

112-40

Edward Griffin
752 Frederick Road
Catonsville, Maryland 21228

January 13, 2012

Baltimore County Zoning Office
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Spirit and Intent Letter for 752 Frederick Road

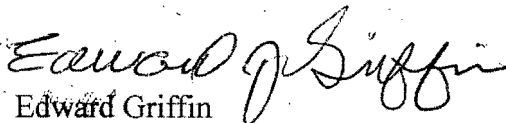
To Whom It May Concern:

I am writing to request approval to change the second floor of 752 Frederick Road (rear) from office to an apartment.

In 1997, in a special hearing, I was approved for a service garage on the first floor and an office on the second. I have the required parking for either use, but wish to convert the office into an apartment because it will generate less traffic (both foot and vehicular).

I thank you in advance for your assistance and review of this matter.

Sincerely,


Edward Griffin

APPROVED AS BEING WITHIN THE SPIRIT AND
INTENT OF THE PLAN AND ORDER IN ZONING
CASE # 92-164-SPH & 89-79-XA.

 2/3/12
W. CARL RICHARDS, JR. DATE

(THIS ZONING APPROVAL IS SUBJECT TO ALL
REQUIRED BALTIMORE COUNTY PERMITS.)

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - N/S Frederick Rd. 70' E of Egges Lane (752 Frederick Road) 1st Election District 1st Councilmanic District

Edward Griffin
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-79-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit a service garage on the subject property, and variances to permit five (5) parking spaces in lieu of the required 19 spaces, and to permit 0 sq.ft. of amenity open space in lieu of the required 945 sq.ft., all as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. Assisting Mr. Griffin in his presentation was William P. Monk, a Land Use Planning and Zoning Consultant. Appearing as interested parties were Deputy Chief James P. Judge of the Western District Baltimore County Fire Department, and James W. Mohler and Thomas E. Booth, both representatives of Catonsville 2000, Inc.

At the onset of the hearing, Petitioner amended his request for a variance to permit eight (8) parking spaces in lieu of the required 14.

Testimony indicated that the subject property, known as 752 Frederick Road, is zoned B.L.-C.C.C. and is currently improved with three connected structures. The subject property was purchased by Petitioner in December 1982. Immediately after his purchase, Petitioner terminated the lease for use of the rear two-story concrete block structure as a motorcycle repair and parts shop, which had been a source of problems for the surrounding neighborhood and adjoining Fire Station. Petitioner is, in fact, desirous of using the subject property for a service garage which

will be operated by him and limited to light mechanical repairs by appointment only. Petitioner indicated that there will be no junk vehicles stored on the property. Further, no body or fender work or engine work will be performed on the premises. Mr. Griffin testified that he has been working in the service garage business for the past 28 years, the last 8 years of which he has spent supervising mechanics for other companies. Mr. Griffin indicated that most of his work, hopefully, will consist of the inspection of vehicles for dealers to verify that the vehicles meet State of Maryland safety requirements.

After discussions and meetings with the community and representatives of Catonsville 2000, Inc., Mr. Griffin was willing to limit his hours of operations to Monday through Friday from 7:00 AM to 6:00 PM, and Saturdays from 8:00 AM to 4:00 PM. Further, he agreed there would be no body or paint work, no major engine work, no abandoned or wrecked cars stored on the property, no parts scattered about or left outside, repairs would consist of light mechanical work only, and the granting of the special exception would be limited to the present owner operating a service garage from the subject property. If there would be a change in ownership of the business, the new proprietor would present evidence as to his/her use of the property as a service garage verifying the criteria set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) would be met.

Further, as part of the negotiations with the community, Petitioner agreed to remove the structures in the middle of the lot. Petitioner introduced as Petitioner's Exhibit 10 a photograph which clearly depicts the structures that shall be removed. This decision was made following a meeting at the site and a determination that removal of this section would

result in less congestion of the property and provide a long-term visual improvement to the area. Additionally, the removal would reduce the parking requirements for the site and enable Petitioner to provide additional parking on-site.

Testimony indicated that the front portion of the property is an existing three-story frame structure. Currently, Pete's Grill occupies the first floor, with the second and third floor levels planned for use as apartments following completion of improvements. Testimony indicated that while Pete's Grill has a good clientele, the parking spaces along side and to the rear of the subject structure will not be used as patrons either park at the meters on Frederick Road or walk to the site.

Testimony presented by Mr. Griffin indicated that the requirements of Section 502.1 will be met. Further, testimony indicated that the parking variance will not be detrimental to the health, safety or general welfare of the community for numerous reasons. Mr. Griffin's operation of the service garage by appointment only will enable Petitioner to control its use of available parking spaces. Parking on the site is not necessary for Pete's Grill's operation. Further, as Mr. Monk pointed out, the property is within a B.L.-C.C.C. zone and as such, the neighborhood provides numerous opportunities for shared parking. In addition to the meters on Frederick Road, there is a public parking lot within the vicinity of the subject property. Petitioner contends that to require strict compliance with the parking regulations would result in practical difficulty and unreasonable hardship as there is no available space on the subject property to provide additional parking.

In support of Petitioner's request for a variance to the amenity open space requirements of the B.C.Z.R., Petitioner introduced pictures of

the subject property and surrounding area. Petitioner pointed out that he is making efforts to beautify the subject property and existing structures which will in turn improve the neighborhood. The efforts made by Mr. Griffin to work with the community were verified by the other witnesses present.

Deputy Chief Judge testified that many of the comments submitted by the Fire Department were as a result of the tremendous problems the Department had endured during the time the motorcycle repair and parts shop was located on the subject property. Deputy Chief Judge further testified that at that time, the rear structure was used 24 hours a day, 7 days a week, and in a manner that was not in keeping with the neighborhood. He further testified that prior to the use of the rear structure by the motorcycle repair shop, the property had been used for approximately 20 years by the American Glass and Trim business. At that time, there were no problems with its use. Petitioner introduced as Petitioner's Exhibit 8 a letter dated September 9, 1988 to the Zoning Commissioner from Donald Hueg of American Glass and Trim regarding his use of the property for the glass business. He indicated that he performed glass work, upholstery and trim work from 1959 through 1980. At that time, in addition to servicing the general public, the company serviced Baltimore County school buses and police cars. At no time were there any complaints regarding the use of the property. Deputy Chief Judge further indicated that from his past experience, he does not feel there will be a problem created if the parking variance is granted.

James Mohler indicated provided the restrictions mentioned earlier and agreed to by Mr. Griffin were imposed, he did not feel the granting of Petitioner's requests would have any adverse affect on the community.

Mr. Mohler, Mr. Booth and Deputy Chief Judge verified that the Petitioner has been an asset to the community and has thus far demonstrated his commitment to work with his neighbors.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Pritts, 432 A.2d 1315 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such uses as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

After reviewing all of the testimony and evidence presented, it appears that the special exception and variances should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the Petitions for Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of October, 1988 that a special exception for a service garage and variances to permit eight (8) parking spaces in lieu of the required 14 spaces, and 0 sq.ft. of amenity open space in lieu of the required 945 sq.ft., in accordance with Petitioner's Exhibit 1, be approved and as such, the Petitions for Special Exception and Zoning Variances are hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

- 2) The special exception granted herein shall be limited to the proposed service garage area depicted on Petitioner's Exhibit 1.

- 3) The hours of operation of the service garage shall be limited to 7:00 AM to 6:00 PM Monday through Friday, and on Saturdays from 8:00 AM to 4:00 PM.

- 4) There shall be no body or paint work and no engine work performed on the premises.

- 5) No abandoned vehicles shall be stored on the premises or permitted to be towed to the site.

- 6) No parts shall be left outside or scattered about.

- 7) All service work on the premises shall be limited to light, mechanical work.

- 8) All service work shall be done inside the service garage building.

- 9) Tune-ups and/or oil changes shall be permitted.

- 10) The special exception granted herein is limited to the operation of a service garage by Edward Griffin.

- 11) The middle sections of the building on the subject property shall be removed in accordance with Petitioner's Exhibit 1.

- 12) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

- 13) Compliance with all requirements of the Baltimore County Department of Environmental Protection and Resource Management as set forth in their comments dated July 7, 1988, attached hereto and made a part hereof.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

October 19, 1988

Mr. Edward Griffin
752 Frederick Road
Catonsville, Maryland 21228

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
N/S Frederick Road, 70' E of Egges Lane
(752 Frederick Road)
1st Election District - 1st Councilmanic District
Edward Griffin - Petitioner
Case No. 89-79-SPXA

Dear Mr. Griffin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. William P. Monk
22 W. Pennsylvania Avenue
Townson, Maryland 21204

Messrs. James W. Mohler and Thomas E. Booth
Catonsville 2000, Inc., 2 W. Rolling Crossroads, Suite 203
Catonsville, Maryland 21228

Deputy Chief James P. Judge
Baltimore County Fire Department

People's Counsel

File

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a "service garage" (section 230.13 BCR).

