



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 4, 2000

96-106-XA

Deborah C. Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

Dear Ms. Dopkin:

RE: Chadwick Manor Shopping Center, SEC Security Blvd. and Brookdale
Road, 1st Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The majority zoning of this site per the 1"=200' scale zoning map #NW2-G is Business Local-Automotive Service (BL-As) and a smaller portion of Density Residential (DR-5.5).

This site and it's uses were subject to the following zoning hearings:

Case No. 3626 is a Petition for Reclassification to BL to permit the development of a neighborhood shopping center; granted October 25, 1955 by the Zoning Commissioner;

Case No 5582-XA permitting a filling station at the intersection of Security Blvd. and Brookdale Drive; granted July 18, 1962 by the Zoning Commissioner;

Case No. 5811-SPH dated October 15, 1963 denying a Petition for Special Hearing to modify the previously approved special exception for the filling station;

Case No. 71-215-A granting a Petition for Variance for shopping center identification sign granted January 5, 1971 by the Zoning Commissioner;

Case No. 72-22 SPH granting a Petition for special Hearing to permit commercial parking in a residential zone granted August 13, 1971 by the Zoning Commissioner;

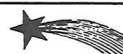
Case No. 73-225-R for reclassification in zoning on a portion of the property to DR-16 to permit an office building dismissed December 18, 1973 by the Deputy Zoning Commissioner;



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Deborah C. Dopkin, Esquire
February 4, 2000
Page 2

Case No. 84-85-SPH approving a Petition for Special Hearing to permit commercial parking in a residential zone granted October 26, 1983 by the Deputy Zoning Commissioner;

Case No. 86-80-SPH approving a Petition for Special Hearing to Amend Case No. 84-84-SPH to permit an additional entrance to Brookdale Drive granted August 30, 1985 by the Zoning Commissioner;

Case No. 86-491-A dated June 30, 1986, granting a Petition for Variance concerning the number and size of signs granted June 30, 1986 by the Zoning Commissioner;

Case No. 96-106-XA granting a Petition for Special Exception and Variances to permit certain signs in a BL zone and granting a Petition for Variance permitting 721 parking spaces in lieu of the required 911 granted November 29, 1995 by the Zoning Commissioner;

Case No. 98-310-A granting a Petition for Variance permitting 707 parking spaces in lieu of required 938 granted April 21, 1998 by the Zoning Commissioner.

All subdivision approvals, or waivers thereof, required for the existing use, and for the freestanding office buildings on the site have been granted pursuant to the following:

A plan (J.S.P.C.) apparently submitted in June, 1968

County Review Group (CRG) Plan No. I-250 dated May 16, 1984 adding a two-story building including offices and retail uses;

Development Review Committee (DRC) approval No. 09064B granting a limited exemption for the addition of a restaurant pad and drive thru lane;

DRC No. 1268H dated May 11, 1998 granting a limited exemption for certain renovations to the shopping center.

A retail shopping center, free-standing office building free standing branch bank, drive-through bank, and a service station, and the uses accessory thereto, are uses permitted in the B.L.-A.S. zone. There are no outstanding zoning or building code violations against the property. The property complies with applicable subdivision regulations, and no further steps must be taken under the subdivision regulations of Baltimore County to effect a transfer of the entire Property by the terms of the proposed

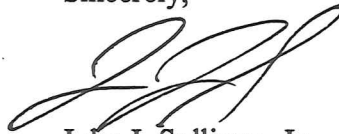
Deborah C. Dopkin, Esquire
February 4, 2000
Page 3

transaction as described above. The subject property is not affected by any Special Exceptions, Variances, conditional uses or planned unit developments, other than listed above.

The mere change of ownership, without modification to the building or use, does not require the application for or issuance of a new certificate of occupancy or other permit. A transfer of ownership of the Property does not, of itself, require a new certificate of occupancy be issued or that renovations be made to the property to comply with current building, life safety or other code requirement. No new approvals are required to change the message on the existing sign provided the size, location and number of signs is unaltered. If a portion of the Property is destroyed by fire, casualty or condemnation, under the current zoning regulations and building code the Property may be reconstructed to the same status as it was immediately prior to the occurrence of such event. The Property is not in any special district or area which requires the giving of notice or disclosures prior to its transfer or which imposes any special assessment or fiscal obligation on the property owner. There are no local or special laws (other than the Americans With Disability Act, the Fair Housing Amendments Act of 1988 or other federal statute) governing the needs of the handicapped which would be applicable to the transfer of the Property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:kew

c: file



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 4, 2000

Deborah C. Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

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Road, 1st Election District

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Deborah C. Dopkin, Esquire
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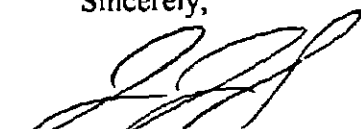
Deborah C. Dopkin, Esquire
February 4, 2000
Page 3

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I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,


John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:kew

c: file



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 22, 1996

Mr. Thomas W. Hewitt
Senior Project Manager
D.S. Thaler & Associates, Inc.
7115 Ambassador Road
Baltimore, MD 21244

RE: Zoning Verification
SECU Building
Chadwick Manor Shop. Cntr.
Zoning Case #96-106-XA
1st Election District

Dear Mr. Hewitt:

A review of the red-lined plan dated May 14, 1996, of the above referenced property, has led to a determination that the plan is within the spirit and intent of the original order. A copy of this letter and the signed plan will be forwarded to the case file.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "CAM", followed by a flourish.

Catherine A. Milton
Planner I
Zoning Review

CAM:scj

c: zoning case #96-106-XA

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
 AND VARIANCE - SE/Corner Security *
 Boulevard and Brookdale Road * ZONING COMMISSIONER
 (Chadwick Manor Shopping Center)
 1st Election District * OF BALTIMORE COUNTY
 1st Councilmanic District *
 * Case No. 96-106-XA
 Chadwick Manor Shopping Center
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as the Chadwick Manor Shopping Center, located on the southeast corner of Security Boulevard and Brookdale Road, adjacent to Security Square Mall in Woodlawn. The Petitions were filed by the owner of the property, Chadwick Manor Shopping Center, a Maryland Joint Venture, by Anthony J. Mierzwicki, Director of Development, through their attorney, Michael E. Marino, Esquire. The Petitioner seeks approval of certain existing signs in connection with the operation of the existing shopping center, and variances from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.2.b.(3), (4), (5), and (6), to permit 721 parking spaces in lieu of the required 911 spaces; from Section 413.2.E to permit two existing double-faced shopping center identification signs, one of 360 sq.ft. (Sign A) and one of 160 sq.ft. (Sign D), both in lieu of the maximum permitted 150 sq.ft.; from Section 413.2.F to permit three (3) "other business signs" of 140 sq.ft. each, or 420 sq.ft. total, in lieu of the maximum permitted 100 sq.ft. (existing Sign B and proposed Signs O and P); and from Section 413.1.E to permit four (4) existing directional signs, all of which exceed 15 sq.ft., and three of which are illuminated, as follows: One single-faced illuminated sign of 36 sq.ft. (Sign E), one single-faced illuminated sign of 32

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Date

By

APPROVED

sq.ft. (Sign F), one double-faced illuminated sign of 36 sq.ft. (Sign G), and one double-faced, non-illuminated sign of 23 sq.ft. (Sign H). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Anthony J. Mierzwicki, Director of Development for the Petitioner, David S. Thaler and Alan E. Scoll, engineering and landscape architects with D. S. Thaler and Associates, Inc., who prepared the site plan for this project, James Morris, and Michael E. Marino, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 14.09 acres, more or less, zoned B.L.-C.N.S. and is the site of the Chadwick Manor Shopping Center. The property is located at the intersection of Security Boulevard and Brookdale Road, not far from the Baltimore Beltway (I-695) in Woodlawn. The site is an older commercial site which has been developed for many years. The shopping center contains a number of retail and commercial uses, as well as the unique combination of office space. Kaiser Permanente, a health maintenance organization (HMO), maintains its offices at the site.

The Petitioner proposes substantial renovations to the property, including two new buildings which will be separate from the existing building. Proposed Building A is designated as a bank building and will house a bank/financial institution. This building will be located immediately adjacent to Security Boulevard and will be a one-story building of approximately 5,000 sq.ft. Proposed Building B is shown as a 3,300 sq.ft. building, located immediately adjacent to Rolling Road, and will contain a

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restaurant. The property also has a unique zoning history. A special hearing was granted in prior Case No. 72-22-SPH to approve permit parking in a residential zone. Later, in Case No. 84-85-SPH, special hearing approval was granted to allow off-street parking in a residential zone and to amend the previously approved site plan accordingly. Lastly, in Case No. 86-80-SPH, an amendment to the previously approved site plan in prior Case No. 84-85-SPH was requested to permit an entrance to the shopping center through D.R. 5.5 zoned land.

As noted above, much of the special hearing and variance relief requested herein springs from the installation of new signage proposed for this site. These signs are designed to direct customer traffic within the shopping center and to facilitate a reasonable amount of advertising. It is to be noted that within its Zoning Plans Advisory Committee (ZAC) comments dated September 21, 1995, the Office of Planning and Zoning (OPZ) opined that the proposed signs are compatible, in terms of design and scale, with other signs in the area, and recommended approval of same.

Special Exception approval should be granted if the Petitioner demonstrates that the proposed use will not be detrimental to the health, safety and general welfare of the surrounding locale in accordance with the standards set forth in Section 502.1 of the B.C.Z.R. and variance relief can be granted upon compliance with the provisions of Section 307 of the B.C.Z.R. That Section requires that the Petitioner demonstrate that a practical difficulty would exist if variance relief were denied. Moreover, the Petitioner must demonstrate that the property contains some unique characteristics which justifies the grant of the relief. Lastly, the relief can only be granted so as to be consistent with the spirit and intent of the regulations and without detriment to the surrounding locale.

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Date 11/29/95
By [Signature]

The subject site was developed a number of years ago in the mid-1960s. This is a large parcel of approximately 15 acres, primarily zoned B.L.-C.N.S., with a small portion zoned D.R. 5.5. It is clear that the Petitioner satisfies the burdens set forth at law as described above. I concur with the assessment of the Office of Planning and Zoning, wherein they conclude that the proposed improvements to the site will constitute an upgrade to the property and improve the site's utility and appearance. The total sign package proposed, along with the other improvements and new construction, will provide a real benefit to not only this site but neighboring properties as well. For these reasons, the Petitions for Special Exception and Variance should be approved.

I will also incorporate as a condition of the relief granted, a requirement that the Petitioner provide landscaping as required by the Landscape Manual for the new buildings. This requirement is consistent with the comment offered by the Developers Plans Review division. An examination of the site plan indicates that the existing portion of this site is landscaped and thus, this restriction is applicable only to the proposed new buildings.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of November, 1995 that the Petition for Special Exception seeking approval of certain existing signs in connection with the operation of the existing shopping center, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

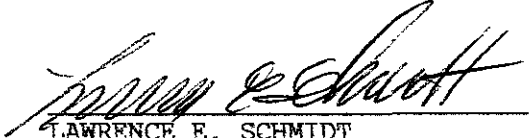
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Date

By

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.2.b.(3), (4), (5), and (6), to permit 721 parking spaces in lieu of the required 911 spaces; from Section 413.2.E to permit two existing double-faced shopping center identification signs, one of 360 sq.ft. (Sign A) and one of 160 sq.ft. (Sign D), both in lieu of the maximum permitted 150 sq.ft.; from Section 413.2.F to permit three (3) "other business signs" of 140 sq.ft. each, or 420 sq.ft. total, in lieu of the maximum permitted 100 sq.ft. (existing Sign B and proposed Signs O and P); and from Section 413.1.E to permit four (4) existing directional signs, all of which exceed 15 sq.ft., and three of which are illuminated, as follows: One single-faced illuminated sign of 36 sq.ft. (Sign E), one single-faced illuminated sign of 32 sq.ft. (Sign F), one double-faced illuminated sign of 36 sq.ft. (Sign G), and one double-faced, non-illuminated sign of 23 sq.ft. (Sign H), 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) Landscaping of the proposed buildings shall be in compliance with the Landscape Manual for Baltimore County.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 29, 1995

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Security Boulevard and Brookdale Road
(Chadwick Manor Shopping Center)
1st Election District - 1st Councilmanic District
Chadwick Manor Shopping Center - Petitioner
Case No. 96-106-XA

Dear Mr. Marino:

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Anthony J. Mierzwicki, Chadwick Manor Shopping Ctr., J.V.,
920 Providence Road, Baltimore, Md. 21286

People's Counsel

✓ File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at CHADWICK MANOR SHOPPING CENTER
Southeast Corner of Security Boulevard and
Brookdale Road

which is presently zoned BL-CNS
DR.5.5

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 ~~various described property for~~

certain existing signs in connection with the operation of an existing shopping center all more particularly set forth on the attached Schedule A

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Michael E. Marino, Esquire

(Type or Print Name)

Signature

609 Bosley Avenue (410) 821-6633

Address

Phone No

Towson, Maryland 21204

City

State

Zipcode

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

Legal Owner(s)

CHADWICK MANOR SHOPPING CENTER, a
Maryland joint venture

(Type or Print Name)

Signature

Anthony J. Mierzwicki

(Type or Print Name)

DIRECTOR OF DEVELOPMENT

Signature

920 Providence Road (410) 823-0637

Address

Phone No

Baltimore, Maryland 21286

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1 hr.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: MM

DATE

8/29/95



SPECIAL EXCEPTION

SPECIAL EXCEPTION TO PERMIT FOUR (4) OUTDOOR ADVERTISING SIGNS IN A BL ZONE, WITH THE FOLLOWING VARIANCES FROM THE BALTIMORE COUNTY ZONING REGULATIONS: SECTIONS 413.3.B (100-FOOT SETBACK TO A DUAL-LANE HIGHWAY); 413.3.C. (10-FOOT SETBACK TO A RIGHT-OF-WAY LINE); 413.3.D. (100-FOOT SETBACK TO AN INTERSECTION INVOLVING A DUAL HIGHWAY; 50-FEET FROM ANY OTHER INTERSECTION); AND 413.3.F. (MINIMUM 100-FOOT SPACING BETWEEN OUTDOOR ADVERTISING SIGNS ON AN IMPROVED COMMERCIAL PROPERTY); AS FOLLOWS:

SIGN 'C':

413.3.B. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET
413.3.D. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.3.F. : +/- 15 FEET IN LIEU OF 100 FEET

SIGN 'J':

413.3.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET

SIGN 'K':

413.3.C. : +/- 5 FEET IN LIEU OF 10 FEET
413.3.D. : +/- 5 FEET IN LIEU OF 50 FEET

SIGN 'L':

413.3.B. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET
413.3.D. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.F. : +/-15 FEET IN LIEU OF 100 FEET

APPROVED

96



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

CHADWICK MANOR SHOPPING CENTER
Southeast Corner of Security Boulevard and
Brookdale Road

which is presently zoned

BL-CNS

DR.5.5

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 Variance from Section(s)

SEE ATTACHED SCHEDULE "A"

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The property and/or improvements thereon are unique and without the requested variances, the subject property is not capable of being developed as contemplated, thereby creating practical difficulty or hardship with regard to developability. The granting of this variance will not result in injury to public health, safety or welfare.

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Michael E. Marino, Esquire

(Type or Print Name)

Signature

609 Bosley Avenue (410) 821-6633

Address

Phone No

Towson, Maryland 21204

City

State

Zipcode

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

Legal Owner(s)

CHADWICK MANOR SHOPPING CENTER, a
Maryland joint venture

(Type or Print Name)

Signature

Anthony J. Mierzwicki

(Type or Print Name)

DIRECTOR OF DEVELOPMENT

Signature

920 Providence Road (410) 823-0637

Address

Phone No

Baltimore, Maryland 21286

City

State

Zipcode

Name Address and phone number of representative to be contacted

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

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on Recycled Paper



RECORDED

CHADWICK MANOR SHOPPING CENTER

VARIANCES

1. VARIANCE FROM SECTION 409.2.b. (3) (4), (5), & (6) (BCZR 1955, BILL NO. 18-76) TO PERMIT 721 PARKING SPACES IN LIEU OF 911 PARKING SPACES REQUIRED.
2. VARIANCE FROM BCZR - SECTION 413.2.E. TO PERMIT TWO SHOPPING CENTER I.D. SIGNS, AS FOLLOWS:
 - (a) ONE EXISTING DOUBLE-FACED SIGN, 360 SQUARE FEET IN LIEU OF 150 SQUARE FEET ALLOWED (SIGN 'A').
 - (b) ONE EXISTING DOUBLE-FACED SIGN, 160 S.F, IN LIEU OF 150 SQUARE FEET ALLOWED, LOCATED ACROSS FROM A RESIDENTIALLY ZONED TRACT, NOT LOCATED ON AN OFFICIALLY RECOGNIZED THOROUGHFARE (SIGN 'D').
3. VARIANCE FROM BCZR - SECTION 413.2.F. TO PERMIT THREE (3) "OTHER BUSINESS SIGNS" THAT TOTAL 420 SQUARE FEET IN LIEU OF THE TOTAL 100 SQUARE FEET PERMITTED IN A BUSINESS ZONE, AS FOLLOWS:
 - (a) ONE EXISTING DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'B')
 - (b) ONE PROPOSED DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'O')
 - (c) ONE PROPOSED DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'P')
4. VARIANCE FROM BCZR - SECTION 413.1.E. TO PERMIT FOUR (4) DIRECTIONAL SIGNS WHICH EXCEED 15 SQUARE FEET EACH IN SIZE, CONTAINING ADVERTISING MATTER, AND THREE (3) OF WHICH ARE ILLUMINATED, AS FOLLOWS:
 - (a) ONE EXISTING SINGLE-FACED ILLUMINATED 36 SQUARE FEET SIGN (SIGN 'E')
 - (b) ONE EXISTING SINGLE-FACED ILLUMINATED 32 SQUARE FEET SIGN (SIGN 'F')
 - (c) ONE EXISTING DOUBLE-FACED ILLUMINATED 36 SQUARE FEET SIGN (SIGN 'G')
 - (d) ONE EXISTING DOUBLE-FACED NON-ILLUMINATED 23 SQUARE FEET SIGN (SIGN 'H')

ORDER RECEIVED FOR FILING

Date

By

March 15, 1995

CHADWICK MANOR SHOPPING CENTER

DESCRIPTION TO ACCOMPANY ZONING PETITION

(for Zoning Purposes Only)

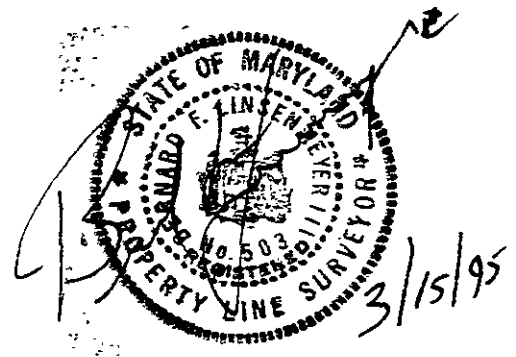
Beginning at a point approximately 55 feet north of the intersection of Newcastle Road and Fairbrook Road, thence running the following twenty (20) courses and distances:

1. South 84°21'40" West, 35.33 feet, more or less, to a point;
thence,
2. North 50°41'30" West, 95.00 feet, more or less, to a point;
thence,
3. 282.74 feet curving to the left, having a radius of 180.00 feet, more or less, to a point; thence,
4. South 39°18'30" West, 171.89 feet, more or less, to a point;
thence,
5. 47.84 feet curving to the right, having a radius of 168.85 feet, more or less, to a point; thence,
6. North 34°27'30" West, 121.46 feet, more or less, to a point;
thence,
7. North 86°57'00" West 62.39 feet, more or less, to a point;
8. North 59°21'50" West 175.00 feet, more or less, to a point;
9. North 30°38'10" East 123.54 feet, more or less, to a point;
10. North 07°06'00" West 105.55 feet, more or less, to a point;
11. 344.88 feet, curving to the left, having a radius of 290.00 feet, more or less, to a point; thence,
12. North 14°45'40" East 223.61 feet, more or less, to a point;
13. South 75°14'20" East 175.00 feet, more or less, to a point;

page 2

CHADWICK MANOR SHOPPING CENTER
DESCRIPTION TO ACCOMPANY ZONING PETITION
(for Zoning Purposes Only)
March 15, 1995

14. North $14^{\circ}45'40''$ East 160.00 feet, more or less, to a point;
 15. South $75^{\circ}14'20''$ East 468.94 feet, more or less, to a point;
 16. 214.43 feet, curving to the right, having a radius of 239.00 feet, more or less, to a point; thence,
 17. South $14^{\circ}44'40''$ East 63.52 feet, more or less, to a point;
 18. South $75^{\circ}15'20''$ West 172.05 feet, more or less, to a point;
 19. South $16^{\circ}04'00''$ East 245.34 feet, more or less, to a point;
 20. 346.43 feet, curving to the left, having a radius of 735.00 feet, more or less, to the point of beginning.
- Containing approximately 14.09 acres, more or less.



Baltimore County Government
Office of Zoning Administration
and Development Management



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 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 assessed 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

For newspaper advertising:

Item No.: 96

Petitioner: Chadwick Manor Shopping Center

Location: corner of South Side of Security Blvd, West side of Rolling Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael E. Marino, Esquire

ADDRESS: 609 Bosley Avenue

Towson, MD 21204

PHONE NUMBER: (410) 821-6633

AJ:ggs

(Revised 04/09/93)

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

No.

DATE 5/28/96 ACCOUNT 001-6150

AMOUNT \$ 40.00 (CAM)

RECEIVED FROM: Aslan Management Co, Inc
#710 - VERIFICATION
SECU Building
Chadwick Manor SC

FOR: _____

01ADD#D167MICHRC \$40.00
BA COLL:31AND5-28-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

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

No.

96-106

004947

DATE 8-29-95 ACCOUNT 01-615

240 96
1000 5K

AMOUNT \$ 620.00

RECEIVED FROM: Aslan Management Co, Inc

100 - 00000000 - # 000000
0000 - Spec. Exception - \$ 000000
000 - 000000 - \$ 000000

FOR: _____

01ADD#D167MICHRC
BA COLL:31AND5-28-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

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: 96-106-XA

(Item 96)

Chadwick Manor Shopping Center corner S/S Security Boulevard and W/S Rolling Road

1st Election District

1st Councilmanic

Legal Owner(s):

Chadwick Manor Shopping Center

Hearing: Monday,

October 23, 1995 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Exception: to permit 4 outdoor advertising signs in a B.L. zone. Variance: to permit 721 parking spaces in lieu of 911 parking spaces required; to permit two shopping center I.D. signs: one existing double-faced sign, 360 square feet in lieu of 150 square feet allowed (Sign "A") and one existing double-face sign 160 square feet in lieu of 150 square feet allowed, located across from a residentially zoned tract, not located on an officially recognized thoroughfare (Sign "D"); to permit three other business signs that total 420 square feet in lieu of the total 100 square feet; one existing double-faced sign 140 square feet (Sign "B"); one proposed double-faced sign 140 square feet (Sign "D"), and one proposed double-faced sign 140 square feet (Sign "P"); and to permit four directional signs which exceed 15 square feet each in size, containing advertising matter, and three of which are illuminated: one existing single-faced illuminated 36 square feet sign (Sign "E"), one existing single-faced illuminated 32 square feet sign (Sign "F"), one existing double-faced illuminated 36 square feet sign (Sign "G"), and one existing double-faced non-illuminated 23 square feet sign (Sign "H").

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.

9245 Sept. 28.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

9/29

, 19 95

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 9/28, 19 95.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING 96-106-XA
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 10/7/95
Posted for: Spec. Excavation & Variation
Petitioner: Charleswick Manor Shopping Ctr.
Location of property: Sps Security Blvd. - N/S Rolling Rd.
Location of Signs: Facing road way on property being zoned

Remarks:
Posted by: [Signature] Date of return: 10/13/95
Number of Signs: 1
[Signature]



TO: PUTUXENT PUBLISHING COMPANY
September 28, 1995 Issue - Jeffersonian

Please forward billing to:

Michael E. Marino, Esq.
609 Bosley Avenue
Towson, MD 21204
821-6633

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: 96-106-XA (Item 96)
Chadwick Manor Shopping Center
corner S/S Security Boulevard and W/S Rolling Road
1st Election District - 1st Councilmanic
Legal Owner: Chadwick Manor Shopping Center
HEARING: MONDAY, OCTOBER 23, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception to permit 4 outdoor advertising signs in a B.L. zone.
Variance to permit 721 parking spaces in lieu of 911 parking spaces required; to permit two shopping center I.D. signs: one existing double-faced sign, 360 square feet in lieu of 150 square feet allowed (Sign "A") and one existing double-face sign 160 square feet in lieu of 150 square feet allowed, located across from a residentially zoned tract, not located on an officially recognized thoroughfare (Sign "D"); to permit three other business signs that total 420 square feet in lieu of the total 100 square feet; one existing double-faced sign 140 square feet (Sign "B"); one proposed double-faced sign 140 square feet (Sign "O"), and one proposed double-faced sign 140 square feet (Sign "P"); and to permit four directional signs which exceed 15 square feet each in size, containing advertising matter, and three of which are illuminated: one existing single-faced illuminated 36 square feet sign (Sign "E"), one existing single-faced illuminated 32 square feet sign (Sign "F"), one existing double-faced illuminated 36 square feet sign (Sign "G"), and one existing double-faced non-illuminated 23 square feet sign (Sign "H").

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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 21, 1995

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: 96-106-XA (Item 96)

Chadwick Manor Shopping Center

corner S/S Security Boulevard and W/S Rolling Road

1st Election District - 1st Councilmanic

Legal Owner: Chadwick Manor Shopping Center

HEARING: MONDAY, OCTOBER 23, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception to permit 4 outdoor advertising signs in a B.L. zone.

Variance to permit 721 parking spaces in lieu of 911 parking spaces required; to permit two shopping center I.D. signs: one existing double-faced sign, 360 square feet in lieu of 150 square feet allowed (Sign "A") and one existing double-face sign 160 square feet in lieu of 150 square feet allowed, located across from a residentially zoned tract, not located on an officially recognized thoroughfare (Sign "D"); to permit three other business signs that total 420 square feet in lieu of the total 100 square feet; one existing double-faced sign 140 square feet (Sign "B"); one proposed double-faced sign 140 square feet (Sign "O"), and one proposed double-faced sign 140 square feet (Sign "P"); and to permit four directional signs which exceed 15 square feet each in size, containing advertising matter, and three of which are illuminated: one existing single-faced illuminated 36 square feet sign (Sign "E"), one existing single-faced illuminated 32 square feet sign (Sign "F"), one existing double-faced illuminated 36 square feet sign (Sign "G"), and one existing double-faced non-illuminated 23 square feet sign (Sign "H").

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Chadwick Manor Shopping Center
Michael E. Marino, 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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 1995

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 96
Case No.: 96-106-XA
Petitioner: Chadwick Manor
Shopping Ctr.

Dear Mr. Marino:

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 Permits and Development Management (PDM), Zoning Review, on August 29, 1995.

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 Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 21, 1995

FROM: Pat Keller, Director, OP

SUBJECT: Chadwick Manor Shopping Center

INFORMATION:

Item Number: 96

Petitioner: Chadwick Manor Shopping Center

Property Size: _____

Zoning: BL-CNS

Requested Action: Special Exception and Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

A review of the information provided reveals that the applicant is making an obvious effort to upgrade the sign treatment of the Chadwick Manor Shopping Center. As the subject property is a mixed use site and the proposed signs would be compatible in terms of design and scale, staff recommends that the applicant's request be granted.

Prepared by: _____

Division Chief: _____

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Sept. 18, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for September 18, 1995
Item No. 096

The Development Plans Review Division has reviewed the subject zoning item. Permits for the proposed Buildings 'A' and 'B' are subject to the Landscape Manual. Chadwick Manor Shopping Center is in substantial compliance with the previous minimal landscape requirements.

This office recommends that an upgrade to current standards be required to the extent possible.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 09/12/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF SEPT. 11, 1995

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 93, 96, 97 & 99. (3)

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881, MS-1102F

RECEIVED
SEP 13 1995
ZADM





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-12-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 096 (MJK)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
Chadwick Manor Shopping Center, Corner	*	ZONING COMMISSIONER
S/S Security Blvd, and W/S Rolling Road		
1st Election Dist., 1st Councilmanic	*	OF BALTIMORE COUNTY
Chadwick Manor Shopping Center	*	CASE NO. 96-106-XA
Petitioner		
* * * * *		

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 Max Zimmerman
PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole 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 19th day of October, 1995, a copy of the foregoing Entry of Appearance was mailed to Michael E. Marino, Esquire, 609 Bosley Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

5/17/96 96-2918
To: CAM
STI
5/17/96
7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244
(410) 944-ENGR • (410) 944-3647 • FAX (410) 944-3684
5/20 called for #
Rec 21 May
5/24 called for
B - Tuesday
OK

D.S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244
(410) 944-ENGR • (410) 944-3647 • FAX (410) 944-3684

May 14, 1996

Baltimore County Maryland
Office of Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
ATTN: Arnold Jablon, Esquire

RE: SECU Building
Chadwick Manor Shopping Center
Spirit and Intent Request 96-106-XA
DRC No. 09064B
District ICI
9/6/94

Dear Mr. Jablon:

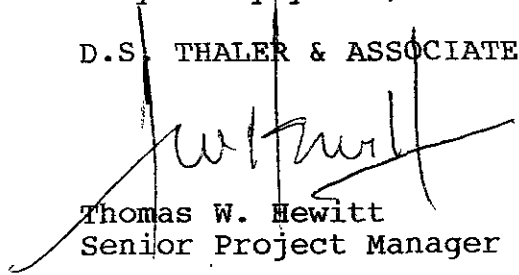
This letter is a request for your concurrence that the enclosed "red-lined" plan meets the "Spirit and Intent" of the approval of the site plan presented in Zoning Case No. 96-106XA.

