

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - RE/S Windsor Mill Road, 127' NW of Gwynn Oak Ave., (6400-02 Windsor Mill Rd.); NW/S Gwynn Oak Ave., 183' NE of Windsor Mill Rd., (2110 Gwynn Oak Ave.); and, 111.97' NE of Gwynn Oak Ave., (Rear of 2104 Gwynn Oak Ave.) 2nd Election District and Councilmanic District

• BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 94-225-SPHX

Norbert J. Richardson, et ux Petitioners

WITNESS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for the subject properties, known as 6400-6402 Windsor Mill Road, 2110 Gwynn Oak Avenue, and the Rear of 2104 Gwynn Oak Avenue. The Petitions were filed by the owners of the subject properties, Norbert J. and Honor E. Richardson, and the Contract Purchaser, Bruce E. Crockett. The Petitioners request a special hearing to approve the continuation of an existing service garage use, including a paint and body shop, on the property known as 6400-6402 Windsor Mill Road, as a valid, nonconforming use. The Petitioners also seek a modification to Case No. 1980-X to permit the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and a modification to Case No. 78-128-X to include the entire property known as 2110 Gwynn Oak Avenue as part of the service garage operation, and to permit a paint and body shop use thereon. In addition, the Petitioners seek a special exception to continue the existing service garage use, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The relief requested is more particularly described on the Plat to accompany the Petitions filed, identified herein as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING  
Date 1/24/94  
By [Signature]

Appearing on behalf of the Petitioners were Norbert and Honor Richardson, legal owners of the properties, Bruce Crockett, Contract Purchaser, and Juri Maiste, Professional Land Surveyor. The Petitioners were represented by Deborah C. Dopkin, Esquire. Also appearing in support of the Petitions were William Obrecht, President of the Woodlawn Village Business and Professional Association, and David Green, who appeared on behalf of the Office of Planning and Zoning. There were no Protestants present.

At the outset of the hearing, I discussed with Ms. Deborah Dopkin, attorney for the Petitioners, the necessity for requesting a special hearing to approve a nonconforming use of the subject property as a service garage when a special exception for a service garage was being requested. It was determined that it was not necessary for both a special hearing and a special exception to be requested, assuming that I would grant the special exception. Therefore, that portion of the special hearing requesting approval of the existing service garage use, including a paint and body shop, as a nonconforming use was determined to be unnecessary and as such, shall be dismissed. Furthermore, inasmuch as portions of the subject property have been the subject of prior zoning hearings, the requested special hearing to modify those hearings is necessary and shall be ruled upon pursuant to this Order.

Testimony indicated that the subject properties, known as 6400-02 Windsor Mill Road, 2110 Gwynn Oak Avenue and the rear of 2104 Gwynn Oak Avenue, consists of a combined area of 0.835 acres, more or less, zoned B.L.-C.N.S. and is improved with an "L"-shaped masonry shop and office building fronting Windsor Mill Road, and a one-story frame garage fronting Gwynn Oak Avenue with accessory parking as shown on Petitioner's Exhibit 1. Mr. Norbert Richardson testified that the property has been owned by his

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By [Signature]

family since 1928 when his father built the existing garage at 2110 Gwynn Oak Avenue. Testimony indicated that the property consists of four (4) contiguous parcels of land that were acquired on separate occasions over the years by the Richardson family as it became available. The property the Richardsons currently own is more particularly described on Petitioner's Exhibit 1.

Mr. Juri Maiste testified on behalf of the Petitioners. He testified that the relief requested meets the requirements for a service garage use, in accordance with Section 230.13 of the B.C.Z.R., as well as the special exception requirements set forth in Section 502.1.

Also testifying on behalf of the Petitioners was Mr. Bruce Crockett, the Contract Purchaser. Mr. Crockett has been in the body and fender repair business for the past 18 years and is desirous of relocating his operation to the subject site. He testified that this will be the fourth time he has relocated his business but that this is the first time he has had an opportunity to own the property. Mr. Crockett is looking forward to moving his business to this location. Further testimony revealed that Mr. Crockett's body and fender repair shop will be a clean and neat operation and will be an asset to the Woodlawn business community.

On behalf of the Woodlawn Village Business and Professional Association, Mr. William Obrecht testified that both he and his Association are in favor of granting the relief requested and that they look forward to Mr. Crockett relocating his business to this site. Mr. Obrecht further testified that he met with Mr. Crockett at the location of his present business and is satisfied that Mr. Crockett will operate a superior business from the subject site. This sentiment was also corroborated by Mr. David Green of the Office of Planning and Zoning, who testified that he

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By [Signature]

also met with Mr. Crockett at the site of his present business. It is to be noted that Mr. Green works in the Office of Planning and Zoning which has recommended approval of the relief requested.

Mr. Obrecht further testified that he, as President of the Woodlawn Village Business and Professional Association, entered into a restrictive covenant agreement with Mr. Crockett and presented a copy of same to this Hearing Officer for inclusion in the case file. It was agreed that a copy of this agreement would be recorded in the Land Records of Baltimore County, once title to the property transfers to Mr. Crockett. I informed Mr. Obrecht that I would also incorporate the terms and conditions of the restrictive covenant agreement in this Order so that it may be enforced through the Zoning Enforcement Division of the Zoning Administration and Development Management Office.

Mr. Crockett was also advised at the hearing that certain restrictions would be imposed upon his business operation to insure that he and any potential owner/tenant of the subject property would always operate the business in a neat and orderly fashion. The restrictions that will be imposed at the end of this Order were explained to Mr. Crockett and he agreed to abide by them.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the requested modifications in the Petition for Special Hearing were not granted. In the opinion of this Deputy Zoning Commissioner, a modification of Case Nos. 1980-X and 78-128-X to include the property at 2110 Gwynn Oak Avenue and the rear of the property at 2104 Gwynn Oak Avenue as part of the service garage operation meets the spirit and intent of the zoning regulations. It has been established that the requirements

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By [Signature]

from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

As to the Petition for Special Exception, it is clear that the B.C.Z.R. permits a service garage use in the B.L.-C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. However, 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 1319 (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.

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

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Date 1/24/94  
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of January, 1994 that the Petition for Special Hearing to approve a modification to Case No. 3980-X to permit the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and a modification to Case No. 78-128-X to include the entire property known as 2110 Gwynn Oak Avenue as part of the service garage operation, including a paint and body shop, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the continuation of an existing service garage use, including a paint and body shop, on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 relief granted herein shall be rescinded.

2) The restrictive covenant agreement entered into between Mr. Bruce Crockett, the Contract Purchaser, and Mr. William Obrecht, President of the Woodlawn Village Business and Professional Association, dated January 5, 1994, a copy of which has been attached hereto and marked as Petitioner's Exhibit A, shall be incorporated herein and be enforceable as if part of this Order. The Petitioner shall have a copy of this restrictive covenant agreement recorded in the Land Records of Baltimore County within thirty (30) days of the date that title to the subject property is transferred to Mr. Crockett. This restrictive covenant

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Date 1/24/94  
By [Signature]

agreement shall be binding upon any future heir, transferee, or purchaser of the subject property.

3) There shall be no parking of any automobiles associated with any business operating from the subject site on Windsor Mill Road or Gwynn Oak Avenue. Any automobiles belonging to any customer or employees associated with the subject business shall be parked on-site and not on any public street.

4) There shall be no outside storage of automotive parts on the subject property, except for that which will be immediately used in the repair of a particular automobile. All other unused automobile parts shall be removed within 24-hours of their arrival.

