

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th
Posted for: Special Hearing
Petitioner: William J. Steiner, Jr. et ux
Location of property: SE/S of Old Annapolis Rd. & Vermont Ave.
Location of Signs: Southeast Corner of Old Annapolis Rd. and Vermont Avenue
Remarks: As per Petition
Posted by: W. J. Steiner, Jr.
Number of Signs: 1

Date of Posting: 3-25-83
Date of return: 3-31-83

March 15, 1983

Mr. & Mrs. William J. Steiner, Jr.
929 Shells Drive
Glen Burnie, Maryland 21061

NOTICE OF HEARING
Re: **Petition for Special Hearing**
SE/S of Old Annapolis Road and Vermont Avenue
William J. Steiner, Jr., et ux - Petitioners
Case No. 83-232-SPH

TIME: 10:00 A.M.
DATE: Tuesday, April 12, 1983
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

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

No. 112376

DATE: 3-25-83 ACCOUNT: R-1-615-010
RECEIVED FROM: William J. Steiner, Jr. AMOUNT: 120.00
FOR: City fee for 1983

0 065*****1000010 0243A

VALIDATION OR SIGNATURE OF CASHIER

Office of
PATUXENT
Publishing Corp.
10750 Line Patuxent Pkwy
Columbia, MD 21044

THIS IS TO CERTIFY, that the annexed advertisement of

Petition Special Exception
42576

was inserted in the following:
Catonsville Times
Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 26 day of March 19 83, that is to say,
the same was inserted in the issues of

March 24, 1983

PATUXENT PUBLISHING CORP.
By Patuxent Publishing Corp.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

PETITION FOR SPECIAL HEARING
13th Election District

ZONING: Petition for Special Hearing

LOCATION: Southeast side of Old Annapolis Road and Vermont Avenue

DATE & TIME: Tuesday, April 12, 1983 at 10:00 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 on the 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 an amendment to site plan filed in Case No. 83-232-SPH to allow a limited number of used car sales not to exceed 75 per year as an accessory use to a service garage.

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

Being the property of William J. Steiner, Jr., et ux, as shown on plat filed with the Zoning Department.

Hearing Date: Tuesday, April 12, 1983 at 10:00 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

CERTIFICATE OF PUBLICATION

TOWSON, MD

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 26 day of March 19 83, the first publication appearing on the 26 day of March 19 83.

THE JEFFERSONIAN
Manager

Cost of Advertisement \$

PROPERTY DESCRIPTION OF:

4209 Old Annapolis Road
Baltimore, County, MD.

OWNERS:

William J. & Janice M. Steiner
Bx. 292 F North Shore Drive
Glen Burnie, MD. 21061

BEGINNING for the same at the intersection of the East side of Old Annapolis Road with the South side of Vermont Avenue, 50' wide, as shown on the Plat of Baltimore Highlands, as recorded among the Land Records of Baltimore County in Plat Book G.L.B.-2, Folio No. 379; and thence running and binding on the said South side of said Vermont Avenue, South 64° 30' 00" East, a distance of 165.43 feet to the West side of a 10' alley, as shown on said plat; thence running and binding on said West side of said 10' alley, with use thereof in common with others, South 25° 30' 00" West, a distance of 155.00 feet; thence running and binding on the division line of Lots number 4 and 5, section "B", as shown on said Plat, North 64° 30' 00" West, a distance of 120.37 feet to the said East side of Annapolis Road; thence running and binding on the said East side of Annapolis Road, North 09° 17' 40" East, a distance of 161.45 feet to the South side of Vermont Avenue and the place of beginning.

BEING Lots number 5, 6, 7, 8, 9 and 10, Block "B", as shown on the Plat of Baltimore Highlands, as recorded among the Land Records of Baltimore County in Plat Book No. G.L.B.-2, Folio No. 379.

BEARINGS as described herein being referred to the Magnetic Meridian of 1956.

