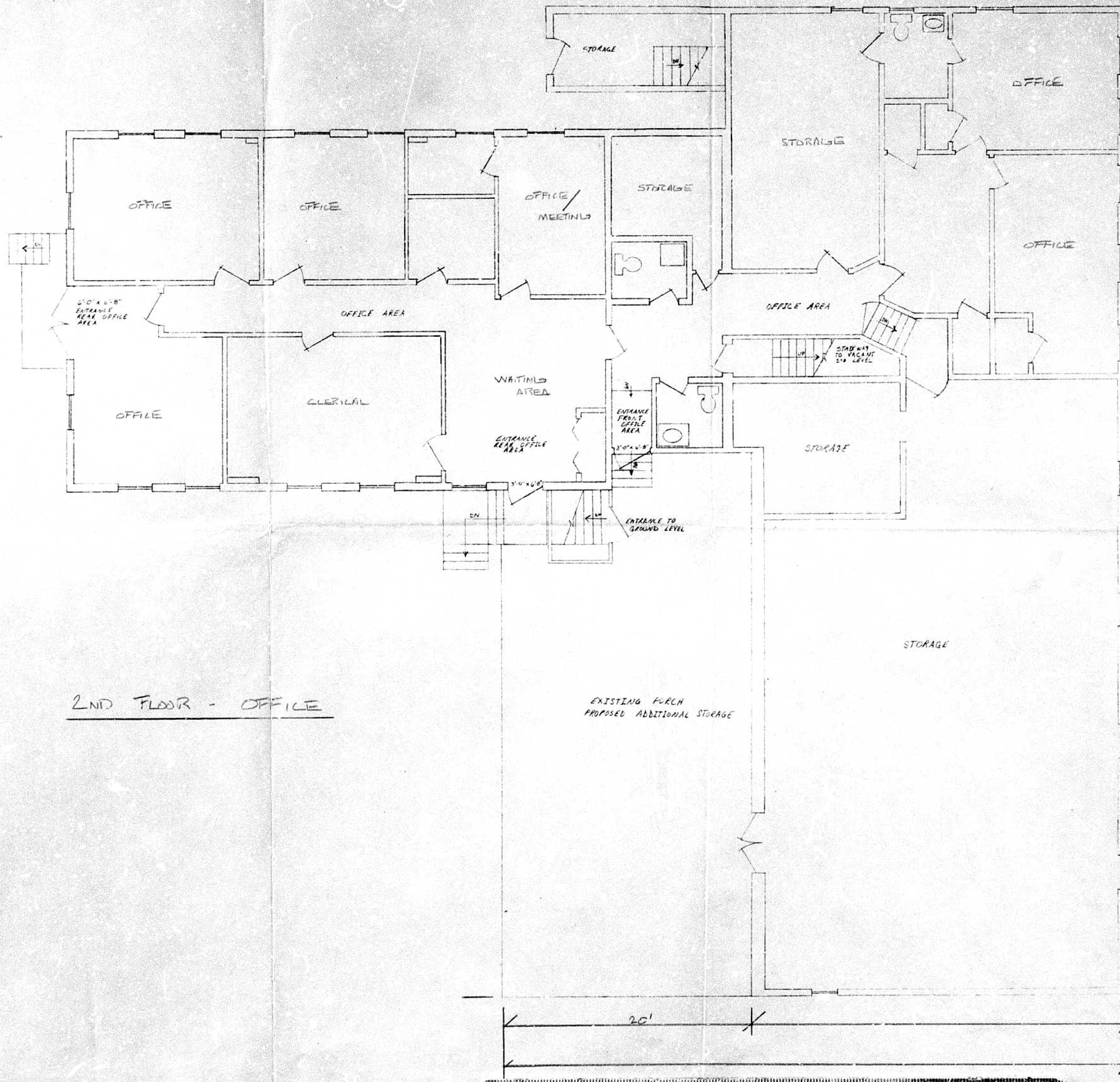
Location of Signs 127 ft. E. of Building