5) A landscape plan designed to enhance the streetscape on Windsor Mill Road and Gwynn Oak Avenue shall be submitted to the Baltimore County Landscape Architect for review and approval within thirty (30) days of the date of this Order.

6) All proposed signage on the property shall be approved by the Deputy Director of the Office of Planning and Zoning prior to the issuance of any sign permits.

7) The Petitioner shall submit a revised site plan to this Hearing Officer depicting the damaged and disabled vehicle storage area on the property. Said plan should show the stacking and location of these vehicles on the subject site. In addition, the storage area shall be properly screened from view of either Gwynn Oak Avenue or Windsor Mill Road.

8) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the continuation of an existing service garage use, including a paint and body shop, on the property known as 6400-6402 Windsor Mill Road, as a valid, nonconforming use, be and is hereby DISMISSED AS MOOT.

ORDER RECEIVED FOR FILING  
Date 1/24/94  
By [Signature]

TWK:bjg

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

January 12, 1994

(410) 887-4386

Deborah C. Dopkin, Esquire  
502 Washington Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION  
NE/S Windsor Mill Road, 127' NW of Gwynn Oak Ave.  
(6400-02 Windsor Mill Rd.); NW/S Gwynn Oak Ave.,  
183' NE of Windsor Mill Rd. (2110 Gwynn Oak Ave.); and,  
111.97' NE of Gwynn Oak Ave. (Rear of 2104 Gwynn Oak Ave.)  
2nd Election District - 2nd Councilmanic District  
Norbert J. Richardson, et ux - Petitioners  
Case No. 94-225-SPHX

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in part and dismissed in part and the Petition for Special Exception 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kozmoo*  
TIMOTHY M. KOZMOO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjg

cc: Mr. & Mrs. Norbert J. Richardson  
12206 Benson Branch Road, Ellicott City, Md. 21042

Mr. Bruce E. Crockett  
2590 Bollinger Hill Road, Finksburg, Md. 21048

People's Counsel  
[Signature]

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County  
for the property located at 6400-02 Windsor Mill Road  
2590 Bollinger Mill Road  
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 300.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:

1. The existence and continuation of a valid non-conforming use of 6400-02 Windsor Mill Road, MD, as a service garage, including a paint and body shop;
2. A modification to Case No. 2980-A (rear 2104 Windsor Mill Road); and
3. A modification of case No. 78-128A (2100 Gwynn Oak Ave) for a service garage to include the entire property and to permit a paint and body shop.

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

Legal Owner:  
Bruce E. Crockett  
Signature: Bruce E. Crockett  
2590 Bollinger Mill Road  
Finksburg, MD 21048

Legal Owner:  
Norbett J. Richardson  
Signature: Norbett J. Richardson  
12206 Benson Branch Road  
Ellicott City, MD 21042

Attorney for Petitioner:  
Deborah C. Dopkin  
Signature: Deborah C. Dopkin  
502 Washington Ave. 330-7100  
Towson, MD 21204

Attorney for Petitioner:  
Honor E. Richardson  
Signature: Honor E. Richardson  
12206 Benson Branch Road  
Ellicott City, MD 21042

ESTIMATED LENGTH OF HEARING:  
The following date is available for hearing: 12-1-93

ORDER RECEIVED FOR FILING  
Date: 11/2/93  
By: [Signature]

# Petition for Special Exception

to the Zoning Commissioner of Baltimore County  
for the property located at Rear 2106 Gwynn Oak Avenue  
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 Regulations of Baltimore County, to use the herein described property for:

A service garage pursuant to B.C.Z.R. Section 250.13

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.

Legal Owner:  
Bruce E. Crockett  
Signature: Bruce E. Crockett  
2590 Bollinger Mill Road  
Finksburg, MD 21048

Legal Owner:  
Norbett J. Richardson  
Signature: Norbett J. Richardson  
12206 Benson Branch Road  
Ellicott City, MD 21042

Attorney for Petitioner:  
Deborah C. Dopkin  
Signature: Deborah C. Dopkin  
502 Washington Ave. 330-7100  
Towson, MD 21204

Attorney for Petitioner:  
Honor E. Richardson  
Signature: Honor E. Richardson  
12206 Benson Branch Road  
Ellicott City, MD 21042

ESTIMATED LENGTH OF HEARING:  
The following date is available for hearing: 12-1-93

ORDER RECEIVED FOR FILING  
Date: 11/2/93  
By: [Signature]

DECEMBER 1, 1993

94-225-SPHX

## DESCRIPTION OF REAR OF NO.2106 GWYNN OAK AVENUE TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION.

BEGINNING AT A POINT DISTANT NORTH 50 DEGREES 03 MINUTES 00 SECONDS EAST 183.00 FEET AND NORTH 39 DEGREES 57 MINUTES 00 SECONDS WEST 111.97 FEET MEASURED FROM THE INTERSECTION OF THE NORTHWEST SIDE OF GWYNN OAK AVENUE AND THE CENTER OF WINDSOR MILL ROAD, THENCE LEAVING SAID PLACE OF BEGINNING AND RUNNING THE 4 FOLLOWING COURSES AND DISTANCES, VIZ:  
1) SOUTH 50 DEGREES 03 MINUTES 00 SECONDS WEST 60.00 FEET,  
2) NORTH 39 DEGREES 57 MINUTES 00 SECONDS WEST 113.03 FEET,  
3) NORTH 50 DEGREES 03 MINUTES 00 SECONDS EAST 60.00 FEET, AND  
4) SOUTH 39 DEGREES 57 MINUTES 00 SECONDS EAST 113.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.156 ACRES OF LAND.



224

J. M. Monte

DECEMBER 1, 1993

94-225-SPHX

## DESCRIPTION OF NO.2110 GWYNN OAK AVENUE TO ACCOMPANY PETITION FOR SPECIAL HEARING.

BEGINNING ON THE NORTHWEST SIDE OF GWYNN OAK AVENUE AT THE DISTANCE OF 183.00 FEET MEASURED NORTHEASTERLY FROM ITS INTERSECTION WITH THE CENTER OF WINDSOR MILL ROAD, THENCE LEAVING SAID PLACE OF BEGINNING AND RUNNING AND BINDING ON THE NORTHWEST SIDE OF GWYNN OAK AVENUE,  
1) NORTH 50 DEGREES 03 MINUTES 00 SECONDS EAST 90.00 FEET, THENCE LEAVING GWYNN OAK AVENUE AND RUNNING THE 3 FOLLOWING COURSES AND DISTANCES, VIZ:  
2) NORTH 39 DEGREES 57 MINUTES 00 SECONDS WEST 225.00 FEET,  
3) SOUTH 50 DEGREES 03 MINUTES 00 SECONDS WEST 90.00 FEET AND  
4) SOUTH 39 DEGREES 57 MINUTES 00 SECONDS EAST 225.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.465 ACRES OF LAND.