The plan, as approved on November 29, 1995, showed the building front orientation away from Security Boulevard with the drive through access from the interior shopping center parking aisles. The final architecture, existing site topography, and various ADA requirements suggested that the orientation of the building rotate 180 degrees to provide better handicap access and integration of the building and site.

The enclosed plan proposes to relate the building as described and to adjust specific parking locations to maintain parking count. No new variances are requested or required.

Very truly yours,

D.S. THALER & ASSOCIATES, INC.

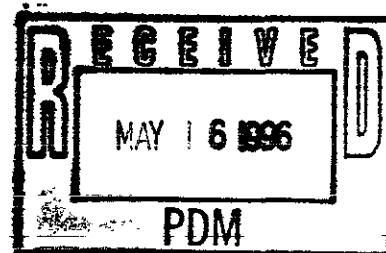

Thomas W. Hewitt
Senior Project Manager

TWH/gfl/D#23/Jablon/M.14

cc: Anthony Mierzwicki
David S. Thaler, P.E., L.S.
Henry F. Sadler, P.E.
Alan E. Scoll, R.L.A.

Enclosure

CIVIL ENGINEERS • SITE PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MICHAEL E. MARINO

ANTHONY J. MIERZWIKI

DAVID S. THALER

ALAN E. SCOLL

JAMES MORRIS

6129 BOSLEY AVE. 21204

920 PROVIDENCE RD 21286

7115 AMBASSADOR RD. 21244

" " " "

SEMI 8503 LaSalle Rd. 21286

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - SE/Corner Security Boulevard and Brookdale Road (Chadwick Manor Shopping Center) 1st Election District 1st Councilmanic District

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 96-106-XA

Chadwick Manor Shopping Center Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as the Chadwick Manor Shopping Center, located on the southeast corner of Security Boulevard and Brookdale Road, adjacent to Security Square Mall in Woodlawn. The Petitions were filed by the owner of the property, Chadwick Manor Shopping Center, a Maryland Joint Venture, by Anthony J. Mierzwicki, Director of Development, through their attorney, Michael E. Marino, Esquire. The Petitioner seeks approval of certain existing signs in connection with the operation of the existing shopping center, and variances from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.2.b.(3), (4), (5), and (6), to permit 721 parking spaces in lieu of the required 911 spaces; from Section 413.2.E to permit two existing double-faced shopping center identification signs, one of 360 sq.ft. (Sign A) and one of 160 sq.ft. (Sign D), both in lieu of the maximum permitted 150 sq.ft.; from Section 413.2.F to permit three (3) "other business signs" of 140 sq.ft. each, or 420 sq.ft. total, in lieu of the maximum permitted 100 sq.ft. (existing Sign B and proposed Signs O and P); and from Section 413.1.E to permit four (4) existing directional signs, all of which exceed 15 sq.ft., and three of which are illuminated, as follows: One single-faced illuminated sign of 36 sq.ft. (Sign E), one single-faced illuminated sign of 32

sq.ft. (Sign F), one double-faced illuminated sign of 36 sq.ft. (Sign G), and one double-faced, non-illuminated sign of 23 sq.ft. (Sign H). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Anthony J. Mierzwicki, Director of Development for the Petitioner, David S. Thaler and Alan E. Scoll, engineering and landscape architects with D. S. Thaler and Associates, Inc., who prepared the site plan for this project, James Morris, and Michael E. Marino, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 14.09 acres, more or less, zoned B.L.-C.N.S. and is the site of the Chadwick Manor Shopping Center. The property is located at the intersection of Security Boulevard and Brookdale Road, not far from the Baltimore Beltway (I-695) in Woodlawn. The site is an older commercial site which has been developed for many years. The shopping center contains a number of retail and commercial uses, as well as the unique combination of office space. Kaiser Permanente, a health maintenance organization (HMO), maintains its offices at the site.

The Petitioner proposes substantial renovations to the property, including two new buildings which will be separate from the existing building. Proposed Building A is designated as a bank building and will house a bank/financial institution. This building will be located immediately adjacent to Security Boulevard and will be a one-story building of approximately 5,000 sq.ft. Proposed Building B is shown as a 3,300 sq.ft. building, located immediately adjacent to Rolling Road, and will contain a

restaurant. The property also has a unique zoning history. A special hearing was granted in prior Case No. 72-22-SPH to approve permit parking in a residential zone. Later, in Case No. 84-85-SPH, special hearing approval was granted to allow off-street parking in a residential zone and to amend the previously approved site plan accordingly. Lastly, in Case No. 96-80-SPH, an amendment to the previously approved site plan in prior Case No. 84-85-SPH was requested to permit an entrance to the shopping center through D.R. 5.5 zoned land.

As noted above, much of the special hearing and variance relief requested herein springs from the installation of new signage proposed for this site. These signs are designed to direct customer traffic within the shopping center and to facilitate a reasonable amount of advertising. It is to be noted that within its Zoning Plans Advisory Committee (ZAC) comments dated September 21, 1995, the Office of Planning and Zoning (OPZ) opined that the proposed signs are compatible, in terms of design and scale, with other signs in the area, and recommended approval of same.

Special Exception approval should be granted if the Petitioner demonstrates that the proposed use will not be detrimental to the health, safety and general welfare of the surrounding locale in accordance with the standards set forth in Section 502.1 of the B.C.Z.R. and variance relief can be granted upon compliance with the provisions of Section 307 of the B.C.Z.R. that Section requires that the Petitioner demonstrate that a practical difficulty would exist if variance relief were denied. Moreover, the Petitioner must demonstrate that the property contains some unique characteristics which justifies the grant of the relief. Lastly, the relief can only be granted so as to be consistent with the spirit and intent of the regulations and without detriment to the surrounding locale.

The subject site was developed a number of years ago in the mid-1960s. This is a large parcel of approximately 15 acres, primarily zoned B.L.-C.N.S., with a small portion zoned D.R. 5.5. It is clear that the Petitioner satisfies the burdens set forth at law as described above. I concur with the assessment of the Office of Planning and Zoning, wherein they conclude that the proposed improvements to the site will constitute an upgrade to the property and improve the site's utility and appearance. The total sign package proposed, along with the other improvements and new construction, will provide a real benefit to not only this site but neighboring properties as well. For these reasons, the Petitions for Special Exception and Variance should be approved.

I will also incorporate as a condition of the relief granted, a requirement that the Petitioner provide landscaping as required by the Landscape Manual for the new buildings. This requirement is consistent with the comment offered by the Developers Plans Review division. An examination of the site plan indicates that the existing portion of this site is landscaped and thus, this restriction is applicable only to the proposed new buildings.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of November, 1995 that the Petition for Special Exception seeking approval of certain existing signs in connection with the operation of the existing shopping center, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.2.b.(3), (4), (5), and (6), to permit 721 parking spaces in lieu of the required 911 spaces; from Section 413.2.E to permit two existing double-faced shopping center identification signs, one of 360 sq.ft. (Sign A) and one of 160 sq.ft. (Sign D), both in lieu of the maximum permitted 150 sq.ft.; from Section 413.2.F to permit three (3) "other business signs" of 140 sq.ft. each, or 420 sq.ft. total, in lieu of the maximum permitted 100 sq.ft. (existing Sign B and proposed Signs O and P); and from Section 413.1.E to permit four (4) existing directional signs, all of which exceed 15 sq.ft., and three of which are illuminated, as follows: One single-faced illuminated sign of 36 sq.ft. (Sign E), one single-faced illuminated sign of 32 sq.ft. (Sign F), one double-faced illuminated sign of 36 sq.ft. (Sign G), and one double-faced, non-illuminated sign of 23 sq.ft. (Sign H), 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) Landscaping of the proposed buildings shall be in compliance with the Landscape Manual for Baltimore County.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 29, 1995

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
SE/Corner Security Boulevard and Brookdale Road
(Chadwick Manor Shopping Center)
1st Election District - 1st Councilmanic District
Chadwick Manor Shopping Center - Petitioner
Case No. 96-106-XA

Dear Mr. Marino:

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Anthony J. Mierzwicki, Chadwick Manor Shopping Ctr., J.V.,
920 Providence Road, Baltimore, Md. 21286

People's Counsel

File

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at CHADWICK MANOR SHOPPING CENTER, Southeast Corner of Security Boulevard and Brookdale Road, which is presently zoned B.L.-C.N.S. DR.3.3

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

certain existing signs in connection with the operation of an existing shopping center all more particularly set forth on the attached Schedule A

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Corrected Purchase Price

Price of Five Dollars

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Michael E. Marino, Esquire

609 Bosley Avenue (410) 821-6633

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s)

CHADWICK MANOR SHOPPING CENTER, a Maryland Joint Venture

Signature

Address

City

State

Zip Code

Name

Address

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

REVIEWED BY

DATE

SPECIAL EXCEPTION

SPECIAL EXCEPTION TO PERMIT FOUR (4) OUTDOOR ADVERTISING SIGNS IN A BL ZONE, WITH THE FOLLOWING VARIANCES FROM THE BALTIMORE COUNTY ZONING REGULATIONS: SECTIONS 413.3.B (100-FOOT SETBACK TO A DUAL-LANE HIGHWAY); 413.3.C (10-FOOT SETBACK TO A RIGHT-OF-WAY LINE); 413.3.D (100-FOOT SETBACK TO AN INTERSECTION INVOLVING A DUAL HIGHWAY; 50-FOET FROM ANY OTHER INTERSECTION); AND 413.3.F (MINIMUM 100-FOOT SPACING BETWEEN OUTDOOR ADVERTISING SIGNS ON AN IMPROVED COMMERCIAL PROPERTY); AS FOLLOWS:

SIGN 'C':

413.3.B. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET
413.3.D. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.3.F. : +/- 15 FEET IN LIEU OF 100 FEET

SIGN 'J':

413.3.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET

SIGN 'K':

413.3.C. : +/- 5 FEET IN LIEU OF 10 FEET
413.3.D. : +/- 5 FEET IN LIEU OF 50 FEET

SIGN 'L':

413.3.B. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.C. : LESS THAN ONE FOOT IN LIEU OF 10 FEET
413.3.D. : LESS THAN ONE FOOT IN LIEU OF 100 FEET
413.E.F. : +/-15 FEET IN LIEU OF 100 FEET

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/29/95
By [Signature]

LES:bjs

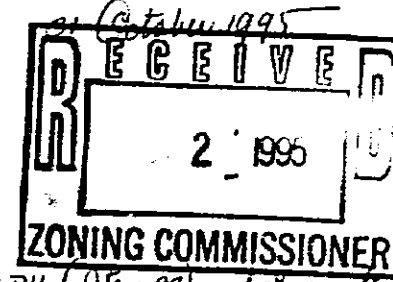
MRS. ROLAND L. BROWN, JR.
602 COVENTRY ROAD
TOWSON, MARYLAND 21204

Lawrence Schmidt,
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Dear Mr. Schmidt:

Regarding case number 96-107SPH (ITEM 98), what quality downtown Towson does NOT need is a tattoo parlor—in addition to the two billiard/pool games halls and the sleazy erotic underpinning shop already degrading the area. As concerned with the residents in which with during the rapid decline of this small central district and new—a tattoo parlor as well? Hardly a wholesome attraction either for the high school or college students nearby or for students engaged in the constant struggle to help their parents' financial and property values up. Towson's pleasant family-oriented face is rapidly disappearing behind a veil of seamy, seamy, like a high school or college district.

Sincerely,
Elizabeth and Roland
Brown



October 29, 1995

Lawrence Schmidt
Zoning Commissioner
Old Courthouse
400 Washington Avenue
Towson, MD 21204

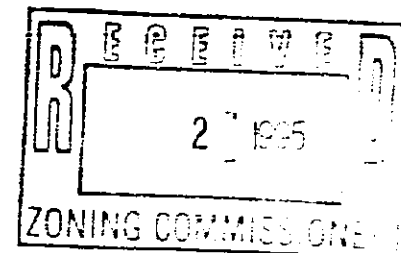
Case #96-107SPH (ITEM 98)

Dear Mr. Schmidt:

I want to let you know that I do not favor having a tattoo parlor in central Towson. This is the wrong kind of business to bring into this community and would represent a further deterioration of the downtown Towson area. Please think of the community especially impressionable teenagers before allowing a tattoo parlor to be established. Thank you.

Sincerely,

Jim Kirschner



620 Hastings Road
Towson, MD 21286
296-4593
October 30, 1995

Lawrence Schmidt, Zoning Commissioner
Old Court House
400 Washington Avenue
Towson, MD 21204

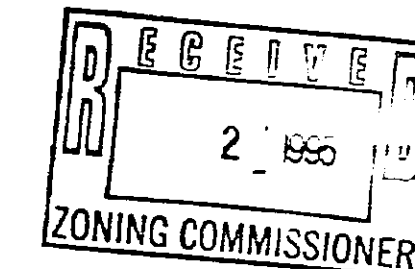
Dear Mr. Schmidt:

I refer to case 96-107SPH (ITEM 98). Please do not allow a tattoo parlor to come into Towson. Quite frankly I am ashamed of downtown Towson and will not allow my children to go there, especially on Friday and Saturday nights. The pool halls, erotic underwear store and several empty stores, including the old Hutzler's building, all give an air of seaminess to a once attractive business district. A tattoo parlor will only contribute to this tawdry atmosphere.

Thank you for your attention to my letter. I am counting on you to vote against the proposed tattoo parlor.

Sincerely,

Marianne Stokes
Marianne Stokes



416 Coventry Place
Towson, MD 21204
October 30, 1995

Mr. Lawrence Schmidt
Zoning Commissioner, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case No. 96-107SPH (Item 98)

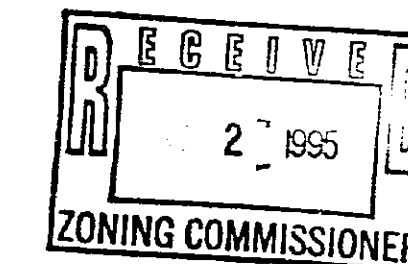
Dear Mr. Schmidt:

As a resident of Baltimore, I should like to strongly object to a tattoo parlor on York in Towson. As a resident concerned with needle transmission of Hepatitis and AIDS, I disapprove of such a "business" in Towson.

Establishment of this type of business in my community is not welcome. I urge that you not allow this to occur.

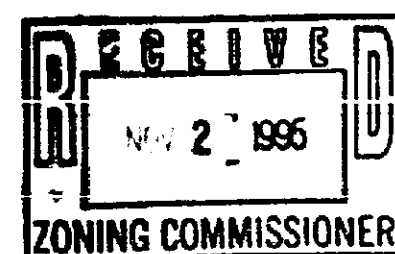
Very truly yours,

R. David Emery
R. David Emery, M.D.



Young Commissioner Lawrence Schmidt
Old Courthouse
400 Washington Ave
Towson, Md 21204

Mr. Schmidt



I am writing to oppose the proposal to permit a tattoo parlor in central Towson. The enterprise, "LVT Dermagraphics" seems inappropriate for this family & college area. As a resident of Towson, however, I believe the business will only add to the seaminess of that particular block and the demise of what could be a thriving downtown area.

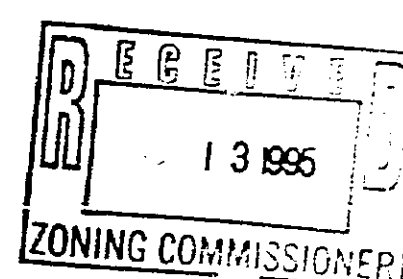
Central Towson is supported by family neighborhoods like Wilmette, Stadelheim, W. Towson, etc. and could be an attractive place to shop if the real estate is used wisely. A tattoo parlor is not a core investment in our downtown. This real estate could be used for so many other appropriate businesses. Please do not allow the tattoo parlor.

Thank you
Patricia A. Coen
Towson, Md 21204

508 Wheaton Rd
Towson, Md 21204

Towson, Maryland
November 6, 1995

Re: Tattoo Parlor
400 York Road



Zoning Commissioner of Baltimore County
Towson, Maryland 21286

Dear Commissioner:

We oppose the tattoo parlor in the 400 block of York Road for the following reasons:

A. Such business will attract to the area drunks and prostitutes who traditionally patronize this establishment. Do we, as citizens of the county, want to promote the 400 block of York Road, one block from the seat of government, into an "East Baltimore Street block"?

B. In an unregulated business such as a tattoo parlor there is no safeguard or proof that absolute "sterile conditions" can be maintained on the second floor of 400 York Road. Furthermore, the disposal of needles and other contaminated materials will be unregulated and thereby create a health hazard in the area (refer OSHA regulations).

C. There can be no doubt in our minds that the presence of a tattoo business will attract more undesirable businesses such as pornographic stores, peep shows, etc.

We certainly do not want this image in the county seat of Baltimore County.

Yours truly,

Constant J. Georges
Constant J. Georges

Nov 10, 1995

521 Yarmouth Road
Towson, Maryland 21286
October 30, 1995

VIA HAND DELIVERY

Lawrence E. Schmidt, Esquire
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Special Hearing Petition
416 York Road
LVT Dermagraphics
Item No. 98

Dear Mr. Schmidt:

This letter concerns my opposition to the special hearing request to permit a tattoo parlor to be located on the second floor of 416 York Road.

The proposed location is on York Road in the heart of the central Towson area and within the boundaries of the Towson Community Plan (adopted by the County Council on February 3, 1992). The location is also in the heart of Towson's Revitalization Area.

The State and County have invested and will invest great sums of money to enhance the York Road corridor. The clear intention of that investment is to encourage "quality" land use development which will increase the area's tax base and encourage future private capital investment.

Although the planned tattoo parlor is by no means the last nail in Towson's coffin, surely it is not a commercial use envisioned by economic development experts which will encourage quality commercial growth. It is also not a use which will promote the "health, security, ... orderly development and other aspects of the general welfare of the community" as required in B.C.Z.R. §100.1.

You, as Zoning Commissioner, are empowered with the authority to interpret the zoning regulations. Since a tattoo parlor is not a permitted use in the BMCT zone, (B.C.Z.R. §230 et. seq.) the applicant argues that the planned use is functionally equivalent to a barber or beauty shop. I disagree; while a barber shop or beauty salon has its main focus cutting and setting hair (a recurring need of the entire population) a tattoo parlor has as its main focus the permanent coloring of a

Lawrence E. Schmidt, Esquire
October 30, 1995
Page Two

person's skin (surely not a recurring need). A tattoo parlor does not fit any of the permitted uses in the Regulations and must be denied.

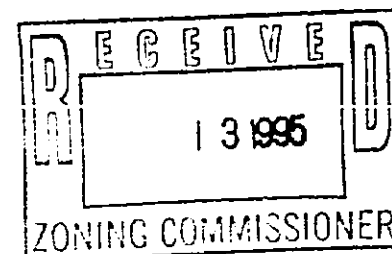
In short, this application affords the Zoning Commissioner the opportunity to deny a non-main stream business and thereby benefit overall community health and planned commercial development consistent with the intent of the zoning laws.

As a concerned resident of Towson, I encourage you to deny the request of LVT Dermagraphics.

Very truly yours,

Edward J. Gilliss

EJG:dif
5647e/86



October 27, 1995

Lawrence E. Schmidt, Esquire
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Special Hearing Petition
416 York Road
LVT Dermagrafix
Item No. 98

Dear Mr. Schmidt:

This letter concerns my opposition to the special hearing request to permit a tattoo parlor to be located on the second floor of 416 York Road.

The proposed location is on York Road in the heart of the central Towson area and within the boundaries of the adopted Towson Community Plan (adopted by the County Council on February 3, 1992). The location is also in the heart of Towson's Revitalization Area.

It is clear to me that the State and County have invested and will invest great sums of money to enhance the York Road corridor. The express intention of that investment is to encourage "quality" land use development which will increase the area's tax base and encourage future private capital investment.

Although the planned tattoo parlor is by no means the last nail in Towson's coffin, surely it is not a commercial use envisioned by economic development experts which will encourage quality commercial growth. It is also not a use which will promote the "health, security, ... orderly development and other aspects of the general welfare of the community" as required in B.C.Z.R. §100.1.

You, as Zoning Commissioner, are empowered with the authority to interpret the zoning regulations. Since a tattoo parlor is not a permitted use in the BMCT zone, (B.C.Z.R. §230 et. seq.) the applicant argues that the planned use is functionally equivalent to a barber or beauty shop. I disagree;

Lawrence E. Schmidt, Esquire
October 27, 1995
Page Two

while a barber shop or beauty salon has its main focus cutting and setting hair (a recurring need of the entire population) a tattoo parlor has as its main focus the permanent coloring of a person's skin. A tattoo does not fit any of the permitted uses in the Regulations and must be denied.

In short, this application affords the Zoning Commissioner the opportunity to deny a non-main stream business and thereby benefit overall community health and planned commercial development consistent with the intent of the zoning laws.

As a concerned resident of Towson, I encourage you to deny the request of LVT Dermagrafix.

Very truly yours,

Martha DeNardi

Lawrence E. Schmidt, Esquire
October 27, 1995
Page Two

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In short, this application affords the Zoning Commissioner the opportunity to deny a non-main stream business and thereby benefit overall community health and planned commercial development consistent with the intent of the zoning laws.

As a concerned resident of Towson, I encourage you to deny the request of LVT Dermagrafix.

Very truly yours,

Robert S. Markwe, Jr.
3300 LAKESIDE CT
TOWSON, MD 21204

Lawrence E. Schmidt, Esquire
October 27, 1995
Page Two

while a barber shop or beauty salon has its main focus cutting and setting hair (a recurring need of the entire population) a tattoo parlor has as its main focus the permanent coloring of a person's skin. A tattoo does not fit any of the permitted uses in the Regulations and must be denied.

In short, this application affords the Zoning Commissioner the opportunity to deny a non-main stream business and thereby benefit overall community health and planned commercial development consistent with the intent of the zoning laws.

As a concerned resident of Towson, I encourage you to deny the request of LVT Dermagrafix.

Very truly yours,

Robert S. Markwe, Jr.
ROBERT S. MARKWE, JR.
Julia A. Markwe
JULIA A. MARKWE

Lawrence E. Schmidt, Esquire
October 27, 1995
Page Two

while a barber shop or beauty salon has its main focus cutting and setting hair (a recurring need of the entire population) a tattoo parlor has as its main focus the permanent coloring of a person's skin. A tattoo does not fit any of the permitted uses in the Regulations and must be denied.

In short, this application affords the Zoning Commissioner the opportunity to deny a non-main stream business and thereby benefit overall community health and planned commercial development consistent with the intent of the zoning laws.

As a concerned resident of Towson, I encourage you to deny the request of LVT Dermagrafix.

Very truly yours,

Edwin and Jay Crooks
518 Sussex Road
Towson 21286

Martha DeNardi
603 Sussex Road
Towson, MD 21286
November 10, 1995

Lawrence E. Schmidt, Esquire
Zoning Commissioner
400 Washington Ave.
Towson, MD 21204

Re: Special Hearing Petition
416 York Road
LVT Dermagrafix
Item No. 98

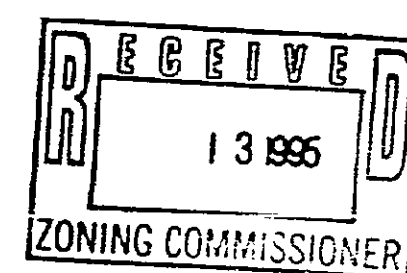
Dear Mr. Schmidt:

Attached, please find correspondence from residents of the Wiltondale community regarding our opposition to the above referenced Petition. At the October 25th hearing, you set a deadline for receipt of pertinent correspondence of November 10, 1995; unfortunately, when I attempted to deliver the letters today, I found that the Court House was closed in observance of Veterans' Day.

Please consider the attached 4 letters as you decide this important issue.

Very Truly Yours,

Martha DeNardi
Martha DeNardi



505 Worcester Road
Towson, Maryland 21286
November 14, 1995

Lawrence E. Schmidt, Esquire
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

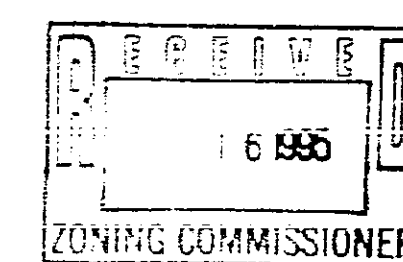
Re: Special Hearing Petition
416 York Road
LVT Dermagrafix
Item No. 98

Dear Commissioner Schmidt:

I am writing to express my opposition to the above referenced petition. Certainly a tattoo parlor would be an undesirable addition to the Towson community, and if there is any legal basis upon which to deny the petition I would urge you to do so. Thank you for your consideration.

Sincerely,

Kathleen Flynn Russell
Kathleen Flynn Russell




TOWSON BUSINESS ASSOCIATION
23 West Chesapeake Avenue
Towson, Maryland 21204
(410) 825-1144
FAX: 832-5863

The Honorable Lawrence Schmidt
Zoning Commissioner, Baltimore County
400 Washington Avenue
Towson, MD 21204

RE: ZONING VARIANCE REQUEST - LVT DERMAGRAFIX
CASE NO. 96-107-SPH

Dear Mr. Schmidt:

Thank you for the opportunity to submit this letter in response to Mr. Myers' application to operate a tattoo parlor at 416 York Road in Towson.

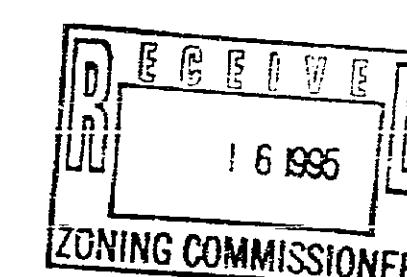
The Towson Business Association, a 280 member organization representing businesses and professionals that work and live in the Towson area voted at its September Board Meeting to oppose the establishment of Mr. Myers' business, or any tattoo parlors, within the Towson business district. The Board members oppose the proposed business on the grounds that the business is not consistent in character with the desired mix of businesses that has been discussed in the Towson Community Plan, and more importantly, because the business is not a permitted use as defined by the Baltimore County Zoning Regulations. Though Mr. Myers and his attorney tried to establish the facts that his business would be similar in nature to other businesses found in Towson, we feel they failed to establish any basis supporting their contention that a tattoo parlor, their primary business, should be permitted to operate in Towson.

We would be happy to discuss the matter further with you if you desire. We feel public input is important for you to consider in your decision and hope that you are able to fully understand our membership's and the greater Towson community's concern that this use not be allowed.

Sincerely,

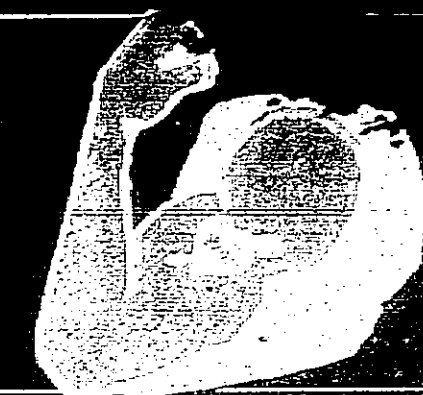
Kenneth F. Mills, Jr.
Kenneth F. Mills, Jr.
President

cc: Susan E. DiLorenzo
Michael P. Tanczyk, Esquire
KFM/om
schmidt,lr



LOCAL & STATE
YWCA
makes move
to cut costs
Temporary leave
from Market 1B

LIVING
**Cutting edge
of art**
The world of tattoos/1c



SPORTS
**Wichita dismisses
basketball team**
Thompson cites rules
violations/1B

BUSINESS & FARM
**Rent-A-Center
gets new boss**
Fink
Today's editorial: ...
home siding; low brass choir; TGA

FRIDAY
July 23, 1993

The Wichita Eagle

FINAL
EDITION
50 cents



Little Vinny Myers, a second tattooed, works on his tattoo. The owner Ron Dolecek on a knee-to-ankle piece.

IN LIVING COLOR

By Linda Stapp
The tattoo artist's world is a colorful one. It's a world of pain, blood, and ink. It's a world where the body is a canvas and the tattoo is a work of art.

**TATTOO
COLLECTORS
ACQUIRE ART
LINE BY LINE**

A tattoo studio north of the Wichita city line, where the tattoo artist's world is a colorful one. It's a world of pain, blood, and ink. It's a world where the body is a canvas and the tattoo is a work of art.