Remarks

Posted by [Signature] Date of return 1-1-63

Number of Signs 2



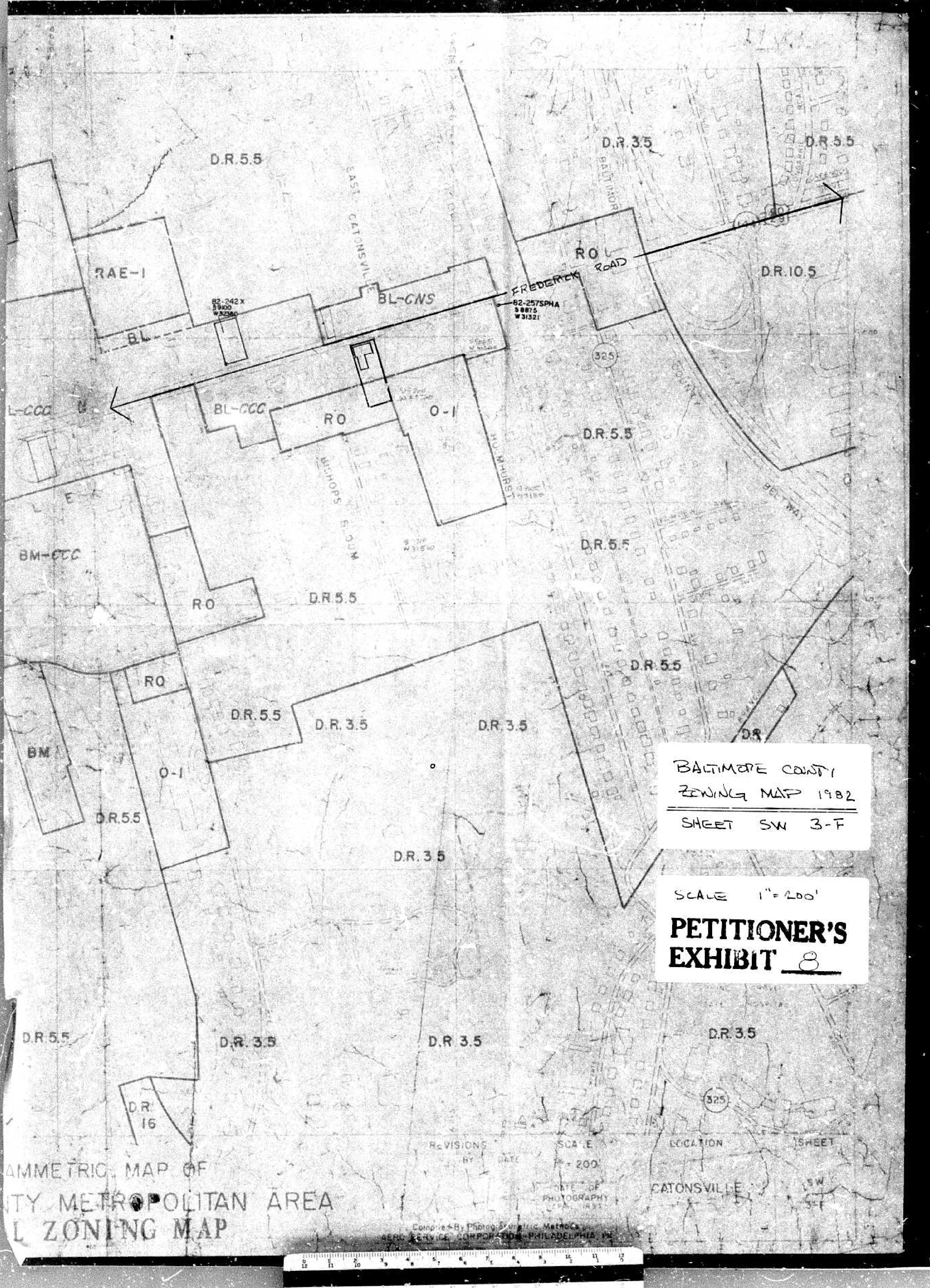


2ND FLOOR - OFFICE

FREDERICK ROAD

**PETITIONER'S
EXHIBIT 25**

ATLANTIC AIR CONDITIONING & HEATING MECHANICAL CONTRACTORS	
JOB NAME	
590 FREDERICK ROAD	
FIRST LEVEL	
DRAWN BY	TITLE
SCALE: 1/4" = 1'-0"	DATE: 9/2/86



BALTIMORE COUNTY
ZONING MAP 1982
SHEET SW 3-F

SCALE 1" = 200'
**PETITIONER'S
EXHIBIT 8**

ASYMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
ZONING MAP

REVISIONS	BY	DATE	SCALE	LOCATION	SHEET
			1" = 200'	CATONSVILLE	SW 3-F

Compiled By Photogrammetric Methods
AEROC SERVICE CORPORATION - PHILADELPHIA, PA.