224

DECEMBER 1, 1993

94-225-SPHX

## DESCRIPTION OF NO.6400 AND NO.6402 WINDSOR MILL ROAD TO ACCOMPANY PETITION FOR SPECIAL HEARING.

BEGINNING ON THE NORTHEAST SIDE OF WINDSOR MILL ROAD AT THE DISTANCE OF 127.00 FEET MEASURED NORTHWESTERLY FROM ITS INTERSECTION WITH THE CENTER OF GWYNN OAK AVENUE, THENCE LEAVING SAID PLACE OF BEGINNING AND RUNNING AND BINDING ON THE NORTHEAST SIDE OF WINDSOR MILL ROAD,  
1) NORTH 46 DEGREES 51 MINUTES 00 SECONDS WEST 75.80 FEET, THENCE LEAVING WINDSOR MILL AND RUNNING THE FOLLOWING 6 COURSES AND DISTANCES, VIZ:  
2) NORTH 50 DEGREES 03 MINUTES 00 SECONDS EAST 122.67 FEET,  
3) SOUTH 39 DEGREES 57 MINUTES 00 SECONDS EAST 81.16 FEET  
4) SOUTH 50 DEGREES 03 MINUTES 00 SECONDS WEST 33.62 FEET,  
5) NORTH 34 DEGREES 23 MINUTES 31 SECONDS WEST 2.47 FEET,  
6) SOUTH 50 DEGREES 03 MINUTES 00 SECONDS WEST 46.76 FEET AND  
7) SOUTH 55 DEGREES 57 MINUTES 00 SECONDS WEST 33.60 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.214 ACRES OF LAND.



J. M. Monte  
224

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: \_\_\_\_\_ Date of Posting: 12/1/93  
Posted for: Norbett J. Richardson & Bruce E. Crockett  
Petitioner: Norbett J. Richardson & Bruce E. Crockett  
Location of property: 6400-02 Windsor Mill Rd, MD - always on site  
Location of signs: ailed to building, no grounds available  
Remarks: NO. 6402 used  
Posted by: [Signature] Date of return: 12/23/93  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/1/93  
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 12/1/93.

THE JEFFERSONIAN,  
A. Henrickson  
LEGAL AD. - TOWSON  
RECEIVED  
JAN 5 1994  
ZONING COMMISSIONER

Baltimore County Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21286  
Account: R-001-4190  
Number: JCM  
Date: 12-1-93  
NORBERT Richardson 6400-02 WINDSOR MILL RD  
2106, 2104 & 2110 GWYNN OAK AVENUE  
SPEC H2G (040) 250.00  
SPEC EX (050) 300.00  
PASTING (090) 3x35 105.00  
655.00  
034034003411CHWC 6455.00  
2106, 2104 & 2110 GWYNN OAK AVENUE  
Please Make Checks Payable To: Baltimore County  
Cashier Validation

Item Number: 224  
Planner: JCM  
Date Filed: 12-1-93  
94-225-SPHX

## PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing on the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate conflict, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

- Need an attorney
- The following information is missing:
  - Descriptions, including accurate beginning point
  - Actual address of property
  - Zoning
  - Election district
  - Acresage
  - Plats (need 12, only 1 submitted)
  - 200 scale zoning map with property outlined
  - Councilmanic district
  - BCZR section information and/or wording
  - Hardship/practical difficulty information
  - Owner's address (need minimum 1 original signature) and/or telephone number
  - Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
  - Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
  - Power of attorney or authorization for person signing for legal owner and/or contract purchaser
  - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
  - Notary Public's section is incomplete and/or incorrect and/or commission has expired

2nd C.D.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21284 (410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 224  
Petitioner: NORBERT RICHARDSON  
Location: 6400-02 Windsor Mill Rd, Towson, MD 21284 Gwynn Oak Ave.

PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Deborah C. Dopkin, Esq.  
ADDRESS: 502 Washington Ave. Towson, Md. 21284  
PHONE NUMBER: 339-7100

Attachments (Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY  
December 16, 1993 Issue - Jeffersonian

Please forward billing to:  
Deborah C. Dopkin, Esq.  
502 Washington Avenue  
Towson, Maryland 21284  
410-339-7100

**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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-225-SPHC (Item 224)  
6400 - 02 Windsor Mill Road  
NW/SE Gwynn Oak Avenue, 183' SE of c/l Windsor Mill Road  
2nd Election District - 2nd Councilmatic  
Legal Owner(s): Norbert J. Richardson and Honor E. Richardson  
Contract Purchaser(s): Bruce E. Crockett  
HEARING: WEDNESDAY, JANUARY 5, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Hearing to approve the existence and continuation of a valid non-conforming use of 6400-6402 Gwynn Oak Avenue as a service garage, including a paint and body shop; to approve a modification to case #1980 (rear 2104 Windsor Mill Road); and to approve a modification of case #78-128-1 (2110 Gwynn Oak Ave.) for a service garage to include the entire property and to permit a paint and body shop.  
Special Exception for a service garage.

LAWRENCE E. SCHWIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DECEMBER 13, 1993

**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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-225-SPHC (Item 224)  
6400 - 02 Windsor Mill Road, 2104, 2106, and 2110 Gwynn Oak Avenue  
NW/SE Gwynn Oak Avenue, 183' SE of c/l Windsor Mill Road  
2nd Election District - 2nd Councilmatic  
Legal Owner(s): Robert J. Richardson and Honor E. Richardson  
Contract Purchaser(s): Bruce E. Crockett  
HEARING: WEDNESDAY, JANUARY 5, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special hearing to approve the existence and continuation of a valid non-conforming use of 6400-6402 Gwynn Oak Avenue as a service garage, including a paint and body shop; to approve a modification to case #1980 (rear 2104 Windsor Mill Road); and to approve a modification of case #78-128-1 (2110 Gwynn Oak Ave.) for a service garage to include the entire property and to permit a paint and body shop.  
Special Exception for a service garage.

Arnold Jablon  
Director

cc: Robert and Honor Richardson  
Bruce E. Crockett  
Deborah C. Dopkin

NOTES: (1) ZONING SIGN A POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

December 21, 1993

Deborah C. Dopkin, Esq.  
502 Washington Avenue  
Towson, Maryland 21284

RE: Case No. 94-225-SPHC, Item No. 224  
Petitioner: Norbert J. Richardson, et al.  
Petition for Special Hearing and Special Exception.

Dear Mr. Dopkin:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of points or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 December 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petition filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

FROM: Robert W. Bowling, Senior Engineer  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for December 20, 1993  
Item No. 224

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to Commercial Entrance Standard Plate R-32 of Baltimore County Department of Public Works Standards.

*Robert W. Bowling*  
Robert W. Bowling, Sr. Engineer  
Developers Engineering Section

RWB:s

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration & Development Management

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

DATE: December 16, 1993

SUBJECT: 6400-6402 Windsor Mill Road and 2110 Gwynn Oak Avenue

**INFORMATION:**

Item Number: 224  
Petitioner: Norbert J. Richardson  
Property Size: \_\_\_\_\_  
Zoning: BL-CNS  
Requested Action: \_\_\_\_\_  
Hearing Date: 1/1

**SUMMARY OF RECOMMENDATIONS:**

An inspection of the above referenced property revealed that this site is located in the center of the Woodlawn Business District. It has commercial frontage on two (2) streets in Woodlawn.

Richardson's Tractor formerly operated a lawn tractor sales and service operation from the portion of the site which fronts Windsor Mill Road. Absolute Auto Care is operating a service garage from the area of the site which fronts Gwynn Oak Avenue.

The site offers a reasonable opportunity for a body and fender shop since the property is in an area that is zoned and utilized for a variety of commercial uses.

Allowing the Petitioner to operate a body and fender shop and service garage by way of a special exception gives the Office of Planning and Zoning and the Woodlawn business community the opportunity to comment regarding desired improvements.