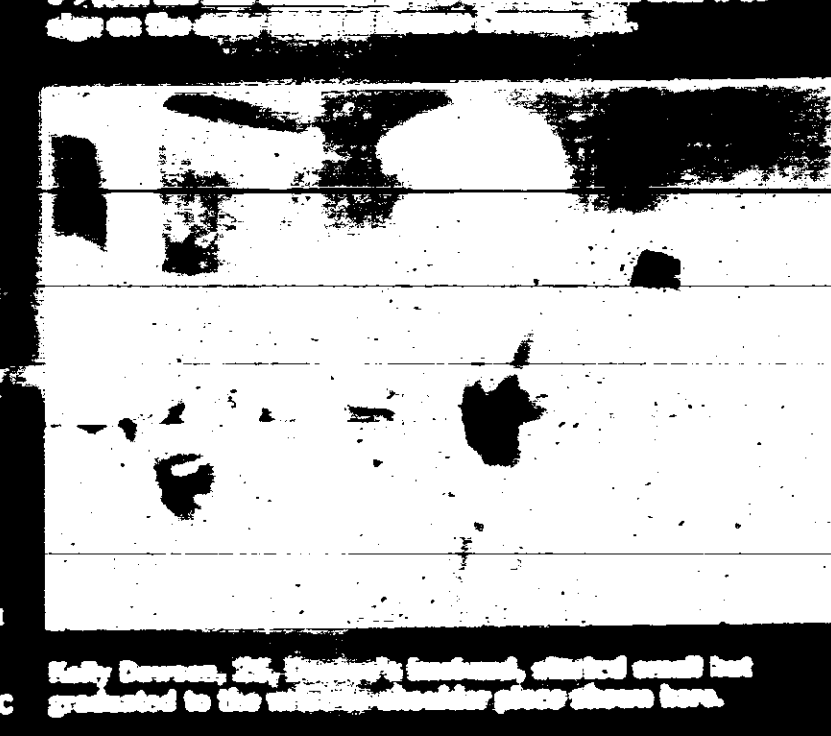
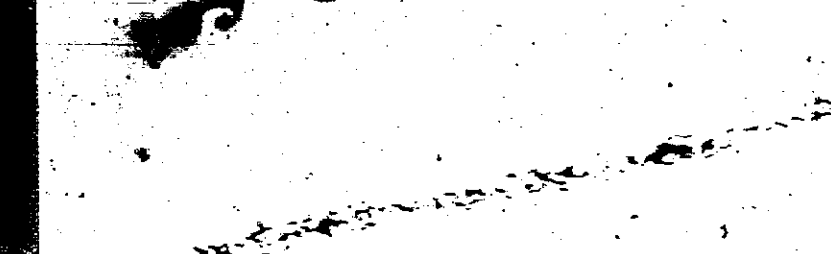
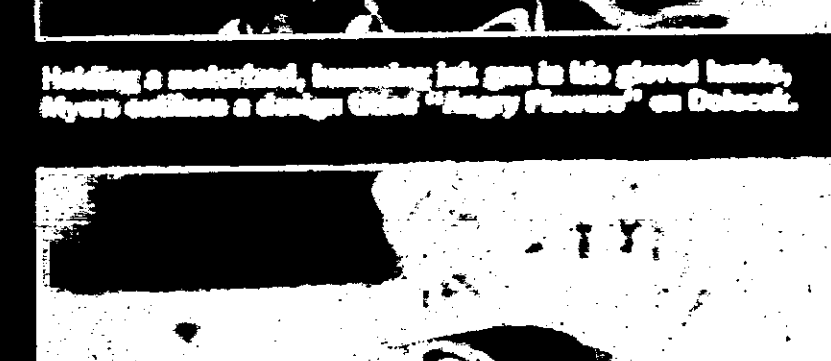
But for the tattoo collector, the tattoo is not just a work of art. It's a piece of art that they have acquired line by line. It's a piece of art that they have acquired line by line.

germ piercing bugged creepers, then? Well, it's better to have a tattoo than to have a germ.

And the tattoo collector is not just a collector. They are also a collector of art. They are also a collector of art.



holding a tattooed, looking at his tattoo. The owner Ron Dolecek on a knee-to-ankle piece.



TELEVISION

SECTION

"Northern Exposure" has
scored 16 Emmy nominations,
including one for best actor in
a drama for Rob Morrow/S

C



Sports
**Best
Johnny Oates
is manager of
year for 1993**
B1

Nation/World
**Heart
When should
rescue workers
give up on CPR?**
A5

Carroll Life
**Learn
From crafts to
food, find out at
Learning Fest**
C1

Carroll County Times

Wednesday, October 13, 1993

Westminster, Maryland

50 cents

**Mayer irked
over grant
proposal**
Brown wants
cleanup effort,
not education

By TIM COOK
Times Staff Writer

Westminster Mayor Ben Brown has taken a stand against county money to obtain a \$25,500 federal grant to promote environmental education, an effort aimed at cleaning up the Patuxent River. Brown says the county's efforts are overdone and straying too far from the original goal of restoring the stream.

Keeping up the pace



When Apache Boaz switches, he leaves his furry beige exercise. All it took to solve

**Horses
are targets
of vicious
attacks**

Tattoo

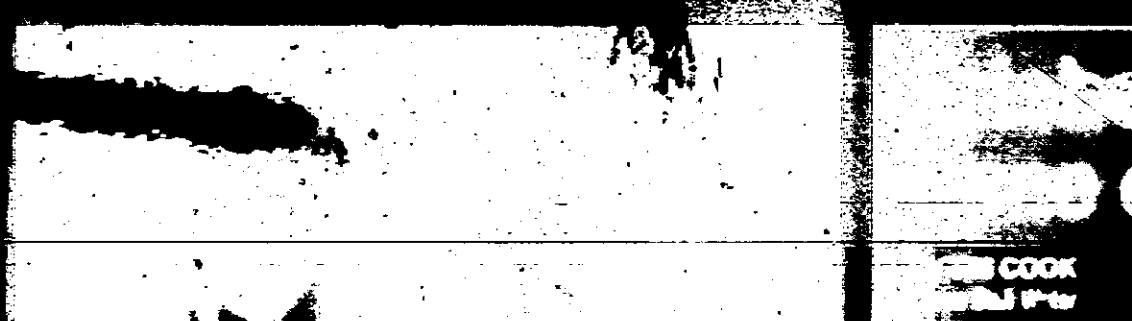
From A1

death in the end, he said he will want to endure despite the starkness of life. "I'm showing I would fight to stay alive," he said.

The tattoo artist's world is a colorful one. It's a world of pain, blood, and ink. It's a world where the body is a canvas and the tattoo is a work of art.

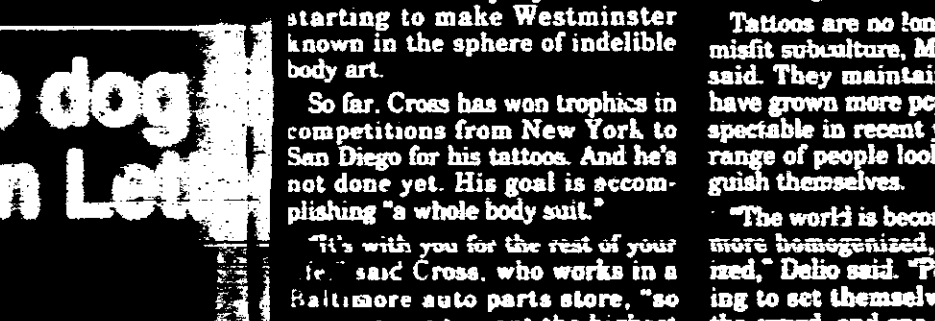
**\$1 million
gift funds
college arts
building**

Baltimore philanthropist and Westport, Maryland, College Trustee, Mrs. Peter H. and Mrs. Peter H. have donated \$1 million to the College of Arts and Sciences at the University of Maryland, Baltimore.



CLERMONTINE PETERSON AND THE LATE DOANE PETERSON

and Mrs. Peter H. and Mrs. Peter H. have donated \$1 million to the College of Arts and Sciences at the University of Maryland, Baltimore.



CLERMONTINE PETERSON AND THE LATE DOANE PETERSON

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\$1 million gift funds college arts building	546
CLERMONTINE PETERSON AND THE LATE DOANE PETERSON	604
CLERMONTINE PETERSON AND THE LATE DOANE PETERSON	760

Some see tattoos as works of art

By TIM COOK

Times Staff Writer

When you see a tattoo, you see a work of art. It's a piece of art that they have acquired line by line.

And the tattoo collector is not just a collector. They are also a collector of art.

But for the tattoo collector, the tattoo is not just a work of art. It's a piece of art that they have acquired line by line.

And the tattoo collector is not just a collector. They are also a collector of art.

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Artist carves tattoos on Main St.

By Mary O'Rourke

WESTMINSTER — Douglas A. King has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years. He has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years.

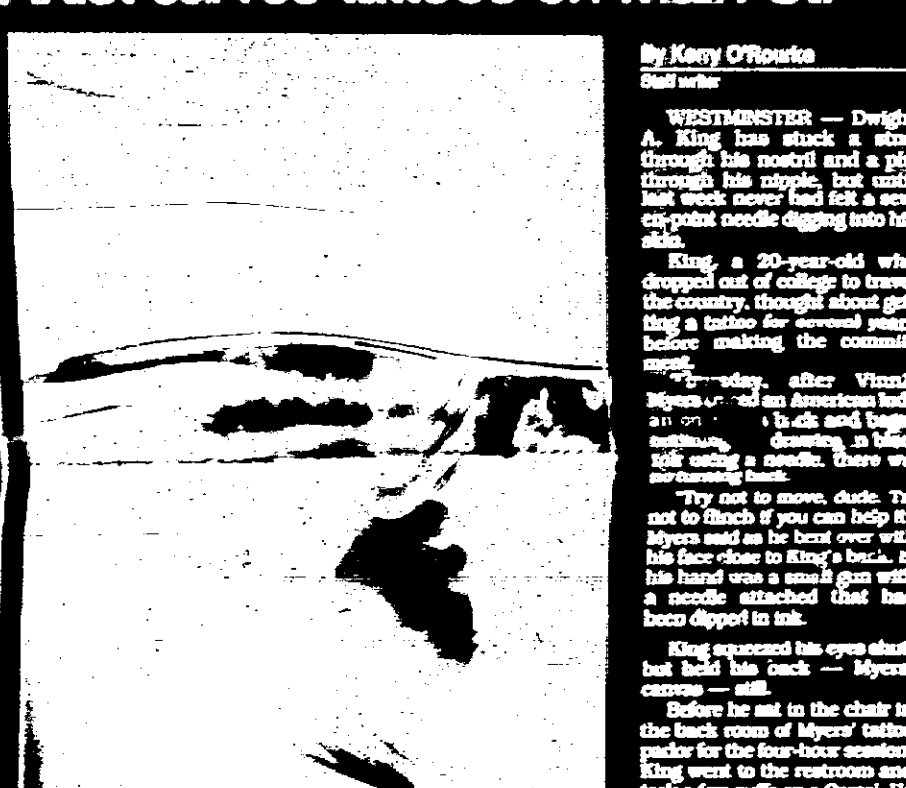


Photo see TATTOO, Page 17

Tattoo parlor offers lifelong product

By Mary O'Rourke

WESTMINSTER — Douglas A. King has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years. He has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years.



Photo see TATTOO, Page 17

Body language

Tattoo artist Verna Myers shows off some of her body art. Myers, who is a tattoo artist, is shown with various tattoos on her body. She is wearing a black top and has her arms crossed.



Photo see TATTOO, Page 17

Tattoo artist Verna Myers works on a red-tattooed female torso

Photo see TATTOO, Page 17

Therapeutic recreation

County, local water dump for free in exchange for picking up recyclables

By Robert Little

CARROLL COUNTY officials announced a new program of therapeutic recreation. The program is designed to help people with disabilities and mental health issues. It involves a water dump where people can exchange their recyclables for a free day of water. The program is run by the Carroll County Department of Health and Human Services.



Photo see TATTOO, Page 17

Trading trash

County, local water dump for free in exchange for picking up recyclables

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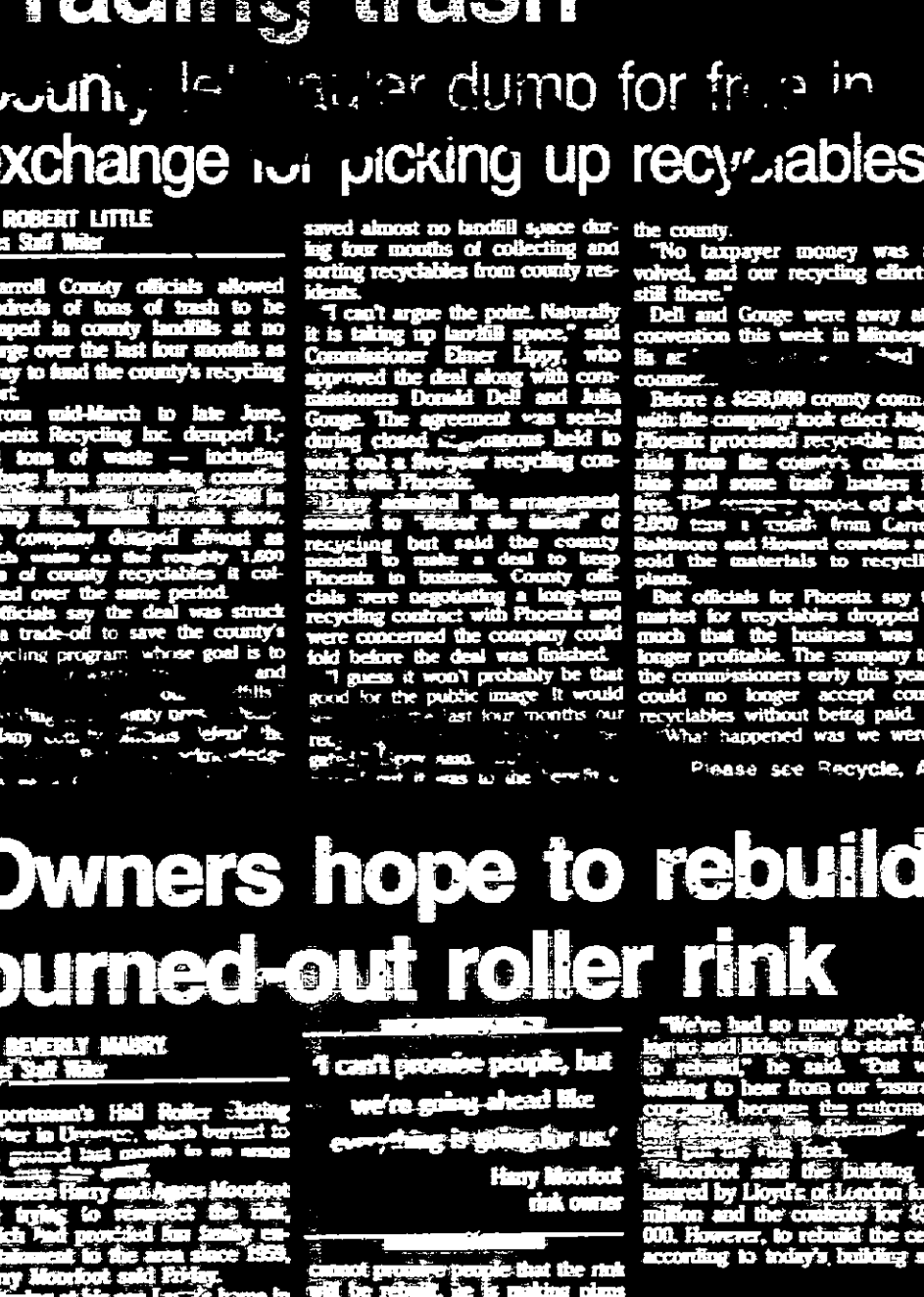


Photo see TATTOO, Page 17

Gala '90s picnic

Union Bridge raising funds to renovate Pump House

By James E. Morray

UNION BRIDGE — The Union Bridge Community Association is holding a gala picnic on June 23 to raise funds for the renovation of the Pump House. The picnic will be held at the Pump House, which is a historic building in Union Bridge. The association is asking for donations and volunteers to help with the renovation project.

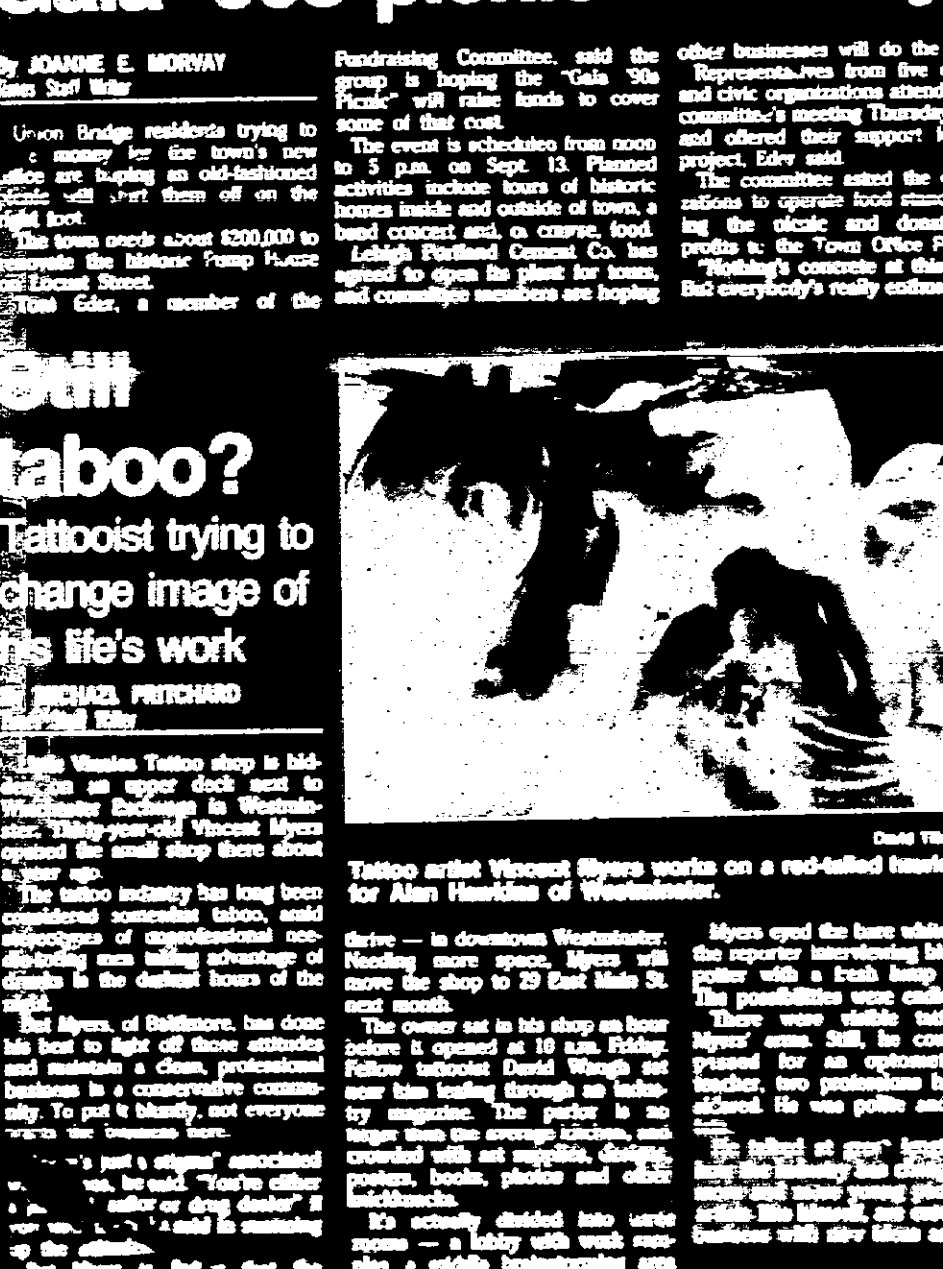


Photo see TATTOO, Page 17

Weighty matters

Overeaters Anonymous help themselves, each other

By Sandra Gorman

OVEREATERS ANONYMOUS is a group of people who help each other with their eating habits. The group is based in Westminster, Maryland. They meet regularly to discuss their struggles and share tips for managing their weight. The group is open to anyone who is struggling with overeating.

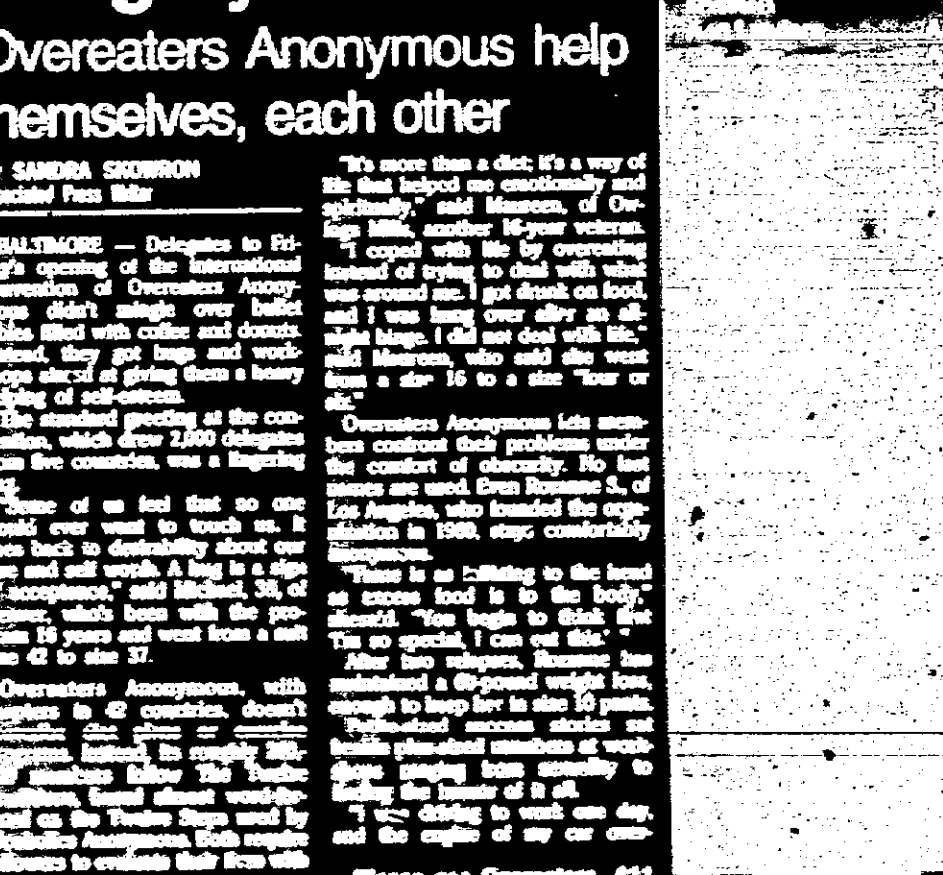


Photo see TATTOO, Page 17

Saturday

The Washington Times

Indelible mark of the tattoo artist

Getting under customers' skin

By Mary O'Rourke

WESTMINSTER — Douglas A. King has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years. He has a shop on Main St. where he carves tattoos. He has been carving tattoos for 15 years.

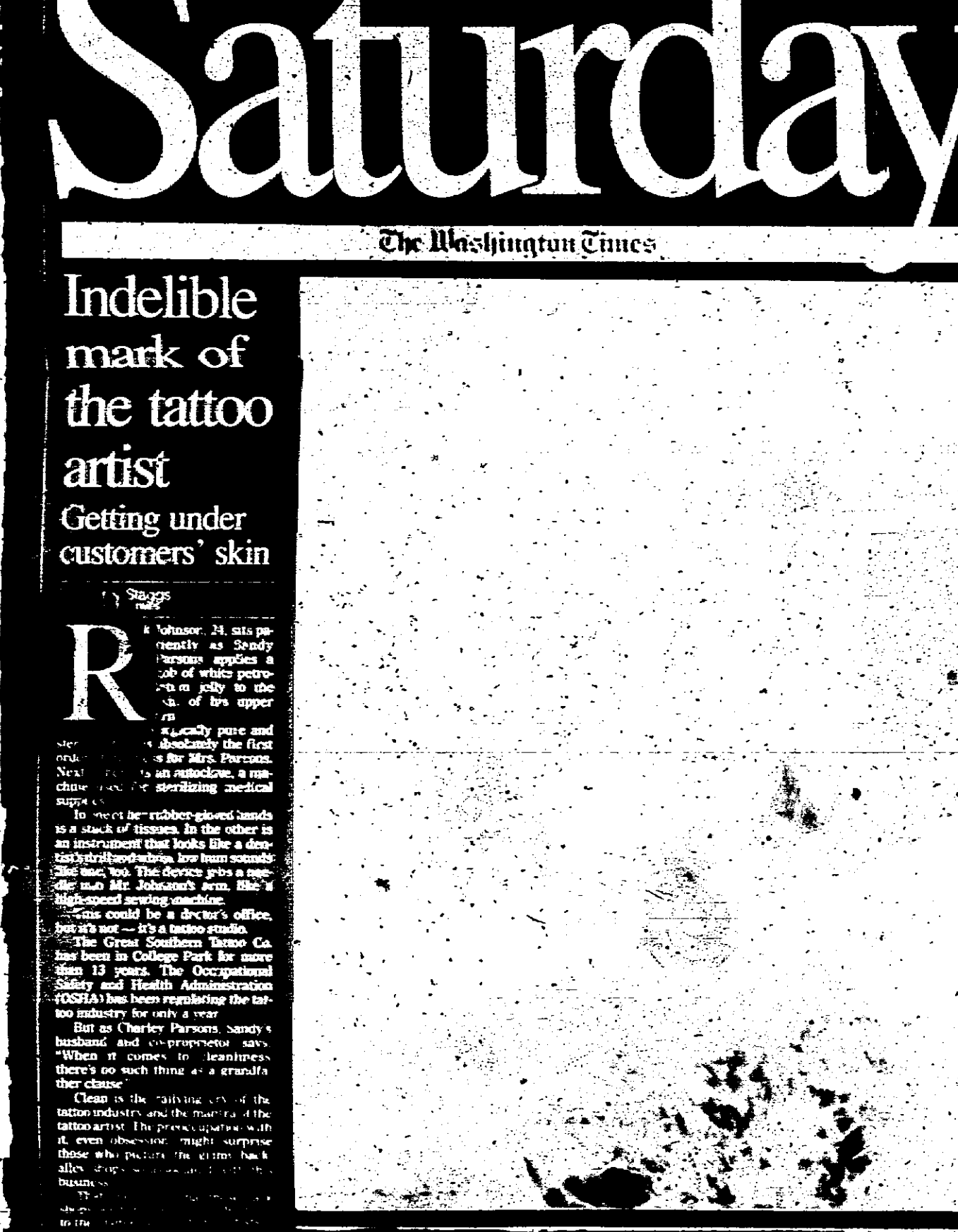


Photo see TATTOO, Page 17

Today's best bets

Inside: The Civil War Appointment Page 3
Time Out: Cruisers, the Real Puzzle and more Pages 4-5
Movie Listings: Page 6

TV Listings: Page 7
The Rainbow Page
Pushover and other puzzler video game reviews, spring training and more for children Page 8

Deep secret revealed in pages of McCall's

Brush Strokes
By Stephanie Brush

McCall's magazine has revealed a deep secret in its pages. The secret is a collection of brush strokes that have been used by famous artists. The strokes are shown in a series of pages, each with a different stroke. The strokes are used to create a variety of different effects, from simple lines to complex patterns.