PETITION FOR SPECIAL HEARING

13th Election District

ZONING: Petition for Special Hearing

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DATE & TIME: Tuesday, April 12, 1983 at 10:00 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:

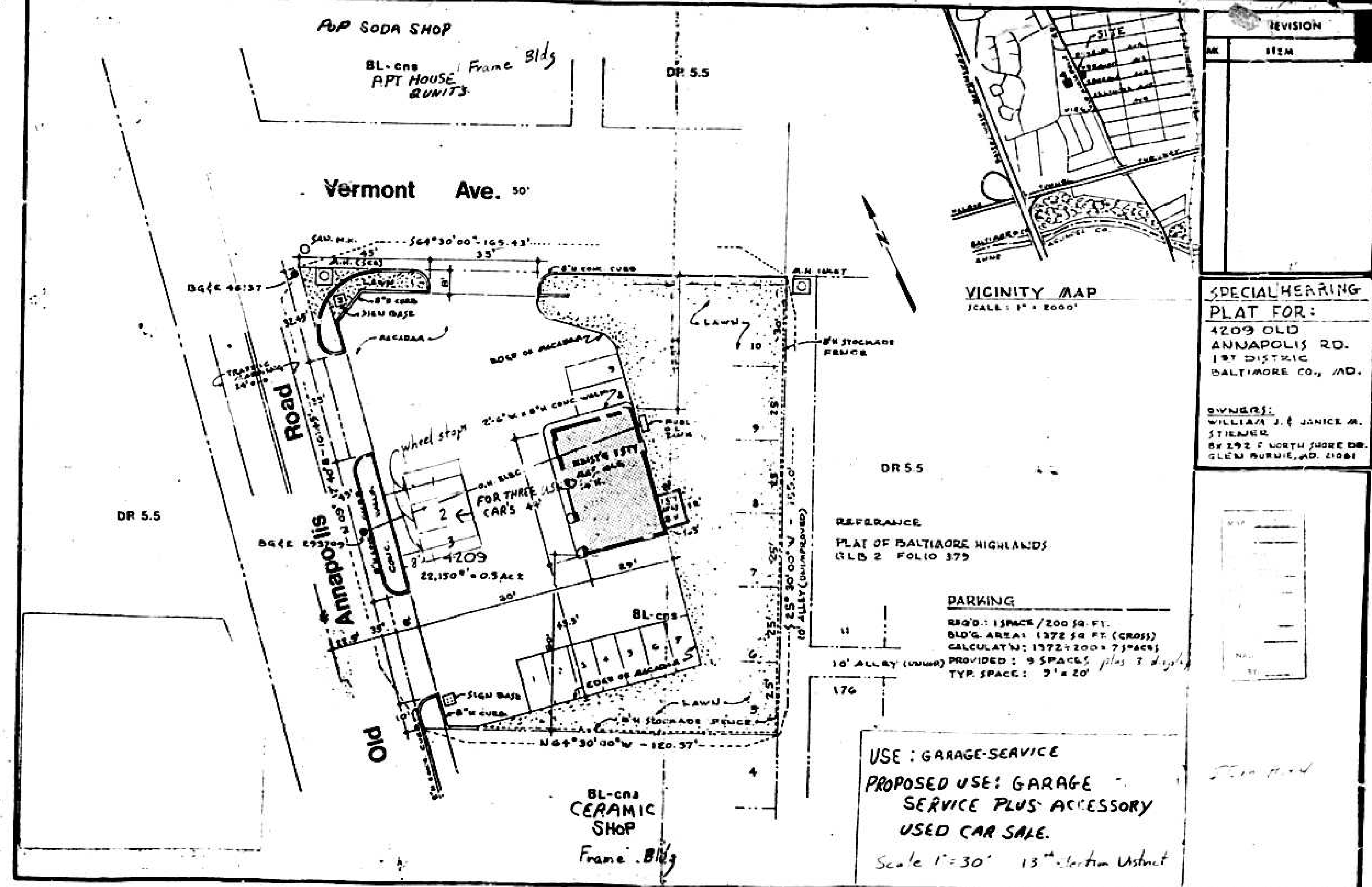
Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to site plan filed in Case No. 83-232-SPH to allow a limited number of used car sales not to exceed 75 per year as an accessory use to a service garage.