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

I, or we, agree to pay expenses of above Variance 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.

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: **EDWARD G. GRIFFIN**
(Type or Print Name)
Signature: *Edward G. Griffin*
Address: **752 Frederick Road**
City and State: **CATONSVILLE, MD 21228**

Attorney for Petitioner: **WILLIAM P. MONK**
(Type or Print Name)
Signature: *William P. Monk*
Address: **22 W. PENNSYLVANIA AVE**
City and State: **TOWSON, MD 21204**

Attorney's Telephone No.: **444-8933**

ORDERED By The Zoning Commissioner of Baltimore County, this **29th** day of **September**, 1988, at **9** o'clock

County, on the **29th** day of **September**, 1988, at **9** o'clock

M. **J. Robert Haines**
Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: **1st** Date of Posting: **September 7, 1988**

Posted for: **Variance, Special Exception**

Petitioner: **Edward Griffin**

Location of property: **N/S Frederick Road, N.E. Egges Lane**
(**752 Frederick Road**)

Location of Sign: **In front of 752 Frederick Road**

Remarks: **S. J. Anst**

Posted by: **S. J. Anst** Date of return: **September 9, 1988**

Number of Signs: **2**

CERTIFICATE OF PUBLICATION

TOWSON, MD., **September 2, 1988**

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on **Sept 1, 1988**

DO# 04075
REC# 418906
\$41.25

THE JEFFERSONIAN,

S. Zate Olson
Publisher

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a "service garage" (section 230.13 BCR).

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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: **Edward Griffin**
(Type or Print Name)
Signature: *Edward Griffin*
Address: **752 Frederick Road**
City and State: **CATONSVILLE, MD 21228**

Attorney for Petitioner: **William P. Monk**
(Type or Print Name)
Signature: *William P. Monk*
Address: **22 W. PENNSYLVANIA AVE**
City and State: **TOWSON, MD 21204**

Attorney's Telephone No.: **444-8933**

ORDERED By The Zoning Commissioner of Baltimore County, this **29th** day of **September**, 1988, at **9** o'clock

County, on the **29th** day of **September**, 1988, at **9** o'clock

M. **J. Robert Haines**
Zoning Commissioner of Baltimore County.

(over)

ESTIMATED LENGTH OF HEARING: **1 1/2 HRS.**
AVAILABLE FOR HEARING: **MON./TUES./WED. - NEXT TWO WEEKS**
REVIEWED BY: **CKP** DATE: **6/24/88**

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Re: **Petitions for Special Exception and Zoning Variance**
CASE NUMBER: **89-79-XA**
N/S Frederick Road, 70' E Egges Lane
(752 Frederick Road)
1st Election District - 1st Councilmanic
Petitioner(s): **Edward Griffin**
HEARING SCHEDULED: **FRIDAY, SEPTEMBER 29, 1988 at 9:00 a.m.**

Dear Mr. Griffin:

Please be advised that **78.99** is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

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

DATE: **9/29/88** ACCOUNT: **801615-000**

AMOUNT: **78.99**

RECEIVED: *Edward Griffin* **9/29/88**

VALIDATION OR SIGNATURE OF CARRIER

ZONING DESCRIPTION

BEGINNING on the north side of Frederick Road, 60 feet wide, at a distance 70 feet east of the easterly right of way of Egges Lane at its intersection with Frederick Road and running on the north side of Frederick Road the following courses and distances:

1. Northerly 150 feet;
2. Easterly and parallel to Frederick Road 18 feet;
3. Southerly 150 feet;
4. Westerly along the northern side of Frederick Road 45 feet to the place of beginning. Containing 4,725 square feet more or less in the 1st Election District.

Property known as 752 Frederick Road



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance
CASE NUMBER: **89-79-XA**
N/S Frederick Road, 70' E Egges Lane
(752 Frederick Road)
1st Election District - 1st Councilmanic
Petitioner(s): **Edward Griffin**
HEARING SCHEDULED: **FRIDAY, SEPTEMBER 29, 1988 at 9:00 a.m.**

Variance to allow 5 spaces in lieu of the required 19 and to allow 0 sq. ft. amenity open space in lieu of required 945 sq. ft. Special Exceptions for a "service garage".

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: **Edward Griffin**
William P. Monk
File

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Excavation and Zoning Variance
CASE NUMBER: **89-79-XA**
N/S Frederick Road, 70' E Egges Lane
(752 Frederick Road)
1st Election District - 1st Councilmanic
Petitioner(s): **Edward Griffin**
HEARING SCHEDULED: **FRIDAY, SEPTEMBER 29, 1988 at 9:00 a.m.**

Variance to allow 5 spaces in lieu of the required 19 and to allow 0 sq. ft. amenity open space in lieu of required 945 sq. ft. Special Exceptions for a "service garage".

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: **Edward Griffin**
William P. Monk
File

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

September 16 19 88

THIS IS TO CERTIFY, that the annexed advertisement of

NOTICE OF HEARING

was inserted in the following:

☒ Catonsville Times \$37.74 ☐ Booster Weekly
☐ Arbutus Times ☐ Owings Mills Flier
☐ Reporter Weekly ☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for **one** successive weeks before the **3** day of **September**, 1988, that is to say, the same was inserted in the issues of

September 1, 1988

PATUXENT PUBLISHING COMPANY
By *[Signature]*

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

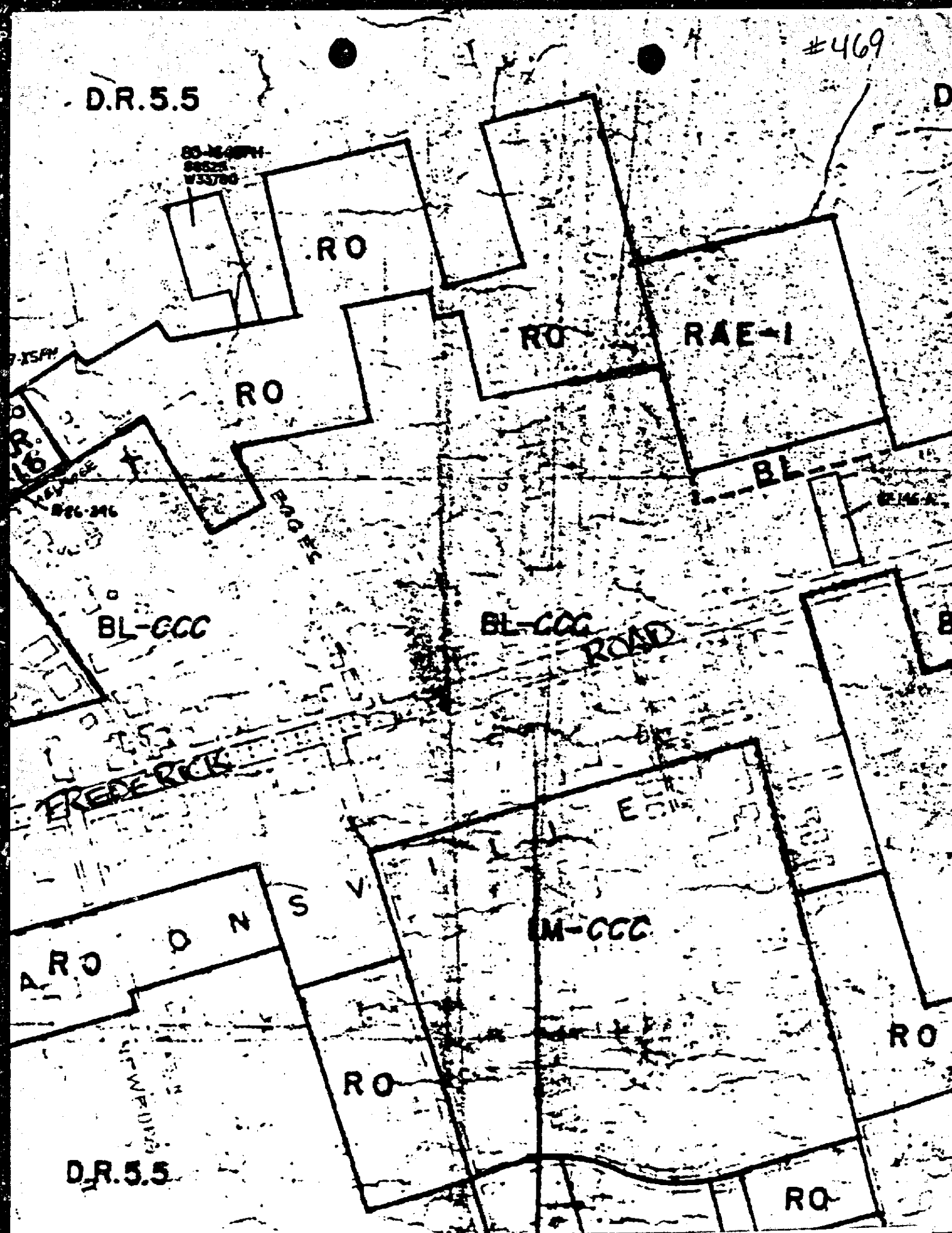
Petitions for Special Exception and Zoning Variance
CASE NUMBER: **89-79-XA**
N/S Frederick Road, 70' E Egges Lane
(752 Frederick Road)
1st Election District - 1st Councilmanic
Petitioner(s): **Edward Griffin**
HEARING SCHEDULED: **FRIDAY, SEPTEMBER 29, 1988 at 9:00 a.m.**

Variance to allow 5 spaces in lieu of the required 19 and to allow 0 sq. ft. amenity open space in lieu of required 945 sq. ft. Special Exceptions for a "service garage".