Photo see TATTOO, Page 17

The San Diego Union-Tribune

City Final 234

Family Therapist
Heavy things to go to specialized kids /B-1

Cruise ships to begin new high-speed run to Ensenada /C-1

We're all commoners, say Yaffee, Yaffee, Yaffee /B-1

San Diego

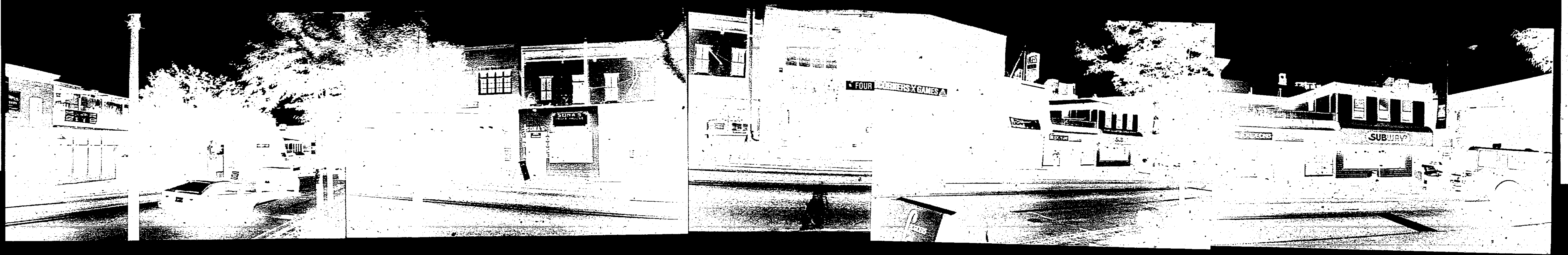
March 13, 1993

Tattoo: Showing Their Stuff

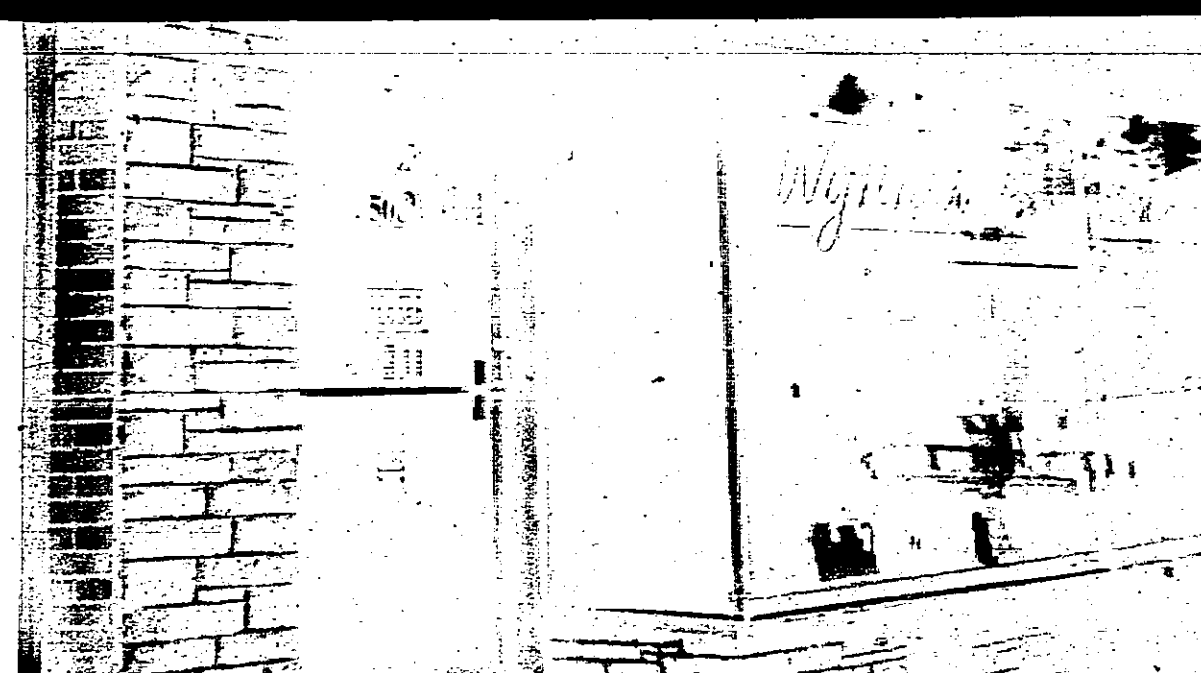
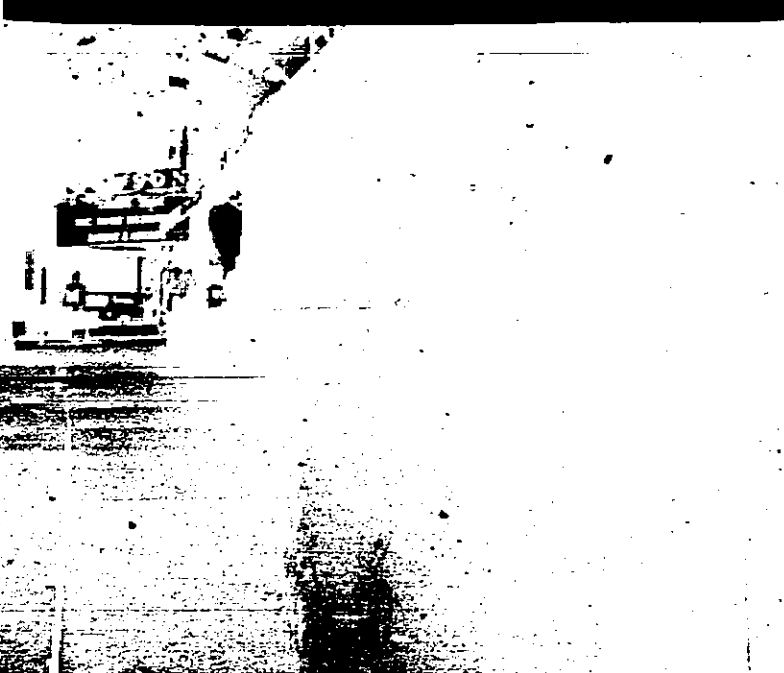
Welcome to a gallery of walking art

Photo see TATTOO, Page 17

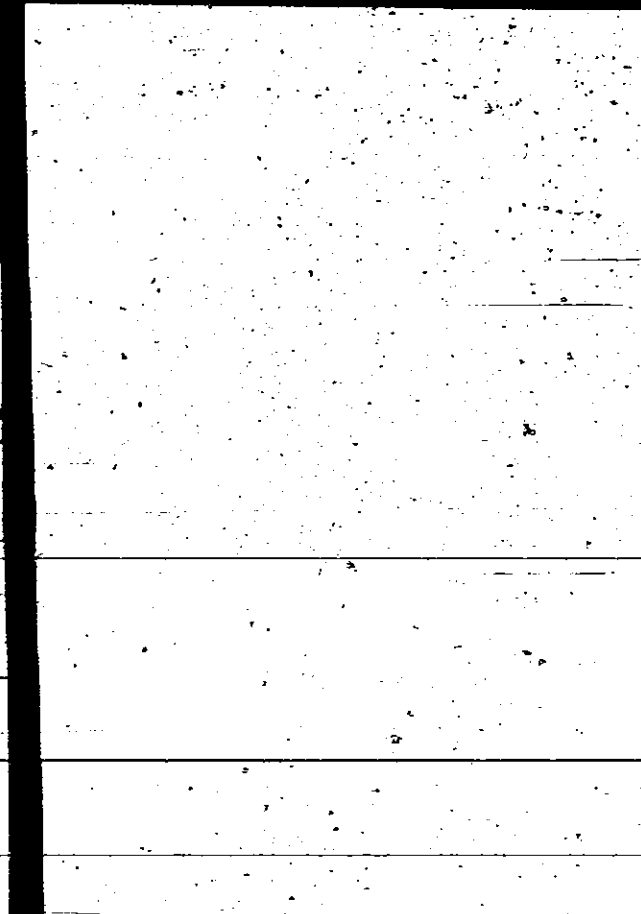
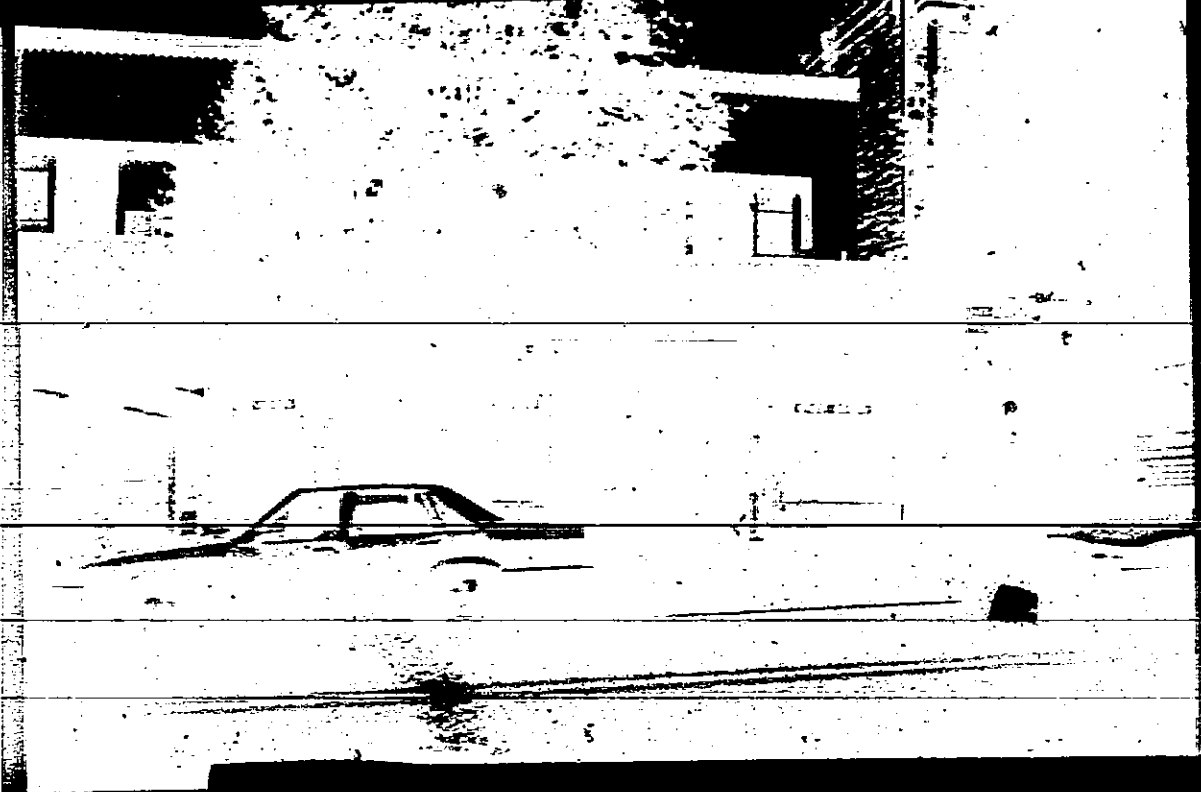
PETITIONER'S EXHIBIT # 19
PHOTOGRAPHS TAKEN 10/6/95



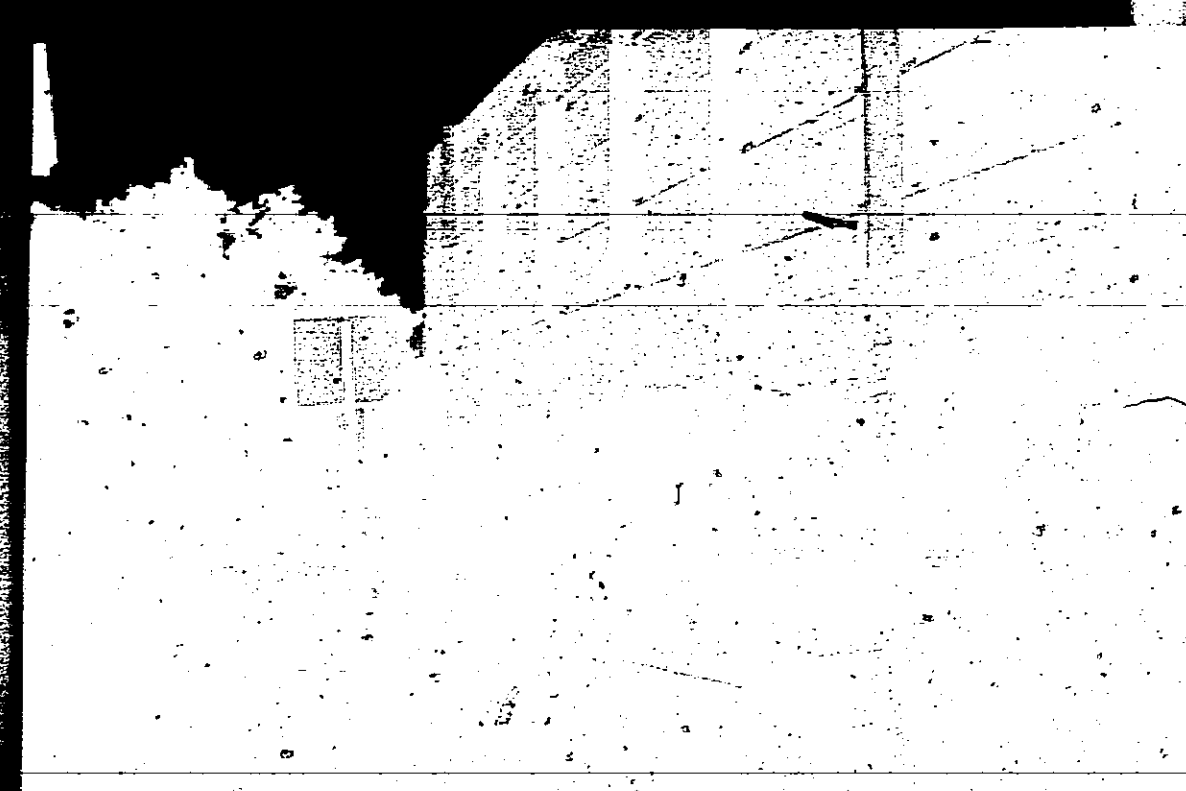
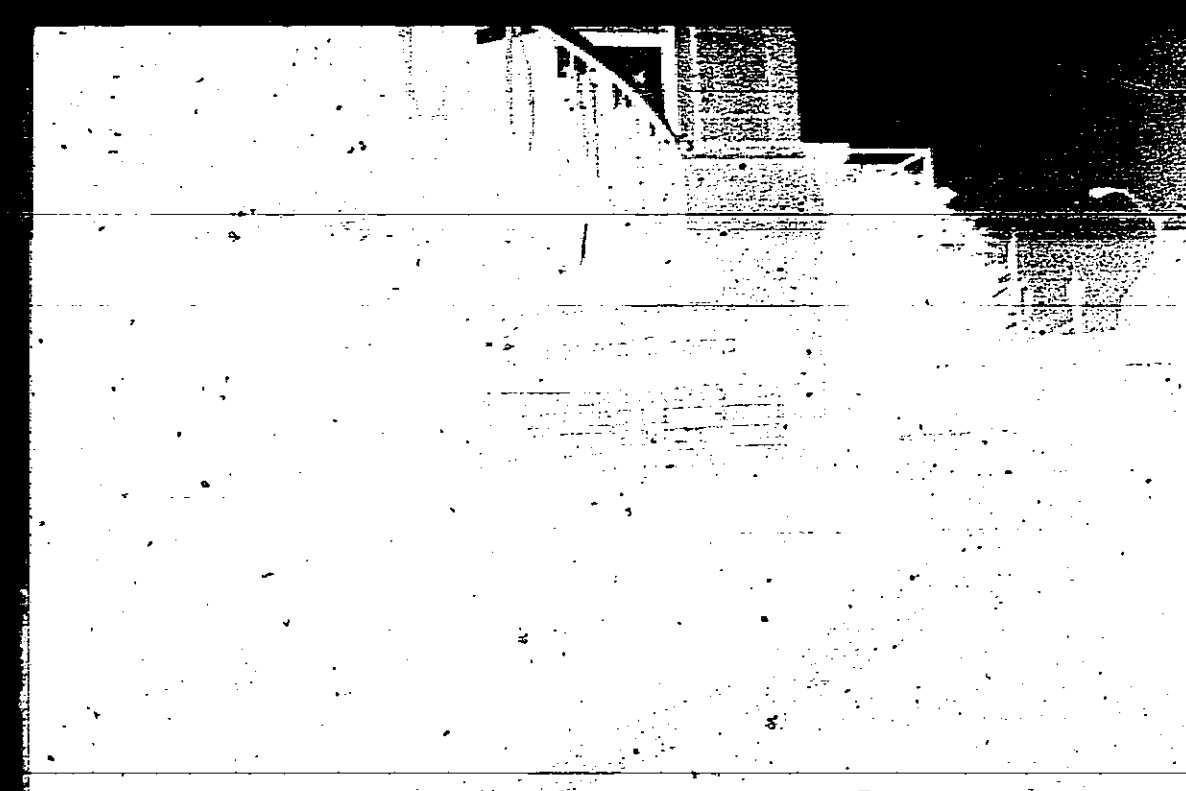
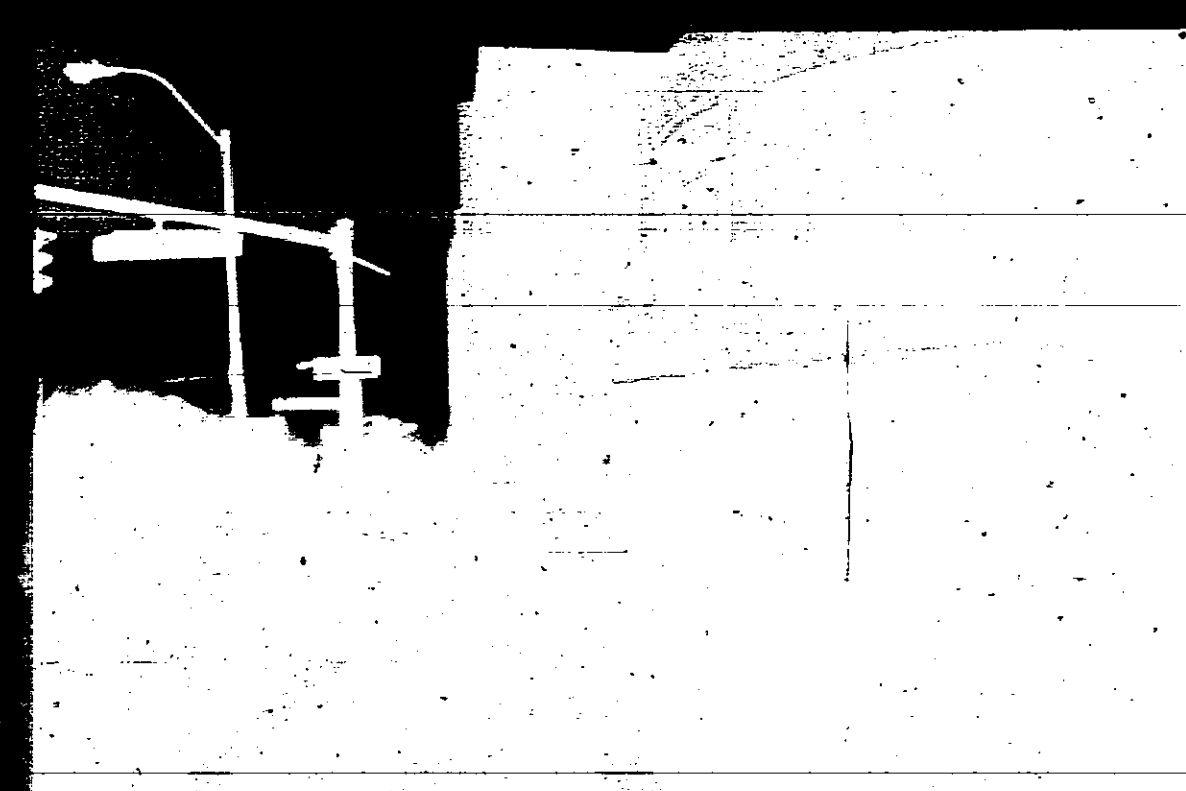
PETITIONER'S EXHIBIT # 20
PHOTOGRAPHS TAKEN 10/6/95

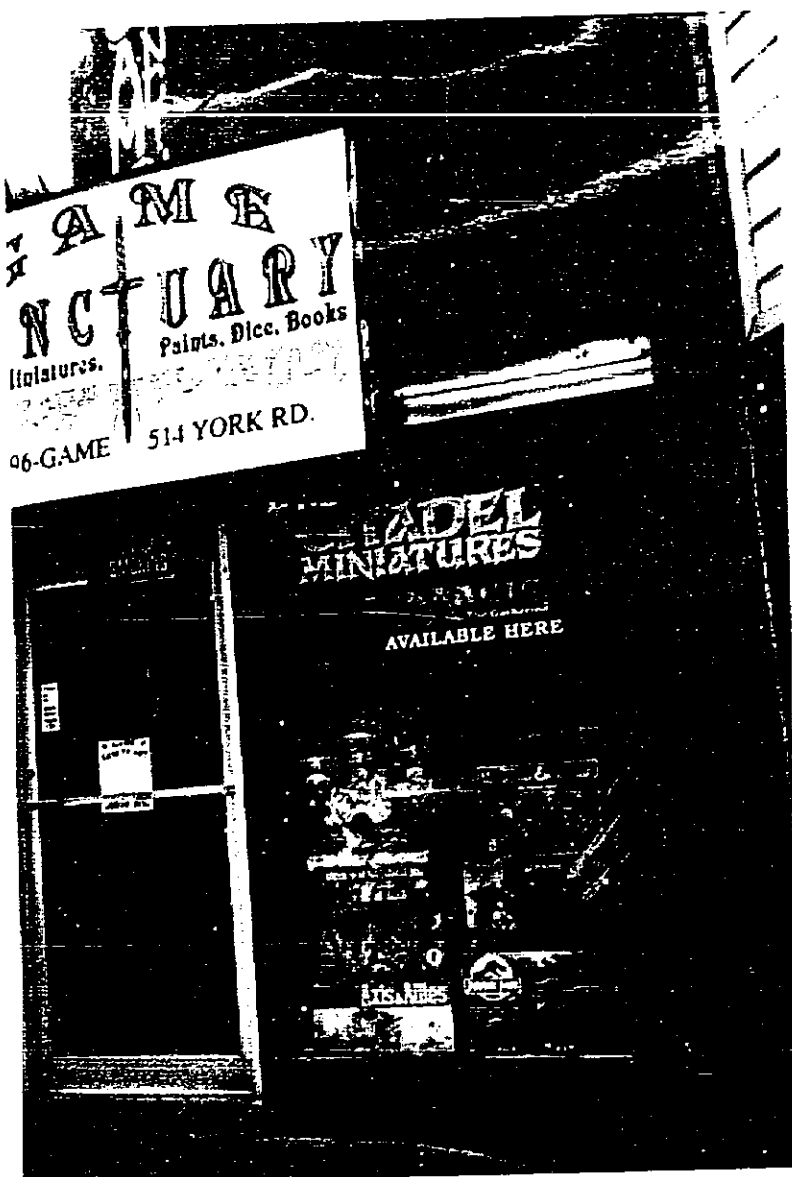


PETITIONER'S EXHIBIT # 21
PHOTOGRAPHS TAKEN 10/6/95

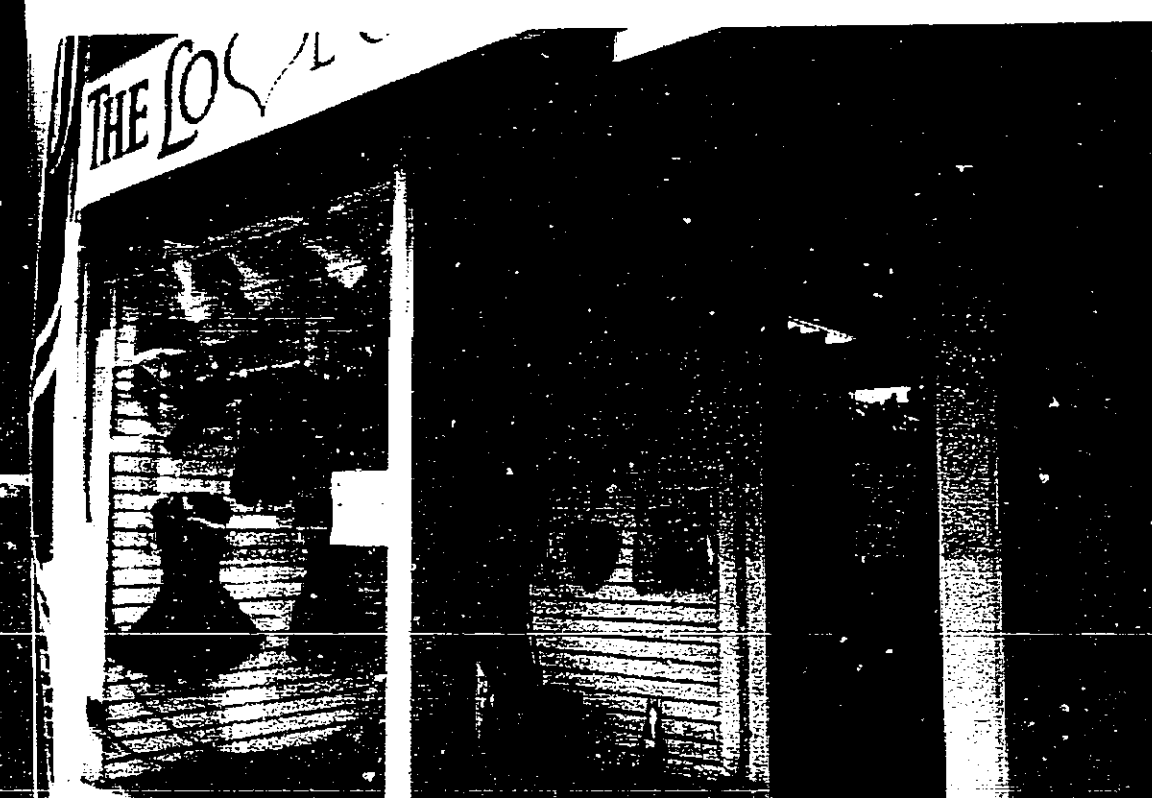
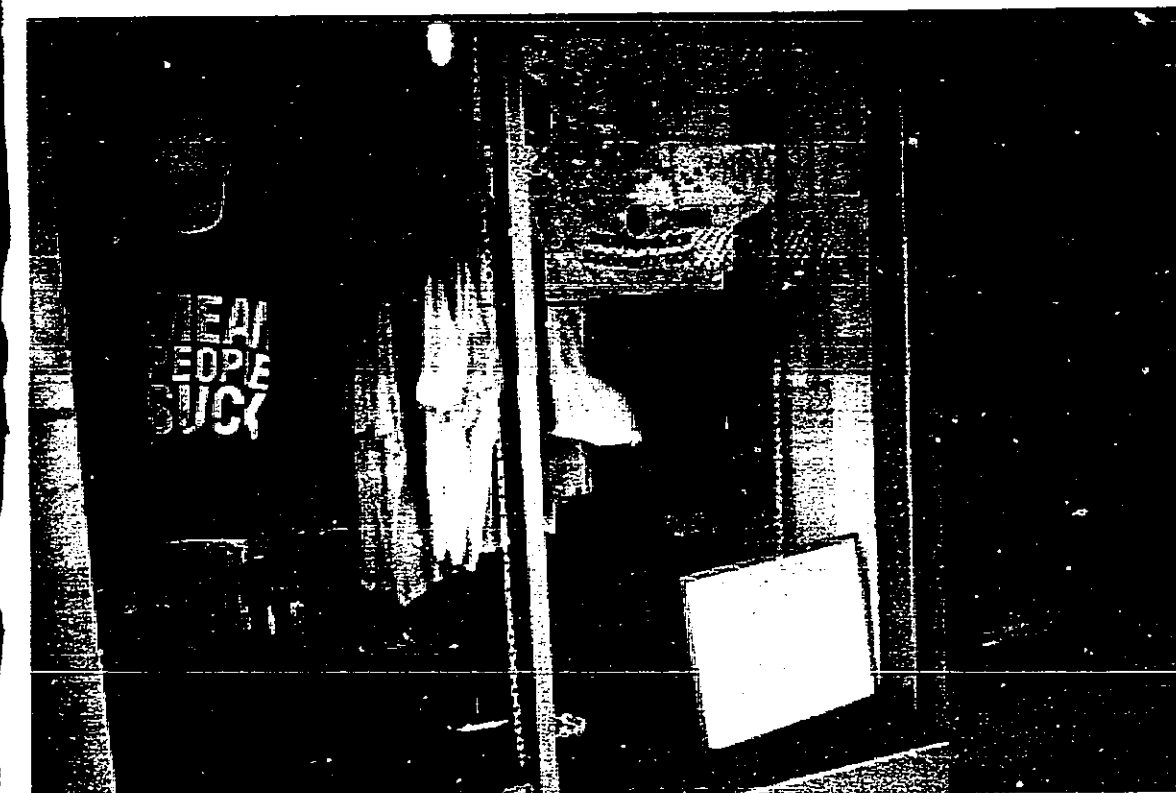


PETITIONER'S EXHIBIT # 22
PHOTOGRAPHS TAKEN 10/6/95





PETITIONER'S EXHIBIT #2
PHOTOGRAPHS TAKEN 10/6/95



TOWSON CENTER BUSINESS INVENTORY 400 and 500 BLOCK OF YORK ROAD

East side of York Road starting at corner

- 400 Subway Restaurant
- Central Investigative Agency on 2nd floor
- 402 Flower shop
- 402 1/2 Love One's Boutique
- Door entry to 2nd floor of the Angels Grotto Pub for lease by the other tattoo parlor
- Angels Grotto Pub
- 404 IV Corners Games and Arcade (hours are til 12:00 a.m.)
- 406-410 County Restaurant
- 412 Soia's India House (lunch/dinner restaurant)
- 414 Door to 2nd floor which is recessed about 6", very narrow width door with a little
- 416 facade and a side window facing downhill on the York Road is 3 single windows.
- 416 Townson Bootery Shoe Store
- 416 Flutie Garcia's Cantina Mexicana
- 418 Town and Campus Dry Goods and Fraternity Row (yellow & green building)
- 420 Old Mano Schwartz building is going to be a Hudson Trail Outfitters Limited

next block

- Old Hutzler's building - Joppa and Dulany Valley Roads
- 500 PIP Printing downstairs on corner
- 500 Nations Bank with an ATM machine outside and adjacent to it a walk-up to the second
- 502 floor serviced by the doors
- 502 Kent Lounge
- 508 Wynnrick Accessories Fine Leather Handbags
- 510 Towson Shoe Repair
- 512 Wangs Chinese Restaurant which is located adjacent to the old Towson Theater
- 514 Towson Theater has a sign up that says coming soon Recroom Billiards, Eatery and
- 514 Arcade and is under renovation right now
- 516 The Game Sanctuary
- 516 Wings to Go
- 518 Roll on Style Short on Price Formal Affairs (tuxedo shop)
- 520 is empty and vacant (has lease sign in window for Thornhill Properties 296-2877)
- Kazem Importers of Persian Rugs (are at corner that faces Hutzler's and wraps around)
- Old Hutzler's building is the last structure on that side of street

PETITIONER'S
EXHIBIT 3

LVT Dermagraphix, Inc. Operating Code of Conduct

1. No one under eighteen (18) years of age is permitted in the tattoo shop without parent or guardian.
2. No one under eighteen (18) years of age will be tattooed or pierced unless a parental or guardian's request is made for a cover-up or touch-up.
3. No one, in the opinion of the shop proprietor, who appears to be under the influence of drugs or alcohol will be tattooed or pierced.
4. Unless a patron displays a photo ID issued by a State or Federal agency, then no tattoo will be given except for minors accompanied by parent or guardian who expressly give consent and furnish an ID for the parent or guardian.
5. The proprietor has established a policy whereby no hands, faces or feet are tattooed.
6. The proprietor will not perform any tattoos which, in the opinion of the proprietor, are racist or satanic or pornographic.
7. All tattoo artists employed by the proprietor have successfully completed blood-borne pathogen classes as well as preventative medical disease control classes as offered by the Alliance of Professional Tattooists. These classes have in the past been given by a medical doctor who is employed as the Chief Pathologist for the City of Atlanta, Georgia.
8. All equipment of the proprietor utilized in piercing or tattooing that touches the skin is either autoclave sterilized and/or disposable.
9. The proprietor reserves the right to refuse anyone a tattoo or piercing.