SAC. 224/PKOH/SAC1 Pg. 1

Should the applicant's request be granted, the Office of Planning and Zoning recommends the following conditions:

1. No unlicensed vehicles should be stored on the property.
2. A designated disabled vehicle storage area should be provided and indicated on the site plan.
3. The designated disabled vehicle storage area should be screened with a six foot wood privacy fence where visible from the street.
4. No outside storage of auto parts should be permitted, except for what will be immediately used - *all other auto parts*.
5. A landscape plan to enhance the streetscape on Windsor Mill Road and Gwynn Oak Avenue should be submitted to the County's Landscape Architect for review and approval.
6. All proposed signs on the property must be approved by the Deputy Director of Planning and Zoning.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Cary L. Lerno*  
PK/JL:lw

SAC. 224/PKOH/SAC1 Pg. 2

Baltimore County Government  
Department of Permits and Licenses

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3610

DECEMBER 16, 1993

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204

ZONING AGENDA: DECEMBER 13, 1993

Property Owner: BALTIMORE ASSOCIATION OF RETARDED CITIZENS  
Location: #7215 YORK ROAD  
Item No.: +221 (JCM)  
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: LUTHERVILLE VOLUNTEER FIRE COMPANY, INC.  
Location: #1601 BELLENA AVENUE  
Item No.: +225 (JCM)  
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: C.E. MCWILLIAMS, JR. & NELLIE MCWILLIAMS  
Location: #11904 REISTERSTOWN ROAD  
Item No.: +230 (JLL)  
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: BOURQUIN L.L. C.  
Location: #7901 BELAIR ROAD  
Item No.: +231 (RT)  
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: HOWARD H. GERMAN, III & SUSAN L. GERMAN  
Location: #18411 GUNPOWDER ROAD  
Item No.: +229 (RT)  
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", 1998 edition prior to occupancy.

Property Owner: NORBERT J. RICHARDSON & HONOR E. RICHARDSON  
Location: #6400-02 WINDSOR MILL ROAD AND #2104, #2106  
Item No.: (JCM)  
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", 1998 edition prior to occupancy.

Gentlemen:



Suite 113 Courthouse  
400 Washington Avenue  
Towson MD 21284  
March 25, 1994 (410) 887-4386

Ms. Kristen Forsyth  
Administrative Assistant  
The Valleys Planning Council, Inc.  
212 Washington Avenue  
P.O. Box 5402  
Towson, Maryland 21285-5402

RE: Case No. 94-225-A

Dear Ms. Forsyth:

Thank you for your letter dated March 3, 1994. I apologize for misunderstanding the purpose of your attendance at the hearing on case No. 94-225-A. I now recall, after reading your letter, that you did indicate you were attending the hearing as an interested party on behalf of The Valleys Planning Council, Inc. I will forward to the case file a copy of your letter and my response, so that there is no misunderstanding as to the status of your appearance at the hearing.

Once again, I apologize for the misunderstanding and hope that this letter has served to clarify the situation.

Very truly yours,

*Timothy M. Kotroco*  
Timothy M. Kotroco  
Deputy Zoning Commissioner

TKM:mm  
cc: Case file - 94-225-A

Woodlawn Village Business and Professional Assn.  
2137 Gwynn Oak Avenue  
Baltimore, Md. 21207

President - William Obriecht  
Vice-President - Audrey Simmons  
Treasurer - Jim Waddy

October 1, 1993

Bruce Crockett, President  
Crockett & Sons Auto Body, Inc.  
7030 Liberty Road  
Baltimore, Md. 21207

Dear Bruce Crockett,

The Woodlawn Village Business and Professional Assn. unanimously vote to support the relocation of your business to the Richardson property at 6400 Windsor Mill Road. This support was based on your agreeing to a covenant restricting your activities as follows:

No junked cars would be stored on the premises. Only cars in the process of repairing or restoration would be permitted on the property.

No damaged cars can be left in front of the property more than 24 hours.

No repairs can be made on cars parked in front of the property except for minor repairs which can be done in a short time.

This action was taken at our September 15, 1993 meeting.

We look forward to having you join us in Woodlawn Village.

Sincerely,

*William Obriecht*  
William Obriecht, President

GWYNN OAK IMPROVEMENT ASSOCIATION

October 6, 1993

Bruce Crockett  
Crockett and Sons Auto Body Inc.  
7030 Liberty Rd.  
Baltimore, Maryland, 21207

Dear Mr. Crockett,

At our board meeting on Monday, October 4, 1993, we agreed to support your request to locate your business at the recently vacated "Richardson" property. This action was taken even though we are concerned about the number of automotive uses in the Woodlawn/Liberty Road area. However, we believe the conditions you agreed to will make your business an asset to our community.

We understand that you agreed with the business community that:

No junked cars will be kept on the property, no damaged cars will be left in front of the property, and no repairs will be made in front of the property.

We support your request with the understanding that an agreement will be prepared regarding the above conditions.

We also based our agreement on the fact that there is a large fenced lot behind the property that will affectively screen the cars awaiting repair from view.

Sincerely,

*Joe Organ*  
Joe Organ, Co-Chairman  
Gwynn Oak Improvement Assn.  
2301 Poplar Dr.  
Baltimore, Md. 21207

Woodlawn Village Business and Professional Assn.  
2137 Gwynn Oak Avenue  
Baltimore, Md. 21207

January 4, 1994

Arnold Jablon, Director  
Zoning Administration and Development Management  
111 Chesapeake Ave.  
Towson, Md. 21204

Dear Mr. Jablon,

The Woodlawn Village Business and Professional Association considered the request of Bruce Crockett doing business as Crockett & Sons Auto Body, Inc. to operate a auto body and fender shop at the Richardson property located at 6400/6402 Windsor Mill Rd. and 2110 Gwynn Oak Ave. He plans to purchase the property and obtain zoning which will permit him to operate there.

We considered the positive aspects of his proposal, namely: the immediate occupancy of the site by a new business, the business will have the owner on the premises which is consistent with the majority of the other business' in Woodlawn Village, his landscaping plans will improve the appearance, a fenced yard is available for cars awaiting repairs, sufficient parking is available on the site for employees, and the immediate occupancy will mean that some of his customers will patronize neighboring business's.

Mr. Crockett agreed to sign a restrictive covenant with the following provisions:

No junked cars would be stored on the premises. Only cars in the process of repairing or restoration would be permitted on the property.

No damaged cars can be left in front of the property more than 24 hours.

No repairs can be made on cars parked in front of the property except for minor repairs which can be done in a short time.

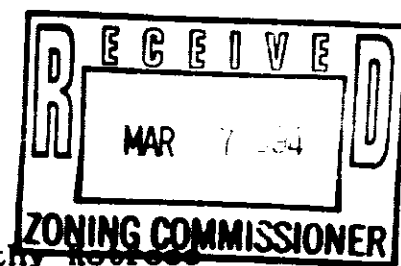
The Woodlawn Village Business and Professional Association at it's regular meeting on September 15, 1993 voted unanimously to support the location of a auto body and fender shop operated by Crockett and Sons on the above site with the filing of a restrictive covenant with the above provisions.

Sincerely,

*William Obriecht*  
William Obriecht, President

THE VALLEYS  
PLANNING COUNCIL, INC.

