IN RE: PETITION FOR SPECIAL EXCEPTION

NE/S Windsor Mill Road, 270' SE of the c/l of Meadowview Drive

(6712 Windsor Mill Road) 2nd Election District

2nd Councilmanic District

Lobar Corporation Petitioner

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 95-175-X

\* \* \* \* \* \* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 6712 Windsor Mill Road, located in the vicinity of Woodlawn in northwestern Baltimore County. The Petition was filed by the owner of the property, Lobar Corporation, and the Contract Lessee, J & D Auto Repair, Inc., through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioners seek a special exception for a service garage, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a modification of the previously approved site plan in Case No. 70-158-SPH to permit the elimination of fuel service operations and a previous nonconforming service station use. The subject property and relief sought are more particularly described on the site plan submitted and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michele Blank for Lobar Corporation, property owner, John M. Kraft for J & D Auto Repair, Inc., Contract Lessee, William P. Monk, Land Planning Consultant, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of .401 acres, more or less, zoned B.L.-A.S., and is improved with a 1.5 story brick and frame building containing three

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service bays. The proffered testimony by Mr. Alderman revealed that a service garage has existed on the subject property since 1936. For the past nine years, John Kraft has operated J & D Auto Repair, Inc. from the His business entails automotive service and repairs. subject building. only, and does not include the sale of gasoline. In December, Kraft removed the underground gasoline storage tanks and pump islands from the subject site. Testimony indicated that he does not intend to ever sell gasoline from the premises. Therefore, the special exception relief sought herein is to permit a modification of the previously approved site plan to eliminate the gasoline storage tanks and pump islands from the plan and to affirm the service garage use for Mr. Kraft's business. Testimony demonstrated that the three service bays are located on the rear side of the existing building, and as such, are screened from the public's view thereby providing a more attractive appearance. In addition, the Petitioner has installed an 8-foot tall wood stockade fence around the perimeter the site to screen automobiles from view. Testimony indicated the Petitioner intends to extend this fence and install a second gate so that vehicles can be moved in and out of the storage area on the property and still be screened from public view. The Petitioner has agreed to maintain the fence in good condition and to repair same as needed. Furthermore, the Petitioner has agreed to plant two additional trees along Windsor Mill Road to assist in the streetscape of Windsor Mill Road and has agreed that no temporary signs will be erected on the site.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-A.S. 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. In fact, the Petitioner has shown that the use of the property as an automotive service garage, without the sale of gasoline, has been conducted without any detriment to the neighborhood for the past nine years. The facts and circumstances do not show that the use of the subject property as shown on 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).

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.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this And day of December, 1994 that the Petition for Special Exception for a service garage, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a modification of the previously approved site plan in Case No. 70-158-SPH to permit the elimination of fuel service operations and a previous nonconforming service station use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such

CALA CA

time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) The Petitioner shall plant two additional trees along Windsor Mill Road, in accordance with the land-scape plan submitted and marked herein as Petitioner's Exhibit 4.
- 3) The Petitioner shall be prohibited from erecting any temporary signs on the subject property.
- 4) The Petitioner shall regularly maintain the stockade fence in good condition and make repairs as needed.
- 5) When applying for any permits, the site plan and/ or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LIMOTHY M. KOTROCC

Deputy Zoning Commissioner

en endag en en

for Baltimore County

TMK:bjs

THE SECTIVED FOR FILING

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

December 22, 1994

(410) 887-4386

Howard L. Alderman, Jr., Esquire 305 W. Chesapeake Avenue, Suite 113 Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION

NE/S Windsor Mill Road, 270' SE of the c/l of Meadowview Drive

(6712 Windsor Mill Road)

2nd Election District - 2nd Councilmanic District

Lobar Corporation - Petitioner

Case No. 95-175-X

Dear Mr. Alderman:

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

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. William P. Monk

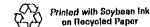
222 Bosley Avenue, Suite B-7, Towson, Md. 21204

Mr. John M. Kraft

6712 Windsor Mill Road, Baltimore, Md. 21207

Peoplé's Counsel

File





# Petition for Special Exception 95-175-X to the Zoning Commissioner of Baltimore County

for the property located at

6712 Windsor Mill Road

which is presently zoned

170

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Regulations of Baltimore County, to use the herein described property for