PETITIONER'S
EXHIBIT No 4

Pat 4



DEPARTMENT OF THE ARMY
HEADQUARTERS, FIRST UNITED STATES ARMY
FORT GEORGE G. MEADE, MARYLAND 20755

AFRA-PA

9 February 1983

SUBJECT: Letter of Appreciation

Specialist Four Vincent Meyers
217-58-9949

1. Upon my retirement, I would like to express my appreciation to you for the fine care you have provided me.
2. You have demonstrated outstanding technical ability in administering the various eye tests I required. Your accurate work served as a basis for the fine treatment I have been receiving. You should be very proud of your role as a member of the doctor-staff team treatment of patients.
3. Your unselfish attitude and interest in patients made the visits for treatment pleasant.
4. Thank you for going the second mile.

Donald B. Dixon
LTC, GS

Pat 5A



DEPARTMENT OF THE ARMY
US ARMY NONCOMMISSIONED OFFICERS ACADEMY
DRILL SERGEANT SCHOOL, FORT KNOX
FORT KNOX, KENTUCKY 40121

ATNCG

11 April 1983

SUBJECT: Noncommissioned Officers Education System Achievement

THRU: Command Sergeant Major
Headquarters Fort George G. Meade
Fort George G. Meade, MD 20755

TO: Specialist Four Vincent A. Myers
217-58-9949
USA MEDDAC
Fort George G. Meade, MD 20755

1. While attending the Noncommissioned Officers Education System Course, Primary Leadership Course, Class B3-4, conducted at the US Army Noncommissioned Officers Academy/Drill Sergeant School, Fort Knox, Kentucky, during the period 11 February 1983 to 11 March 1983, you are commended for outstanding achievement.
2. During the above-cited period, you demonstrated qualities that ranked you in the top twenty percent of your class and admission to the Commandant's List. Your abilities, sense of responsibility, and devotion to duty are most worthy of recognition and reflect great credit upon yourself, the Noncommissioned Officer Corps, and the United States Army.
3. Your demonstrated abilities reflect the qualities demanded by the Noncommissioned Officers Corps to uphold the highest of standards in service to our great nation.
4. A copy of this correspondence is enclosed for insertion in your Official Military Personnel File.

John M. Stephens
CSM, USA
Commandant



DEPARTMENT OF THE ARMY
US ARMY MEDICAL DEPARTMENT ACTIVITY
FORT GEORGE G. MEADE, MARYLAND 20755

HSXR-CP

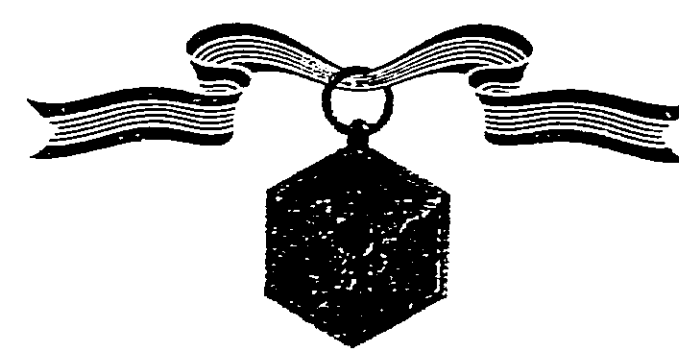
25 January 1984

SUBJECT: Letter of Appreciation, SP4 Vincent A. Myers, 217-58-9949

TO WHOM IT MAY CONCERN:

Specialist Four Vincent A. Myers was assigned to this Army Community Hospital from 13 August 1981 through 20 February 1984 as an Ophthalmology technician. During that period of time, he performed his duties in a superb manner. For the past year, he has been the Noncommissioned Officer in Charge in Ophthalmology and Optometry. Specialist Myers is a hard working, intelligent, dedicated soldier who would compliment any hospital staff.

Charles A. Peck Jr.
CHARLES A. PECK, M.D.
COL, MC
Deputy Commander for Clinical Services



DEPARTMENT OF THE ARMY

THIS IS TO CERTIFY THAT THE SECRETARY OF THE ARMY HAS AWARDED

THE ARMY COMMENDATION MEDAL

TO SPECIALIST FOUR VINCENT A. MYERS

For meritorious service while assigned to the EENT Service, Kimbrough Army Community Hospital, Fort George G. Meade, Maryland during the period 12 August 1981 to 25 July 1983. Specialist Four Myers distinguished himself with outstanding performance and responsive leadership. Specialist Four Myers' knowledge and experience in both technical and administrative functions, coupled with a natural aggressiveness and willingness to accept responsibility made him an invaluable asset to the operation of the EENT Service both in the clinic and operating room setting and contributed immeasurably to successful accomplishment of the mission. Specialist Four Myers' devotion to duty and professional competence is inkeeping with the highest traditions of military service. Specialist Four Myers' performance of duty reflects great credit upon himself and the United States Army Medical Department Activity and the United States Army.

GIVEN UNDER MY HAND AND THE SEAL OF THE ARMY AT WASHINGTON, D.C.
THIS 1st DAY OF October 1983

Joe B. Hick
JOE B. HICK, M.D., Colonel, Medical Corps
Commanding



John M. Marshall Jr.
JOHN M. MARSHALL, JR.
Secretary of the Army



DEPARTMENT OF THE ARMY
US ARMY MEDICAL DEPARTMENT ACTIVITY, FORT GEORGE G. MEADE
FORT GEORGE G. MEADE, MARYLAND 20755

HSXR-SU

31 January 1984

SUBJECT: Letter of Recommendation for Specialist Four Vincent Myers

1. I have had the pleasure of working with SP4 Vince Myers in the Ophthalmology Clinic at Fort Meade, Maryland for the past year. He has consistently demonstrated a high level of intellectual ability. His capacity to master new skills and augment his fund of knowledge has been frequently demonstrated. He has developed expertise in managing patients, including performance of visual screening, applanation tonometry, Goldman visual fields, fundus photography and also as a surgical assistant. He is diligent and resourceful in accomplishing his various assignments.

2. SP4 Vince Myers would definitely be a great asset in any ophthalmological facility, whether in a clinic or hospital setting. I can strongly recommend him as a very capable and talented individual.

CF:
Military Personnel Folder

Brad R. Hobbs M.D.
BRAD R. HOBBS, M.D.
CPT, MC
Chief of Ophthalmology
KACH, FGCM, MD 20755



DEPARTMENT OF THE ARMY
US ARMY MEDICAL DEPARTMENT ACTIVITY, FORT GEORGE G. MEADE
FORT GEORGE G. MEADE, MARYLAND 20755

HSXR-SU

7 February 1984

SUBJECT: Letter of Appreciation for Specialist Four Vincent A. Myers

To Whom It May Concern:

1. I have had the distinct pleasure of working with SP4 Vincent Myers in the Eye Clinic at Kimbrough Army Community Hospital where he served as an Ophthalmic Technician for more than two years. I have always found this young man extremely willing to accomplish clinical and military tasks with enthusiasm and expertise. He consistently demonstrated his capability of mastering new clinical skills and routinely performing visual screenings, applanation tonometry, visual field testings, fundus photography, and fluorescein angiography. He also has an unique concern and willingness to offer assistance in patient management. SP4 Myers has also demonstrated his leadership potential; setting a good example for his subordinates while in charge of the Optometry Clinic. His military, ethical, and moral standards are of the highest quality.

2. These unique qualities of SP4 Myers make him an invaluable asset; and these contributions reflect great credit upon himself and the United States Army.

3. A copy of this correspondence will be placed in his Official Military Personnel Folder.

Stephen M. Stralka
STEPHEN M. STRALKA, O.D.
CPT, MSC
KACH, FGCM, MD 20755



15 East Main Street
Westminster,
Maryland 21157
(410) 848-7272
(410) 878-8550

May 17, 1995

To Whom It May Concern:

I have known Vincent Myers for over three years as a downtown Westminster business owner. During this time period, I have watched carefully as Mr. Myers developed his business from a one man sole proprietorship on the back lot of Main Street to a thriving shop with a busy full-time staff with store front exposure.

Mr. Myers may not have a "conventional" product but his product is undeniably growing in popularity in all segments of the population from professional adults to college students. As an arts administrator who runs a full-time successful non-profit gallery, I would additionally add that Mr. Myers takes a highly artistic approach to his work. Additionally, he has inspired other artists in developing a distinctive style of their own through internships.

Mr. Myers' approach to creating a unique style has won international and national awards in the tattoo industry which is a remarkable achievement. This is especially true when considering the fact that his base of operation is not a major urban center.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

Hilary Hatfield
Hilary Hatfield
Executive Director

Affiliated with:



Recreation & Parks
Department
of Carroll County



HHH/wm

Pat No 6



Rollerblading
Coolest thing on wheels
in Ocean City this summer A3

Flight 103
Jury says Pan Am
guilty in explosion A5

Scalping
Orioles want ticket
brokers stopped B1

Carroll County Times

Saturday, July 11, 1992 Westminster, Maryland 35 cents

Therapeutic recreation



Niki Rurley practices her footwork behind aerobic instructor Michelle Amert during a presentation by the Four Seasons Aerobic Express Friday at The Day at the Carroll County Center.

Trading trash

County let hauler dump for free in exchange for picking up recyclables

By ROBERT LITTLE
Times Staff Writer

Carroll County officials allowed hundreds of tons of trash to be dumped in county landfills at no charge over the last four months as a way to fund the county's recycling effort.

From March to late June, Phoenix Recycling Inc. dumped 1,500 tons of waste — including garbage from surrounding counties — without having to pay \$22,500 in county fees, landfill records show. The company dumped almost as much waste as the roughly 1,600 tons of county recyclables collected over the same period.

Officials say the deal was struck as a trade-off to save the county's recycling program, whose goal is to "reduce our waste stream and extend the life of our landfills," according to a county press release. Many county officials defend the agreement. But they acknowledge that as a result of it the county saved almost no landfill space during four months of collecting and sorting recyclables from county residents.

"I can't argue the point. Naturally it is taking up landfill space," said Commissioner Elmer Lippy, who approved the deal along with commissioners Donald Dell and Julia Gouge. The agreement was sealed during closed negotiations held to work out a five-year recycling contract with Phoenix.

Lippy admitted the arrangement seemed to "defeat the intent" of recycling but said the county needed to make a deal to keep Phoenix from leaving the county. But officials for Phoenix say the recycling contract with Phoenix and more concerned the company could fold before the deal was finished.

"I guess it won't probably be that good for the public image. It would seem over the last four months our recycling effort... has been negated," Lippy said. The way it turned out it was to the benefit of the county.

"No taxpayer money was involved, and our recycling effort is still there," Dell and Gouge were away at a convention this week in Minneapolis and could not be reached for comment.

Before a \$225,000 county contract with the company took effect July 1, Phoenix processed recyclable materials from the county's collection bins and some trash haulers for free. The company processed about 2,000 tons a month from Carroll, Baltimore and Howard counties and sold the materials to recycling plants.

But officials for Phoenix say the market for recyclables dropped so much that the business was no longer profitable. The company told the commissioners early this year it could no longer accept county recyclables without being paid.

"What happened was we weren't Please see Recycle, A11

Owners hope to rebuild burned-out roller rink

By SEVERE MARY
Times Staff Writer

Sportsman's Hall Roller Skating Center in Upperco, Md., burned to the ground last month in an arson fire, but owners are hoping to rebuild it.

One of the owners, Agnes Moorfoot, is trying to resurrect the rink which had provided fun for families in the area since 1967.

Harry Moorfoot said Friday. Staying at his son Larry's home in Hampstead, Moorfoot said while he

"I can't promise people, but we're going ahead with something is going for us," Harry Moorfoot, rink owner.

cannot promise people that the rink will be rebuilt, he is making plans to see what can be done.

"We've had so many people calling us and kids trying to start funds to rebuild," he said. "But we're waiting to hear from our insurance company, because the outcome of the settlement will determine if we can put the rink back."

Moorfoot said the building was insured by Lloyd's of London for \$1 million and the contents for \$300,000. However, he would the center according to today's building standards.

Please see Rink, A11

Gala '90s picnic Union bridge raising funds to renovate Pump House

By JOANNE E. MORVAY
Times Staff Writer

Union Bridge residents trying to raise money for the town's new office are helping to fund a fundraising picnic and picnic on the right bank of the river.

The event is scheduled for noon to 5 p.m. on Sept. 13. Planned activities include tours of historic homes inside and outside of town, a bazaar, and a picnic. The picnic will be held at the Pump House, which is being renovated by the town.

The town is hoping to raise funds to renovate the Pump House, which is being renovated by the town.

The town is hoping to raise funds to renovate the Pump House, which is being renovated by the town.

Still taboo?

Tattooist trying to change image of his life's work

By MICHAEL PRITCHARD
Times Staff Writer

Little Vinnie's Tattoo shop is hidden on an upper deck next to Winchester Exchange in Westminster. Thirty-year-old Vincent Myers opened the small shop there about a year ago.

The tattoo industry has long been considered somewhat taboo, and stereotypes of unprofessional needle-poking men taking advantage of clients in the darkest hours of the night.

But Myers, of Baltimore, has done his best to fight off these attitudes and maintain a clean, professional business in a conservative community. To put it bluntly, not everyone wants the business here.

Myers eyed the bare white skin of the reporter interviewing him like a potter with a fresh lump of clay. The possibilities were endless.

There were visible tattoos on Myers' arms. Still, he could have passed for an optometrist or teacher, two professions he's considered. He was polite and articulate.

Tattoo artist Vincent Myers works on a red-tailed hawk tattoo for Alan Hawkins of Westminster.

Myers said he had a tattoo of a hawk on his arm. He said he had a tattoo of a hawk on his arm. He said he had a tattoo of a hawk on his arm.

Weighty matters

Overeaters Anonymous help themselves, each other

By SANDRA SKORON
Times Staff Writer

BALTIMORE — For most people, a diet is a way of life that helps them emotionally and spiritually, said Maureen, of Phoenix, who said she had a weight problem. She said she had a weight problem. She said she had a weight problem.

Overeaters Anonymous is a group of people who help themselves and each other. They are a group of people who help themselves and each other. They are a group of people who help themselves and each other.

Overeaters Anonymous is a group of people who help themselves and each other. They are a group of people who help themselves and each other. They are a group of people who help themselves and each other.

Md. 32 will need upgrades by 1995, traffic study says

By TOM GUAGNINI
Times Staff Writer

SYKESSVILLE — A State Highway Administration traffic study for the town shows that by 1995, an upgraded four-lane Md. 32 will be needed to handle increased traffic caused by development.

Town Manager Jim Schmacher said the study was done to address future traffic problems from growth before the problems occur. Many growing communities do not address traffic problems until it is too late, he said.

Although the agency conducts the study, the study states there is no funding available at this time for the improvements. The state highway administration did not include in its study how much the improvements would cost.

The highway administration, which is responsible for Md. 32 and intersections studied accidents in the area, traffic signals, traffic patterns, intersection operations and roadway characteristics before preparing its four-page summary — including a map — of Sykesville's future transportation needs.

From the Md. 32/Springfield Avenue intersection to Main Street and the Patuxent River, the administration's Traffic Operations Center reported 41 accidents in 1989, 32 in 1990 and 44 in 1991. These statistics aided the administration in its conclusions, said Chuck Brown, a spokesman for the state department.

Intersections with Md. 32 and Md. 851 (Springfield Avenue), Main Street/Cooper Street, Rainville Road/Sandoy Road, College Road, Md. 851 (Main Street) and Obrecht Road were evaluated. All were found to be operating in an efficient manner, according to the study.

But by 1995, with increased development surrounding the town, three of the intersections studied will be operating under poor traffic conditions and long delays, particularly during rush-hour traffic in the morning and late afternoon, the study predicted. These intersections are Md. 32/Springfield Avenue, Md. 32/Rainville Road/Sandoy Road and Md. 32/Md. 851 (Main Street).

The administration proposed upgrading the existing shoulders on Md. 32 from south of College Road to north of Obrecht Road into lanes. This would provide for two through lanes of traffic.

Other proposed improvements to the area include the addition of a right-turn lane southbound on Md. 32 at the intersection of Rainville Road, a right-turn lane on the northbound side of Md. 32 and the addition of two approach lanes on Rainville Road. All these improvements have been proposed by the developer of the Mt. Etna Business Park, the study said.

The study also suggested the widening of Sandoy Road at Md. 32 for a three-lane approach. Obrecht Road, controlled by Carroll County, has been slated for an extension to Md. 32 north of Springfield Avenue. Construction is planned for spring 1994.

The extension would realign Obrecht Road to connect to Md. 32. The portion of Obrecht Road leading into Sykesville would become part of Third Avenue.

Rink

From A1

dards will cost about \$125 million, he said.

"As soon as I find out what I can do I will do something. We hope to get something up by Christmas, but I don't think we will the way things are going," Moorfoot said. "So maybe the first part of next year we will, if we do it at all. It all depends on how the insurance company treats us."

Moorfoot plans to meet with his insurance agent today to go over the center's inventory. But he said a decision on whether to rebuild the rink will not be made until the insurance company has agreed to pay for the rebuilding.

On Md. 30 just north of Hampstead in Baltimore County was destroyed in the pre-dawn hours of June 21. John P. Moorfoot, 55, a resident of the center, who escaped from the Rosewood Center, a state facility for the developmentally disabled, was grazed and charged with setting the blaze.

Ten fire companies from Carroll County and Baltimore County firefighters battled the blaze from 5 to 7 a.m. In addition to the center, the fire also destroyed one of the Moorfoot's residences, three vehicles and several pine trees.

Moorfoot said when he and his wife arrived at the scene of the fire, they were touched by the warmth and caring people showed them.

"We've just been overwhelmed by the people in Baltimore and Carroll County and we want to thank the fire companies and the people in the community for their help," he said. "The rink burned on Sunday morning and we didn't get there until 5 p.m. that evening, but the parking lot was full of people who came up and hugged us."

My wife said she'd never seen that many people crying at a funeral. We saw this, strong men, some of them 50 to 60 years old, standing there crying. And she said, 'Moorfoot said, "Most people have a die before people express their feelings towards them, but she said, 'burned and I'm still here and I found out how the community feels toward me. It really touches you.'"

Moorfoot said he also had received calls from colleges and family members across the country who learned of the fire.

"A lot of people we don't know, but this rink was known all over the United States," he said. "I've been in the skating business 33 years and have met operators from all over the United States and foreign countries."

The rink community referred to in the study circles the "skating rink in the middle of four communities," got that nickname because of the community that surrounded it on all sides.

Moorfoot, 72, said he thinks he is too old to rebuild it, but he plans to try. "I want to leave it back to the community, but I'm really too old to do it," he said.

He said he should be getting away from it, but if at my age I can still do good for the community, then that's what I want to do."

However, Moorfoot said he will not be able to duplicate the building destroyed by the fire because of new building regulations.

"Building codes have changed and until recently we fell under a grandfather clause," he said. "Right now I'm talking with six different contractors and we've even talked to the man who built 12 rinks for the State and people in Baltimore."

He said one thing about the skating center that will not change is the floor — it will be wood just like its predecessor.

In a March 12 letter signed by all three commissioners, the county agreed to let Phoenix dump the 1,500 tons of "residual materials" into county landfills at no charge. Residual material, or residue, is trash the company sorts out of the recyclables it receives.

In exchange, Phoenix promised to build "a like amount of the county's recyclable materials at its Finksburg facility."

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Veteran honor mayor

David Tilman photo

Joseph Kane, Post Department Commander of the Disabled American Veterans and members of local D.A.V. Chapter No. 22 present Westminster Mayor Ben Brown with a plaque in honor of his work for veterans.

D.A.V. members present for the ceremony were, in order, Norman Walt, Stanley Stanton, J.B. White, Godfrey Miller, Lamore Otto (D.A.V.), Russell Shaffer, and Eva Owens (D.A.V.).

Overeaters

From A1

heated and caught on fire. I didn't pull over because I didn't want anyone to point out that fat lady with car problems. So I drove to work and then got help, but I really damaged my car," said Alice, 45, of Baltimore, an 18-year member, who met her husband, Sam, at an Overeaters Anonymous meeting.

One of the group's biggest fans is advice columnist Abigail Van Buren, who first mentioned the group in her advice column, "Dear Abby," when Overeaters Anonymous was founded 2 years ago.

"Up until that time, we would get maybe a few letters a day. Because of her column we got 1,000 letters.

Recycle

From A1

making any money. You can't do what we do for free," said Jack Haden, operator and former owner of Phoenix Recycling.

Haden said his company was losing a "significant amount of money" by collecting recyclables for free so he approached county officials and asked them to begin paying \$20 to \$25 a ton for the materials he now in.

"I was told that the county didn't want to shut down, but they want to have any money either," said Haden. "We all wanted the good intentions of the programs that were already started to continue."

The amount Haden needed to charge to stay in the recycling business was more than the cost of dumping waste in a landfill. Some county officials were concerned that haulers could stop recycling trash and dump it to save money, he said.

According to County Attorney Chuck Thompson, the commissioners waived Phoenix's "tipping fee" for the 1,500 tons of garbage to avoid paying Phoenix cash before the new recycling contract took effect.

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Weather

Today: partly sunny, hot and humid, with a 30 percent chance of a late day shower or thunderstorm. Highs in the mid- to upper 90s.

Complete weather, A2.

For home delivery call 876-1500 or 848-1611.

Tattoo

From A1

expression. Among other things, it features a flying carpet.

It was a way to help him further career and a way for me to get some nice tattoo work," Waugh explained. He affectionately calls the piece "goat" because when people pass him at the beach they often say, "Oh my god."

"People are amazed by it. They haven't seen anything like this," Waugh said, adding that he would like to have more tattoos.

For regular customers it would have been a \$5,000 job. Myers charges a flat rate, often spending hours creating a design. The average tattoo costs about \$75.

His clientele varies, from 18-year-olds (the legal age) right out of high school to female professionals at the county office building. Waugh and the American flag are popular requests.

Still, there are the unique "leaves," some displayed in photo albums. One client had the Oriole bird insignia and 100 WGRB logo tattoos on his posterior. It was a gimmick to get free tickets from the radio station to the team's last game at Memorial Stadium.

The permanent tattoos are not for everybody and are expensive to have removed by the latest laser technology.

And with a love for the lad often comes some discrimination. "People automatically think you're a certain type of person," Waugh said. They don't deal with the real person.

Myers is trying to change that.

Sunday Brunch

at
VIN'S WESTMINSTER
40 VILLAGE SHOPPING CENTER
10:00 A.M. - 2:00 P.M.

Experience The Delights Of Our Grand Buffet

Our Chef's Buffet featuring a variety of Home-made Casseroles

Delicious Homemade Bread

Assorted Desserts, Brakies, etc.

Gourmet Coffees and Eaux-de-Vie

ALL FOR \$9.95 Plus Tax
Children Under 12 - 5.95 Per Person
Children Under 5 - FREE

VISA, MASTERCARD AND DINERS ARE ACCEPTED

Morning Drinks and Soft Drinks Available

RESERVATIONS SUGGESTED

For More Information
876-1500 or 848-1611

facilities were on hand or would be provided to provide a residence on the second floor for 416 York Road for an employee of the business, if that were required in order to meet the requirements of any Zoning Regulation definition.

The Petitioners also submitted a copy of the Towson Community Plan adopted by the County Council February 3, 1992 and furnished a copy of the prior decision of the Zoning Commissioner in Case Number 93-260-SPH as well as the listings from the Bell Atlantic Greater Baltimore Metropolitan Area, November 1994 through October 1995, for beauty salons and tattooing to demonstrate the existing shops in Baltimore County. Mr. Myers offered testimony that in certain beauty shops in Baltimore County cosmetic tattooing, which he defined as installation of permanent colored makeup for eyeliner, lip liners, or eyebrows, was currently offered in Baltimore County, which would be installed in the same manner as his tattoos, albeit with perhaps less artistic design.

He further testified that not only beauty shops as an accessory function but also stand alone nail salons, some of which were located in the Towson-York Road corridor, provided the application of art design on nails similar to the designs proposed by him to be installed via tattoo.

Finally, Petitioners offered excerpts from two different encyclopedias on tattooing, demonstrating the length of time tattooing has been done and the breadth of the portions of the

earth where tattooing is done, virtually around the world.

He further offered dictionary definitions for beauty and beauty shops, lithographing, and printing shops, as well as print. Mr. Myers offered anecdotal testimony concerning the historical location of tattoo parlors within or next to barber shops.

Issues For Decision

Do the proposed uses comport with uses permitted of right in a BM-CT zoned district by function as defined in the Baltimore County Zoning Regulations, alone or in combination; as a corollary, do the uses proposed comport with other uses defined and permitted in BM-CT districts in accordance with custom and practice and prior decisions of the Zoning Commissioner for Baltimore County.

Argument

The issue squarely presented for determination by the Zoning Commissioner is whether the requested uses of the Petitioners for the functions proposed to be done comport exactly with permitted uses of right within the zone in question, in this case BM in a CT district for town center, where the Baltimore County Zoning Regulations definitions, Section 101, does not define a word or term when that same section at its beginning provides that "...such words shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged, per Bill 149 (1987)."

A residential art salon is defined in the Zoning Regulations. However, neither a "...beauty or barber shop; or printing, lithographing or publishing plant employing less than 25 individuals..." are defined in the Zoning Regulations.

The answer to the question raised requires interpretation of the Zoning Regulations to see if uses permitted of right in the BM-CT zone and district are similar in type and function to those proposed by the Petitioners for a use not therein defined.

Professor Anderson, in the American Law of Zoning, Section 12.02, "Maxims of Construction", states:

"Zoning ordinances 'are in derogation of the common law and operate to deprive an owner of property of a use thereof which would otherwise be lawful, and should be strictly construed in favor of the property owner.' This statement of the rule, or some variation of it, is widely accepted and frequently repeated and applied in zoning litigation.³ In its simplest and most literal application, the rule of strict construction leads the court to a very narrow construction of a word or phrase used to describe a use which is prohibited in a particular zoning district. Where, for example, a zoning ordinance proscribed the use of land for a 'cement' mixing plant, the Supreme Court of Pennsylvania held that a 'concrete' mixing plant was not a prohibited use. Replying to the municipality's argument that the general public did not distinguish between cement and concrete, the court said:

'In so specific a writing as a municipal ordinance, words are to be taken at their lexicographical value and not as they appear in the umbrage of slovenly colloquialisms.'⁴

³ Little Rock v. Andres, 237 Ark 658, 375 SW2d 370 (1964).

⁴ Zoning laws which curtail and limit uses of real property, must be given a strict construction, since they

are in derogation of common law rights, and their provisions may not be extended by implication." Alrequist Mfg. Co. v. Gardner, 235 NYS2d 610 (1962, Sup).

³ Robinson v. Lintz, 101 Ariz 448, 420 P2d 923 (1966); Kubby v. Hammond, 68 Ariz 17, 198 P2d 134 (1948); Moffat v. Forrest City, 234 Ark 12, 350 SW2d 327 (1961); Jones v. Board of Adjustment, 119 Colo 420, 204 P2d 560 (1949); 410 East 102nd Street Corp. v. Murdock, 285 NY 298, 34 NE2d 329 (1941); DeMarco v. Fitzgerald, 20 Misc 2d 457, 190 NYS2d 939 (1959); rev'd on other grounds 10 App Div 2d 887, 201 NYS2d 214, rev'd on other grounds 11 NY2d 775, 227 NYS2d 24, 181 NE2d 767; Cauvel v. Tulsa, 368 P2d 660 (1962, Okla); Lane County v. R. A. Heintz Constr. Co., 228 Or 152, 364 P2d 627 (1961); Cleaver v. Board of Adjustment, 414 Pa 367, 200 A2d 408 (1964); Peterson v. Zoning Board of Adjustment, 412 Pa 582, 195 A2d 523 (1963); Fidler v. Zoning Board of Adjustment, 408 Pa 260, 182 A2d 692, 97 ALR2d 697 (1962); Thomas v. Zoning Board of Adjustment, 241 SW2d 955 (1951), Tex Civ App; Murphy Motor Sales, Inc. v. First Nat. Bank, 122 Vt 121, 165 A2d 341, 82 ALR2d 985 (1960); Pearson v. Evans, 51 Wash 2d 574, 320 P2d 300 (1958); Missionaries of Our Lady of La Salette, 267 Wis 609, 66 NW2d 627 (1954).