212 Washington Avenue  
P.O. Box 5402  
Towson, Maryland 21285-5402  
410-337-6877  
410-296-5409 (FAX)



March 3, 1994

Mr. Timothy M. Kotroco  
Deputy Zoning Commissioner  
Old County Court House  
400 Washington Avenue  
Towson, MD 21204

Re: Case No. 94-225-A

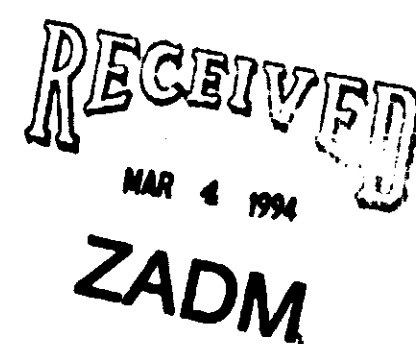
Dear Mr. Kotroco:

In your ruling on February 18, 1994, regarding the Alter property on Leisure Hill Drive, you state that Kristine Forsyth appeared on behalf of the petitioner, Richard Alter. In fact, I attended the meeting on behalf of The Valleys Planning Council with the sole intention of listening to the proceedings -- I did not come in support of or in opposition to the request.

I wanted to clarify this in the event that further amendments to the development of this property occur in the future. Thank you.

Sincerely,

*Kristen Forsyth*  
Kristen Forsyth  
Administrative Assistant



MAISTE & WATTS, INC.  
SURVEYORS and ENGINEERS

2923 Chesook Avenue  
Baltimore, Maryland 21284  
(410) 852-0321  
Fax (410) 861-8752

Nov. 3, 1994

Mr. Carl W. Richards, Jr.  
Zoning Supervisor  
Office of Zoning Administration  
111 West Chesapeake Ave.  
Towson, Maryland 21204

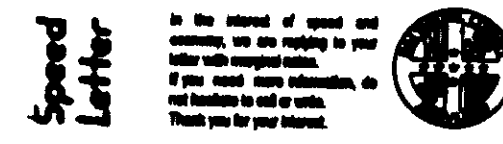
Re: Crockett and Sons Auto Body, Inc.  
Windsor Mill Road & Gwynn Oak Ave.  
Zoning Case #94-225 SPHX

Dear Mr. Richards:

Please find enclosed 3 redlined copies of plat of exhibit one as approved in the referenced case. Please forward one(1) signed copy to Mr. Crockett at the referenced address.

Sincerely,

*Jim Maiste*  
Jim Maiste



cc: Deborah C. Dopkin, Esq.

2nd E.D.  
November 10, 1994

The provided information, red-lined plan, and the developers engineer's telephone conversation with Carl Richards (Zoning Supervisor) of this office has allowed the staff to determine that, in light of there being no opposition to the recent zoning hearing, the proposed (red-lined) enclosure of the existing loading dock is approved as being within the spirit and intent of the plan and order in zoning case #94-225-SPHX. Reference this response on all future plans for zoning review.

*John L. Lewis*  
John L. Lewis  
Planner II

JLL:acj

LAW OFFICES  
ROSOLIO, SILVERMAN & KOTZ, P.A.  
SUITE 200, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100  
FAX NO. 410-339-7107

DEBORAH C. DOPKIN

December 23, 1993

Fatuxent Publishing Company  
10750 Little Patuxent Parkway  
Columbia, Maryland 21044

RE: Invoice #7734412424

Gentlemen:

Please find enclosed check number 8714 of Crockett & Sons Auto Body, Inc. in the amount of \$68.25 representing payment in full of the advertising costs in Zoning Case Number 94-225-SPHX. The original invoice is also enclosed.

Thank you for your attention to this matter.

Very truly yours,

ROSOLIO, SILVERMAN & KOTZ, P.A.

Deborah C. Dopkin

DCD/kac

Enclosure

cc: Lawrence E. Schmidt, Zoning Commissioner  
for Baltimore County (w/enclosure)  
Mr. Bruce Crockett

LAW OFFICES  
ROSOLIO, SILVERMAN & KOTZ, P.A.  
SUITE 200, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100  
FAX NO. 410-339-7107

DEBORAH C. DOPKIN

December 28, 1993

BY FACSIMILE TRANSMISSION

Jeffrey W. Long  
Office of Planning and Zoning  
County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204

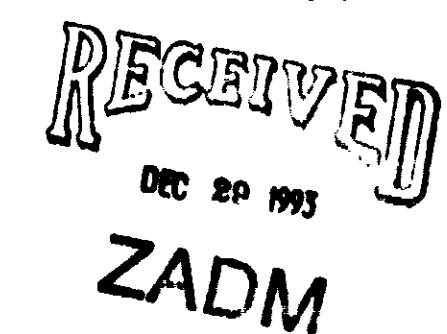
RE: Petitions for Special Exception and Special Hearing  
Case No. 94-225 SPHX

Dear Jeff:

In accordance with our conversation of this morning, I am transmitting copies of two letter agreements between Bruce Crockett, Petitioner in the above captioned matters, and the surrounding community and business associations.