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: **Edward Griffin**
William P. Monk
File



6-79-1A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
day of July, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Edward Griffin
Petitioner's Attorney: _____

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

July 6, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a special exception for a service garage and a variance to allow 5 spaces in lieu of the required 19, we offer the following comment.

Due to the additional traffic that would be generated by this service garage and the lack of adequate parking for this type of business, we recommend this special exception be denied.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,
Stephen J. Mills, Jr.
Stephen J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw
cc: Mr. W. Monk
Mr. J. Ogle

RECEIVED
JUL 11 1988
ZONING OFFICE

My telephone number is (301) 333-1350
Teleprinter for impaired hearing or speech
383-7555 Baltimore Metro - 883-0451 D.C. Metro - 1-800-452-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

Item No. 469 - ZAC -
Property Owner: Edward Griffin
Location: N/S Frederick Rd.
Existing Zoning: B.L. - C.C.C.

Dear Mr. Haines:

Variance to allow fewer parking spaces than required is going to add to the parking problems in the area.

Very truly yours,
Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SDW/RF/cps

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

July 15, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Edward Griffin
Location: N/S Frederick Rd., 70' E. Egges La.
Item No.: 469

Zoning Agenda: Meeting of 7/5/88

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.

* (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 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.

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

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

* Drawing shows existing building and parking on adjacent fire dept. property. Please clarify.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Ann Nastarowicz
Deputy Zoning Commissioner

TO: _____ Date: October 3, 1988

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

752 Frederick Road
SUBJECT: Zoning Petition No. 89-79-1

The Office of Planning and Zoning is in receipt of the revised site plan and the letter from Bill Monk dated September 30, 1988. Based upon the analysis conducted and information provided, staff provides the following:

- The applicant has reduced the overall square footage of the building by 807 square feet. The revised site plan effectively reduces the required parking from 19 spaces to 14 spaces. Three additional parking spaces are provided on site, and an 18 foot building to building distance is being provided to allow for an adequate driveway. The revised site design allows for the more practical arrangement and use of parking spaces. The applicant will be stripping the site to help reinforce the use of designated parking areas.
- The applicant has met with the Catonsville community and Baltimore County to discuss the project. The applicant appears to have resolved any outstanding issues.
- General concerns regarding the overall design and development of the Catonsville central business district are still a concern of this department. Those general issues, however, will have to be resolved through the Catonsville area plan.

Based upon the revised site plan and community involvement, staff recommends approval of the request.

FK/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
August 25, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Edward Griffin
752 Frederick Road
Catonsville, Maryland 21228

RE: Item No. 469 - Case No. 89-79-1A
Petitioner: Edward Griffin
Petition for Special Exception

Dear Mr. Griffin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: William P. Monk
Loyola Federal Building
Suite 204 A
22 West Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

7/7/88
Date

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

Zoning Item # 469. Zoning Advisory Committee Meeting of July 5, 1988

Property Owner: Edward Griffin

Location: N/S Frederick Rd., 70' E. Egges Lane District 1

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

() 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, Bureau of Regional Community Services, for final review and approval.

() Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.

(X) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Bureau of Air Quality Management 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, other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.

() 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 Natural 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 the State Department of the Environment.

() Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.

(X) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.

() Soil percolation tests, have been _____, must be _____, conducted.

() The results are valid until _____.

() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() 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 and approval of Building Permit Application.

() Prior to occupancy approval, the suitability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(X) Others: *Drainage from interior service bays is to be directed to sanitary sewer via oil separator.*

Very truly yours,
Karen M. Murray
Karen M. Murray
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

Item No. 469 - ZAC -
Property Owner: Edward Griffin
Location: N/S Frederick Rd.
Existing Zoning: B.L. - C.C.C.

Dear Mr. Haines:

Variance to allow fewer parking spaces than required is going to add to the parking problems in the area.

Very truly yours,
Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SDW/RF/cps

RECEIVED
JUL 28 1988
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

RECEIVED
AUG 19 1988

ZONING OFFICE

August 16, 1988



Dennis F. Rasmussen
County Executive

J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Haines:

Re: Case No. 89-79-X
N/S Frederick Rd., 70' E. Egges Lane
(752 Frederick Road)

The Baltimore County Fire Department wishes to express strong opposition to the request for a special exception to be granted for the operation of a service garage in the rear building at 752 Frederick Road. We feel the granting of this special exception would be detrimental to the health, safety and welfare of not only the operation itself, but the community wherein it is situated, for the following reasons:

We take this position based upon years of experience, as the building (apparently) has operated as a service garage in conflict with the zoning afforded to the property. Our experience with the subject property indicates the following previous and ongoing problems:

1. The driveway between 752 Frederick Road and the Catonsville Fire Station No. 4 located at 756 Frederick Road must accommodate the movement of large fire engines as the diesel refueling facilities for that station are located toward the rear of the station. The Fire Department has for years experienced significant difficulty in maintaining the needed access. Vehicle operators constantly violate the posted parking restrictions. The Bureau of Traffic Engineering has already surveyed and posted the properties, but to little avail. In many instances, the vehicles blocking the driveway, are those of customers to the service garage. It is obvious that the volume of vehicular traffic that the service garage generates is significantly more than that which the driveway access and available parking allows.

2. Although the submitted site plan states that public sewage is available to the subject property, it is quite evident that the service garage has no bathroom facilities. The Fire Department, for years, has experienced numerous occasions where male employees have walked across the driveway into our small vacant garage-type area that houses an emergency

generator and relieved themselves. A female employee regularly has entered the fire station itself, requesting the usage of our sanitary facilities.

3. Lastly, we are of the opinion that before any zoning decision is rendered with regard to this particular special exception request, that the Office of Law (per the suggestion of the Bureau of Land Acquisition) thoroughly review the fact that a portion of the subject building has been constructed on Baltimore County property. We have contacted Associated Engineers and Surveyors, Inc. and they have verbally verified that portions of the service garage structure are encroaching on the adjacent properties beyond the parcel known as 752 Frederick Road.

Should you desire additional information or specific testimony by the Fire Department at the special exception hearing, please contact my office at 494-4511.

Sincerely,

Paul H. Reince, Chief
BALTIMORE COUNTY FIRE DEPARTMENT

PHR:aj

cc: William Jensen, Office of Law
Deputy Chief James Judge
Captain Joseph Kelly

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Ann Nastarowicz
Deputy Zoning Commissioner
TO: _____ Date: October 3, 1988
Pat Keller, Deputy Director
FROM: Office of Planning and Zoning
752 Frederick Road
SUBJECT: Zoning Petition No. 89-79-X (9/29/88)

The Office of Planning and Zoning is in receipt of the revised site plan and the letter from Bill Monk dated September 30, 1988. Based upon the analysis conducted and information provided, staff provides the following:

- The applicant has reduced the overall square footage of the building by 807 square feet. The revised site plan effectively reduces the required parking from 19 spaces to 14 spaces. Three additional parking spaces are provided on site, and an 18 foot building to building distance is being provided to allow for an adequate driveway. The revised site design allows for the more practical arrangement and use of parking spaces. The applicant will be striping the site to help reinforce the use of designated parking areas.
- The applicant has met with the Catonsville community and Baltimore County to discuss the project. The applicant appears to have resolved any outstanding issues.
- General concerns regarding the overall design and development of the Catonsville central business district are still a concern of this department. Those general issues, however, will have to be resolved through the Catonsville area plan.

Based upon the revised site plan and community involvement, staff recommends approval of the request.

PK/sf

RECEIVED
OCT 6 1988

ZONING OFFICE

Frederick Road, a traffic signal controls the traffic movements to maximize traffic safety.

The Zoning Hearing Officer has requested that your office review the revised application and plan and submit appropriate comments at your earliest convenience.

I would be happy to meet with you to discuss the plan in more detail.