⁴ Peterson v. Zoning Board of Adjustment, 412 Pa 582, 195 A2d 523 (1963).

It must be undisputed that tattooing antedates any known zoning ordinances in Baltimore County, or presumably the world, since tattooing has been dated back to examples of tattoos, usually depicted or discovered thousands of years B.C.

As Professor Anderson points out, zoning is permitted as an exercise of the police power and there is no fundamental objection to zoning laws and ordinances so long as they are reasonable in their scope and operation and applied without unnecessary discrimination. City of Baltimore v. Cohn, 204 Md 523, 105 A2d 482 (1954).

Further, zoning ordinances or regulations concerned with the use of property and not with the ownership thereof, or with the purposes of the owners or occupants. City of Baltimore v. Poe, 224 Md 428, 168 A2d 193 (1961).

Zoning should never be allowed or disallowed on the basis of a plebiscite of the neighborhood. Neuman v. City of Baltimore, 23 Md.App. 13, 325 A2d 146 (1974). Quinn v. County Commissioners of Kent County, 20 Md.App. 413, 316 A2d 525 (1974).

Further, distinctions have been and should be drawn between master plans and comprehensive zoning in interpreting permitted uses. Howard County v. Dorsey, 292 Md 351, 438 A2d 1339 (1982).

As the Zoning Commissioner properly noted at the time of the hearing, assuming arguendo, that there was something in the Towson Community Plan as enacted by the County Council in 1992 having to do with any of the proposed uses, that would be of secondary or no import or assistance to him where the issue before him was simply a determination of whether the uses requested were permitted in the zone and district of BM-CT for the functions proposed. Board of County Commissioners of Cecil County v. Gaster, 285 Md 233, 401 A2d 666 (1979).

To deal with a comparative analysis of the functions proposed, there were several proposed by the Petitioners. The first involved the artistic design, development and creation of

works of art. Those are done and permitted in residential art salons, art studios, and are prominently displayed up and down the York Road corridor as works of art in various book stores, craft and art collectible stores. Second, the production by printing or lithography of faithful replications to create commercial "flash" for display or resale is clearly a printing and production function, and the Petitioner presently utilizes one of the many vendors of that service right in the town center of Towson on Chesapeake Avenue just west of York Road.

By reviewing the inventory of existing uses up and down York Road, as well as those located within a block to the East and West, Print-O-Stat, Sir Speedy, Kinko's and Towson Copy Service all offer the same type of reproductive and printing services which form one component of the Petitioner's proposed business at this site.

The application of artistic design to parts of the body are routinely done at nail salons and beauty salon, either directly or as an accessory use, and those are located in the town center on Chesapeake Avenue as well as York Road.

Further, the rebutted, unrefuted and indisputable testimony of the Petitioner was that within Baltimore County in beauty salons cosmetic tattooing is presently being done for eyeliner, eyebrow definition, as well as lip definition; and that those applications are done with the same techniques as he would

utilize to do a tattoo. The piercing function is and has been done at jewelry stores which sell earrings, nose rings, etc.

He further testified that historically tattoo artists were co-located with barber shops.

Therefore, and in keeping with long time County custom within the office of the Zoning Commissioner, where uses requested are not separately or specifically defined in the Zoning Regulations, the Zoning Commissioner's office has looked to the use or function in accordance with the legal authority aforesaid and has been mindful of the limitations on zoning in derogation of the common law right which favors the use of property to interpret the regulations to carry out the comprehensive scheme intended by the legislature.

The next point to be made is that, while residential art salons are permitted in numerous zones, in the absence of a specific provision to the contrary, generally zoning districts having less restricted uses permit uses of the more restricted use districts. Marin v. Mayor & Aldermen of Annapolis, 248 Md 351, 237 A2d 728, 49 ALR 3d 1138 (1968). As applied, by example, a use such as residential art salon subject to Baltimore County Zoning Regulations, Section 402, when proposed for residential zones are permitted of right in more intense BL or BM zones.

Where the legislature has acted to exercise the zoning authority as a police power to require the elimination of a

particular use within a time certain subsequent, those specific actions have been upheld where the evidence sustained a finding that junk yards were incompatible uses within residentially zoned areas. Shifflett v. Baltimore County, 47 Md 151, 230 A2d 310 (1967). In that case the Court of Appeals found that, "...junk yards are not a nuisance per se and the use of property for such purpose is not in itself unlawful." Shifflett (supra) at 312.

The legislation enacted by the Baltimore County Council proscribed the continued location and operation of junk yards in residential zones and the Court of Appeals found significant that under the existing zoning regulations junk yards were separately permitted under more intense use zones, V12, manufacturing heavy zones by special exception, at the time. Shifflett (supra) at 314.

The significance of that decision to the issue before the Commissioner in this case is that there are no state or federal or local laws proscribing or prohibiting tattoo art and design studios as permitted uses in any zone. Because such shops antedate the imposition of any scheme of comprehensive zoning with designation of uses by zone is significant not only that the legislature has not seen fit to act, but is further significant since the Zoning Commissioner has previously found such a use to be in accordance with the definition of a residential art salon in the case of Gypsy Tattoo Parlor, which was located in a less intense zone, a BL-CS1, than BM-CT, in Case Number 93-260-SPH, the request of the



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at
CHADWICK MANOR SHOPPING CENTER
Southeast Corner of Security Boulevard and
Brookdale Road
which is presently zoned BL-CNS
DR. 5.5

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 Variance from Section(s)
SEE ATTACHED SCHEDULE "A"

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The property and/or improvements thereon are unique and without the requested variances, the subject property is not capable of being developed as contemplated, thereby creating practical difficulty or hardship with regard to developability. The granting of this variance will not result in injury to public health, safety or welfare.

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.

Signature of Petitioner
Signature of Zoning Commissioner
Signature of Attorney for Petitioner
Signature of Legal Owner

Michael E. Marino, Esquire
609 Bosley Avenue (410) 821-6633
Towson, Maryland 21204

ORDER RECEIVED FOR FILING
Date 11/15/95
By [Signature]

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 10/15/95
Posted for: Chadwick Manor Shopping Center
Petitioner: Michael E. Marino, Esquire
Location of property: S/S Security Blvd - W/S Rolling Rd.
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 10/13/95
Number of Signs: 1

MICROFILMED

CHADWICK MANOR SHOPPING CENTER

VARIANCES

- VARIANCE FROM SECTION 409.2.b. (3) (4), (5), & (6) (BCZR 1955, BILL NO. 18-76) TO PERMIT 721 PARKING SPACES IN LIEU OF 911 PARKING SPACES REQUIRED.
- VARIANCE FROM BCZR - SECTION 413.2.E. TO PERMIT TWO SHOPPING CENTER I.D. SIGNS, AS FOLLOWS:
(a) ONE EXISTING DOUBLE-FACED SIGN, 360 SQUARE FEET IN LIEU OF 150 SQUARE FEET ALLOWED (SIGN 'A').
(b) ONE EXISTING DOUBLE-FACED SIGN, 160 S.F. IN LIEU OF 150 SQUARE FEET ALLOWED, LOCATED ACROSS FROM A RESIDENTIALLY ZONED TRACT, NOT LOCATED ON AN OFFICIALLY RECOGNIZED THOROUGHFARE (SIGN 'D').
- VARIANCE FROM BCZR - SECTION 413.2.F. TO PERMIT THREE (3) "OTHER BUSINESS SIGNS" THAT TOTAL 420 SQUARE FEET IN LIEU OF THE TOTAL 100 SQUARE FEET PERMITTED IN A BUSINESS ZONE, AS FOLLOWS:
(a) ONE EXISTING DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'B').
(b) ONE PROPOSED DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'O').
(c) ONE PROPOSED DOUBLE-FACED SIGN, 140 SQUARE FEET (SIGN 'P').
- VARIANCE FROM BCZR - SECTION 413.1.E. TO PERMIT FOUR (4) DIRECTIONAL SIGNS WHICH EXCEED 15 SQUARE FEET EACH IN SIZE, CONTAINING ADVERTISING MATTER, AND THREE (3) OF WHICH ARE ILLUMINATED, AS FOLLOWS:
(a) ONE EXISTING SINGLE-FACED ILLUMINATED 36 SQUARE FEET SIGN (SIGN 'E').
(b) ONE EXISTING SINGLE-FACED ILLUMINATED 32 SQUARE FEET SIGN (SIGN 'F').
(c) ONE EXISTING DOUBLE-FACED ILLUMINATED 36 SQUARE FEET SIGN (SIGN 'G').
(d) ONE EXISTING DOUBLE-FACED NON-ILLUMINATED 23 SQUARE FEET SIGN (SIGN 'H').

ORDER RECEIVED FOR FILING
Date 11/15/95
By [Signature]

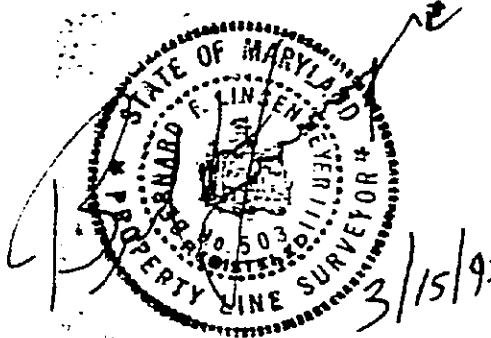
March 15, 1995

CHADWICK MANOR SHOPPING CENTER DESCRIPTION TO ACCOMPANY ZONING PETITION (for Zoning Purposes Only)

Beginning at a point approximately 55 feet north of the intersection of Newcastle Road and Fairbrook Road, thence running the following twenty (20) courses and distances:
1. South 84°21'40" West, 35.33 feet, more or less, to a point; thence,
2. North 50°41'30" West, 95.00 feet, more or less, to a point; thence,
3. 282.74 feet curving to the left, having a radius of 180.00 feet, more or less, to a point; thence,
4. South 39°18'30" West, 171.89 feet, more or less, to a point; thence,
5. 47.84 feet curving to the right, having a radius of 168.85 feet, more or less, to a point; thence,
6. North 34°27'30" West, 121.46 feet, more or less, to a point; thence,
7. North 86°57'00" West 62.39 feet, more or less, to a point;
8. North 59°21'50" West 175.00 feet, more or less, to a point;
9. North 30°38'10" East 123.54 feet, more or less, to a point;
10. North 07°06'00" West 105.55 feet, more or less, to a point;
11. 344.88 feet, curving to the left, having a radius of 290.00 feet, more or less, to a point; thence,
12. North 14°45'40" East 223.61 feet, more or less, to a point;
13. South 75°14'30" East 175.00 feet, more or less, to a point;

Page 2
CHADWICK MANOR SHOPPING CENTER
DESCRIPTION TO ACCOMPANY ZONING PETITION
(for Zoning Purposes Only)
March 15, 1995

- North 14°45'40" East 160.00 feet, more or less, to a point;
 - South 75°14'20" East 468.94 feet, more or less, to a point;
 - 214.43 feet, curving to the right, having a radius of 239.00 feet, more or less, to a point; thence,
17. South 14°44'40" East 63.52 feet, more or less, to a point;
 - South 75°15'20" West 172.05 feet, more or less, to a point;
 - South 16°04'00" East 245.34 feet, more or less, to a point;
 - 346.43 feet, curving to the left, having a radius of 735.00 feet, more or less, to the point of beginning.
- Containing approximately 14.09 acres, more or less.



CERTIFICATE OF PUBLICATION

TOWSON, MD. 9/24, 1995
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 9/28, 1995.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management

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/neighbors 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:

- Posting fees will be assessed and paid to this office at the time of filing.
 - 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.

[Signature]
ARNOLD JADLON, DIRECTOR

For newspaper advertising:

Item No.: 96
Petitioner: Chadwick Manor Shopping Center
Location: corner of South side of Security Blvd, West side of Rolling Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Michael E. Marino, Esquire
ADDRESS: 609 Bosley Avenue
Towson, MD 21204
PHONE NUMBER: (410) 821-6633

AS-998

MICROFILMED

(Revised 04/09/93)

TO: JEFFERSON PUBLISHING COMPANY
September 28, 1995 Issue - Jeffersonian

Please forward billing to:

Michael E. Marino, Esq.
609 Bosley Avenue
Towson, MD 21204
821-6633

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: 96-106-1A (Item 96)
Chadwick Manor Shopping Center
corner S/S Security Boulevard and W/S Rolling Road
1st Election District - 1st Councilmanic
Legal Owner: Chadwick Manor Shopping Center
HEARING: MONDAY, OCTOBER 23, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Exception to permit 4 outdoor advertising signs in a B.L. zone.
Variance to permit 721 parking spaces in lieu of 911 parking spaces required; to permit two shopping center I.D. signs; one existing double-faced sign, 360 square feet in lieu of 150 square feet allowed (Sign "A") and one existing double-faced sign 160 square feet in lieu of 150 square feet allowed, located across from a residentially zoned tract, not located on an officially recognized thoroughfare (Sign "D"); to permit three other business signs that total 420 square feet in lieu of the total 100 square feet; one existing double-faced sign 140 square feet (Sign "B"); one proposed double-faced sign 140 square feet (Sign "O"), and one proposed double-faced sign 140 square feet (Sign "P"); and to permit four directional signs which exceed 15 square feet each in size, containing advertising matter, and three of which are illuminated: one existing single-faced illuminated 36 square feet sign (Sign "E"), one existing single-faced illuminated 32 square feet sign (Sign "F"), one existing double-faced illuminated 36 square feet sign (Sign "G"), and one existing double-faced non-illuminated 23 square feet sign (Sign "H").

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 NUM/CR HEARING, PLEASE CALL 887-3353.

12 ID
only

Consumer Information at Your Fingertips • See Selected Yellow Pages Heading

1970 = the year of publication
1971 = the year of the first edition
1972 = the year of the second edition
1973 = the year of the third edition
1974 = the year of the fourth edition
1975 = the year of the fifth edition
1976 = the year of the sixth edition
1977 = the year of the seventh edition
1978 = the year of the eighth edition
1979 = the year of the ninth edition
1980 = the year of the tenth edition
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As Adopted By The Baltimore County Council on February 3, 1992

Petitioners in this case to locate this use in the most intense retail use district within the town center of Towson raises the following obvious question of: If the statutes are to be narrowly construed and interpreted as urged by the Protestants for the protection of residentially zoned communities beyond the town center, where, if not in the town center, would such a use be properly allowed?

The Court of Appeals dealt with the issue raised by the lessor and lessee of a commercial property in which a board of appeals determined that the present truck use violated a county zoning ordinance. The circuit court reversed the determination of the board of appeals, which judgment was subsequently vacated by the Court of Appeals in Miller v. Pinto, 305 Md 396, 504 A2d 1140 (1986). The use in that case was as a trucking business or facility and an approval had been issued to the landowners and lessee by the zoning authorities. The board of appeals, on objection of a neighbor, found that the petitioner's operation was tantamount to a truck and transfer terminal which was specifically permitted only in the enumerated LI2 district and not in a C1 zoning district where the petitioner's property was located. In deciding that case the Court of Appeals found significant the permit to conduct that use in another zone in determining that the board of appeals had not erred in finding that it was a prior erroneous interpretation by the zoning authorities in advising the

petitioner originally that the use could be conducted in a C1 district.

In a similar vein, the issue of protests brought by property owners who sought to prohibit the operation of a home for mentally retarded adults, which had been previously utilized as a nursing home and as a non-conforming use in Baltimore City, was dealt with in the case of Kastendike v. Baltimore Association for Retarded Children, 267 Md 389, 297 A2d 745 (1972). In its finding the Court of Appeals repeated the general presumption that:

"The general presumption is that all statutes or ordinances are to be given prospective application unless the manifest intention of the enacting body was to the contrary. Unsatisfied Fund v. Bowman, 249 Md 705, 708, 241 A.2d 714 (1968). As we said in Tax Comm. v. Power Company, 192 Md 111, 116-117, 32 A.2d 382, 384 (1943):

"Laws are generally enacted to regulate future conduct and establish the basis upon which rights are thereafter to be predicated; they are not usually designed to change the legal relation of closed transactions, especially if the change would interfere with antecedent rights. It is well settled that a statute will not be given a retrospective operation, unless its words are so clear, strong, and imperative in their retrospective expression that no other meaning can be attached to them, or unless the manifest intention of the Legislature could not otherwise be gratified." Kastendike (supra) at 749.

Finally, in Kowalski v. Lamar, 29 Md.App. 493, 334 A2d 536 (1975), the issue in Baltimore County was whether an adjoining landowner was violating zoning regulations by operating a commercial fishing business in a boatyard in a residential zone.

The Court of Special Appeals found that any use other than those permitted by zoning ordinance and being carried on as of right or by special exception is prohibited. They referred to the uses permitted in the Zoning Regulations for Baltimore County at the time and found that the uses complained of constituted neither a marina nor a boatyard nor a commercial business nor a trade use.

Applying that rationale and analysis to the facts of this case, it is clear that upon a fair consideration of the functions proposed by Mr. Myers at this site, all of the uses, including body piercing for purposes of jewelry which are done at jewelry stores in commercial districts, as well as the other functions, presently exist under different names in the BM zone and CT district surrounding the site.

The dictionary defines beauty as: (2) a beautiful person or thing; (4) a particularly graceful, ornamental or excellent quality. The dictionary defines lithograph as to produce, copy or portray by lithography which itself is defined as the process of printing from a plane surface (as a smooth stone or metal plate) on which the image to be printed is ink receptive and the blank area ink repellent. Print is defined as follows: (1) a mark made by pressure; (3) a reproduction of an original work of art made by a photomechanical process or an original work of art (as a woodcut, etching or lithograph) intended for graphic reproduction and produced by or under the supervision of the artist who designed it.

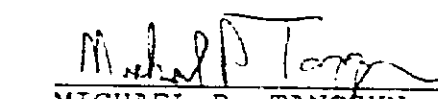
All of these definitions refer to one or more of the Petitioners' proposed functions at this site.

The issue of whether applying art by way of tattoo to human beings has been previously determined by this Commissioner to be a work of art. Works of art are routinely sold at the Tomlinson Craft Collection across York Road, as well as numerous other arts and craft shops located up and down the commercial strip on York Road.

Conclusion

For the points and authorities previously raised, Petitioners respectfully request the Zoning Commissioner to find that the Petitioners have met their burden and that the use requested is by function and/or definition alone or in combination a permitted use of right and direct by Order that a use permit be issued to the Petitioners as requested.

Respectfully submitted,


MICHAEL P. TANCZYN, ESQ.
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204
Telephone: (410) 296-8823
Attorney for the Petitioners

I HEREBY CERTIFY that, on this 9th day of November, 1995, a copy of the foregoing was mailed, postage prepaid, to Justin King, Esquire, President, Greater Towson CCA, 207 East Redwood Street, Suite 1000, Baltimore, Maryland, 21202.


MICHAEL P. TANCZYN, ESQ.

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
E/S York Road, 22' S. of * ZONING COMMISSIONER
Pennsylvania Avenue. *
9th Election District * OF BALTIMORE COUNTY
4th Councilman District *
Legal Owners: Janet Gorfine * Case No.: 96-107-SPH
Oppenheimer, et al. * (Item 98)
Contract Purchaser: *
LVT Dermagraphics, Inc. *
Petitioner *

MEMORANDUM IN OPPOSITION TO PETITIONER'S REQUEST TO APPROVE A TATTOO AND DESIGN STUDIO

The following Memorandum is filed in opposition to Petitioner's Request.

This matter was submitted to the Zoning Commissioner as a request for a Special Hearing to approval a Tattoo and Design Studio as permitted of right in a BM-CT zone. Petitioner seeks this relief, requesting that the proposed use falls within the bounds of barber and beauty shops or a residential art salon, or as a printing, lithographing or publishing plant not employing more than 25 persons. Petitioner seeks permission to operate a tattoo parlor and body piercing salon under the Code Provision Section 230.9 (residential art salon and/or barber and beauty shop), and Section 233.2 (printing, lithographing or publishing plant employing not more than 25 persons).

Clearly, what Petitioner proposes cannot be defined as a residential art salon. Residential art salon is defined as:

A portion of a dwelling unit used for the exhibition and sale of original works of art. For the purposes of these regulations, an "original work of art" shall include a numbered reproduction from a series of no more than 50, which reproduction is individually signed by the artist....

B.C.Z.R., Section 101 (Emphasis Added). There is no credible evidence in the record that the building proposed to house the tattoo parlor is a residence.

A dwelling unit is defined as "[a] building or portion thereof which provides living facilities for one or more families". Id. The only testimony regarding whether the site is a dwelling unit is that a "hot plate" could be provided for heating food and that a bed might be supplied for the shop manager, as a convenience to him in the event he would want to spend the night.¹

A family is defined as follows:

Any number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises....

Id. There is certainly no evidence that the store manager, much less any number of individuals living together, nor anyone else for that matter, is going to be occupying the premises with the intent of establishing a housekeeping unit. A hot plate will not "cook" food and a bed offered for the convenience of the manager indicates that in the event it is necessary due to inclement weather, the lateness of the hour, etc. the manager would have emergency shelter, not a home. Further, there is no evidence in the record that a residential lease or sublease would be provided for the "family" occupying the premises.

Additionally, a portion of the business proposed is not art at all, but rather what is commonly referred to as body piercing. There is no evidence that there is any original work of

¹ Testimony revealed the proposed shop manager is a student at Towson State.

art associated with body piercing. Thus it is clear that the proposed uses do not fall within the definition of residential art salon.

Nor can it be credibly stated that tattooing and body piercing is an activity akin to or an accessory of a barber or beauty shop. Neither barber nor beauty shop is defined by the zoning regulations, however, definitions are found in Webster's Third New International Dictionary. Webster defines barber shop as "a barber's place of business". A barber is defined as:

One whose business is cutting and dressing hair, shaving and trimming beards, and performing related services (as giving facials or scalp treatments or formerly performing dentistry and surgery).

(Emphasis Added). A beauty shop or beauty parlor is defined as:

An establishment or a department in an establishment where hairdressing, facials, and manicures are done.

Finally, facials are defined as "a treatment or massage for the face".

There is no evidence before this Honorable Body that would lend credence to equating the proposed activities of tattooing and body piercing to cutting or dressing hair, shaving or trimming beards, facials, manicures, or even dentistry, done long before the advent of the American Dental Association and accredited dental schools.² Nor is there testimony that such activities are an accessory use to a barber or beauty shop. Certainly there appears to be no similar activity in the one legally operated tattoo

² It is assumed the Petitioner does not seriously argue that barbers continue to practice dentistry or surgery.

parlor in Baltimore County located at 203 Eastern Boulevard. The fact that some shops may offer tattooing or body piercing does not, in and of itself, make such activities "customarily incident to" such use. B.C.Z.R., Section 101 (Accessory Use or Structure). Thus, Petitioner's attempt to qualify under this portion of the Code must also fail.

The final code provision within which Petitioner attempts to fall is that of a "printing, lithographing, or publishing plant, employing not more than 25 persons". Once again these terms are not defined within the regulations but reference to Webster's proves most enlightening. Webster's defines these terms as follows:

Printing:

Reproduction (as on paper or cloth) of an image from a printing surface made typically by a contact impression that causes a transfer of ink.

Lithography:

The process of printing from a plane surface (as a smooth stone or metal plate) on which the image to be printed is ink-receptive and the blank area ink-repellent.

Publishing:

The business or profession of the commercial production and issuance of literature especially in book form for public distribution or sale.

It is clear that certainly, body piercing as Petitioner has defined that term, does not fit within the above definitions so as to qualify it as a permitted use. Similarly, tattooing does not fall within the bounds of the definitions either. Webster's defines tattoo as follows:

An indelible mark or figure fixed upon the surface of the body by the insertion of pigment under the skin or by the production of scars.

To mark or color (the skin) by pricking in coloring matter so as to form indelible marks or figures or by production of scars.

Tattooing is clearly not the equivalent to printing.

While printing involves the transferring of an image from one surface to another, tattooing is the creating of that image by inserting colored dye into the skin. Similarly, lithography involves the creation of a print by the transfer of the image from stone or metal onto the print surface. Again, this process is completely different than that used for the creation of tattoos. Finally, it is submitted that tattooing cannot be equated with publishing as the latter contemplates, in some form, the mass production of printed material in word form.

It is submitted and contended that the Petitioner's requested relief must be denied. There is no dispute that the zoning regulations do not, on their face, permit the establishment of a tattoo and body piercing parlor. Nor can it be argued that such business is the equivalent to or is an accessory of other permitted uses in the existing zone. The property at issue is clearly not a residence, nor does the Petitioner intend to create a residence out of the building. Further, under no definition can body piercing be defined as art. Thus, the proposed use cannot fall within the definition of a residential art salon.

Nor can it be said that the proposed uses would fall within the commonly understood definition of beauty or barber shop as the proposed uses have nothing to do with hair dressing, shaving

beards, or similar services.

Finally as shown above, tattooing and body piercing is clearly not printing, lithography, or publishing. One would be hard pressed to equate these professions when considering the methods used by those engaged in these occupations.

WHEREFORE, for the reasons stated above, it is requested that the Petition be denied.

Justin King
Justin P. King, President
Greater Towson Council of
Community Assoc.
207 E. Redwood Street
Suite 1000
Baltimore, MD 21202
(410) 685-4558

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 8 day of November, 1995, a copy of the foregoing Memorandum was mailed, postage prepaid, to Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, Maryland 21204, attorney for Petitioner.

Justin King
Justin P. King, President

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
E/S York Road, 22 ft. South *
of Pennsylvania Avenue * ZONING COMMISSIONER
416 York Road *
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Legal Owners: Janet Gorfine * CASE No. 96-107-SPH
Oppenheimer, et al *
Lessee: LVT Dermagrafix, Inc. *
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 416 York Road in Towson. The Petitioner is filed by Janet Gorfine Oppenheimer and Lucille Gorfine Cohen, property owners. The co-Petitioner is LVT Dermagrafix, Inc., through Vincent Myers, President, Lessee. The Petition for Special Hearing seeks a finding that a tattoo and design studio is a permitted use as of right in a B.M.-C.T. zone. The Petitioner seeks such a finding under alternate theories. Specifically, that the use is allowed pursuant to Section 230.9 of the BCZR as a barber shop, beauty shop or residential art salon; pursuant to Section 230.10 as a combination of permissible uses as of right; pursuant to Section 230.11 as a permissible accessory use or structure, including business signs; or, pursuant to Section 233.2 as a printing, lithographing or publishing plant employing not more than 25 persons. The subject property is more particularly shown on Petitioners' Exhibit No. 1, the plan to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing was Vincent A. Myers, President of LVT Dermagrafix, Inc., and Robin M. Myers, his wife. Also appearing in support of the Petition was Ed Massimiano and Stewart Ehrhart, business competitors of the Petitioner but supporters of his zoning request. James Mattis, who prepared the site plan, also appeared and testified in support of the Petition. The co-Petitioner was represented by Michael P. Tanczyn,

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By M. Tanczyn

Esquire. Several individuals appeared in opposition. These included Kan-neth Mills on behalf of the Towson Business Association, Justin King, Esquire on behalf of the Greater Towson Council and Susan Gray on behalf of Towson Manor Village.

As required by the BCZR and the Baltimore County Code, the matter was scheduled for and a public hearing was conducted on October 25, 1995. Numerous exhibits were submitted and testimony offered during that hearing. Moreover, this Zoning Commissioner permitted interested parties and counsel to submit memoranda and written position statements on or before Nov. 16, 1995. This case has generated significant public interest and numerous correspondence was received. As is all too unfortunately the case in matters of this nature, much of the correspondence from the public reflected a misunderstanding of the issues under consideration and the question presented.

Testimony received at the public hearing included that offered by James Mattis, a professional engineer who prepared the site plan. As that plan shows, the subject property is a small parcel located in the center of the Towson business district. The property is zoned B.M. (business major) with an overlaid C.T. (commercial town center) district. The property is a small lot, approximately one-tenth of one acre. The site is improved with an existing two story frame and masonry building. There is a small garage attached to the rear of the building and the site can supply only one off street parking space. The property is but one of a series of office/retail businesses on the east side of York Road in the block between Chesapeake Avenue to the south and Pennsylvania Avenue to the North. The nearby uses include restaurants, retail stores, offices, etc. The major retail center known as Towson Commons is located but a short distance away.

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The first floor of the subject building is presently occupied by the Towson Bootery. The proposed tattoo and design establishment will be located on the second floor. In addition to offering the site plan, Mr. Mattis fully described the subject property and its environs. The record should reflect the fact that this Zoning Commissioner is very familiar with the Towson Center including this business community and the residential neighborhoods which are located nearby. Also, numerous photographs were submitted of the property and neighborhood.

A substantial amount of testimony was also received from Vincent Myers, the proprietor of the proposed tattoo establishment. Mr. Myers' background is impressive and his credentials for this line of work are impeccable. Testimony and evidence offered in this respect were that he served honorably in the United States Military where he first became familiar with the art of applying tattoos. Following his honorable discharge from the military, he went into business and presently owns a tattoo shop in Vestminster, Maryland. He has been in business at that location for approximately four years. At the present time, he employs a number of individuals at that facility and is a founding member of the Alliance of Professional Tattooist, a professional trade organization.