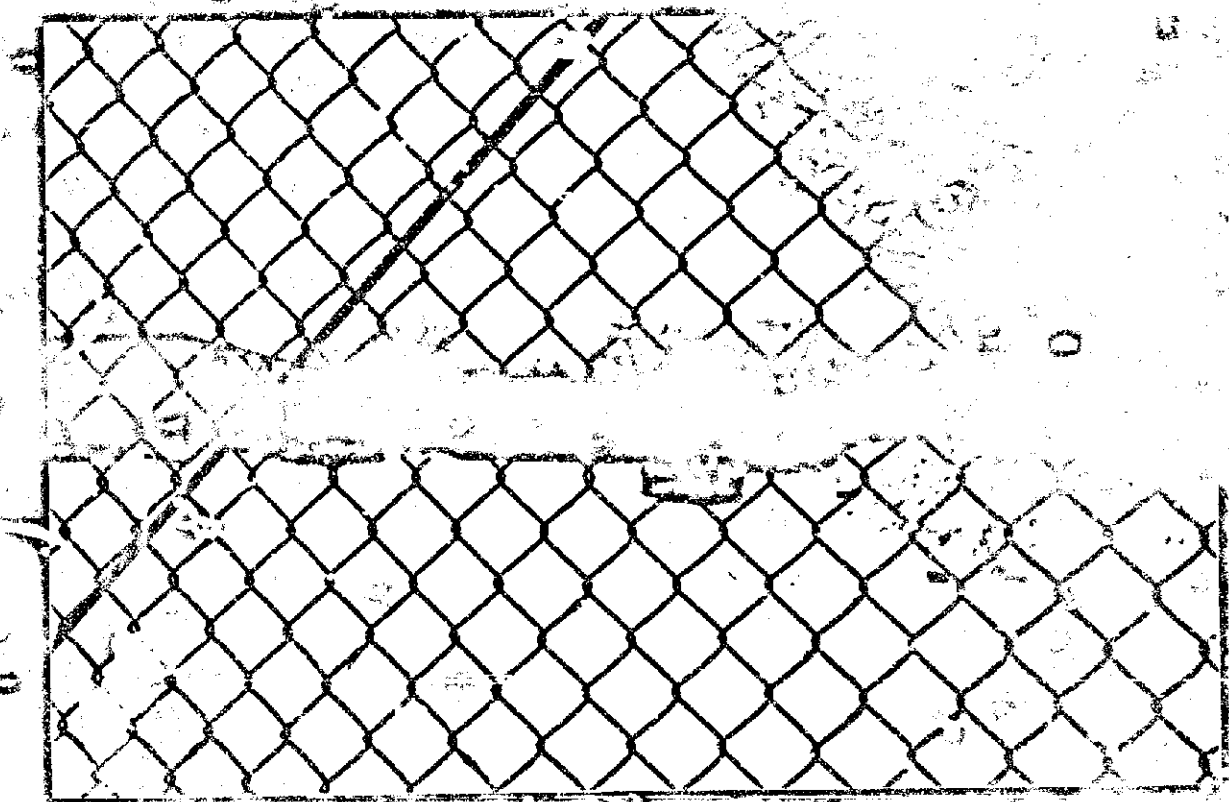
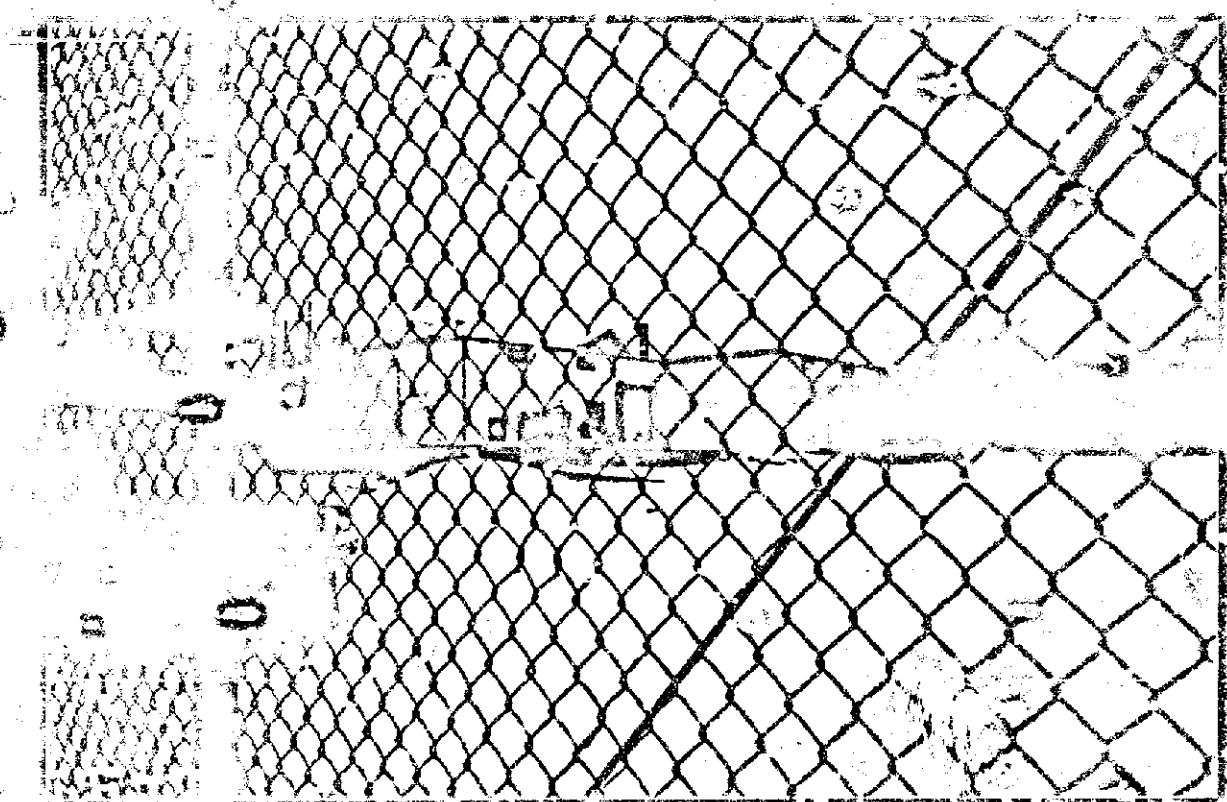
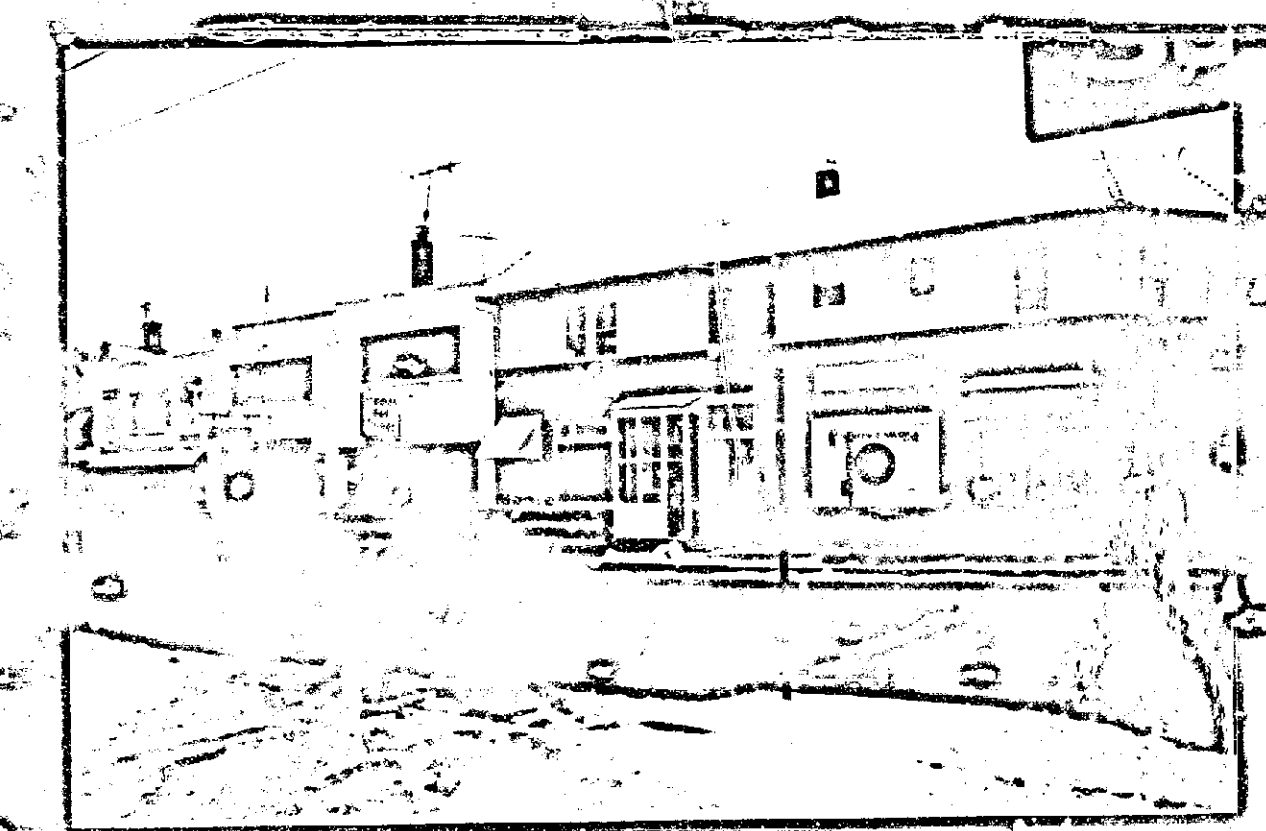
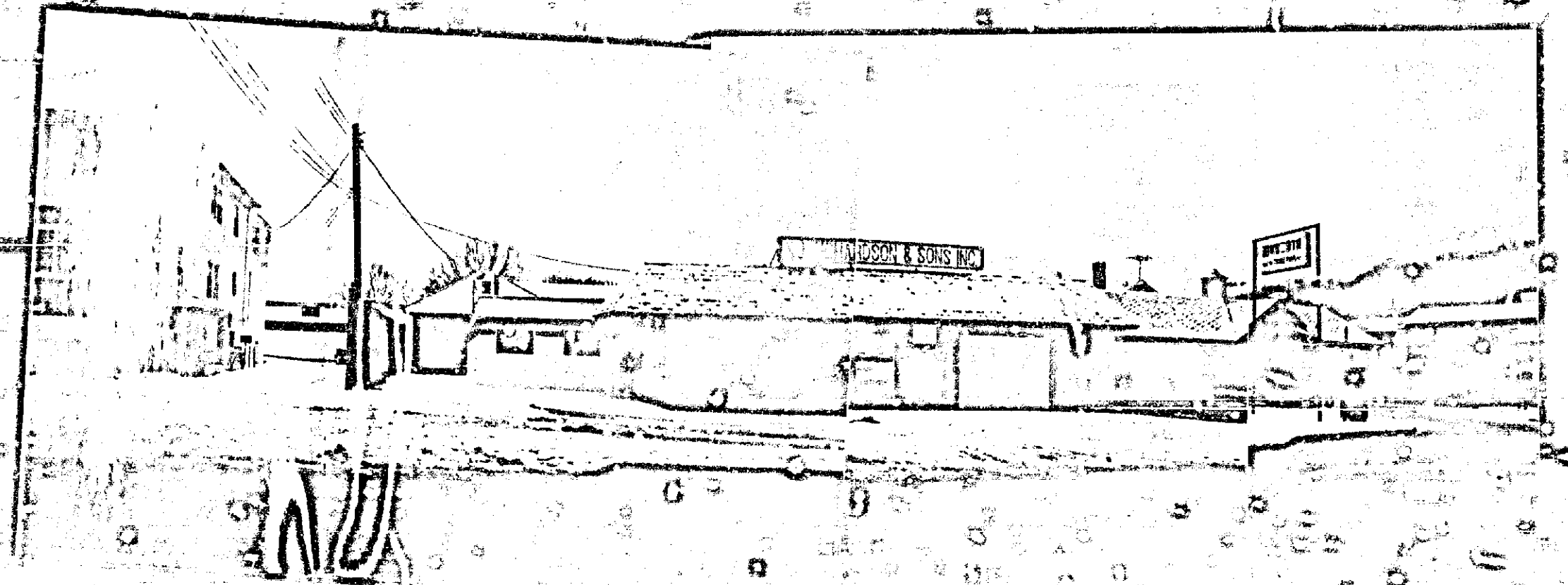
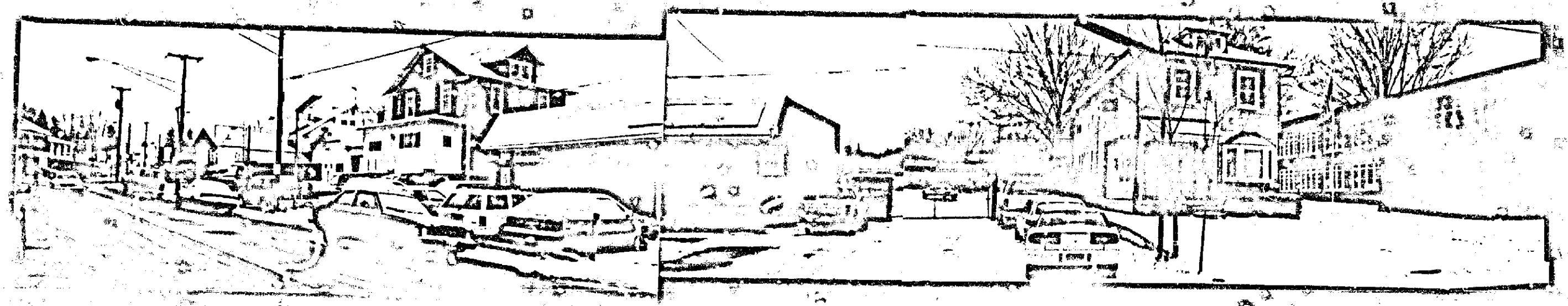
As I mentioned, Mr. Crockett has met with these groups and addressed several of the issues raised in the comments your office transmitted to the Zoning Advisory Committee. In particular, items numbered 1 and 4, regarding outside storage are of particular concern. Though Mr. Crockett will not have any storage of junked vehicles, vehicles in the process of repair and delivery to the site may be on the premises for reasonably brief periods i.e. days not weeks. He is concerned that if your comments are incorporated verbatim, he will never be able to operate totally in compliance, and is reluctant to be put in that position.