Cordially,

W.P. Monk
William P. Monk

WPM:dc

enclosure

cc: Mrs. Ann Nastarowicz

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

September 28, 1988

Mr. Robert Haines
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
1st Floor
Towson, Maryland 21204

Re: Case #89-79-XA, 752 Frederick Road, Catonsville, Maryland

Dear Commissioner Haines:

On behalf of my client, Edward Griffin, applicant for the above referenced case, I wish to amend the application and the site plan. The application pending is a request for a special exception for a service garage in a BL zoning district and variances to parking (5 spaces in lieu of the required 19 spaces), and to the amenity open space requirement (945 sq. ft. required, zero feet provided).

Based upon our discussions with representatives from the Catonsville 2000 Committee and after further consideration of the site related issues, we will be eliminating the existing middle portion of the structure and providing 5 additional parking spaces (see plan). This reduces the overall square footage as presently noted as "retail space" by 807 square feet. In turn, this reduces the total requirement for parking to 14 spaces. We are now able to provide 8 spaces on site.

A more detailed presentation will be made at the time of the hearing.

Cordially,

W.P. Monk
William P. Monk

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

LOYOLA FEDERAL BUILDING
Suite 204 A
22 W. PENNSYLVANIA AVE.
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

September 19, 1988

Mr. Robert Haines
Commissioner of Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 752 Frederick Road

Dear Commissioner Haines:

Attached you will find two (2) copies of letters which we would like to introduce into the record for the pending zoning case no. 89-78-X, known as 752 Frederick Road. This information is important because it addresses the concerns raised by the Baltimore County Fire Department, and should exonerate my client from the previous problems associated with the motorcycle club and the previous landlord.

It appears that there is tremendous confusion regarding the proposed use, its intensity in scale, and impact that it is perceived to have on the community.

We will address these issues in detail at the time of the hearing.

Cordially,

W.P. Monk
William P. Monk

cc: Edward Griffin

RECEIVED
SEP 20 1988

ZONING OFFICE

CATONSVILLE 2000, INC.

OFFICERS

Michael L. DeLuca
President
Richard W. Decker
Vice President
William Holley
Treasurer
Stephen W. Whalen, Jr.
Secretary

DIRECTORS

Thomas E. Booth
Richard W. Decker
Michael L. DeLuca
William Holley
Berchie Marley
Fran Medicus
Harry McGuck
James W. Monie
Louis Mosberger
Craig O'Donnell
Red Sack
Henry Stansbury
Jean Walsh
Stephen W. Whalen, Jr.

STANDING

COMMITTEES

LAND USE PLANNING

Henry Stansbury
Chairman

TRAFFIC & PARKING

Harry McGuck
Chairman

STREETScape & ARCHITECTURE

Fran Medicus
Chairman

RESOURCE MATERIALS

Stephen W. Whalen, Jr.
Chairman

ADVISOR TO THE BOARD

William Huey
Fred Daniel Farmer
Baltimore County
Office of Community Planning

"Working For A Better Catonsville Community"

Writer's Phone #: 747-2900
2 W. Rolling Crossroads
Suite #203
Catonsville, Maryland 21228

October 3, 1988

Ms. Anne Nastarowicz
Baltimore County
Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 752 Frederick Road, 89-79 XA

Dear Ms. Nastarowicz:

I felt a need to make clear my understanding to you of the items that should possibly be included in the order:

- Hours of Operation
- No body or paint work
- No engine work
- No abandoned cars or wrecked cars.
- No parts outside
- Light mechanical work only
- No tune up or oil changes
- Limiting the use to the present owner, Edward Griffin
- Removal of the middle building as shown on revised plat

Most of the above items are important. Item 7 seem like it is for limiting. I would think that Mr. Griffin may want the flexibility to offer this service at a later date, unless you feel this would cause unnecessary congestion.

Ms. Nastarowicz, I enjoyed participating in your hearing and want to complement you on a good job. Thank you for listening to us.

Sincerely,

James W. Mohler
James W. Mohler

cc: Tom Booth
Fran Medicus
Jean Walsh
Paul Stack
William Monk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Frederick Road Service Garage
Zoning Petition No. 87-79-1A

Date: August 30, 1988

The applicant is requesting the reduction of required spaces to allow five parking spaces rather than 19 parking spaces and a reduction of amenity open space from 945 square feet required to 0 feet. Based upon the site plan submitted, staff provides the following comments:

- The applicant's proposal represents an over-intensification of an already constrained site.
- The site plan shows actual development extending beyond the applicant's property line.
- The existing site does not at the present time provide adequate ingress and egress or aisle widths even with a shared access. Only two parking spaces are shown on the applicant's tract. Central Catonsville is presently experiencing a problem of inadequate parking and this expansion would serve to exacerbate this problem.
- The rear of the applicant's tract is presently used as a common means of ingress and egress to the alley in the rear (similar to the front of the site) of the tract and a building would obstruct that access.
- Any requirement for amenity open space should be provided along the tract frontage as streetscape improvements. The amenity open space should be used for landscaping, brickwork, street furniture or signage along Frederick Road. A major planning effort for this area "Catonsville 2000" is presently underway.

The Office of Planning and Zoning recommends denial of the applicant's request based upon the concerns noted.

PK/sf

cc: William P. Monk
9-8-88

CPS-008

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

7620 LITTLE RIVER TURNPIKE
SUITE 620
ANNANDALE, VA 22003
703-941-1830



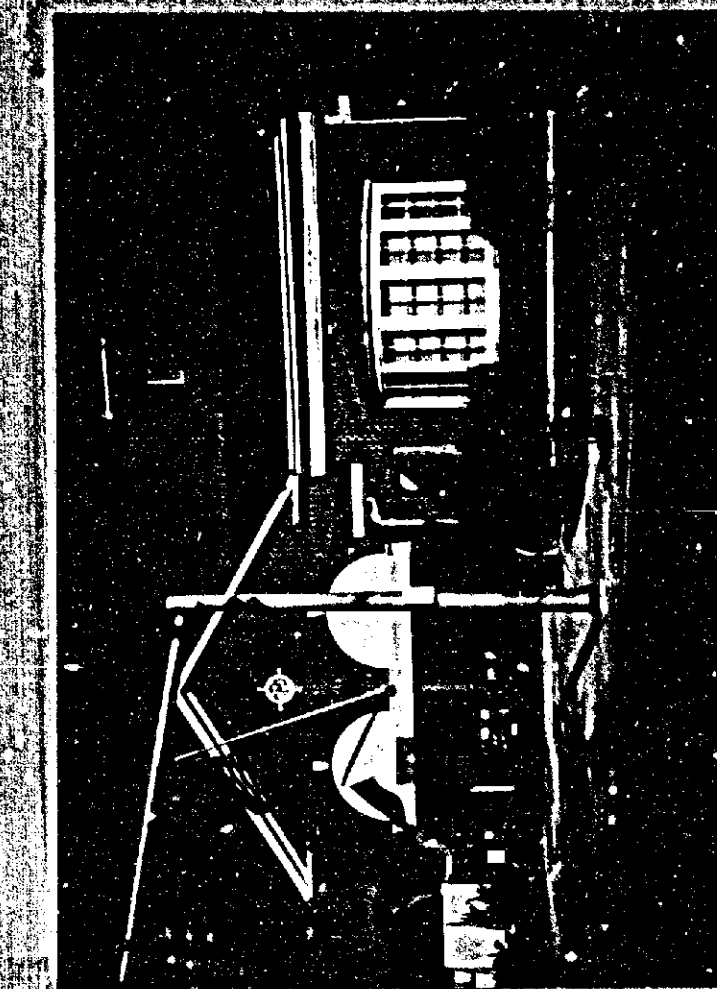
PETITIONER'S
EXHIBIT 6

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

LOYOLA FEDERAL BUILDING
SUITE 204 A
22 W. PENNSYLVANIA
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 620
ANNANDALE, VA 22003
703-941-1830



PETITIONER'S
EXHIBIT 3

PETITIONER(S) EXHIBIT 4



WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

LOYOLA FEDERAL BUILDING
SUITE 204 A
22 W. PENNSYLVANIA
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 620
ANNANDALE, VA 22003
703-941-1830



PETITIONER'S
EXHIBIT 5

AMERICAN GLASS & TRIM

8 Smith Lane Catonsville, MD 21228

Auto Glass • Vinyl Tops • Upholstery

Furniture Tops Convertible Tops

Installed & Repaired

744-3747

September 9, 1988

Mr. Robert Haines
Zoning Commissioner, Baltimore County
111 Chesapeake Avenue
Towson, MD 21204

Dear Commissioner Haines:

As owner of American Glass and Trim Company, and having previously occupied as tenant the rear portion of the property known as 752 Frederick Road, I have been asked by Mr. Edward Griffin, the present property owner to document my previous status as tenant in this building.