SEE ATTACHED

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

1, or we, agree to pay expenses of above Variance adventising, posting, etc., upon filling 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 legal owner(e) of the property which is the subject of this Peti	perjury, that I/we are the tion.
######################################	Legal Owner(e):	
J & D Auto Repair, Inc.	Lobar Corporation	
By: Mype or Print Name:  By: Myself Signature  6712 Windsor Mill Road	(Type or Print Name)  By:  Signature  PRESIDEN	7
Adgress	(Type or Print Name)	
Baltimore, MD 21207	Signature	
Attorney for Petitioner:  Highward L/Aldermon, Jc.	P. O. Box 15091 58	1-0026
Nomand adams		21208
Signature  LEVIN & GANN, P.A.  305 West Chesapeake Avenue Suite 113  Thison, Maryland 21204  (Aktornay's Phone No.: (410) 321-0600	Name, Address and phone number of legal owner, contract of the contacted.  Howard L. Alderman, Jr., Esquire LEVIN & GANN, P.A.  305 West Chesapeake Avenue, Suite 113 Towson, Maryland 21204 Tel.: (410) 321-0600	
	ESTIMATED LENGTH OF HEARING unevaliable for Hearing the following dates	Next Two Months
	ALLOTHERDATE	······································

95-175-X

Continuation Sheet: PETITION FOR SPECIAL EXCEPTION

**6712 WINDSOR MILL ROAD** 

**OWNER:** 

LOBAR CORPORATION

P.O. BOX 15091

BALTIMORE, MD 21208

**SPECIAL EXCEPTION:** 

For a Service Garage, pursuant to BCZR Section 230.13 located within the boundaries of the previously approved site plan and improvements shown thereon and the affirmation of the site plan approvals in Case No. 70-158-SPH, and the elimination of fuel service operations and previous non-conforming service station use.

### ZONING DESCRIPTION 95-175-X 6712 WINDSOR MILL ROAD BALTIMORE COUNTY, MARYLAND 2ND ELECTION DISTRICT

Beginning for the same at a point on the northeast side of Windsor Mill Road, 30 feet wide, said point being 270 feet southeast of the centerline of Meadowview Drive, thence leaving said Windsor Mill Road and running north 41 degrees 0 minutes east 137 feet; thence south 52 degrees 23 minutes east 136.70 feet; thence south 41 degrees 0 minutes west 137 feet to said northeast side of Windsor Mill Road, thence binding on said northeast side of Windsor Mill Road north 52 degrees 23 minutes west 136.70 feet to the place of beginning.

containing .354 acres of land, more or less.



## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towner, Maryland

District 2nd	Date of Posting 11/10/94
Posted for: Special Except	בכט
Petitioner: Ito Anto Repair to	Lobor Corp.
Location of property: 6712 Winds	Date of Posting 1/10/94  Labor Corp.  Labor Mill Rei / NE/5
	**************************************
Location of Signs: 100 You Ke	y jon Property being Zone &
Remarks:	
Posted by Malesty	Date of return: /1/ 18/94
Number of Signs:	MICROFILMED

#### NOTICE OF HEARING

The Zoning Commissioner of California County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 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: #95-175-X
(Item 170)
6712 Windsor Mill Road
NES Windsor Mill Road,
270' SE of c/l Meadowview
Drive
2nd Election District
2nd Councilmanic
Legal Owner(s):
Lober Corporation
Lessee:
J & D Auto Repair, Inc.
Hearing: Wadnesday,
December 7, 1994 at
9:00 a.m. in Rm. 118, Old

Special Exception for a service garage located within the boundaries of the previously approved site plan and improvements shown thereon and the affirmation of the site plan approvals in Case No. 70-158-SPH, and the elimination of fuel service operations and previous non-conforming service station use.

Courthouse.

LAWRENCE E. SCHMIDT
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.
11/207 Nov 17.

### CERTIFICATE OF PUBLICATION

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TOWSON,	MD.,	IN	<u> 18</u> ,	19//

LEGAL AD. - TOWSON

MICROFILMED



E Al'repre County Zoning Administration & Development Management 111 Vest Clusapeake Avenue Touson, Maryland 21204 10001pt

Account: R-001-6150

Number

170

Date 3 Nov 94

LOBAR CORP - 6712 Wintsor Millfol

CAM

050 - 300080 - 35\$335,00

Violation 6-94-677

William I

THACHROCOSTATORIC BALCOTOLLAMALL OF 74 5335, 00

Please Make Checks Payable To: Baltimore County



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring 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 postilid 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, DIRECTOR

	·		عديد
For newspaper advertising	ı:	,	
Item No.:			115
Petitioner: Labor C	ORP		<u> </u>
Location: 6712 W	indsac MII R	4	·
PLEASE FORWARD ADVERTISIN	G BILL TO:	•	9
NAME: Howard L C	alderman Ir.	Eso Levin	& Ganr
ADDRESS: 205 U.C.	St Cherapea	Ke ave Stell	13 PA
TOWSON	MO ZIZOT	·	
PHONE NUMBER: 321-0	0600		* * *
, , ,	MICROFILMED	(Revised 04/09/93)	
	ر المناطق الم	- CKAVIBAU U4/U9/931	

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
November 17, 1994 Issue - Jeffersonian

Please foward billing to:

Howard Alderman, Esq.
Levin & Gann
305 W Chesapeake Avenue #113
Towson, MD 21204
321-0600

#### 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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-175-X (Item 170)

6712 Windsor Mill Road

NES Windsor Mill Road, 270' SE of c/l Meadowview Drive

2nd Election District - 2nd Councilmanic

Legal Owner(s): Lobar Corporation Lessee: J & D Auto Repair, Inc.