Mr. Myers is an excellent representative of today's tattoo industry and is apparently working very hard to change the widely held perception of tattoos and tattoo artists. In my judgment, he is both a professional businessman and an artist. As the overwhelming evidence and testimony established, gone are the days when tattoos were exclusively reserved for drunken sailors on shore leave. Much like the now accepted fashion of long hair on men which was considered socially unacceptable in the 1960s, tattoos are now becoming mainstream. Individuals in every social class and economic strata are being tattooed.

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Mr. Myers described in detail the proposed business operation at this site. Essentially, he will conduct three types of activities at this location. First, will be the actual application of tattoos. His tattoo business is generally on an appointment basis. A tattoo can be selected from prepared artistic designs and can be procured for as little as \$50.00. For more complex and custom tattoos, an hourly rate of approximately \$125.00 is charged. In certain elaborate cases, an individual can expect to pay thousands of dollars.

In describing the tattoo process, Mr. Myers testified about the precise method by which tattoos are applied and the minimal risks of infection or spread of communicable diseases. The testimony was convincing and uncontradicted that there would be few health risks either to employees, patrons or the public at large by the tattoo operation. Moreover, the amount of medical waste material generated (i.e., used needles) is minimal. There was no evidence that there would be any danger to the public health by the operation of the tattoo business at this location.

Mr. Myers also noted that in addition to tattoos on an appointment basis, there would be some walk-in business. The hours of operation of the proposed facility will be from 11:00 A.M. to 11:00 P.M., Monday through Saturday. A number of tattoo artists will be employed at the shop to handle the volume of expected customers.

In addition to the actual application of tattoos, the second type of activity proposed for the location will be body piercing. Mr. Myers also testified about this process in detail. He described the service to be provided as "through piercing" where the pierce will fully go through a part of the anatomy such as an ear or nostril. He described the piercing procedure as identical to that done routinely in malls and jewelry stores as ear

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piercing. There will not be surface piercing of the body. One full time employee will specialize in this service to the shop's customers.

The third type of business conducted on the site will be the manufacture and sale of what is known in the trade as "flash". Mr. Myers submitted, as exhibits, a series of flash designed by him. By definition, flash is an original work of art and/or design which is prepared by an artist. Some of the art work is available for public sale and/or dissemination and other work is copyrighted by the artist. Apparently, the sale of flash is a significant part of the tattoo industry and can generate substantial income to artists. The flash designs prepared by Mr. Myers can be copied as a tattoo.

As a tattooist and artist, Mr. Myers is held in high esteem in his industry. His flash design and tattoo artistry are recognized internationally. He testified about the voluminous sales of flash which he has made over the years around the globe. Although art is no doubt a matter of subjective taste, it is clear that Mr. Myers' work, in this field, is highly respected and recognized as among the highest quality in this industry.

Mr. Myers' testimony was helpful in allowing this Zoning Commissioner to obtain an understanding as to the activities which are proposed on the site. The testimony was accepted for that purpose and that purpose alone. It need be emphasized that this case was not about the desirability of tattoo parlors, or the character of those who tattoo or are tattooed. Whether the tattoo business is a benefit or a detriment to the surrounding locale is not at issue. It is, indeed, unfortunate, that many of the letters received from the public on this case focused on this issue. Some of the letters expressed fears about the "element generally associated with this type of activity" and the potential attraction to the area of "drunks and prostitutes who traditionally patronize these establishments." These opinions are

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By M. Tanczyn

narrow minded and inaccurate. More to the point, they are irrelevant. The sole issue before this Zoning Commissioner is whether the use is permitted at this locale under the BCZR.

Focusing on that issue, it is of note that the BCZR are written in the inclusive. That is, only those uses as identified within the regulations as permitted by right or special exception are allowed. See Kowalski v. Lamar, 25 Md. App. 493 (1975). In Kowalski, the Court wrestled to define the nature of activity which was occurring on a waterfront property in eastern Baltimore County. The Court reviewed the testimony and evidence presented relating to the activity (i.e. a commercial fishery) which occurred on that property. The Court relied upon the language of Section 102.1 of the BCZR which provides "No land shall be used or occupied and no building or structure shall be erected, altered, located or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use." Id., pg. 496. After considering this and other relevant provisions of the BCZR, the Court concluded that "These sections established that the only uses permitted . . . are those designated as uses permitted as of right and uses permitted by special exception. Any use other than those permitted and being carried on as of right or by special exception are prohibited." Id., pg. 496 (citations omitted).

This holding remains the law in Baltimore County. Section 102.1 has not been amended, modified or stricken since analyzed by the Court in Kowalski. The Kowalski holding itself has not been reversed by the Courts. Moreover, Section 233 of the BCZR regulates B.M. zones and states that "The following uses only are permitted." (emphasis added) That section then goes on to identify uses permitted as of right or by special exception in the B.M. zone. Any uses not so identified are simply not allowed.

-6-

It is clear that a "tattoo parlor" or a "tattoo and design studio" is not among the designated uses in Section 233 of the BCZR. Indeed, neither of those phrases are contained within the BCZR, including Section 101 thereof, which defines phrases and words used throughout. Thus, absent such a defined phrase or referenced use in the regulations, a tattoo parlor or tattoo and design studio is not allowed either by right or by special exception in a B.M. zone.

In an effort to rebut this conclusion, the Petitioner offers a number of alternate arguments. First, it is claimed that a tattoo parlor or tattoo and design studio falls within the definition of a residential art salon. The Petitioner notes that a residential art salon is a permitted use in a B.L. zone (Section 230.9 BCZR) and, as such, is allowed by right in a B.M. zone (233.1 BCZR). As further authority for this position, the Petitioner relies upon that decision authored by this Zoning Commissioner in the matter of Elton B. Ensor, case No. 93-260. In that case, Mr. Ensor proposed operating a tattoo parlor (described in the Petition as a residential art salon) in a two story framed apartment building on Eastern Avenue in the eastern section of Baltimore County. It is of particular note that the subject building in which the business was to be operated was primarily utilized as residential apartments. The tattoo operation was conducted on one of the lower floors of the building.

In that case, I reviewed the definition of a residential art salon as set forth in Section 101 of the BCZR as "A portion of the dwelling unit used for the exhibition and sale of original works of art . . .". I noted that the subject building in which the use was proposed was used for dwelling purposes. Moreover, I determined that the flash and tattoo designs sold were original works of art. Thus, under a broad definition of residential art salon, the tattoo studio qualified as a residential art salon.

-7-

I do not retreat from that decision but note that such holding is not applicable in this case. The reason for the inapplicability of the holding in Ensor is manifest. A residential art salon, by definition, can exist only in a building used for dwelling purposes. The uncontradicted testimony and evidence offered by the Petitioner is that the subject building on York Road is not a dwelling.

A dwelling is defined by Section 101 of the BCZR as "A building or portion thereof which provides living facilities for one or more families." Quite simply, no one lives at 416 York Road in Towson and there are no living facilities therein. Although, arguably, the structure could be converted to a dwelling, it is not so used at the present time. A potential conversion of the structure to provide sleeping quarters for one of Mr. Myers' employees is not sufficient and does not make the building a dwelling. The building is not now used as a dwelling and thus Mr. Myers proposed operation cannot, by definition, qualify as a residential art salon.

Having dismissed this theory, attention is turned to the Petitioner's second approach. In this regard, the Petitioner claims that the use should be permitted as a beauty or barber shop. There uses are permitted in a B.L. zone as of right by Section 230.9 of the BCZR and are incorporated as permitted by right in a B.M. zone by Section 233.1.

Unlike the term "residential art salon", a beauty or barber shop is not defined by Section 101 of the BCZR. In such an event, the regulations direct the reader to the "ordinarily accepted definition" of the word phrase as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged" (See Section 101).

In Webster's, a barber shop is defined as a barber's place of business and a barber is defined as "one whose business is cutting and dressing hair, shaving and trimming beards and performing related services." Historical-

-8-

cally, barbers also performed some dentistry and surgery, however, in the more recent past, these highly regulated services are exclusively within the province of physicians and other medical doctors. Applying the definition as found in Webster's, it is clear that the activities proposed at Mr. Myers' shop are not those routinely performed by barbers or in barber shops. In fact, Mr. Myers indicated that he does not tattoo the human head; the part of the anatomy on which barbers focus. It is quite clear that even a most broad definition of a barber shop would not include those activities within the proposed tattoo and design studio.

Beauty shops are, likewise, not defined in Section 101 of the BCZR and, again, Webster's need be consulted. A beauty shop or beauty parlor is defined in Webster's as "an establishment or a department in which hair-dressing, facials and manicures are done." Again the activity in Mr. Myers proposed shop does not fall within the uses envisioned and described by Webster's.

It is clear that the customers of tattoo parlors, beauty shops and barber shops all purchase the offered services with the intent to improve their appearance. Differences in taste account for the differences in services offered. I agree with the Petitioner that, to this degree, the uses are similar. However, the similarity of the uses ends with the desire to alter/improve appearance. The uses are, by operation, quite different. As importantly, Webster's does not consider the terms synonymous. In fact, Webster's defines a tattoo as "An indelible mark or figure fixed upon the surface of the body by the insertion of pigment under the skin or by the production of scars". This definition cannot reasonably be considered to include those activities as described within the definitions of barber shop or beauty salon set forth above. To conclude that all appearance improving

-9-

processes are the same would be akin to considering, for example, that all manufacturing processes are the same. Obviously, this is not so.

Next, the Petitioner argues that the use should be approved as a printing, lithographing, or publishing plant pursuant to Section 233.2 of the BCZR. Again, unfortunately, this phrase is not defined by Section 101.1 of the BCZR and reference to Webster's is appropriate. The definition of "print" is quite voluminous and "printing" is defined as "a reproduction (as on paper or cloth) of an image from a printing surface made typically by contact and impression that draws a transfer of ink". Lithography is similarly defined "the process of printing from a plain surface on which the image to be printed is ink receptive and the blank area ink repellent". A lithograph is "to produce, copy or betray by lithography". Lastly, publishing is defined as "the business or profession of the commercial production and issuance of literature, especially in book form for public distribution or sale".

These terms, although broadly defined Webster's, are not applicable to the nature of the activity which is proposed here. One could conceivably argue that the application of a tattoo on the human skin is an act of printing. However, it is the duty of the Zoning Commissioner to determine the County Council's intent when employing the words contained within the BCZR. The cardinal rule of statutory interpretation is to ascertain and effectuate legislative intention. See e.g., Private vs. State, 320 Md. 738 (1990), Powell vs. State, 179 Md. 399 (1941) and Ox v. Prince George's County, 86 Md. App. 179 (1991). By grouping these activities as a single use (i.e., a printing, lithographing or publishing plant), it is clear that the Council intended to include only the business of reproduction of literature and written materials within this definition. I cannot hold that the Council intended a tattoo parlor to fall within the use described as a printing,

-10-

lithographing or publishing plant. In my judgment, the Council did not intend to so broadly encompass a tattoo studio within the definition of a printing, lithographing, or publishing plant.

The Petitioner's next theory seeks relief, pursuant to Section 230.10 of the BCZR. In essence, this section presents a combination of the specific uses enumerated in Section 230.9 of the BCZR to be permitted as of right. That is, Section 230.9 lists a series of separate and independent uses which are permitted as of right in the B.R. zone. When those separate uses become a combined activity, such combination is allowed. The clear answer in addressing the Petitioner's position in this respect is that none of the permissible identified uses in Section 230.9 can be combined to constitute a tattoo studio. The Petitioner cannot point to any enumerated use in Section 230.9 as descriptive of the proposed use in this case. Thus, there is no real argument that any such identifiable uses have been combined to become a permissible use.

Finally, the Petitioner seeks relief pursuant to Section 230.11. Under this section, accessory uses are permitted. Accessory uses are defined by Section 101 of the BCZR as those uses which are "customarily incidental and subordinate to the principal use of a land or structure". Moreover an accessory use must be subordinate in area, extent or purpose to primary use, located on the same lot as the principal use and contribute to the comfort, convenience or necessity of the primary use. The primary uses in this case are: the affixing of tattoos, the piercing of body parts and the manufacture and sale of flash. In my judgment, these three activities are collectively the primary business of a tattoo studio. None are accessory uses customarily incidental to a permitted primary purpose. The Petitioner can identify no permissible use to which the above related activities can be considered accessory. Thus, the Petition cannot be granted on this basis.

-11-

Thus, having addressed all of the Petitioner's arguments set forth in the Petition for Special Hearing, it is clear that the Petition must be denied. Quite simply, the BCZR and case law which has construed same mandate that all uses must be designated as permissible by right or special exception in order to be allowed. Mr. Myers' proposed operation is a tattoo studio; it is not a barber shop, beauty shop, residential art salon, printing, lithographing or publishing plant or a combination of or accessory thereto, permitted uses. Thus, it is not allowed on the subject property, zoned B.M.

The Petitioner's well written memorandum also deserves some comment. Counsel for the Petitioner correctly points out, that a tattoo studio is a use which is seemingly consistent with other uses permitted in the B.M. zone. For example, pawn shops are permitted as of right in a B.M. zone, as are night clubs. After hour clubs, arcades and strip tease businesses are allowed in a B.M. zone by special exception. It would seem that a tattoo studio has a similar social stigma to these businesses, in terms of its perceived dilatorious effect on surrounding businesses and communities. The Council has seen fit to identify and regulate these other businesses while apparently ignoring tattoo parlors. Particularly with the increased popularity of this service, the lack of inclusion of this business in the BCZR could be considered by some inappropriate. Certainly Mr. Myers and others who engage in his trade would argue that tattoo parlors should be recognized and regulated as legitimate businesses in Baltimore County.

Nonetheless, such recognition and regulation is not the role of the Zoning Commissioner. Mine is not a legislative function but a quasi-judicial function. My role is not to make zoning laws but interpret the BCZR and its provisions. The clear direction sent by the Court of Special Ap-

-12-

peals in Kowalski, infra, and the clear meaning of the Council in Section 102.1 of the BCZR mandate this conclusion.

Lastly, the Petitioner might insist that a denial of the Petition is discriminatory to this business. That is, it could be argued that the inclusive interpretation of the BCZR required by Kowalski, infra, prohibits tattoo parlors anywhere in Baltimore County; in that they are not identified in the BCZR. Although this theory might have some basis in certain cases, it is not applicable here by reason of Ensor. That decision permitted a tattoo parlor to operate within Baltimore County, under certain circumstances (i.e., as a residential art salon business). Thus, tattoo studios are allowed in Baltimore County in certain circumstances. Those circumstances, however, do not exist here.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of December, 1995 that, pursuant to the Petition for Special Hearing, approval that a tattoo and design studio is a permitted use as of right in a B.M.-C.T. zone, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to Section 230.9 of the BCZR, approval as a barber and beauty shop or residential art salon, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to Section 230.10, approval as a combination of permissible uses as of right, be and is hereby DENIED; and

IT IS FURTHER ORDERED that, pursuant to Section 230.11 of the BCZR as a permissible accessory use or structure, including business signs, be and is hereby DENIED; and,

-13-

ORDER RECEIVED FOR FILING
Date 12/19/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/19/95
By [Signature]

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Date 12/19/95
By [Signature]

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Date 12/19/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/19/95
By [Signature]



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 847-1500

DATE: 09/12/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JANET GORFINE OPPENHEIMER & LUCILLE GORFINE COHEN

LOCATION: E/5 YORK RD., 222 S OF PENNSYLVANIA AVE.
(416 YORK RD., 2ND FLOOR)

Item No.: 098 Zoning Agenda: SPECIAL HEARING

Gentlemen:

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

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", 1991 edition prior to occupancy.

REVIEWER: L.T. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED
SEP 13 1995

ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Sept. 18, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for September 18, 1995
Items 093, 094, 097, 098, and 099

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-12-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 098 (JJS/JLL)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 11, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 416 York Road

INFORMATION:

Item Number: 98

Petitioner:

Property Size:

Zoning: BM-CT

Requested Action: Special Hearing

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The proposed tattoo and design studio is located at 416 York Road within the boundaries of the adopted Towson Community Plan in an area defined as Central Towson. Retail uses are the preferred uses along the York Road street edge. The proposed tattoo and design studio would be located within the heart of the Towson Revitalization area, which was designated on January 5, 1981 and made subject to additional legislative criteria. The proposed use is not consistent with the goals of either the Towson Community Plan (adopted by the County Council on February 3, 1992) or the revitalization efforts.

In addition, the State of Maryland and Baltimore County are working together on three major projects which, when completed, will provide major improvements along York Road (see attached memo dated September 27, 1995 from Carol Carpenter of the Office of Community Conservation). It is hoped that these improvements, which require significant funding, will help to encourage the type of high quality businesses envisioned for Towson's core. In addition, this area of Towson was only one of four areas of the County designated as significant enough to warrant exterior building review by the Design Review Panel (Bill 12-93).

It is the opinion of this office that a tattoo and design studio (parlor) is a unique use, and as it is not listed as a permitted use by right or by special exception in any zone listed in the Baltimore County Zoning Regulations, therefore it is not a permitted use. The use is clearly not a barber or beauty shop where hair cutting and styling are the principal use and is not customarily incidental or accessory to the principal use. Additionally, the use is clearly not a residential art salon, as it is not located within a dwelling and fails to meet the definition of such. A residential art salon is defined by the BCZR as "a portion of a dwelling unit used for the exhibition and sale of original works of art. For the purposes of these regulations an original work of art shall include a numbered reproduction from a series of no more than 50, which reproduction is

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP
individually signed by the artist." It is the opinion of this office that the definition of art as contained within this definition was intended to describe paintings, watercolors, mixed media, sculpture and lithographs. (Refer to bill 85-67, Bill 32-78).

Lastly, the proposed use is not a printing, lithography or publishing plant employing not more than 25 persons. Printing and publishing involves the reproduction of printed material for public distribution or sale.

SUMMARY OF RECOMMENDATIONS

In conclusion, it is the opinion of this office that the proposed use is not permitted in any of Baltimore County's zoning classifications and is not consistent with revitalization efforts in Towson's core. Therefore, based upon the information provided and analysis conducted, it is recommended that the applicant's request be denied.

Prepared by: Jeffery W. Long

Division Chief: Gary L. Kern

PK/JL

BALTIMORE COUNTY
INTER-OFFICE MEMORANDUM

TO: Jeff Long

FROM: Carol Carpenter

RE: Information on Towson Revitalization Projects

DATE: September 27, 1995

Main street Towson will undergo a number of significant improvements next year in an effort to ease traffic congestion, increase pedestrian access, and make the downtown a more attractive place to be. Baltimore County and the State of Maryland have partnered on three projects.

A \$1.2 million roundabout will be constructed to alleviate the traffic difficulties at the major downtown intersection. Baltimore County will spend \$2.4 million to streetscape the roundabout, as well as the four main street blocks of York Road and associated arterial streets. The County will also design the center island of the roundabout as a gateway for the town center. Property owners in the affected areas will contribute approximately \$500,000 to these projects in the form of improvements to building facade, parking areas, etc. As part of the streetscape project, federal funding of \$100,000 has been secured through the Intermodal Surface Transportation Enhancement Act (ISTEA) to enhance the appearance of York Road from Towsontown Boulevard to Burke Avenue.

FY 96 plans state an additional \$2 million for Towson to improve York Road from the roundabout to the beltway, as well as improvements to Virginia Avenue.

I hope this information is helpful.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 6, 1995

TO: Gwen Stephens
Development Management

FROM: James Thompson
Code Enforcement

RE: Item No. 98
416 York Road, 2nd Floor
Oppenheimer/Cohen
9th Election District

When the referenced special hearing is scheduled, please notify Councilman Douglas B. Riley.

Lisa Keir of Councilman Riley's office had today expressed an interest in this matter

JHT/hek

PETITION PROBLEMS

#93 --- JRE

1. Notary section is incomplete/incorrect.

#94 --- JRA

1. No telephone number for legal owner.

#97 --- JRA

1. No review information on bottom of petition form.

#98 --- JJS/JLL

1. No telephone number for legal owner.

#99 --- RT

1. Not marked "Critical Area".

#101 --- JCM

1. Need authorization for power of attorney from Register of Wills. (Petition for Commissions is signed by the personal representative, not the court. Also, the first page is cut off at the bottom.)

25 PETITION FOR SPECIAL HEARING
116 York Road - 2nd Floor, E/S York Road,
221 S of Pennsylvania Avenue
9th Election District, 4th Councilmanic
Legal Owners: Janet Gorfine Oppenheimer
& Lucille Gorfine Cohen
Contract Purchaser: LVT Dermagraphix, Inc.
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-107-SPH

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 Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole 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 24th day of October, 1995, a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

TOWSON COMMONS

November 8, 1995

VIA HAND DELIVERY

Mr. Lawrence Schmidt
Baltimore County Zoning Commissioner
Towson Courthouse
Suite 112
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Schmidt:

I am writing to voice my opposition to the proposed tattoo parlor to be located at 416 York Road. On behalf of the merchants and owners of Towson Commons, this proposed use is being opposed for the following reasons:

- The location of the proposed use is not a residence and thus restricts this use as a Residential Art Salon.
- The proposed service is not offered by Barber or Beauty Shoppes, further prohibiting this business classification.
- To qualify as a Printing, Lithographer or Publishing Plant, the image must be transferred from one surface to another. Tattoos are not transferred but created by the artist.

I was unable to attend the October 24th hearing. Thank you for the opportunity to further express our dissent with their use. The Towson Commons Limited Partnership has invested millions into the downtown Towson area to enhance the quality of life of this community. Approving this proposed use would signal other merchants that this type of use constitutes the mix of uses desirable in this community. Please do not send that signal. Thank you in advance for your careful consideration.

Very truly yours,

LA SALLE PARTNERS
MANAGEMENT LIMITED

Maurice D. Walker
Maurice D. Walker
General Manager

MDW:cdk
5/25/95

LaSalle Partners • 1 West Pennsylvania Avenue • Towson, Maryland 21204 • Telephone (410) 887-1111 • Facsimile (410) 887-1112

NOV-13-95 11 06 FROM GDLC

ID 14107934040

PAGE 1/3

GOODELL, DEVRIES, LEECH & GRAY, LLP

RICHARD M. BARNES
DIRECTOR OF PUNDERS
410 783-4004

ATTORNEYS AT LAW
COMMERCIAL PLACE
ONE SOUTH STREET, 20TH FLOOR
BALTIMORE, MARYLAND 21202

TELEPHONE (410) 783-4000

FACSIMILE (410) 783-4040

TELECOPY COVER SHEET

DATE November 13, 1995

CONFIDENTIALITY NOTICE

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PLEASE SEND THE FOLLOWING DOCUMENT TO:

RECIPIENT: Lawrence E. Schmidt, Zoning Commissioner

FILE NO.:

TELECOPIER NUMBER: 887-3468

FROM: Richard M. Barnes

COMMENTS:

NUMBER OF PAGES: 2 (EXCLUDING COVER SHEET)

PLEASE CALL US IF THIS TRANSMISSION IS INCOMPLETE OR ILLEGIBLE.

SENDER'S NAME: Carol Filipiak

SENDER'S NUMBER: 783-4000

JUSTIN JAMES KING

ATTORNEY AT LAW
TENTH FLOOR
207 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202
(410) 484-4338
FAX (410) 484-4331

November 8, 1995

Lawrence E. Schmidt
Zoning Commissioner for Baltimore
County
Zoning Office
400 Washington Avenue
Towson, Maryland 21204



Dear Commissioner Schmidt:

Enclosed herewith please find Memorandum in Opposition to Petitioner's Request to Approve a Tattoo and Design Studio.

Please note that I am forwarding to you the original and request that it be docketed with the file as I have not forwarded same to the Zoning Office.

Very truly yours,

Justin J. King
Justin J. King

JJK/mlw
enclosure
cc: Michael P. Tanczyn, Esquire

Law Offices
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 - (410) 296-8824
Fax: (410) 296-8827
Computer Fax: (410) 296-2848

September 25, 1995

Baltimore County Permits and
Development Management
ATTN: GWEN STEVENS
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Item 98

Dear Gwen:

Thank you for the Notice of Hearing on LVT Dermagraphix for October 25, 1995. The reason for this letter is that in reading the Notice it appears that the third use testified on our Petition was not included in the description included in the Notice to the Public. That had been for a "printing lithographing or publishing plant employing not more than 25 persons." Can you please doublecheck the ad and make sure that all three uses are included in the ad for the property so that there is no question about whether the Petition and interpretation of uses was fairly advertised as required by the Zoning Regulations and Baltimore County law.

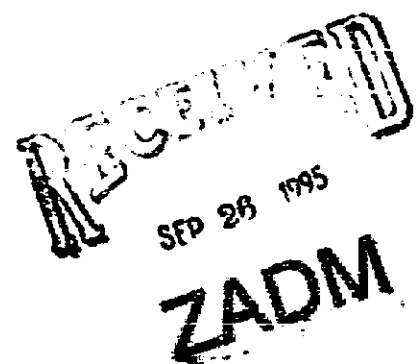
Thank you very much for your cooperation in this regard. If you have any questions, please feel free to call me.

Very truly yours,

Michael P. Tanczyn
Michael P. Tanczyn

MPT/kr

cc: LVT Dermagraphix, Inc.



Law Offices
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 - (410) 296-8824
Fax: (410) 296-8827
Computer Fax: (410) 296-2848

November 10, 1995

Honorable Lawrence Schmidt
Baltimore County Zoning Commissioner
Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case No. 96-107-SPH
416 York Road, 2nd Floor
9th Election District

Dear Commissioner Schmidt:

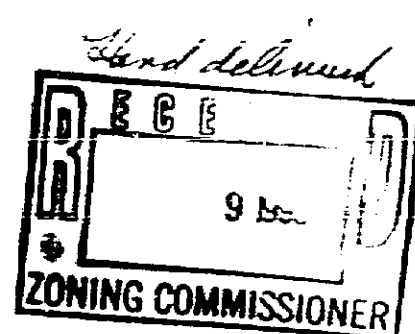
Enclosed please find Petitioner's Memorandum in the above matter.

Very truly yours,

Michael P. Tanczyn
Michael P. Tanczyn

MPT/ed
Enclosure

cc: Justin King, President
Greater Towson Community Association
LVT Dermagraphix, Inc.

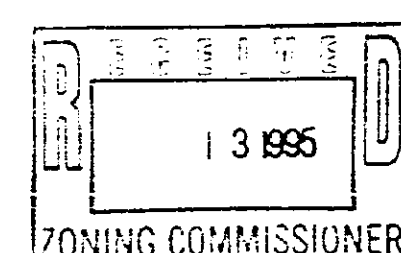


WILTONDALE

P.O. Box 10116
Towson, Maryland 21204

Wiltondale
Improvement Association,
Incorporated

November 8, 1995



Lawrence Schmidt
Zoning Commissioner
Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: 96-107SPH (ITEM 98)

Dear Mr. Schmidt,

The Wiltondale Improvement Association is strongly opposed to the issuance of a permit to allow the establishment of a tattoo parlor at the proposed location on York Road in central Towson. This is not the best use of the real estate and is out of character with the rest of the businesses in the corridor. In addition, the tattoo industry is unregulated, the disposal of the needles is a serious concern, and minors may be serviced. Also, the proposed parlor has only one parking spot but will likely require more.

We trust that you will reject this proposed permit because a tattoo parlor will destroy the character and charm of our town.

Harvey Noyes
Harvey Noyes, President

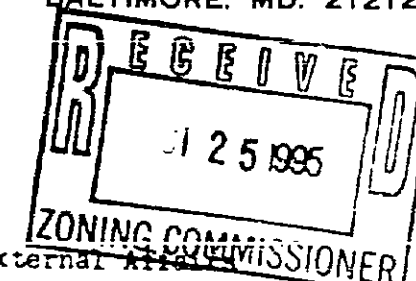
Lucy Meyer
Lucy Meyer, Vice-President

Deborah Clark-Levine
Deborah Clark-Levine, Secretary

Thomas Hyle
Thomas Hyle, Treasurer

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212



CASE NUMBER 96-107-SPH (Item 98)

J. Donald Gerdner: Board of Governors, Chair; Committee-External Affairs
335 Old Trail - Baltimore, MD. 21212

Doug Campbell: Board of Governors, Member; Committee-External Affairs
422 Hopkins Road - Baltimore, MD. 21212

On behalf of the Board of Governors of Rodgers Forge Community, Inc. we have been requested to provide the Zoning Commissioner of Baltimore County with the Community Association's position on the Petition for Special Hearing for the property located at 416 York Road, 2nd Floor - Towson, which is presently zoned RM-CT. At issue is finding a Tattoo and Design Studio as permitted of right in RM-CT zone.

The Rodgers Forge Community has a long history of concern regarding the general welfare of the immediate town center - Towson - the health and well being of its retail, commercial, office and government center greatly affects the quality of this well established residential community.

The proposed use is not consistent with revitalization efforts or the goals of the Towson Community Plan which was adopted by the County Council on February 3, 1992.