1. American Glass and Trim occupied the rear portion of the building from 1959 through 1980.
2. I was a tenant in that portion of the building which Mr. Griffin proposes to use as a service garage under his present application to Baltimore County.
3. My business was considered as a "Service Garage" by the Baltimore County zoning office, and I performed glass work, upholstery work, and trim work.
4. I serviced not only the general public, but also Baltimore County on their ongoing repair and maintenance of school buses and police cars.
5. My lease was terminated by the landlord prior to Mr. Griffin purchasing the property. My landlord terminated the lease in order that her son's motorcycle group could utilize the building.
6. In the twenty (20) plus years that I occupied the rear portion of this building, I never had any complaints, and operated a clean business while maintaining a good rapport with the fire station and the Baltimore County officials next door.

PETITIONER'S
EXHIBIT 8

7. The balance of the building had been used for a number of different uses over the years. In fact, at one point in time there was even a liquor store in the middle portion of the building. The front portion of the building, facing Frederick Road, had been used as a sandwich shop/take out for as long as I can remember. Throughout the years the upstairs apartments had been rented.

To the best of my knowledge and understanding, these statements are factual.

Edward Griffin
Edward Griffin

This 9th day Sept. 1988

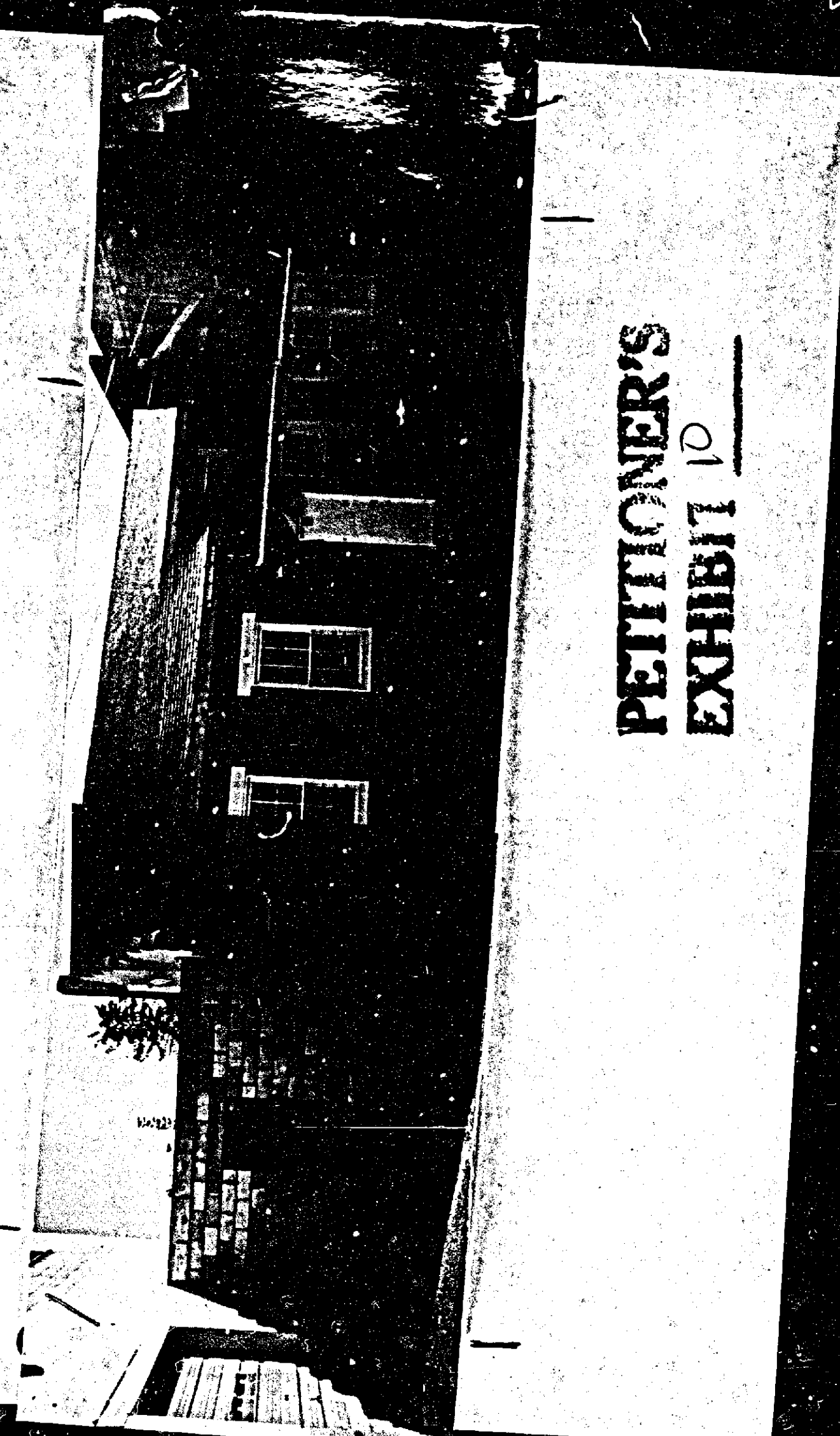
Michael J. Mullaney
NOTARY PUBLIC

To Whom it May Concern:

Please be advised that I and my family have been Merchants in Catonsville since 1917 we have been in business in the 700 Block of Individe Road for all these years, I have knowledge of the rear building of 752 Ind Road being used as a service garage for at least 30 years, Prime example American Glass and Iron. Mr. Ed Griffin took over this property from one David Elvey who ran a motorcycle repair Shop at this location, since Mr Griffin has taken over here, he has cleared up the area and keeps it that way, orderly and quite and law abiding. The business place that is now here will always be run in accordance to the law.

Respectfully,
Bill Miller
Peter Miller
Michael Miller

PETITIONER'S
EXHIBIT



PETITIONER'S
EXHIBIT 10

WILLIAM MONK
LOYOLA FEDERAL BUILDING
SUITE 204 A
22 W. PENNSYLVANIA
TOWSON, MD 21204
301-994-8831

LAND USE PLANNING AND ZONING CONSULTANT

7620 LITTLE RIVER TURNPIKE
SUITE 620
ANNANDALE, VA 22003
703-941-1830

PETITIONER'S
EXHIBIT 11

WILLIAM MONK
LOYOLA FEDERAL BUILDING
SUITE 204 A
22 W. PENNSYLVANIA AVE.
TOWSON, MD 21204
301-994-8831

LAND USE PLANNING AND ZONING CONSULTANT

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

September 28, 1988

Mr. Robert Haines
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
1st Floor
Towson, Maryland 21204

Re: Case #89-79-XA, 752 Frederick Road, Catonsville, Maryland

Dear Commissioner Haines:

On behalf of my client, Edward Griffin, applicant for the above referenced case, I wish to amend the application and the site plan.

The application pending is a request for a special exception for a service garage in a BL zoning district and variances to parking (5 spaces in lieu of the required 19 spaces), and to the amenity open space requirement (945 sq. ft. required, zero feet provided).

Based upon our discussions with representatives from the Catonsville 2000 Committee and after further consideration of the site related issues, we will be eliminating the existing middle portion of the structure and providing 5 additional parking spaces (see plan). This reduces the overall square footage as presently noted as "retail space" by 807 square feet. In turn, this reduces the total requirement for parking to 14 spaces. We are now able to provide 8 spaces on site.

A more detailed presentation will be made at the time of the hearing.

Cordially,
William P. Monk
WPM:dc

PETITIONER'S
EXHIBIT A

CATONSVILLE 2000, INC.
"Working For A Better Catonsville Community"

OFFICERS
Michael L. DeLuca
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William Holey
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Secretary

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Fran Medicus
Chairman
RESOURCE MATERIALS
Stephen W. Whalen, Jr.
Chairman

ADVISOR TO THE BOARD
William Holey
Fire District Representative
Baltimore County
Office of Community Planning

Writer's Phone #: 747-2900
2 W. Rolling Crossroads
Suite #213
Catonsville, Maryland 21228

September 27, 1988

To Whom It May Concern:

Please be advised that, at a meeting of the Board of Directors of Catonsville 2000, Inc., held Wednesday, September 14, 1988, the Board proposed, considered and unanimously passed the following resolution and authorization, a quorum being present.

"Any one or more of the following Board members shall be and is hereby authorized to represent the position of Catonsville 2000, Inc. to any planning, review or zoning board or commissioner or appeals board of Baltimore County, including representation at any CRG meeting, variance, special exception or special hearing, or any appeal thereof, on any issue involving Catonsville 2000's designated study area of postal zip code 21228 (Catonsville), south of Baltimore National Pike:

Jean Walsh
Fran Medicus
Thomas Booth
James Mohler"

Entered into the minutes of the Board meeting of September 14, 1988, and hereby certified to be true and correct on the date first written above:

Attest: *Stephen W. Whalen, Jr.* (SEAL)
Stephen W. Whalen, Jr.
Corporate Secretary

Inclosed letters
Exhibit #
1

PLEASE PRINT CLEARLY

INTERESTED
PROFESSIONAL(S) SIGN-IN SHEET

NAME	ADDRESS
JAMES P. JUDGE	BALTO. CO FIRE DEPT
JAMES W. MOHLER	7 SOMERSET RD CATONSVILLE, MD 21228
THOMAS E. BOOTH	Representing Catonsville 2000 Inc.
	4 MONTROSE AVE CATONSVILLE, MD 21228
	Representing Catonsville 2000 Inc.
	Cornell representative

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
EDWARD GRIFFIN	LOYOLA FED. BLDG
	3340 WAREHIME RD 21102

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 13, 1991

Mr. James M. Mohler
Secretary, Catonsville 2000, Inc.
7 Somerset Road
Catonsville, Maryland 21228

RE: Petitions for Special Exception and Zoning Variance
752 Frederick Road
Edward Griffin - Petitioner
Case No. 89-79-XA

Dear Mr. Mohler:

In response to your letter dated March 11, 1991 regarding the above-captioned matter, the following comments are offered.