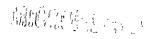
HEARING: WEDNESDAY, NOVEMBER 7, 1994 at 9:00 a.m. Rm. 118, Courthouse.

Special Exception for a service garage located within the boundaries of the previously approved site plan and improvements shown thereon and the affirmation of the site plan approvals in Case No. 70-158-SPH, and the elimination of fuel service operations and previous non-conforming service station use.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING 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

November 10, 1994

(410) 887-3353

#### 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: 95-175-X (Item 170)

6712 Windsor Mill Road

NES Windsor Mill Road, 270' SE of c/l Meadowview Drive

2nd Election District - 2nd Councilmanic

Legal Owner(s): Lobar Corporation Lessee: J & D Auto Repair, Inc.

HEARING: WEDNESDAY, DECEMBER 7, 1994 at 9:00 a.m. Rm. 118, Courthouse.

Special Exception for a service garage located within the boundaries of the previously approved site plan and improvements shown thereon and the affirmation of the site plan approvals in Case No. 70-158-SPH, and the elimination of of fuel service operations and previous non-conforming service station use.

Arnold Jablon Director

cc:

Lobar Corporation

J & D Auto Repair, Inc.

Howard L. Alderman, Jr., Esq.

NOTES: (1) ZONING SIGN & 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 CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Howard L. Alderman, Jr. Levin & Gann, P.A. 305 West Chesapeake Ave., Suite 113 Towson, Maryland 21204

DUC. O 7 1994

RE: Item Number: 170

Case Number: 95-175-X

Petitioner: J & D Auto Repair, Inc.

Dear Mr. Alderman, Jr.:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Zoning Administration and Development Management (ZADM), Development Control, on November 03, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file

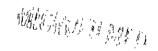
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce N. Watson in the zoning office (887-3391).

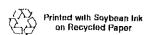
Sincerely,

W. Con Richard W. Carl Richards, Jr.

Zoning Supervisor

WCR/jnw Enclosure(s)





### BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 21, 1994 Zoning Administration and Development Management

FROM: Developers Engineering Section

RE: Zoning Advisory Committee Meeting for November 21, 1994 Item No. 170

The Developers Engineering Section has reviewed the subject zoning item. This site should comply with the Landscape Manual to the extent possible.

RWB:sw

n.

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Director

Office of Planning and Zoning

DATE: November 18, 1994

SUBJECT: 6712 Windsor Mill Rd.

INFORMATION:

Item Number:

Item No. 170

Petitioner:

Lobar Corporation

Property Size:

.401 acres

Zoning:

B.L.-A.S.

Requested Action:

Special Exception

Hearing Date:

#### SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's representatives to discuss the subject request, and as result of that meeting staff recommends the applicant's request be granted subject to the following agreed upon conditions:

- Street frontage along Windsor Mill Rd. should be improved with landscaping;
- No temporary signs shall be erected on site; and
- The existing and proposed fence should be maintained in good condition.

Prepared by:

Division Chief:

PK/JL

### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 11716794

Armedd Jabton Director Zoring Administration and Development Management Baltimore County Office Building Towcon, MD 21204 MAIL SIOP-1103

PF: Property Owner: LOBAR CORPORATION

LOCATION: NEZS WINDSOR MILL RD., FYO' SE OF CENTERLINE PEADOUVIEW DR. (6712 WINDSOR MILL RD.)

I tem the s (170)

Zoning Agenda: SPECIAL (SCFFTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this lumeau and the comments below are applicably and required to be corrected or incorporated into the final plans for the property.

o. The site shall be made to comply with all applicable parts of the fire Prevention Code prior to occupancy or beginning of operation.