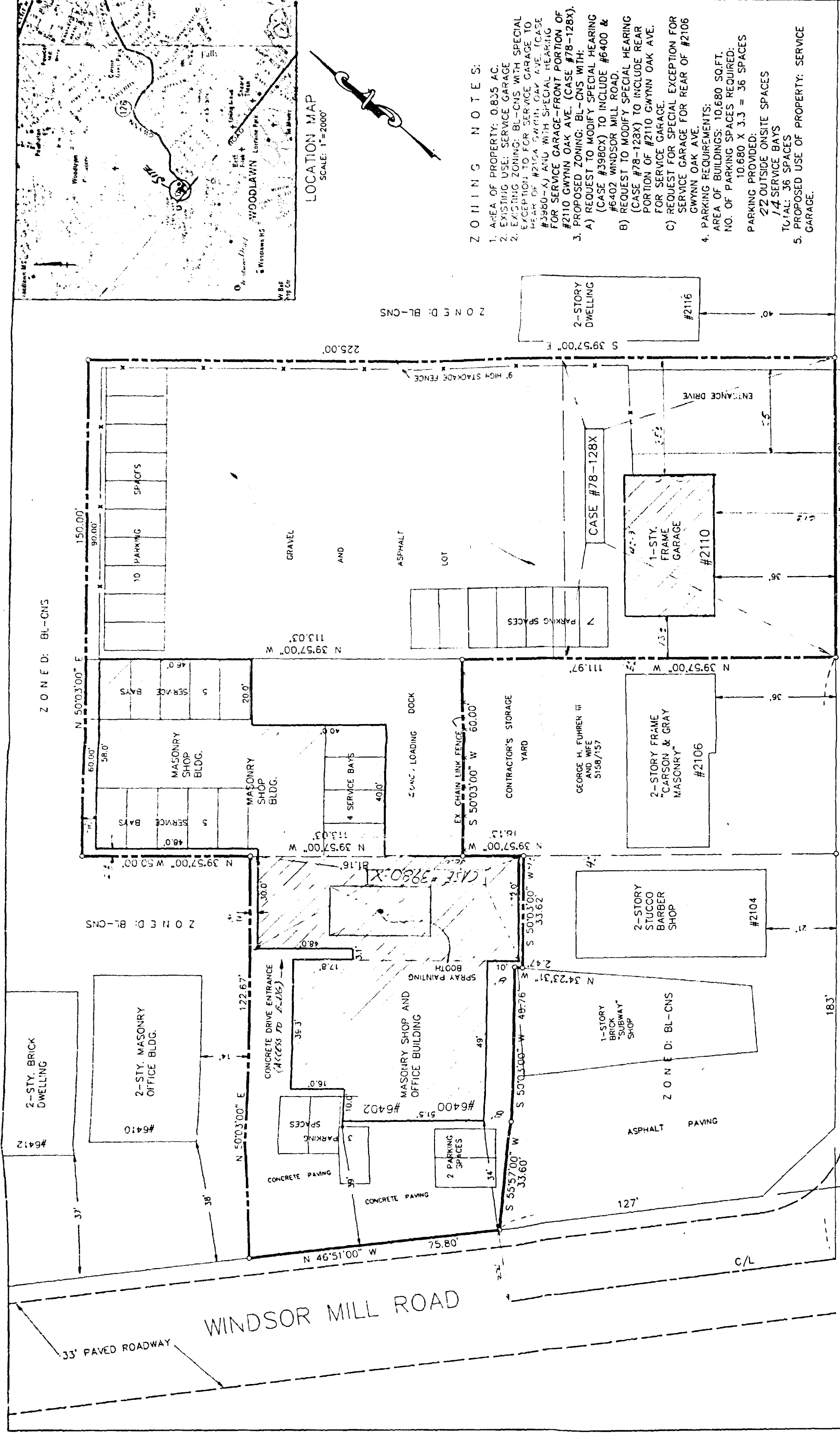
Mr. Crockett's agreements with these associations could be incorporated into any order approving his petitions, so as to make the provisions subject to zoning enforcement, and thereby provide the same assurances you are seeking. I hope you will modify your comments to recognize the same reasonable and realistic considerations the community and business associations have agreed upon.