Please be advised that in order to remove Restriction No. 10 of the Order issued in the above-captioned matter, the Petitioner must file a Petition for Special Hearing to determine the appropriateness of such removal. I can appreciate Mr. Griffin's concerns regarding the limits of the special exception granted in Case No. 89-79-XA; however, the only means of modifying the terms and conditions of that Order is through the public hearing process. Should Mr. Griffin wish to pursue this matter, he should contact the Zoning Coordinator's Office at 887-3391 for further information. A copy of this letter is being forwarded to Mr. Griffin for your convenience.

Should you have any further questions on the subject, please do not hesitate to contact this office at 887-3391.

Very truly yours,

A. N. NASTAROWICZ

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Ann:bjc

cc: Mr. Edward Griffin
752 Frederick Road, Catonsville, Md. 21228

Case File

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The special exception granted herein shall be limited to the proposed service garage area depicted on Petitioner's Exhibit 1.

3) The hours of operation of the service garage shall be limited to 7:00 AM to 6:00 PM Monday through Friday, and on Saturdays from 8:00 AM to 4:00 PM.

4) There shall be no body or paint work and no engine work performed on the premises.

5) No abandoned vehicles shall be stored on the premises or permitted to be towed to the site.

6) No parts shall be left outside or scattered about.

7) All service work on the premises shall be limited to light, mechanical work.

8) All service work shall be done inside the service garage building.

9) Tune-ups and/or oil changes shall be permitted.

10) The special exception granted herein is limited to the operation of a service garage by Edward Griffin.

11) The middle sections of the building on the subject property shall be removed in accordance with Petitioner's Exhibit 1.

12) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

13) Compliance with all requirements of the Baltimore County Department of Environmental Protection and Resource Management as set forth in their comments dated July 7, 1988, attached hereto and made a part hereof.