RECEIVED NOV 17 1994

Zan Al Din M

REVIEWER: LT. FOREST P. SAUERWALD

Fire Marshal Office, PHONE 887-0881, MS-11081

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### BALTIMORE COUNTY, MARY LAND

### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

### INTER-OFFICE CORRESPONDENCE

T0:

ZADM

FROM:

**DEPRM** 

Development Coordination

SUBJECT:

Zoning Advisory Committee Agenda: ////4/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

164

166

167

LS:sp

LETTY2/DEPRM/TXTSBP



### Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary

Hal Kassoff Administrator

11-14-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTENTION: 140. DOVCE WAYSON
Dear Ms. Winiarski:

Re: Baltimore County
Item No.: +/70

(RAM)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

CONALD BICENS )
David Ramsey, Acting Chief
Engineering Access Permits

Division

BS/

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

November 3, 1994 DATE:

TO: Gwen Stevens

Development Control

FROM: James H. Thompson

Zoning Enforcement

RE: Item No. 170

6712 Windsor Mill Road

Please be advised that the above subject petition is subject to an active violation, Case No. C-94-677.

When this matter is scheduled for a public hearing, please notify:

Mr. Charles Connelly 6721 Valley Creek Drive Baltimore, Maryland 21207

Finally, the file folder will be maintained in the open docket pending the scheduled petition hearing.

JHT/hek

/ de: Copy 12 learny date robert martel 11/10/94

Marie Commence

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner

DATE: November 04, 1994

FROM: Kate A. Milton RE: Item 170

Please be advised that John Lewis and I indicated to the petitioner that the side yard setback was deficient (should be 25').

The applicant chose not to apply for a variance, but chose to incorporate the request within the "Affirmation of the Site Plan" statement found in the wording of the Special Exception Request.

This office has always held that a change in use negates any noncomforming status (including setbacks) and that all area and setback deficiencies be varianced at the time of the change. We also feel that even if the petitioner chose not to appply for the variances the request for affirmation should have been a special hearing.

RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE

6712 Windsor Mill Road, NES Windsor Mill
Road, 270' SE of c/l Meadowview Drive \* ZONING COMMISSIONER
2nd Election Dist., 2nd Councilmanic \* OF BALTIMORE COUNTY
Lobar Corporation
Petitioner \* CASE NO. 95-175-X

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter May Zimmerman

People's Counsel for Baltimore County

sle S, Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

#### CERTIFICATE OF SERVICE

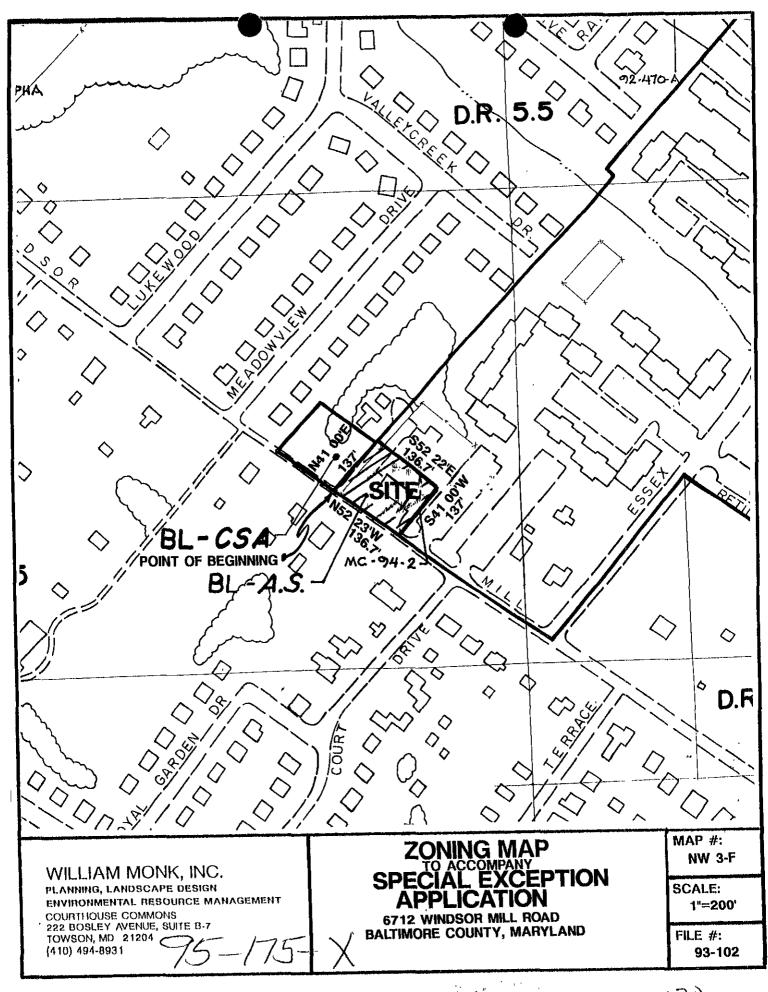
I HEREBY CERTIFY that on this 25 day of November, 1994, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