DATE: 10/10/62

10/10/62



PETITIONER'S
EXHIBIT 12

SITE PLAN

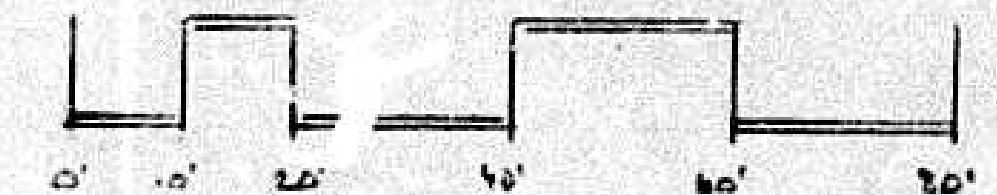
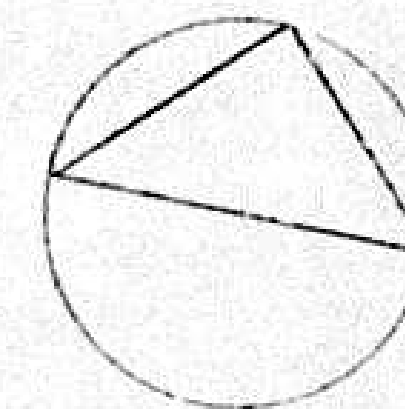
5833 FREDERICK ROAD

BALTIMORE COUNTY MARYLAND

2ND ELECTION DISTRICT

SITE PLAN FOR SPECIAL HEARING AND VARIANCE

THE SUBJECT PROPERTY IS LOCATED IN
THE EAST CATONSVILLE COMMERCIAL
RENEWAL AREA.



PETITIONER'S EXHIBIT 1

NOTES

1. ZONING - RL-COE AND DR-10 / PORTION OF PARKING AREA
2. LOT AREA - 23,631 sq ft
3. EXISTING USE - RESTAURANT AND OFFICE
4. PROPOSED ADDITION - STORAGE AREA (FOR OFFICE)

5. VARIANCE

EXISTING - 38 SPACES
PROPOSED - 38 SPACES (NO CHANGE)
REQUIRED

RESTAURANT - 1/500 sq ft TOTAL FLOOR AREA

TOTAL FLOOR AREA	4,880 sq ft
PUBLIC AREA	2,740 sq ft
OFFICE & STORAGE	1,140 sq ft