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Hearing Date: Tuesday, April 12, 1983 at 10:00 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



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

June 22, 1977

Re: Item #255 (1976-1977)
Property Owner: William J. & Janice M. Steiner
S/W Cor. Old Annapolis Rd. & Vermont Ave.
Existing Zoning: B.L. - C.N.S.
Proposed Zoning: Special Exception for a service garage.
Acres: 0.50 District: 13th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Annapolis Road (Md. 648) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

As indicated, power poles are within the intended travel way of Old Annapolis Road and the roadway areas adjacent to the curbing along both Old Annapolis Road and Vermont Avenue remain without pavement (See Drawing #58-2311, File 5). Also, sidewalks are required along the Vermont Avenue frontage of this property. The construction or reconstruction of concrete sidewalks, curbs and gutters, entrances, aprons, etc. will be the full responsibility of the Petitioner.

The unimproved alley along the rear (east side) of this property, shown on the plat "Baltimore Highlands", recorded J.W.S. 2 Folio 179, is residential. The Petitioner shall provide means to prevent ingress or egress of vehicular traffic.

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

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #255 (1976-1977)
Property Owner: William J. & Janice M. Steiner
Page 2
June 22, 1977

Storm Drainage:

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

There is a cistern or oil pit (approximately 4' diameter) in the rear of this property.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

DONALD W. RUCKER, P.E.
Acting Chief, Bureau of Engineering

DWT:EAM:FKR:es

cc: J. Somers

C-NE Key Sheet
22 & 23 SW 5 Pos. Sheets
SW 6 & 7 Topo
109 Tax Map



Maryland Department of Transportation
State Highway Administration

Lowell K. Brinkman
Secretary
W. S. Calver
Administrator

February 4, 1983

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of Feb. 1, 1983
ITEM: #144.
Property Owner: William J. & Janice M. Steiner, Jr.
Location: SE/Cor. Old Annapolis Road, Route 648 and Vermont Avenue
Existing Zoning: B.L.-CNS
Proposed Zoning: Special
Hearing to approve an amendment to site plan in Case #78-76-X to allow a limited number of used car sales not to exceed 75 per year as an accessory use to a service garage.
Acres: 161.45/155.00 X 165.43/120.34
District: 1st

Dear Mr. Hammond:

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

The existing channelized entrances to Old Annapolis Road (Route 648) are generally acceptable.

However, there are two (2) existing utility poles within the traveled way and paving at the northeast corner of Vermont Avenue and Old Annapolis Road that has never been completed.

My telephone number is (301) 650-1350
Teletypewriter for impaired hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5067 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21203 - 0717

Mr. W. Hammond

-2-

February 4, 1983

Our recommendation is that the poles be relocated beyond the curb line of Old Annapolis Road and the radius at the intersection of Old Annapolis Road and Vermont Avenue be paved.

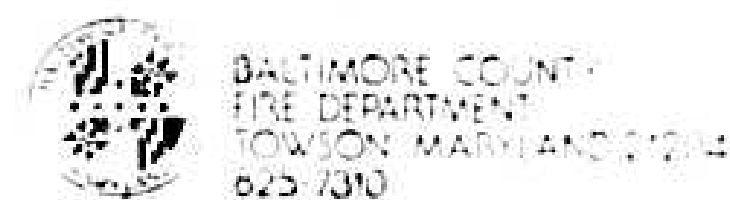
Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

By: George Witzman



PAUL H. RENZI
Chief

March 30, 1983

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: William J. and Janice M. Steiner, Jr.

Location: SE/Cor. Old Annapolis Road and Vermont Avenue

Item No.: 144

Zoning Agenda: Meeting of February 1, 1983

Gentlemen:

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

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of 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", 1976 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: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mbl/cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: February 14, 1983
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 127 - E. L. S. Enterprises, Inc.
- Item # 131 - Carl M. & Catherine V. Buckley, Jr.
- Item # 134 - Allen W. Haynie
- Item # 135 - Santi V. & Rose M. Lasso
- Item # 137 - Herbert A. & Dorothy M. Reynolds
- Item # 138 - James T. & Pearl Shipley
- Item # 142 - Daniel T. & Janet T. Brullinski
- Item # 143 - Denver G. Rash
- Item # 144 - William J. & Janice M. Steiner, Jr.
- Item # 146 - Beacon Building Corp.
- Item # 147 - Robert A. & Deborah L. Jennings