### PLEASE PRINT CLEARLY

### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Michele Bank, CORP	6825 Pintico Dr. 21200
H.C. Alderman fr. Esq	305 W. Cherapeaker # 113 21204
Juhn m Hrist	67/2 Kunta Mill (4) 3/207
Bu MONK	222 Bosley AVE
	SUCTE B-7 TOWISON NO 21204
	and the state of t
	•



### ROBERT C. BROWN ATTORNEY AT LAW

6357 MAIN STREET

ELLICOTT CITY, MARYLAND 21043

(301) 465-1920

November 16, 1983

Mr. Norman E. Cerber, Secretary Baltimore County Planning Board Baltimore County, Maryland 21204

> Re: Addendum to Request for Change 1984 Comprehensive Zoning Map

Dear Mr. Gerber:

This letter is to supplement the information contained on the attached Request for Change 1984 Comprehensive Zoning Map for the piece or parcel of property known as 6712 Windsor Mill Road.

Presently my client Dr. Edwin L. Pierpont Barne gra is operating an automobile service station and garage on the property in question. He is operating this service station and garage as a nonconforming use Daniela. since he purchased this property and business in mid-的我确定 1983. Edwin L. Pierpont purchased the property and THE MESSEL HE business from his brother and sister-in-law who, in conjunction with the Amoco Oil Company, continuously Man a C operated an automobile service station and garage since The service station and garage now on the property was built by Philip R. Fierpont, and with Edwin L. Pierpont has long and faithfully served the fan sta Windsor Mill Road area and community. his way

This Request for Change is submitted to insure that my client and future property owners will be permitted to use the property and improvement thereon as a service station and garage. It will simply bring Baltimore County's zoning of this property into conformity with a long and successful use. We submit that this is in the best interest of both the neighborhood which has for several generations become accustomed to this service, and Baltimore County.

My client, Edwin L. Pierpont, and I will be happy to provide any and all other information and assistance in processing this application.

Sincerely,

MICKOLII WAD

TO SHARE

**产取得4880** 

LENGTH

Organization !

,,, `#

Robert C. Brown

Enclosure



### County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

June 2, 1994

Howard L. Alderman, Jr., Esquire LEVIN & GANN, P.A. Suite 113 305 W. Chesapeake Avenue Towson, MD 21204

> RE: Case No. M.C. 94-2 Lobar Corporation

Dear Mr. Alderman:

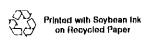
Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotto E. Radeliffe for Kathleen C. Weidenhammer

Administrative Assistant

encl.



IN THE MATTER OF LOBAR CORPORATION

NORTHEAST SIDE WINDSOR MILL ROAD 6712 WINDSOR MILL ROAD

2ND COUNCILMANIC DISTRICT

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

RE: ZONING MAP CORRECTION \* CASE NO. M.C. 94-2

ORDER

The above-entitled matter came on for hearing before this Board on May 26, 1994 on Petition for Correction of Zoning Map filed by Howard L. Alderman, Jr., on behalf of Lobar Corporation, Property Owner, and Baltimore County, Maryland.

The subject property, comprising approximately .43 acre, is known as 6712 Windsor Mill Road, and is located on the northeast side of Windsor Mill Road in the Second Councilmanic District of Baltimore County.

The Petition represents that the present zoning designation for the subject property is in error and should be corrected pursuant to Section 26-134 of the <u>Baltimore County Code</u>. The subject property is presently zoned D.R. 16, and the request is that the zoning be changed to B.L.-A.S.

Petitioner has filed supporting documents with the Petition, including a Certification of Findings by the Office of Planning & Zoning dated April 6, 1994.

The Board has given due consideration to the Petition, the Certification of Findings, and other supporting documents and all of the testimony presented in this case.

The Board finds as a fact that the present zoning designation on the subject property is incorrect, in error, and that the Petitioner is entitled to the relief requested since the error is Case No. M.C. 94-2 Lobar Corporation

of the nature set out in Section 26-134 of the <u>Baltimore County</u> Code.

The subject property's present zoning of D.R. 16 should be corrected and changed to B.L.-A.S.

IT IS THEREFORE this 2nd day of June,

1994, by the Baltimore County Board of Appeals ORDERED that the

present zoning designation of the subject property be changed from

D.R. 16 to B.L.-A.S.; and

IT IS FURTHER ORDERED that the Office of Zoning Administration and Development Management make the necessary change and correction as set out herein on the latest Comprehensive Zoning Map for Baltimore County with regard to the subject property.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

Robert O. Schuetz

S. Diane Levero

WILLIAM MONK, INC.