OFFICE (2ND FLOOR) 1/500 sq ft TOTAL FLOOR AREA

TOTAL FLOOR AREA	4,680 sq ft
EXISTING	2,740 sq ft
PROPOSED (STORAGE)	1,940 sq ft

TOTAL SPACES REQUIRED 38 TOTAL PROVIDED 38

10. ON-SITE LIGHTING IN COMPLIANCE WITH SECTION 401.2.2(4).

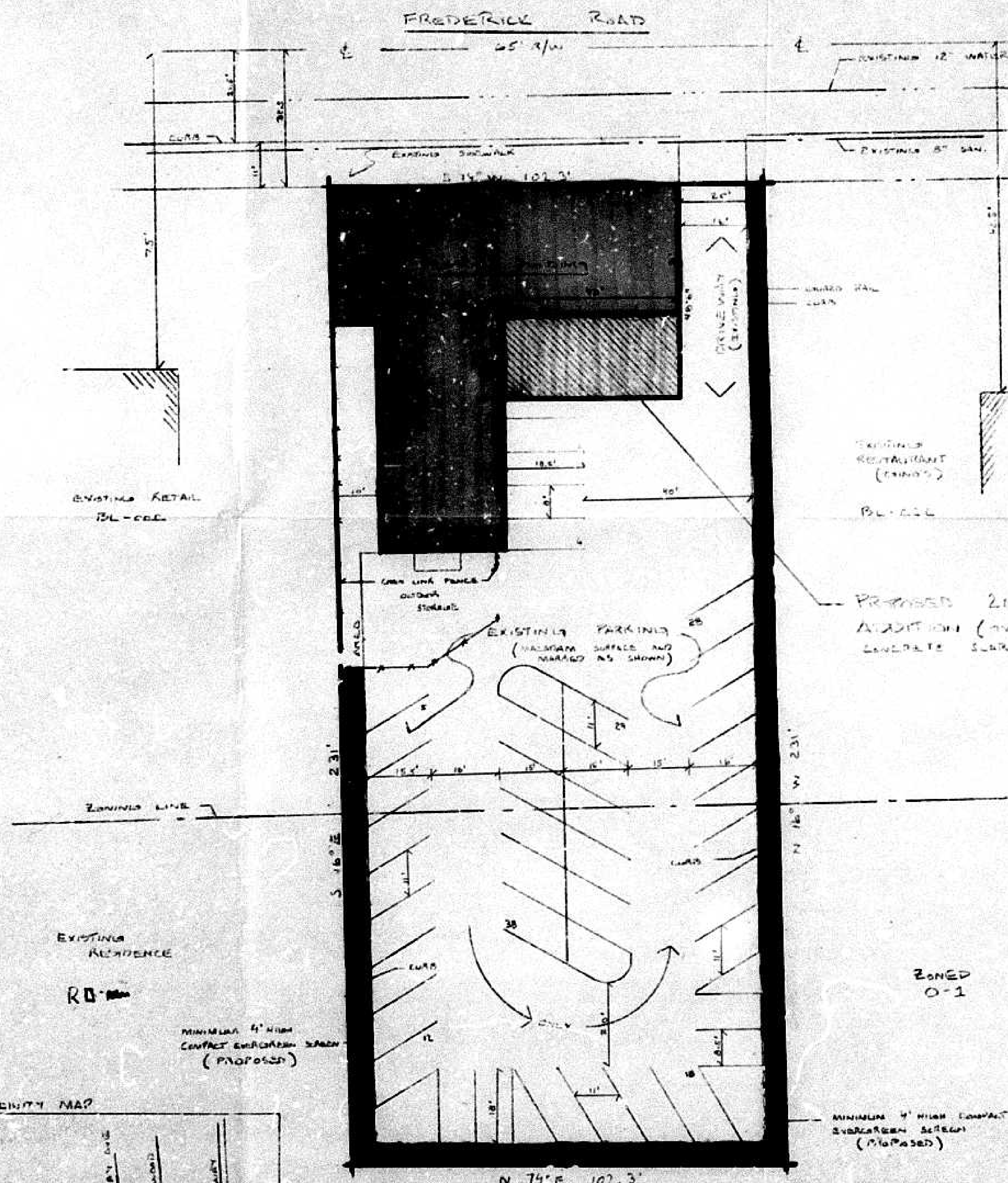
PREPARED FOR:

ATLANTIC AIR CONDITIONING
AND HEATING
5833 FREDERICK ROAD
BALTIMORE COUNTY, MD

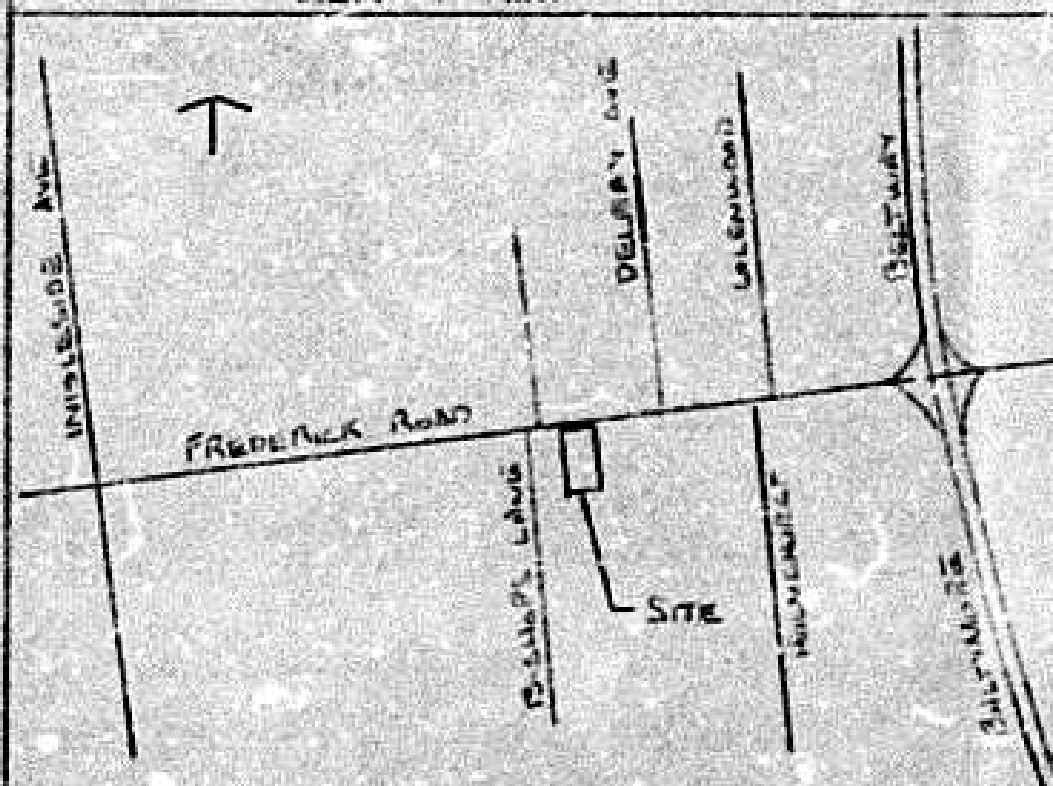
PREPARED BY:

BILL MONK
LAND PLANNER
P.O. BOX 11415
BALTIMORE, MD
21231
301 323-1885

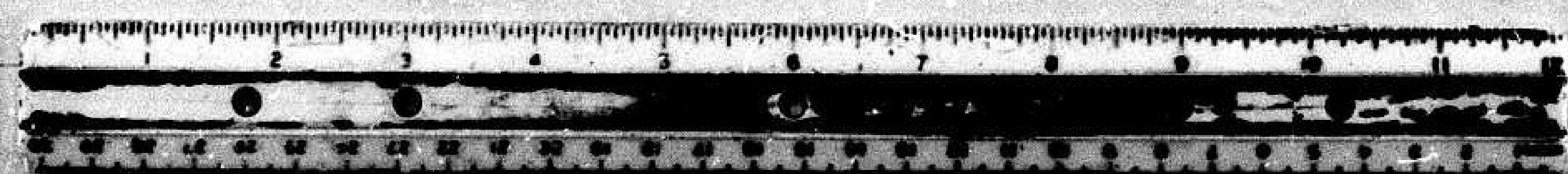
OCTOBER 1982

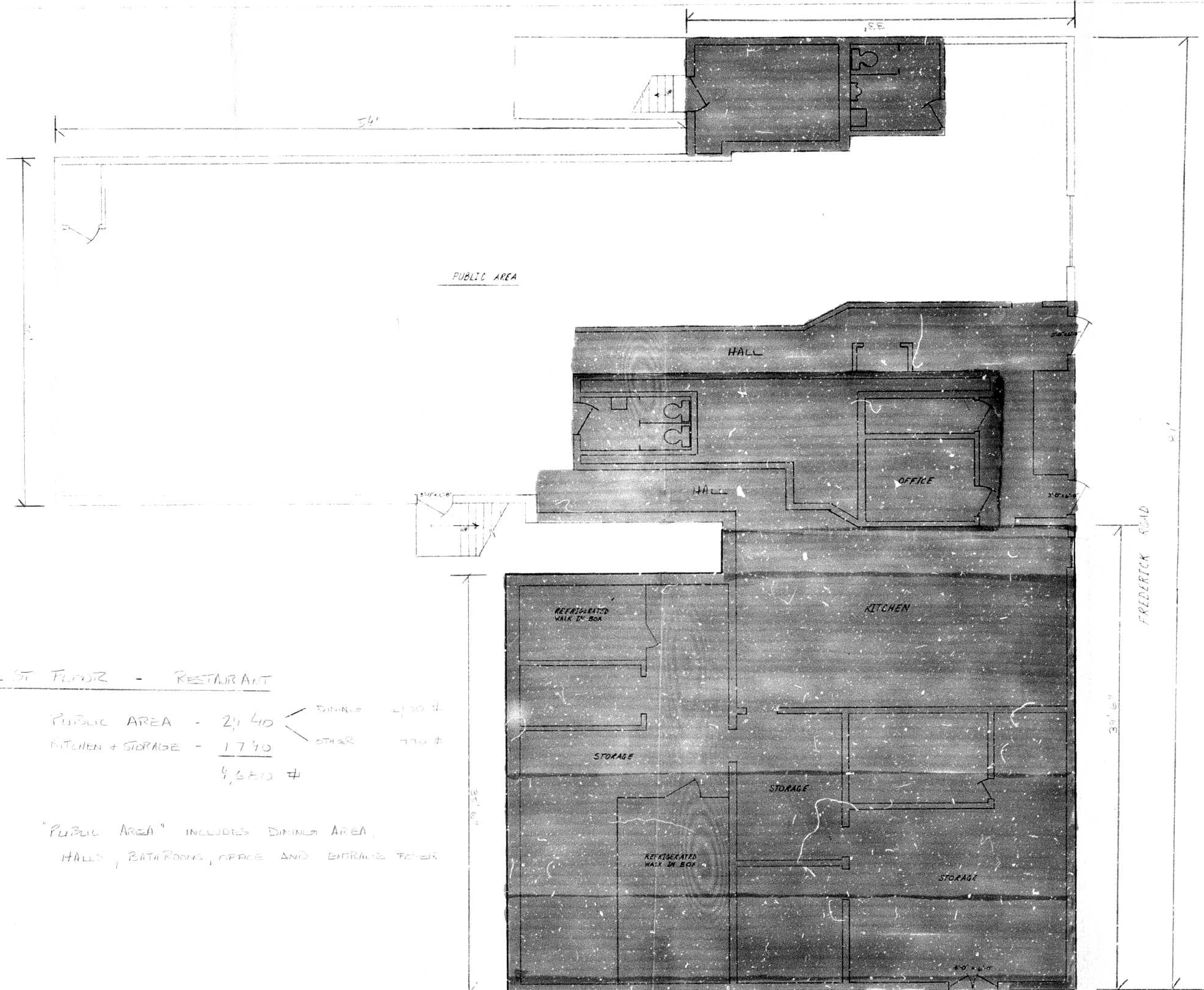


VIACITY MAP



EXISTING
RESIDENCE
RL-COE



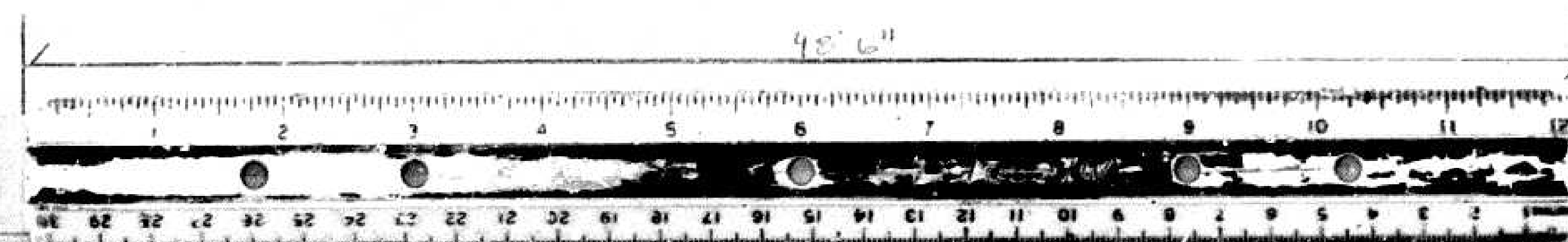


1st FLOOR - RESTAURANT

PUBLIC AREA - 2,140 $\pm$ DINING 1,500 $\pm$
 KITCHEN + STORAGE - 1,790 $\pm$ OTHER 770 $\pm$
 4,680 $\pm$

"PUBLIC AREA" INCLUDES DINING AREA,
 HALLS, BATHROOMS, OFFICE AND ENTRANCE PORCH

**PETITIONER'S
EXHIBIT 19**



ATLANTIC	
AIR CONDITIONING & HEATING	
MECHANICAL CONTRACTORS	
JOB NAME	
583 FREDERICK ROAD	
GROUND LEVEL	
DRAWN BY:	TITLE:
SCALE: 1/4" = 1'-0"	DATE: 9/27/82