Petitioner's  
Exhibits 2-4  
(photographs)  
94-205-3PX





**PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR: #6400-6402 WINDSOR MILL ROAD, #2110 GWYNN OAK AVE., AND REAR OF #2104 GWYNN OAK AVE. & SPECIAL EXCEPTION FOR: REAR OF #2106 GWYNN OAK AVE.**

**GWYNN OAK AVE. #6400-6402**  
(MD RT. #196)

**TITLE DEEDS ACQUIRED BY ROBERT L. DICHAZZION, SR.**  
REF. # DEED DATE  
#210 Gwynn Oak Ave. 5339-5381 SEPT. 1973  
REAR #2104 Gwynn Oak Ave. 1873-5000 (MD Rt) MAY, 1968  
#6400-6402 Windsor Mill Rd. 2775-124 MAY, 1968  
4101-4579 JAN, 1963  
4402-377 NOV, 1964

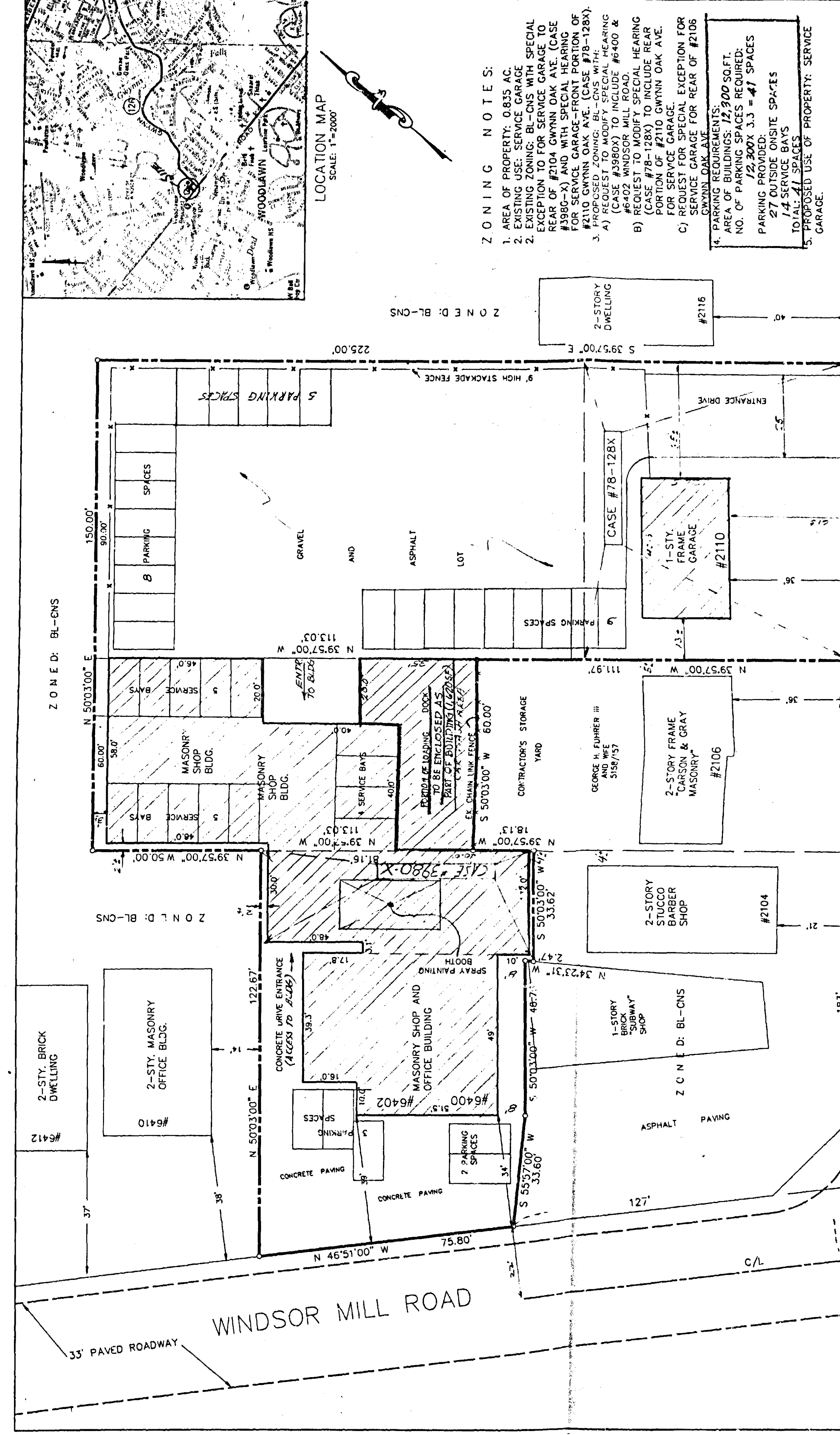


**PETITIONER:**  
**CROCKETT & SONS AUTO BODY, INC.**  
7030 LIBERTY ROAD  
BALTIMORE, MARYLAND 21207  
PHONE: (410)484-7408

**MAISTE & WATTS, INC.**  
SURVEYORS AND ENGINEERS  
2923 CHENOOK AVE. BALTIMORE, MD. 21234  
PHONE (410) 882-0321

**PETITIONER'S EXHIBIT 1**

REV. 12-20-73  
DATE: NOV. 30, 1993  
SCALE: 1" = 20'  
PROJ. NO. 93-184



**PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR: #6400-6402 WINDSOR MILL ROAD, #2110 GWYNN OAK AVE., AND REAR OF #2104 GWYNN OAK AVE. & SPECIAL EXCEPTION FOR: REAR OF #2106 GWYNN OAK AVE.**

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**PETITIONER:**  
**CROCKETT & SONS AUTO BODY, INC.**  
7030 LIBERTY ROAD  
BALTIMORE, MARYLAND 21207  
PHONE: (410)484-7408

**MAISTE & WATTS, INC.**  
SURVEYORS AND ENGINEERS  
2923 CHENOOK AVE. BALTIMORE, MD. 21234  
PHONE (410) 882-0321

**PETITIONER'S EXHIBIT 1**

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