COUPTHOUSE COMMONS CL2 SOSLEY AVENUE SUITE B-7 TOWSON, MD 21204 410-494-8931 FAX 410-494-9903

LAND USE PLANNING . LANDSCAPE DESIGN



### VIEW OF PROPERTY FROM NORTHEAST CORNER



VIEW ALONG REAR PROPERTY LINE

### WILLIAM MONK, INC.

COURTHOUSE COMMONS 222 BOSLEY AVENUE SUITE B-7 TOWSON, MD 21204 410-494-8931 FAX 410-494-9903

LAND USE PLANNING • LANDSCAPE DESIGN

### **WINDSOR MILL ROAD**



**VIEW LOOKING WEST** 



**VIEW LOOKING EAST** 

WICROFILMED

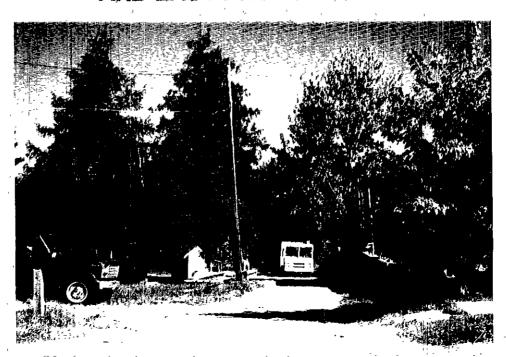
COURTHOUSE COMMONS 222 BOSLEY AVENUE SUITE B-7 TOWSON, MD 21204 410-494-8931 FAX 410-494-9903

### WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



VIEW OF ADJACENT LAND USE AND EAST PROPERTY LINE



VIEW OF ADJACENT LND USE AND WEST PROPERTY LINE

COURTHOUSE COMMONS 222-BOSLEY AVENUE SUITE B-7 TOWSON, MD 21204 410-494-8931 FAX 410-494-9903

### WILLIAM MONK, INC.

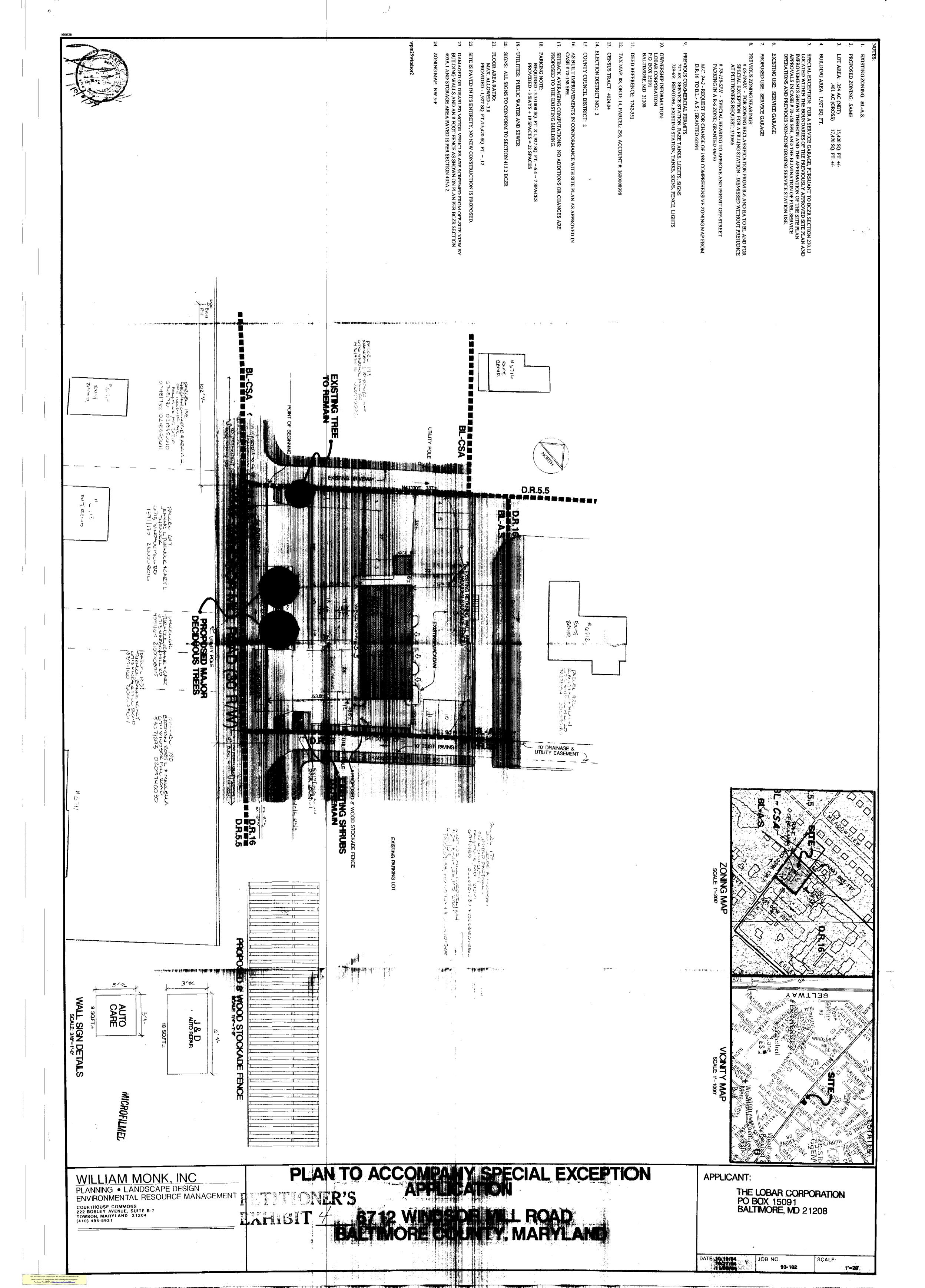