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Nicholas Commodari
TO: Planning & Zoning Date: March 7, 1983
FROM: Building Plans Review
SUBJECT: Zoning Advisory Committee Meeting February 1, 1983

- Item 52 - Revised Comments
- Item 138 - Revised Comments
- Item 94 - Revised, Copy of original comments
- Item 144 - Standard Comments
- Item 145 - Standard Comments
- Item 146 - See Comments
- Item 147 - See Comments

[Signature]
Charles E. Burman
Chief Plans Reviewer

djl

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dusen, Superintendent

Towson, Maryland 21204

Date: February 24, 1983

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

Z.A.C. Meeting of February 1, 1983

RE: Item Nos. 144, 145, 146, 147
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,

[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

KNP/bp

IN THE MATTER OF THE APPLICATION OF WILLIAM J. STEINER, JR., ET UX FOR A SPECIAL HEARING RE AMENDMENT TO SITE PLAN FILED IN CASE #78-76-X SE/S OLD ANNAPOLIS ROAD A/D VERMONT AVENUE 13th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 83-232-SPH

OPINION

The above captioned matter comes before the Board on an appeal from the Zoning Commissioner's Order for a special hearing to amend a site plan to allow a limited number of used cars to be parked, as an accessory use, at a service garage on the southeast side of Old Annapolis Road and Vermont Avenue, in the Thirteenth Election District of Baltimore County.

The testimony and evidence can be summarized as follows:

The Petitioner, William J. Steiner, Jr., testified that he is a wholesale used car dealer who buys and sells approximately seventy-five cars a year. He wholesales them from one dealer to another, and many times they do not reach his lot. Mr. Steiner testified that his lease at 6031 Ritchie Highway had been terminated and at that time he was informed by the Department of Motor Vehicles that in order to retain or obtain a dealer's license he must provide a designated parking area for a maximum of three cars as well as an office and a service area. Mr. Steiner also testified that he owned the service garage on Old Annapolis Road and Vermont Avenue, and is presently leasing it to Mr. Vince Lancelotta. The proposed use would be an accessory use to the service garage. Mr. Steiner further testified that a practical hardship and a very difficult situation would exist, forcing him out of business, if the petition is not granted. He suggested to the Board that he would accept any restrictions placed upon the granting, and again assured the Board there would never be more than three vehicles parked in the designated area.

Mr. Benson A. Naser testified that he was the Principal of Baltimore Highlands Elementary School and was unaware of any opposition to the proposed use. He also stated that in the three and one half years of employment at the school, directly across the road, he had no knowledge of the occurrence of any accidents.

WILLIAM J. STEINER, JR. - #83-232-SPH

Mrs. Catherine Owings, 3000 Vermont Avenue, was the only Proponent. Mrs. Owings testified that at one time she had observed as many as one hundred cars at this location. She also testified that when this petition was filed most of these cars were removed from the site. Mrs. Owings objected to any additional change in this area, and suggested that the traffic and congestion was out of control. She further testified that if a maximum of three cars were parked on the property and the place was kept clean she would not object.

John W. Hession, People's Counsel for Baltimore County, introduced photos of the garage in question, and called attention to People's Counsel's Exhibit #1-A showing fifteen cars at the service garage at a given time. Mr. Hession suggested to the Board that a restriction for a limited number of cars to be parked at the service garage at any one time could be placed on the property.

Attention is directed to the comments in a letter from the Department of Traffic Engineering, dated March 7, 1983, that the proposed use would generate no traffic problems.

The Board notes the only issue before it, at this time, is the amendment to the site plan, indicating a designated parking area for a maximum of three vehicles.

After careful consideration of the testimony and evidence, the Board is persuaded that an unreasonable hardship will exist if this petition is not granted, and further, the Board is persuaded that the three additional cars would not create congestion or traffic problems. The Board would also strongly suggest that the Petitioner adhere to the restrictions placed upon him by the Zoning Commissioner's ruling granting a special exception on the 21st of February, 1978.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4th day of October, 1983, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated April 19, 1983, be REVERSED, and that the Petitioner's

WILLIAM J. STEINER, JR. - #83-232-SPH

request for an amendment to the site plan be GRANTED for the parking and the display of three (3) additional vehicles in the designated area on the site plan.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Joanne L. Suder, Acting Chairman

Larry B. Spangler

William R. Evans

PETITION FOR SPECIAL HEARING #83-232-SPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Special Hearing under Section 507.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to site plan filed in case #78-76-X to allow a limited number of used car sales not to exceed 75 per year as an accessory use to a service garage.