SITE PLAN

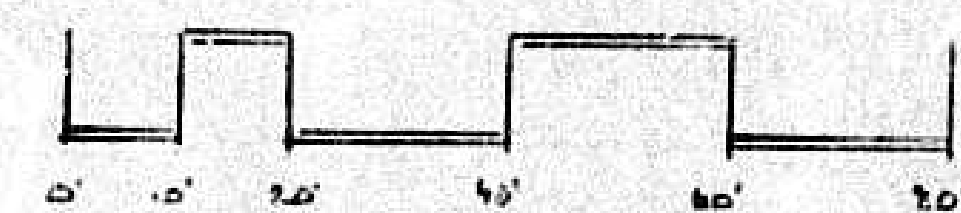
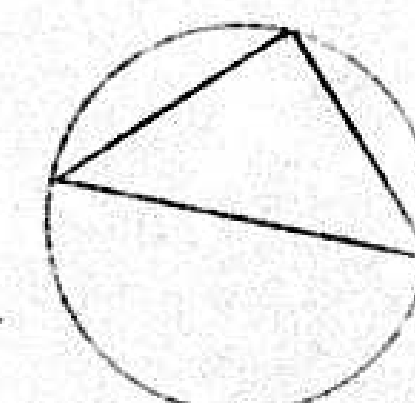
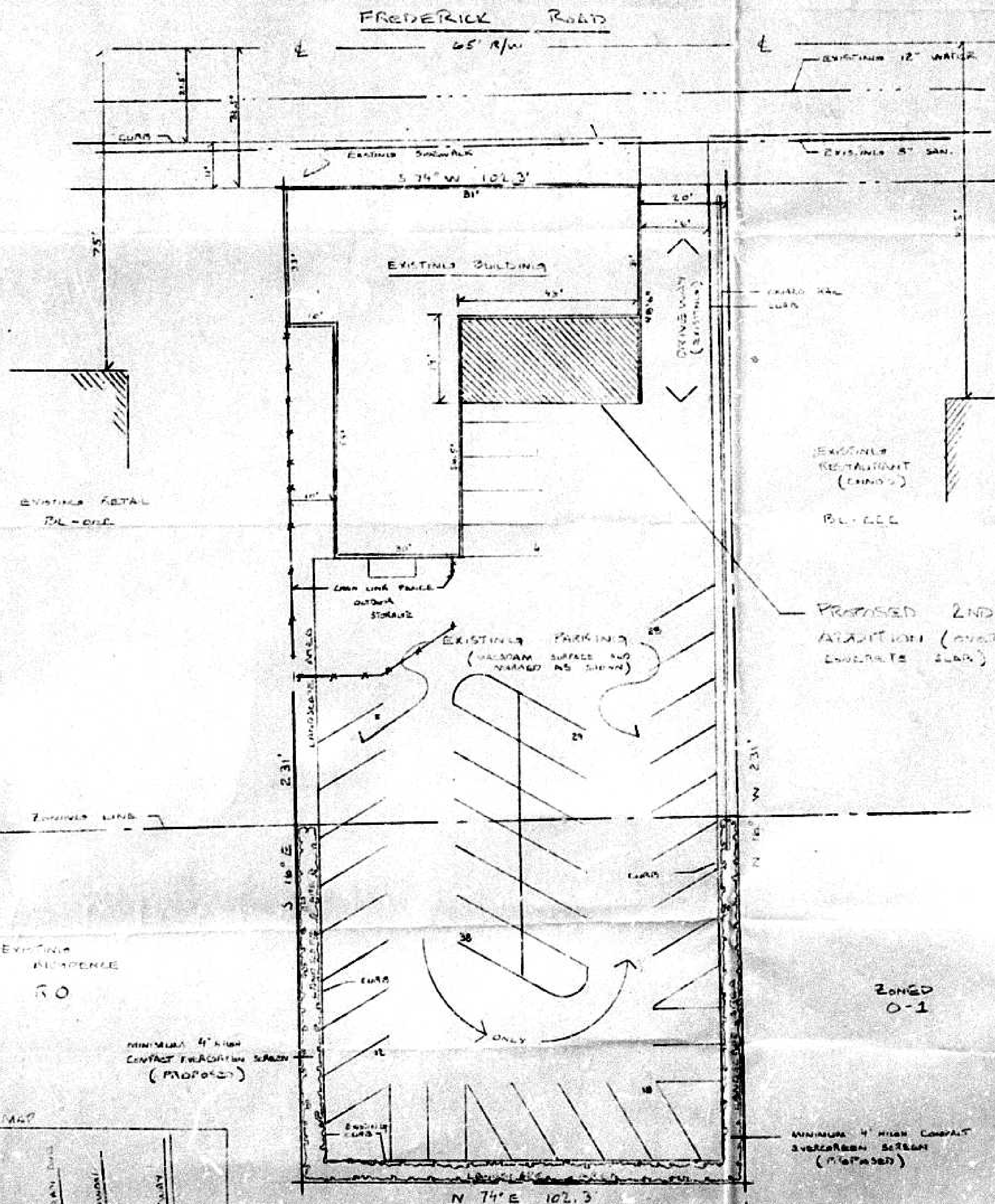
583 FREDERICK ROAD