A. N. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Ann:bjc

-7-

*Pets down sent in check
last week -*

Case No. 92-164-514

Pet for Special Hearing

Edward Griffin

*232 Frederick
Commercial ship -*

10/19/88 - prior opinion

*Pets put in affidavit & into
property -*

*Seek to delete "no engine
work"*

*Auto repairs -
oil, lubes, brake work*

no engine overhauls

*no comment w/ restrictions
on #8 or #9*

*no intention to sell
but would reduce
marketability*

Edward Griffin -

Background

*owner of property w/ wife
bought 16 years ago*

was 3 run down bldg's

had commercial use -

Changes -

*toe the center building
down, remodeled*

refurbished brick building

opened for business - 10/88

invested 75,000 - 85,000

No complaints -

exhaust work

*ground and alignment
tune up*

minor engine repairs -

no overhaul -

no body or fender

no plans to sell -

plans on retire there

has no objection to engine

True Chief James Griffin -

*Deputy
Chief Griffin -*

Catonsville -

25+ years at Catonsville

*Changes due to restrictions
will not affect day to day
operation*

*Has grandkids here but they
for that separate for cat gas -*

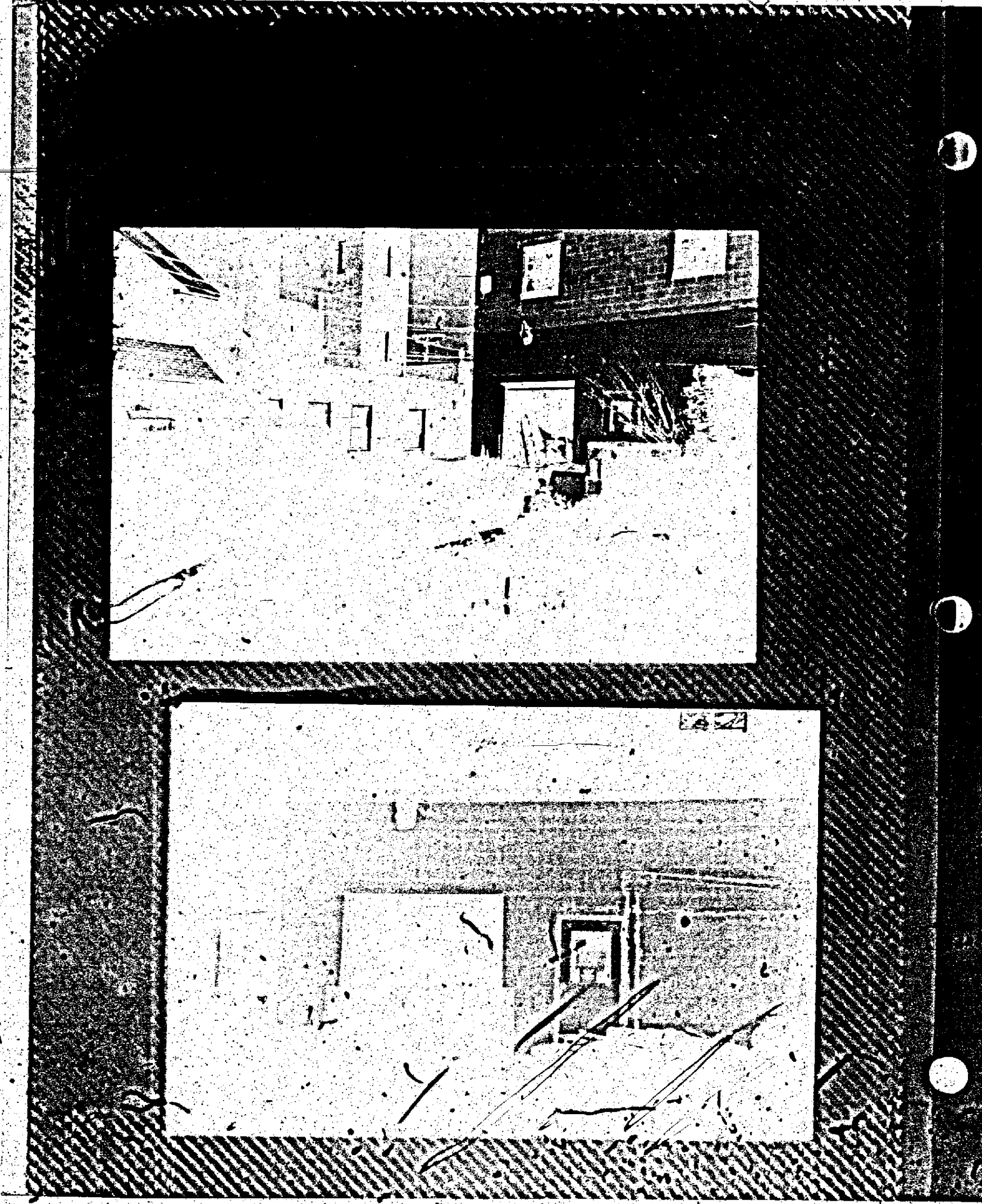
*from to make
Catonsville 2000*

repairs - mostly

not - at Griffin

signature - to make

M



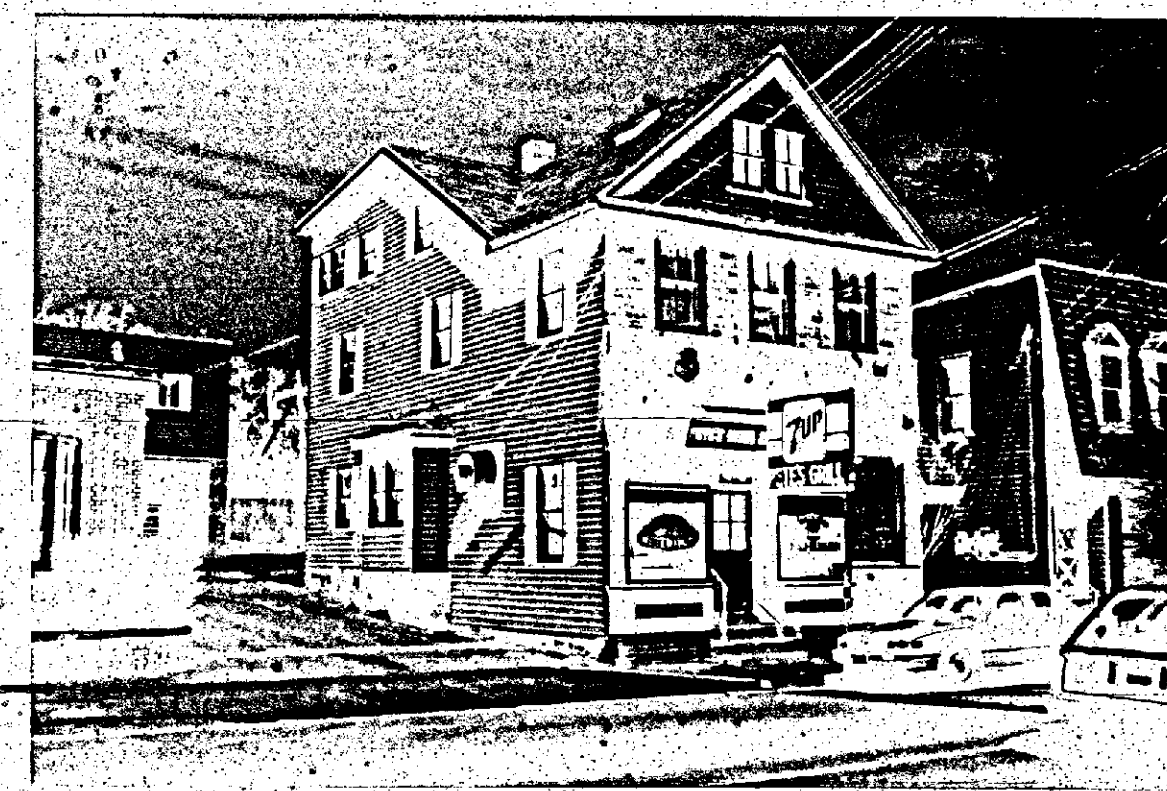
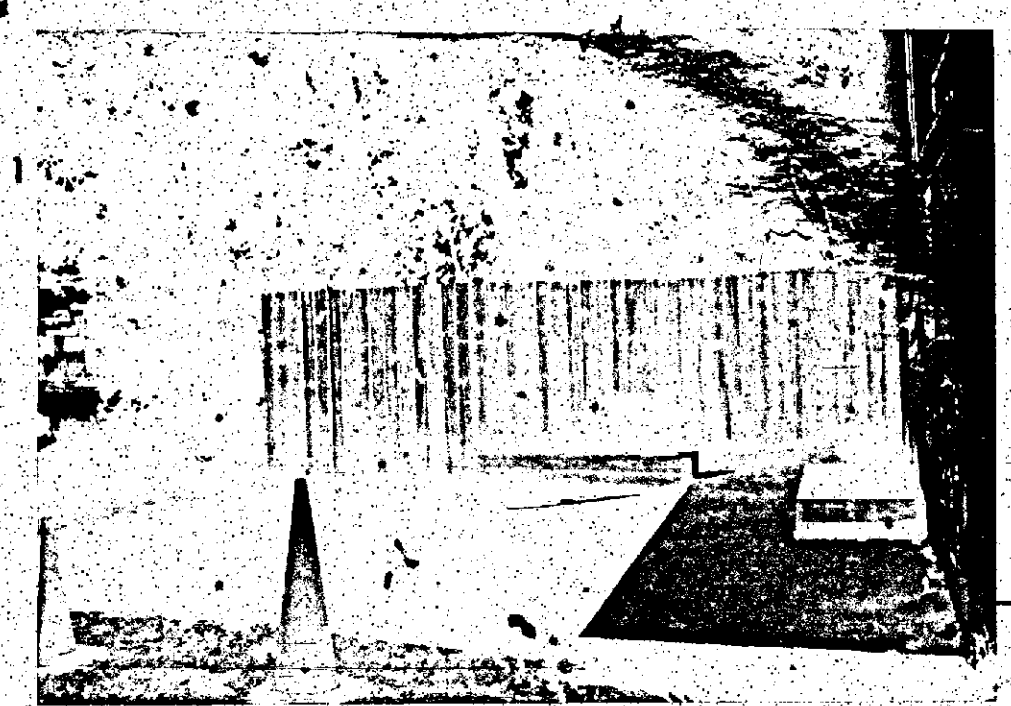
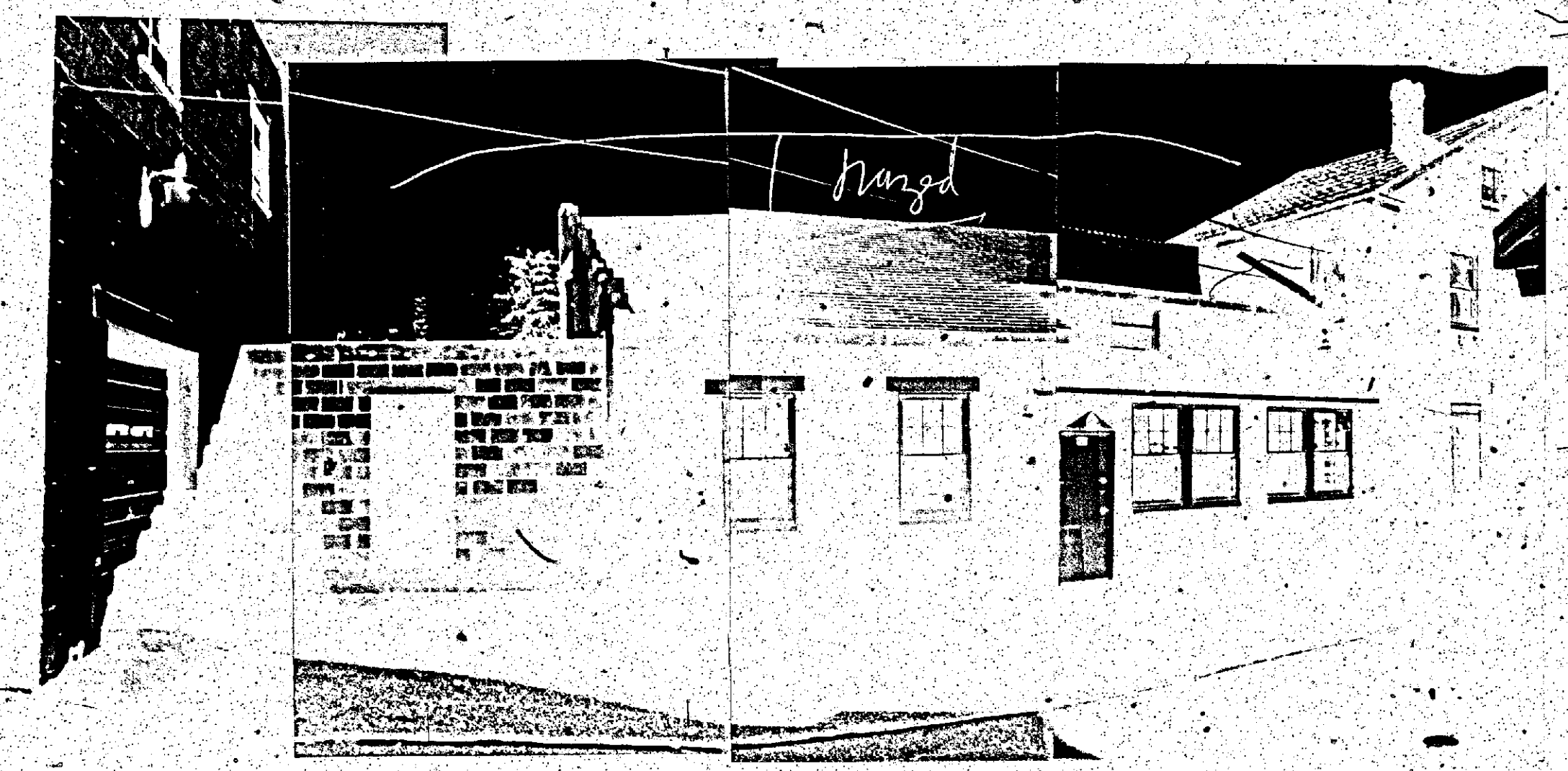


12/1
602

12/1
213"



alt
removing
12/1
213"



PETITIONER'S EXHIBIT 1

NOTES:

- 1) ZONING:
EXISTING- BL-CCC
PROPOSED- BL-CCC
- 2) LOT AREA: 4725 SQ. FT.
- 3) EXISTING USE: 1ST FLOOR FRONT - RETAIL; 1ST FLOOR MIDDLE - CARRY-OUT; 1ST FLOOR REAR - INSTANT
- 4) PROPOSED USE: 1ST FLOOR FRONT - RETAIL; 1ST FLOOR MIDDLE - CARRY-OUT; 1ST FLOOR REAR - SERVICE GARAGE 3 BAYS
- 5) BUILDING AREA: 5670 $\pm$ - SEE #17 FOR BREAK DOWN BY USE
- 6) BUILDING SETBACKS: REQUIRED PROVIDED
FRONT- NOT APPLICABLE - NO ADDITIONS OR
INTERIOR SIDE- EXTERIOR ALTERATIONS ARE PROPOSED
REAR-
STREET CORNER SIDE-
- 7) PARKING:
REQUIRED- SEE # 17
PROVIDED-
- 8) UTILITIES:
SEWER- PUBLIC
WATER- PUBLIC
- 9) VARIANCES: 1) PARKING
2) LUXURY OPEN SPACE

10) SPECIAL EXCEPTION/CONDITIONAL USE: SERVICE GARAGE (SEC 230.13 BCZR)

11) ELECTION DISTRICT: 1ST
12) COUNCILMANIC DISTRICT: 1ST

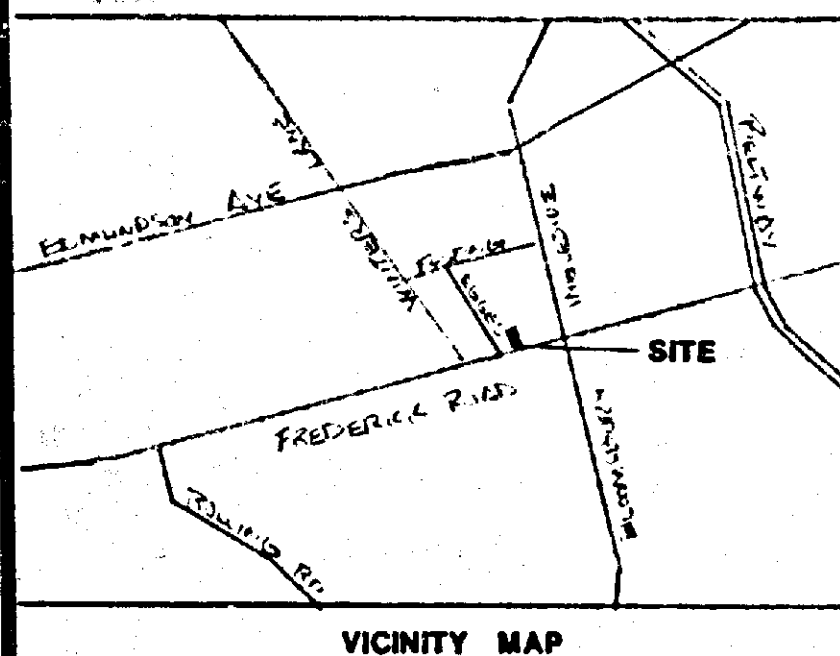
13) SUBWERSHED AREA 30
14) WATERSHED AREA 70
15) CENSUS TRACT 4010

16) OPEN SPACE
EXISTING: 0'
PROPOSED: 0'
REQUIRED: 945 $\pm$ (SEC 232A.4 BCZR)

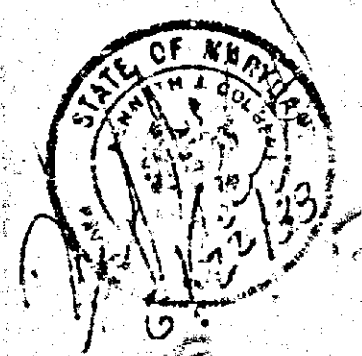
17) PARKING COMPUTATIONS
REQUIRED:

- 1) FIRST FLOOR FRONT (RETAIL - CARRY OUT FOOD) @ 5/1000 $\pm$
990 $\pm$ = 5 SPACES
- 2) 2ND FLOOR FRONT (1 BDRM APT. - UNOCCUPIED) 1.5 SPACES
- 3) 3RD FLOOR FRONT (1 BDRM APT. - UNOCCUPIED) 1.5 SPACES
- 4) FIRST FLOOR MIDDLE - PARKING
- 5) FIRST FLOOR REAR - PARKING
- 6) FIRST FLOOR REAR (SERVICE GARAGE) 3.3/1000 $\pm$
1260 $\pm$ = 3 SPACES
- 7) 2ND FLOOR REAR (STORAGE + OFFICE FOR SERVICE GARAGE)
1360 $\pm$ = 3 SPACES

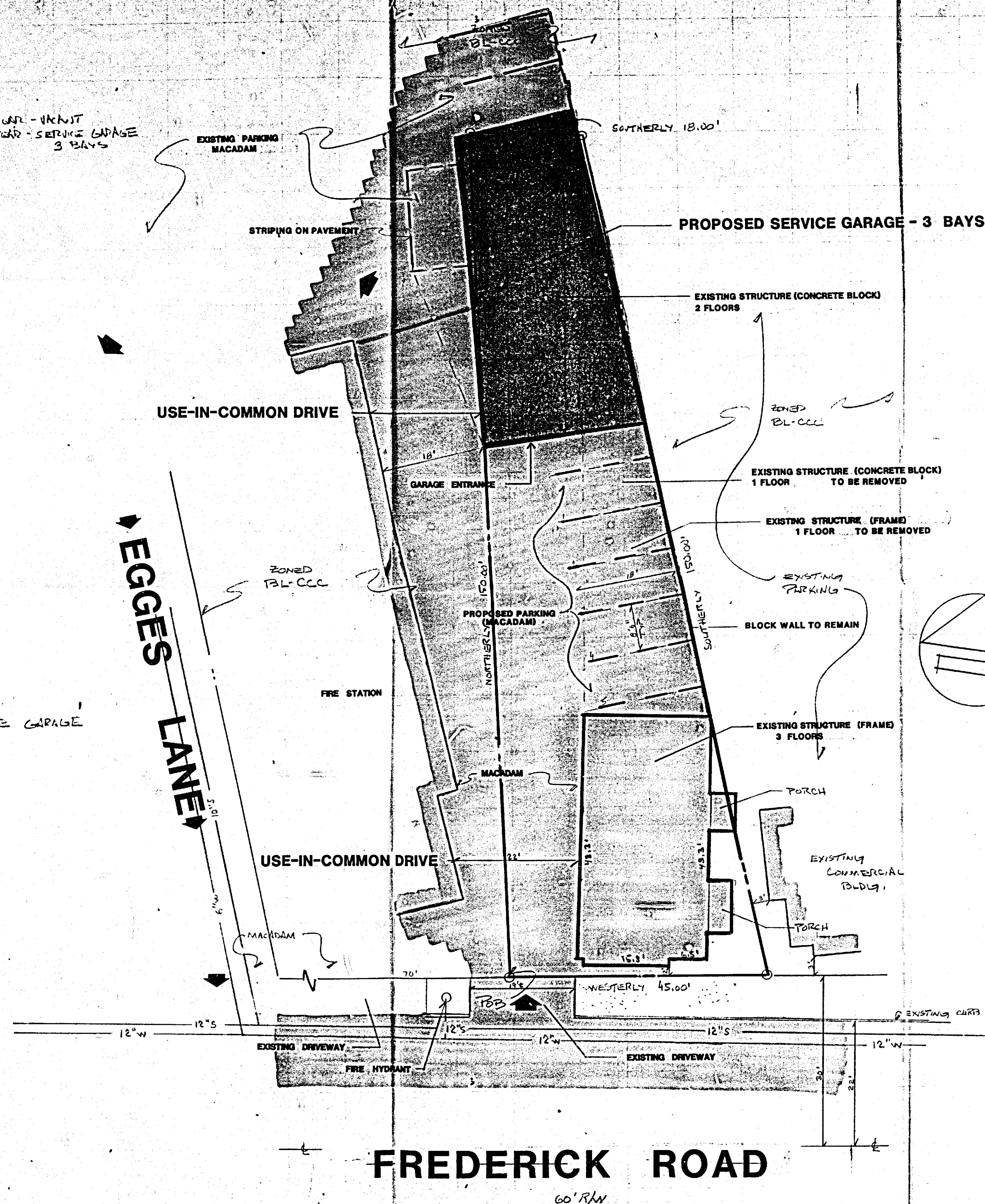
TOTAL REQUIRED - 14 SPACES
PROVIDED: 3 SERVICE BAYS
5 ON SITE
TOTAL PROVIDED - 8 SPACES



VICINITY MAP



SURVEY PREPARED BY:
ASSOCIATED ENGINEERS & SURVEYORS INC.
102 N. HAN ST
SUITE 106
BAL AIR, MARYLAND 21204
301-879-7159
6-21-88



PREPARED BY:
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PREPARED FOR:
EDWARD GRIFFIN
702 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228

PRELIMINARY SITE PLAN PLAT TO ACCOMPANY SPECIAL EXCEPTION APPLICATION - REVISED PLAN

752 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 10'0"

DRAWN BY: WPM

DATE: 6/22/88

REVISED: 6/23/88
7/27/88