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

I, or we, agree to pay expenses of the 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 of Baltimore County.

I We do solemnly declare and affirm under the penalties of perjury that I we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No

Legal Owner(s)

William J. Steiner, Jr.

(Type or Print Name)

Signature

Janice M. Steiner

(Type or Print Name)

Signature

929 Sheila Drive 768-1195

Glen Burnie, Md. 21061

City and State

Name, address and phone number of legal owner, contact person for notices to be contacted

Name

Address

Phone No

ORDER RECEIVED FOR FILING DATE April 19, 1983

ORDERED By The Zoning Commissioner of Baltimore County this 1st day of February 1983 that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 104 County Office Building in Towson, Baltimore County, on the 12th day of April 1983 at 10:00 o'clock A.M.

Signature of Zoning Commissioner of Baltimore County

September 24, 1983
3000 Vermont Avenue
Baltimore, Maryland 21227

Joanne L. Suder
Room 200
Court House
Towson, Maryland 21204

Dear Ms. Suder,

Since the hearing you presided over on September 14, 1983 concerning Steiner's garage, I have gained additional knowledge that I believe warrants the reopening of the case. As principal of the neighborhood school, Mr. Maser should not be leaving his job at the tax payer's expense to testify for a private businessman. I have contacted the Board of Education and reported the fact that Mr. Maser has his automobile serviced at Steiner's garage. It appears there is a personal relationship between the two gentlemen, especially since Mr. Maser refused to get involved in the case previously. Mrs. Evelyn Chatman offered to contact your office to try to rectify the possible damage Mr. Maser has done by using his position as principal of the school. After some inquiries, Mrs. Chatman advised me that no additional information could be added to the testimony. She advised me to petition for a new hearing.

In addition to the above information, I have learned through Mr. Richard Sullivan of 2802 Vermont Avenue that Mr. Maser also allows Mr. Steiner to park his excess cars on the school parking lot until the zoning inspectors have taken pictures and inspected the premises, then he returns the cars to the garage parking lot. Mr. Sullivan has agreed to testify to this if a new hearing is granted.

Sincerely,
Catherine C. Owings
Catherine C. Owings

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

Mrs. Catherine C. Owings
3000 Vermont Avenue
Baltimore, Maryland 21227

Reg. John W. Hession, Esq.
People's Counsel

Dear Mr. Owings:

I have received your letter of September 24, 1983, requesting that we reopen the above entitled case for further testimony. After careful consideration of your request, it is my ruling that we will not reopen the case for the purpose of hearing further testimony concerning this matter.

If you are unhappy with any decision in this case, an appeal may be taken within thirty days of the date of that decision.

Very truly yours,

Joanne L. Suder, Acting Chairman

cc: Mr.

cc: William J. and Janice Steiner
John W. Hession, III, Esquire

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

June 21, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 83-232-SPH WILLIAM J. STEINER, JR., et ux
SE/S Old Annapolis Rd. and Vermont Ave.
13th District
SPH--Amendment to site plan to allow a limited number of used car sales (75) as an accessory use to a service garage.
4/19/83 - Z.C.'s Order - DENIED

ASSIGNED FOR: WEDNESDAY, SEPTEMBER 14, 1983, at 10 a.m.

cc: William J. Steiner, Jr., et ux Petitioners
Mrs. Catherine Owings Protests
J. W. Hession, Esq. People's Counsel
J. Hoswell
N. Gerber
W. E. Hammond
J. E. Dyer

June Holman, Secretary

BALTIMORE COUNTY, MARYLAND
OFFICE OF THE ZONING COMMISSIONER
MISCELLANEOUS CASH RECEIPT
DATE 5/11/83
AMOUNT \$80.00
ACCOUNT # 8-01-615-000
No. 117512