BALTIMORE COUNTY, MARYLAND

1ST ELECTION DISTRICT

SITE PLAN FOR SPECIAL HEARING AND VARIANCE

THE SUBJECT PROPERTY IS LOCATED IN
THE EAST OXBOW COMMERCIAL
REDEVELOPMENT AREA.



RESTRICTIONS FOR ORDINANCE 83-160, SPHA:

- 1) THE PROPOSED ADDITION SHALL BE FOR OFFICE STORAGE AND ANY INCREASE IN RESTAURANT OR OFFICE USE, INCLUDING ONLY OF STORAGE SHALL REQUIRE ADDITIONAL SPECIAL PERMITS PROVIDED IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS.
- 2) ALL OF THE PARKING SPACES PROVIDED AND SHOWN SHALL HAVE WHEEL STOP OR CONCRETE CURBS (SEE PLAN) CONSTRUCTED TO PREVENT MOTOR VEHICLES PARKED THEREIN FROM CROSSING THE COMMON PROPERTY LINE OF THE ADJACENT OWNER AND THE PERMITTEE IN ORDER TO PREVENT ANY DAMAGE TO THE OFF-SITE TENDERS, TREES, LIGHT POLES, BUILDINGS OR OTHER IMPROVEMENTS CONTAINED ON THE ADJACENT PROPERTY.
- 3) THE SITE PLAN IS IN COMPLIANCE WITH SECTION 409.2 C OF THE BALTIMORE COUNTY ZONING REGULATIONS REGARDING THE REQUIREMENTS FOR ALL PARKING SPACES OR PARKING LOTS.

NOTES:

1. ZONING - PL-600 AND PL-610 / PARKING AREA
2. LOT AREA - 23,631 sq ft
3. EXISTING USE - RESTAURANT AND OFFICE
4. PROPOSED ADDITION - STORAGE AREA (FOR OFFICE)

5. PARKING	
EXISTING - 38 SPACES	
PROPOSED - 38 SPACES (NO CHANGES)	
REQUIRED	
RESTAURANT - 1/50 & TOTAL FLOOR AREA	
TOTAL FLOOR AREA	4,820 sq ft
REST. AREA	2,140 sq ft
OFFICE & STORAGE	1,940 sq ft
OFFICE (2ND FLOOR) - 1/50 & TOTAL FLOOR AREA	
TOTAL FLOOR AREA	4,630 sq ft
EXISTING	3,814 sq ft
PROPOSED (2ND FLOOR)	836 sq ft
TOTAL SPACES REQUIRED	45
TOTAL PROVIDED	38
6. ON-SITE LIMITS IN COMPLIANCE WITH SECTION 409.2 C(4).	

PLANS APPROVED OFFICE OF PLANNING & ZONING

BY [Signature]
DATE 11/18/84
BY [Signature]
DATE 1/16/85

ATLANTIC AIR CONDITIONING
AND HEATING
583 FREDERICK ROAD
BALTIMORE COUNTY, MD.

83-160
C-1104-83

PREPARED BY:
BILL MANN
LAND TANNER
P.O. BOX 11416
BALTIMORE, MD.
21231
301 323-1225

OCTOBER 1982