LAND USE PLANNING • LANDSCAPE DESIGN

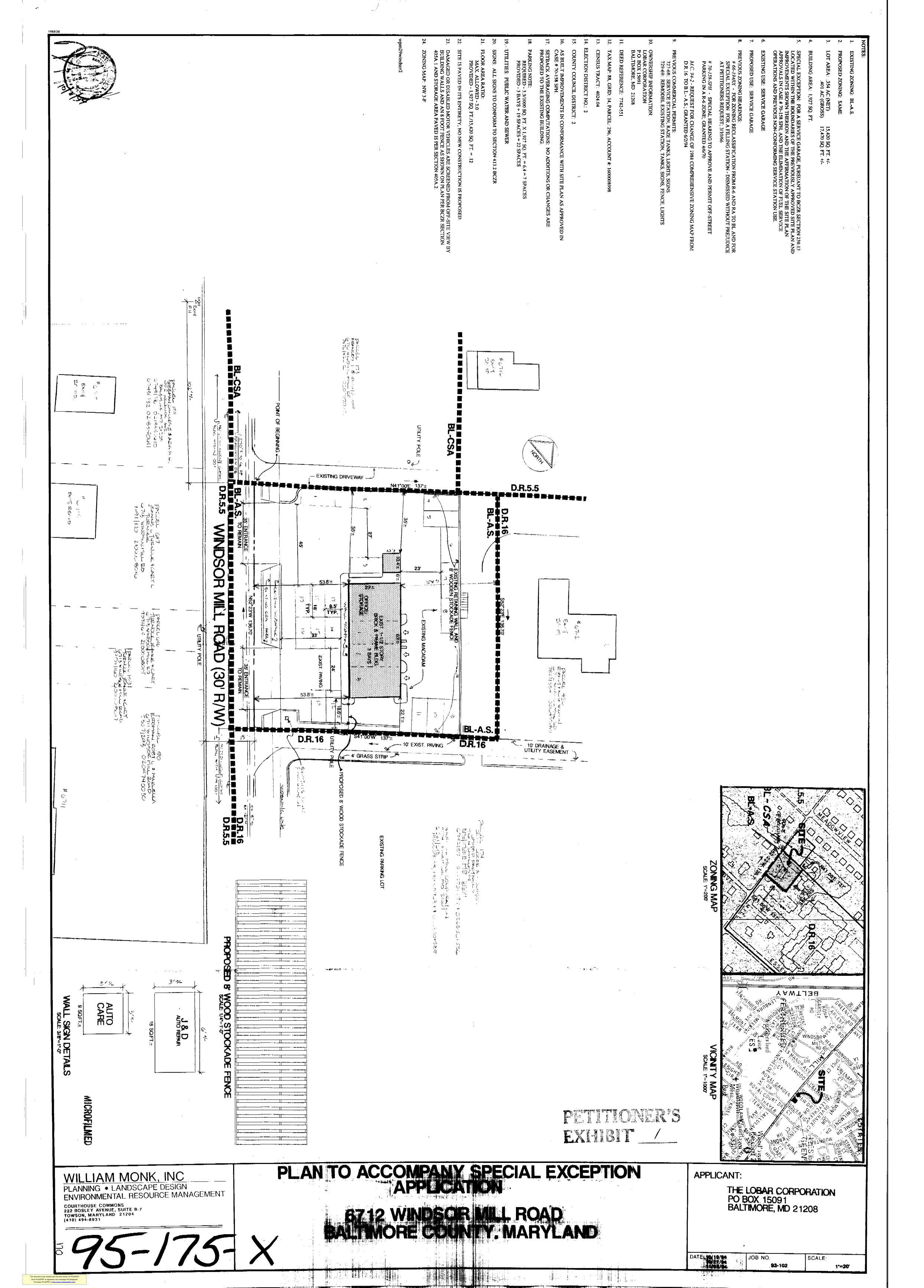
### **6712 WINDSOR MILL ROAD**

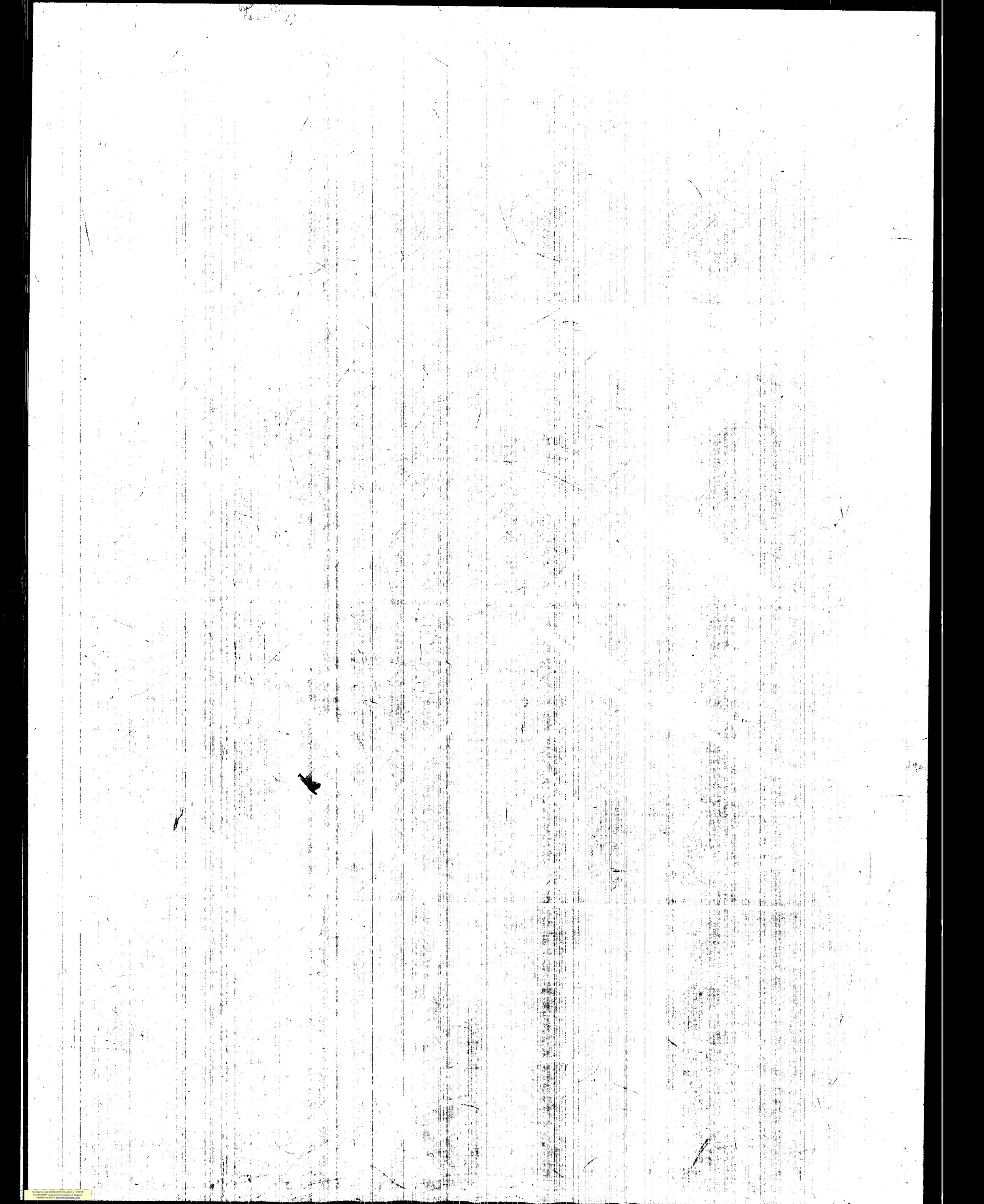












1-100 7 4-2 31./3 FLANTER **31.10** T.W. WHITE LIPROSER CERTER. 6 Hen Fares MICROFIL MED AMERICAN OIL COMPANY SERVICE STATION R. BALTIMORE REGION DISTRICT