However, most important is the fact that the proposed

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME KEN MILL'S TOWNSON BUSINESS ASSOC. 1000 CROWNVIEW PARKER RD TOWNSON 21268

ADDRESS Justice Center, 1000 Crownview Parker Rd, Townson, MD 21268
6301 Mulder Rd #1012
St. An's Greek Twp, 334 Ridge Ave Towson 21204

DATA PRESENTATION

PETITIONER(S) SIGN-IN SHEET[illegible]

FRANKLIN COUNTY

PROTESTANT(S) SIGN-IN SHEET

NAME _____ ADDRESS _____

Burton E. Greenwood Wilfordale Improvement 608 WILTON RD. 21286
J. Decker Galt, Jr. ^{Wilton} ^{Assoc.} 335 OLD TRAIL 21212 ^{mail} ^{box}

..... 11-1-2-1 T-1-A 6953 HANFORD RD. 21235 ^{send}
Dillon D. Dyer ^{Wilton} ^{Assoc.} 23 W. Chesapeake Ave. 21204 ^{cap}

Joyce Noyes Wilfordale Assoc. 609 Gower St. Towson 21286 ^{cap}

Martha Denardi Wilfordale Assoc. ^{Wilton} ^{Assoc.} 603 SUMMIT RD. Towson 21286
TOWNS J. GILISS ^{Wilton} ^{Assoc.} 521 YARMOUTH RD. Towson 21286 ^{mail} ^{box}

SEND
DECISION TO:

South 3° 30' West 222' +/-

1) South 75° 37' East 152.05 feet +/-
 2) South 17° 36' West 24.75 feet +/-
 3) North 75° 42' West 153.55 feet +/-
 4) North 18° 55' East 24.9 feet +/-

EXHIBIT TO ACCOMPANY
 ZONING PETITION
 PART OF ZONING MAP NE10A
 No. 416 York Road

96-2918
To: CAUR
STI
5/17/96
5/20/96
Rec'd
5/24/96
OK

D.S. THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244
(410) 944-ENGR • (410) 944-3647 • FAX (410) 944-3648

May 14, 1996

Baltimore County Maryland
Office of Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
ATTN: Arnold Jablon, Esquire

RE: SEC Building
Chadwick Manor Shopping Center
Spirit and Intent Request 96-106XA
DRC No. 09064B
District ICI
9/6/94

Dear Mr. Jablon:

This letter is a request for your concurrence that the enclosed "red-lined" plan meets the "Spirit and Intent" of the approval of the site plan presented in zoning Case No. 96-106XA.

The plan, as approved on November 29, 1995, showed the building front orientation away from Security Boulevard with the drive through access from the interior shopping center parking aisles. The final architecture, existing site topography, and various ADA requirements suggested that the orientation of the building rotate 180 degrees to provide better handicap access and integration of the building and site.

The enclosed plan proposes to relate the building as described and to adjust specific parking locations to maintain parking count. No new variances are requested or required.

Very truly yours,

D.S. THALER & ASSOCIATES, INC.

Thomas W. Hewitt
Senior Project Manager

cc: Anthony Mierzwicki
David S. Thaler, P.E., L.S.
Henry P. Sadler, P.E.
Alan E. Scoll, R.L.A.

Enclosure CIVIL ENGINEERS • SITE PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS

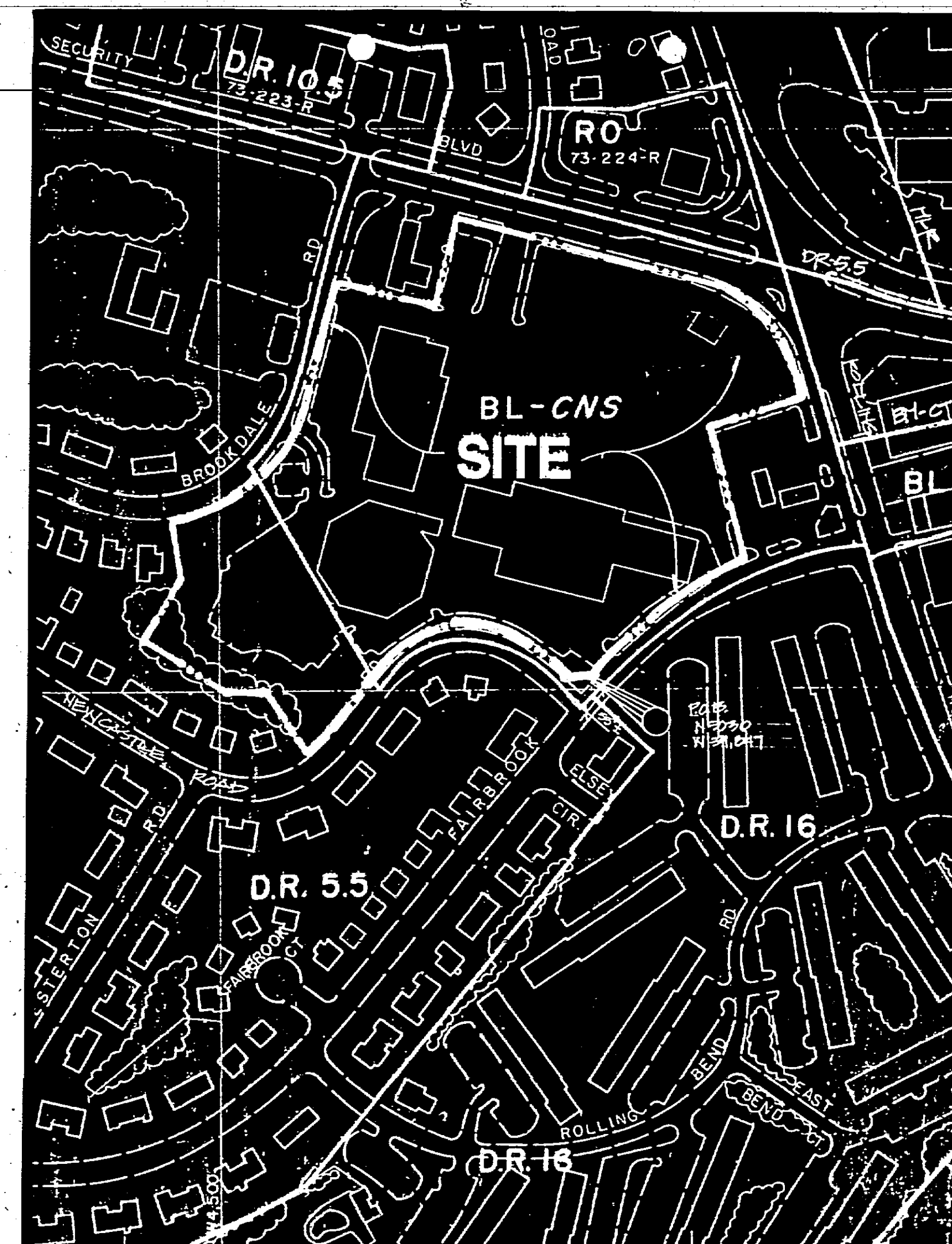
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MICHAEL E. HADWID	6129 BOWEN AVE. 21224
ANTHONY J. MIERZOWSKI	920 PANDORA RD. 21226
DAVID S. THALER	7115 AMBASSADOR RD. 21244
ALAN E. SCOLL	" " " "
JAMES MORRIS	SEMI 8503 LaSalle Rd. 21226



1992 Baltimore County 200 Scale Zoning Map (NW-2G) To Accompany Zoning Petition

CHADWICK MANOR SHOPPING CENTER

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647 5-3-95

#96



IN THE MATTER OF * BEFORE THE ZONING COMMISSIONER
Petition for Special Hearing * FOR BALTIMORE COUNTY
of Janet Gorfine Oppenheimer,
Lucille Gorfine Cohen, and
LVT Dermagrafix, Inc.,
Petitioners,
416 York Road, 2nd Floor, Case No. 96-107-SPH (Item 98)
* * * * *

PETITIONER'S MEMORANDUM

NOW COMES, JANET GORFINE OPPENHEIMER, LUCILLE GORFINE COHEN and LVT DERMAGRAFIX, INC., Petitioners, by their attorney, Michael P. Tanczyn, Esq., and submits the within Memorandum to assist the Zoning Commissioner in deciding the issues presented.

Statement of the Case

The Petitioners include Janet Gorfine Oppenheimer and Lucille Gorfine Cohen, who are owners of 416 York Road, and LVT Dermagrafix, Inc., which is the proposed lessee, of the 2nd floor of 416 York Road, as well as the garage located to the rear of the building adjacent to the alley.

The Petition seeks, by special hearing, an interpretation of the Zoning Regulations of Baltimore County to find that the functions proposed to be done at this location by the Petitioners are permitted of right in a BM-CT zone alone as defined under Section 230.9 of the Baltimore County Zoning Regulations as a barber or beauty shop; residential art salon; or pursuant to Section 233.2 of the Baltimore County Zoning Regulations, a

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printing, lithographing or publishing plant employing not more than 25 persons; or further, secondly, that the functions and uses proposed constitute a combination of the above uses as permitted of right under Section 230.10 of the Baltimore County Zoning Regulations; and thirdly that, to the extent necessary, ancillary or related functions proposed are permitted under Section 230.11, "Accessory Uses Or Structures, Including Business Signs" of the Baltimore County Zoning Regulations.

Factual Background

The property at 416 York Road on the 2nd floor is presently vacant and has been for some time. The most recent prior tenant printed and silk-screened tee shirts at that location until the business closed.

Testimony presented by the Petitioners was first by James E. Mattis, P.E. of Mattis-Warfield, Inc., Consulting Engineers, Suite 209, 6600 York Road, Baltimore, Maryland, 21212. Mr. Mattis had been retained by the Petitioners to prepare a plat, had visually surveyed the site and, after being admitted as an expert witness, testified that in his opinion the zoning for the site was BM-CT; that this was the center of the retail business zone in the heart of Towson in the town center; and that the uses proposed by the Petitioners could be accommodated in the property whose access to York Road was by way of a sidewalk level glass door with steps leading to the second floor. He further testified that there was

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rear egress, or entrance, from the rear of the building down through a garage which would be part of the leased area. He further testified that one parking space was provided on site and the Petitioners offered testimony that any required additional parking would be obtained by lease arrangement through the Towson Revenue Authority garage.

Mr. Mattis also identified a series of panoramic photographs, stipulated to by Protestants, showing the 400 and 500 blocks of York Road as well as close-up shots of existing shops and merchandise displayed in them in that same corridor as well as a survey of existing shops and uses in that corridor with a list of vacant properties as of the time of hearing.

The principal witness for the Petitioners was Vincent Myers, who identified himself as President of LVT Dermagrafix, Inc. He testified as to his background in the military in the U. S. Army and produced numerous letter of recognition and commendation as well as certificates of commendation received by him during his time of military service with a medical background. He further testified that it was during his time in the military that he first became trained in the art of design and the application of tattoos. He testified as to the influence and presence of art in his family; and testified that he had originally opened up a tattoo shop in the heart of Westminster, on Main Street, where he built his business. A letter from the Westminster Arts Council was adduced in the

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evidence commending the impact of his operation on the town center in Westminster.

He further testified as to his development as an artist and his professional associations with the Alliance of Professional Tattooists, an international organization formed by another Maryland artist for which he currently served as the Maryland representative.

He testified as to his past work and offered examples which were admitted into evidence of newspaper and magazine articles depicting and describing his work and to his relative standing in the international community of tattoo artists.

He further testified as to the scope of his clientele and the reasons why he sought to obtain a location in Towson to expand his business. He testified that he would have five employees at this site and that he would be one of the artists on site; and, based on his review of the accommodations, how he would lay out his operation on the second floor.

He further testified as to the modest type of identification advertising he proposed by way of signage; namely, white vinyl lettering placed inside the glass door of the entrance to the second floor with an identifying shamrock, which was a trademark of his shop, to be placed in the octagonal glass window immediately above the doorway.

He offered into evidence a self-imposed operating Code of

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Conduct and reviewed in detail the rationale for each of the 9 items proposed.

Mr. Myers also adduced testimony that there are no State or County health laws regulating tattoo application or design studios and that he, as well as his employees, have successfully completed educational classes as offered by the Alliance of Professional Tattooists given by the medical consultant to that Association, Dr. Kris Sperry, the Chief Pathologist for the City of Atlanta, Georgia.

Mr. Myers further testified as to the various functions that are presently involved in his Westminster shop, how those are being accommodated either within his shop or through outside vendors including Kinko's Copy Center of Towson, and his plans to consolidate that function at this site.

The functions proposed, in turn, have to do with the design of individual art designs which can be faithfully replicated, according to Mr. Myers, on skin as presented in the tattoo studio as something called "flash", which are sheets of possible designs. Mr. Myers testified that, as in his Westminster shop, the Towson shop would display on its walls in the reception area "flash" of the available stock designs. He further testified that part of his talent involves meeting with customers who want unique designs and creating custom designs for those clients, which are then utilized as a blueprint in replicating the design as a

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tattoo on the person's body.

Mr. Myers also talked about the independent sale of "flash" and of a recent convention where numbered sheets of "flash" are sold for between \$150.00 and \$200.00 for numerous sheets, or individual limited number signed works are sold for approximately \$20.00 per sheet. He testified that the weekend before this hearing before the Commissioner he had been to an APT convention in Seattle, Washington where he sold \$10,000.00 worth of "flash" in three days. He further testified that he gets requests for "flash" which are purchased by other tattoo artists, customers and collectors by telephone and mail.

He testified that at present he does not have the capability in his Westminster shop to do color "flash" designs and reproductions and is limited to black and white designs at that shop, which are also sold as "flash". He has been utilizing a copy service in Towson and proposes for the Towson location to produce "flash" as above described by utilizing high-quality state of the art color copier or color printers with computer assisted designs to replicate and lithograph and print his copyrighted work.

He testified that the "flash" begins with an artistic design which he does on bristol board with colored pencils or inks and that the "flash" can be exactly and faithfully replicated as a tattoo on persons who select a tattoo design.

He testified as to the cost of a tattoo and that it was

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not in his opinion an impulse or low price shopping item. He testified that at present to produce the numbered works he had to stand at the copy service in Towson and make sure that the copies produced faithfully replicated the original to meet the artistic standards of the original work, which he would then number on a limited edition set after he had inspected them, and he would also have to monitor the production of those copies to make sure that extra copies were not run off by the copy service for the benefit of the copy service or its employees.

The second function that he talked about had to do with the imposition of a tattoo on a person. He testified that there were custom shops and street shops, which he distinguished by saying that custom shops featured individual or custom designs and specialty works where street shops focused more on replication of a tattoo from "flash" selected by a customer.

He testified that not only have his designs won national and international awards as "flash" but also for the completed work on tattoos done on individuals, and he described a system where those who had been tattooed would enter contests where they would be given awards based on the appearance of their tattoos.

Mr. Myers stressed his background training and that of his employees to insure that sterile technique and environment was maintained in the shop as far as precautions taken.

He testified as to the costs of a large work over large

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parts of the body and explained that a relatively small percentage of his work involved corrective or cosmetic repairs done to tattoos which had been done by amateurs both as to tattoos and as to body piercings.

He testified that there would be a secluded area in an enclosed room in the second floor where body piercings would be done, which he likened to ear piercings and facial piercings; and he explained the difference between through piercings, which he does, and surface piercings, which he will not do.

Testimony was adduced through Mr. Myers of the existing CFR Regulations, principally dealing with the maintenance of a sterile environment. He gave testimony as to type of blunt solid needles used in applying tattoos, and to how they are routinely maintained and how they are disposed of in Sharps containers after being disinfected. He further described sterilization techniques and equipment used in his business.

Mr. Myers further testified as to the awards both he and David Waugh, another artist employed by him with a following in the tattoo art community, have earned, both nationally and internationally, and he concluded his testimony by telling the Zoning Commissioner of letters from clients around the world who have either requested that he tattoo them or provide an internship for them to learn the art of tattooing.

He further testified that, if necessary, all of the

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Tattoos and Tattooing

Part II: Gross Pathology, Histopathology, Medical Complications, and Applications

Kris Sperry, MD

Tattooing involves puncturing the skin with needles bearing carbon pigments, to create the permanent imprint of a design. The body responds to these punctures in specific and predictable ways, with normal swelling of the epidermis, epidermal disruption, inflammation, and gradual accumulation of the pigment into macrophages. Excessively much of the pigment is carried by the regional draining lymphatics, with a residual staying within macrophages located to dermal papillary regions. The age of tattoo may be estimated, both grossly and microscopically. Tattooing can result in a variety of relatively uncommon complications and adverse reactions to the pigment, and certain infectious diseases may be made readily transmissible through tattooing when the ink is inadequately sterilized, or when poor technique is used. This article, the second of three, describes the gross and microscopic pathology of both fresh and healed tattoos, and discusses the various complications infectious and otherwise that can occur. Tattooing has specific applications in both histopathology and plastic and reconstructive surgery, and there are also discussed. Key Words: Tattoos. Tattooing, complications, tattooing, adverse reactions. Tattoo removal.

GROSS PATHOLOGY OF TATTOOS

The gross pathologic alterations caused by tattooing begin at the moment the needles first pierce the skin and deposit the pigment. As the tattoo machine cycles repetitively, the tube and its interior needles are guided slowly over the skin, creating a series of punctures that each contain the ink particles. Individual lines are created by carefully tracing the machine over the design that has usually first been drawn or stenciled. The machine is held steadily, so that the needle penetrates through the epidermis and just into the papillary and reticular dermis, but no deeper; this is generally a depth of 1-2 mm. In between short line segments, the extra ink that sprays on the adjacent skin is wiped off, and the end of the tattoo machine tube is dipped into a shallow ink cup, replenishing the small quantity that is carried on the needle.

If an area is to be filled in with solid color, a needle bar holding several needles in a clump is used, and this is worked over the region repeatedly, until the desired color density is achieved. Shading is accomplished with a needle bar holding up to six needles in a row, and this is feathered several times over a small area until the shading differentiation is adequate. The amount of time and effort devoted to filling in large design areas with colored or black ink varies with the skill of the artist. If a small area of skin is worked too much, constantly overlapping needle perforations will significantly disrupt the epidermis, abrading or even macerating the skin, causing eventual scabbing during the healing phase and probable pigment loss. This creates unsightly gaps and irregularities within what should be a smooth, unbroken colored area; these holes are called "holidays" by the tattoo artist, and generally reflect amateurish technique.

COMMUNICABLE DISEASES AND TATTOOING

By Dr. Kris Sperry

(This is the first of a two-part essay, which is meant to elaborate upon the information I included in my lecture at the National Tattoo Association convention at the Meadowlands in New Jersey in April 1992. The next part will address the facts, fallacies and questions surrounding AIDS, and how these two diseases relate to tattoos and tattooing.)

Hepatitis B is caused by a virus, and has been recognized as an illness for over a century, although the virus has only been identified specifically and characterized biochemically since after the Second World War. The complete (and infective) virus is composed of a core particle of genetic material, and a proteinaceous envelope. Hepatitis B is a major world-wide health problem, especially in underdeveloped countries where sanitation and health practices are exceedingly poor. It is estimated that there may be as many as 170 million Hepatitis B carriers in the world, mostly concentrated in India, Asia, Africa and other Third World countries, and in some areas, about 25% of the population are active carriers of the infection (which means that they may transmit the disease to others).

Classically, Hepatitis B is transmitted to others by contamination with blood or blood products, which enter the body through open wounds, mucous membranes (such as the eye or mouth), blood transfusions, surgical procedures, accidental poking with a needle contaminated by Hepatitis B-infected blood, intravenous drug abuse, and of course, tattooing with needles that have not been sterilized between customers. However, looking at all cases in the world, far and away the most common method by which the virus is transmitted from one individual to another is through sexual intercourse, and from the mother to the unborn infant through the placenta. This also accounts for many of the Hepatitis B cases in the United States. Hepatitis B is not transmitted through contaminated food, raw shellfish or sewage contamination of drinking water (like Hepatitis A), nor by coughing, sneezing, or other respiratory routes. Currently Hepatitis B accounts for about 10% of the transfusion-related hepatitis cases, even though rigorous testing methods are used. There are somewhere around 300,000 new cases of HB per year in the US, with about 5000 HB-related deaths.

Hepatitis B (hereafter called HB) undergoes an incubation period after a non-immune person is exposed, which varies from about 55 to 116 days, during which the person exhibits no symptoms. The infected person may develop the classic icteric form, which means that they become quite ill and turn yellow, or the nonicteric or subclinical form, which may exhibit only symptoms of a mild, flu-like illness, or even no symptoms at all. People with the subclinical form do not turn yellow. This is important for two reasons. First, the smaller the amount of infected material which enters the body, the more probable that the clinical form will develop, rather than the icteric form. Second, persons who experience the subclinical HB form have a greater likelihood of becoming chronic carriers of the HB virus, rather than clearing the infection completely from their body, as is more probable in people who go through the icteric form. Chronic carriers remain able to infect other people.

Since, this story came my way via rational. I'm not sure if you're a member or not. But if you're not, have it if it's also I'm sending this Bullshit Dear Abby article along.

TATTOOS, TATTOOING AND AIDS

In a little over a decade, the disease defined as the Acquired Immune Deficiency Syndrome (AIDS), or Human Immunodeficiency Virus (HIV) has progressed throughout the United States and the rest of the world with alarming rapidity, and it continues to spread essentially unchecked. Most recently, AIDS has appeared in many Asiatic and Latin American Third World countries, where it will spread in the next few years to decimate populations in a manner similar to the immense depopulation of Central Africa. Conservative estimates place somewhere between two and three million people in the United States as being HIV positive. Thus, it is no wonder that any process or procedure that includes the potential for blood or body fluid exposure, whether medical or not, has come under great scrutiny for the possibility that AIDS might be transmitted unknowingly. Tattooing is no exception to this recent trend, and increasing media, health department, and public attention is being focused upon this ancient art as a possible way in which AIDS might be spread.

Based upon current scientific understanding, the AIDS virus comes from the family termed retroviruses, from the way in which the virus takes over the genetic machinery of the individual cell in order to make more virus particles. The specific origin of the AIDS virus is not known, although many theories exist. The AIDS virus is unlike any other human viral diseases, in this sense: In most diseases, the body makes complex proteins named antibodies that protect against infection by identifying the infectious agent (whether virus or bacteria) and attaching to it, killing it. However, a human with the antibody against AIDS is not protected against the infection, because for reasons unknown, the antibody against AIDS is a sign that the person carries the virus in their system and is potentially infective to others. This is the fundamental reason why there is not yet a vaccination against HIV; vaccines stimulate antibody formation, which is protective in most other diseases, but not in AIDS. Thus, the HIV infected person gradually experiences deterioration of their immune system, rendering them susceptible to many unusual infections that the normal, healthy person is protected against by their own intrinsic immunity. Unfortunately, HIV may incubate silently for even eight or more years before the immune system begins to fail, but the virus may be transmitted from one person to another during this entire time.

HIV transmission is entirely dependent on blood or body fluid from an infected individual entering the blood stream of another person. Thus, the classic and usual transmission routes include sharing of intravenous needles by drug addicts, blood transfusion, and sex with an infected partner. Although unprotected heterosexual intercourse (that is, without a condom) carries a risk, this risk is magnified incredibly when there are multiple partners, when open lesions (such as syphilitic sores) are on the genitals, or when anal intercourse is undertaken (because the thin mucus membrane that lines the rectum is easily damaged). Condoms will certainly

It's the old-timers who tell you how much the business has changed. The legendary Lyle Tuttle started tattooing professionally on the West Coast in 1948, when it was mostly drunken servicemen demanding screaming odes on their chests and signaling their appreciation by pushing on the floor.

Ten years later, bikers were roaring up to his shop on their bikes. Then came the first wave of hippies, their heads full of acid and idealism. Mr. Tuttle did Janis Joplin ("Gave her a bracelet on her wrist and a rose on her cheek") and Cher and the Alamo Brothers, although a lot of good their tattoos did them.

John O'D on heroin and Duane Allman slammed his Harley into a produce truck, and both were gone from this world forever. Cher started dressing in urban vests and singing sultry love songs to a little guy named Sonny Bono, who face the hearse bound.

On, it was a seedy business, all right.



Everyday people: Vincent Myers, owner of Little Vinnie's, turns Mark Marshall's thigh into a canvas.

Tattoo Nation

■ Going mainstream: With puppies replacing drunken sailors in tattoo parlors, a cultural sea-change is clearly under way.

By BY KEVIN COWHERD

It's the old-timers who tell you how much the business has changed. The legendary Lyle Tuttle started tattooing professionally on the West Coast in 1948, when it was mostly drunken servicemen demanding screaming odes on their chests and signaling their appreciation by pushing on the floor.

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On, it was a seedy business, all right.



Artist at work: Tom Bosley outlines a tattoo design at Dragon Moon in Glen Burnie.

You couldn't get much seedier than a tattoo parlor, unless maybe you ran a whorehouse. Even then it was a cesspool as to whose place they'd burn down first when the ho-

Any way, on a sunny strip Saturday in the fall, something finally snaps inside him and he walks into Dragon Moon Tattoo Studio in Glen Burnie and has them etch a tribal sign on his bicep.

"I don't know... maybe this was a mid-life crisis," he says. "I was definitely nervous and at one point I thought, 'Am I really doing this?'"

But, really like it.

To become the Norman Rifkin of this world, there are now some 10,000 tattooists nationwide, compared to only about 400 in 1960.

Black Beauty, 26, co-owns with her husband, Tom, of Dragon Moon and the founder of the Alliance of Professional Tat- (See Tattoo, S2)

ne. teachers play it safe Living for tod

SKIN ART

Amazing Tattoos For You!

Tattoo Artists And Fans

pg. 3



INTERNATIONAL TATTOO ART

CONVENTION COVERAGE!

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TATTOO PIONEER BOB SHAW (1926-1993)

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VOL. 1, NO. 5 \$4.95 CAN \$5.95 U.S. C \$5.00



Living Flash "In The Skin" From TATTOO Magazine

Number 5 Collector's Edition



Underwater Wonders

All Art • All Color • No Ads See Back Cover

First you Get a Shamrock



Tattoos By Little Vinnie

BY LITTLE VINNIE



"Synergy"

The images have to flow,
melting into each other effortlessly.
They have to work together as a meaningful whole,
with balance and symmetry.

The Penthouse
Condominium

28 W. Allegheny Ave. Towson, Maryland 21204. 410-821-6700

November 9, 1995

Mr. Lawrence Schmidt
Baltimore County Zoning Commissioner
Towson Court House Suite 112
400 Washington Avenue
Towson, Md. # 21204

SUBJECT: ZONING - "TATTOO PARLOR"

Dear Mr. Schmidt:

As a community representing TWO HUNDRED ELEVEN (211) families, it is very important that we go on record to the fact that we totally OBJECT to a change in the zoning of properties on York Road and in Towson for the purpose or use of a "Tattoo Parlor".

This is of great concern to our community, which is located in the center of Towson, because of the element generally associated with this type of activity and others that follow. We choose this location for its security, conveniences-shopping, entertainment, churches and to stroll leisurely in Towson to the Park area and the Court Plaza.

We sincerely hope that you will give this matter your indepth consideration.

Thank you and with kindest regards,

I am

Very truly yours,
H. "MAX" VANWRIGHT
COUNCIL OF UNIT OWNERS
VICE-PRESIDENT

HMV:m

(410) 296-0300
FAX (410) 823-7909

Maryland Development & Investment Corporation, Inc.

The Penthouse Condominium
28 W. Allegheny Ave. #1303
Towson, Maryland 21204

H. MAY "MAX" VANWRIGHT
BROKER

November 9, 1995

Dear Mr. Schmidt:

I would be remiss if I did not take this means to let you know that I am personally interested in the growth of Towson.

I have been involved in real estate for 49 years and over 35 years in Towson—all phases: commercial, residential and now as a resident at The Penthouse Condominium for 17 yrs when it came out of the ground. I have been a member of TBA for approximately 15 years and honored in 1993 - as recipient of TBA member of the year award and key member award from the Spring Festival Committee. I am very proud of Towson work daily to ensure continued growth.

I would ask that you consider our interest.

Kindest regards,

Sincerely,
H. "MAX" VANWRIGHT
COUNCIL OF UNIT OWNERS
VICE-PRESIDENT

MR. LAWRENCE SCHMIDT
BALTIMORE COUNTY ZONING COMMISSIONER
TOWSON COURT HOUSE SUITE 112
400 WASHINGTON AVENUE
TOWSON, MD. # 21204

TOWSON BUSINESS ASSOCIATION

TOWSON GUIDE & BUSINESS DIRECTORY
1995-1996

A community partnership publication with Putnam Publishing Company and given to the Towson Times

RECEIVED
2 1995
ZONING COMMISSIONER

JOHN G. SCHISLER
625 COVENTRY ROAD
TOWSON, MARYLAND 21206

October 29, 1995

Zoning Commissioner,
Mr. Lawrence Schmidt,
Old Courthouse,
400 Washington Avenue,
Towson, Md. 21204

Dear Mr. Schmidt:

I am writing, as a 29-year resident of Wiltondale and a 66-year resident of the Towson area, to express my great concern about the proposal to have a tattoo parlor on York Road in the heart of Towson.

I am concerned about parking, whether by customers or the curious, about the further degradation of what was and could be an attractive and viable commercial area, about the lack of regulation of tattoo parlors and their "staffs" about the serious health concerns that tattooing causes under even the best of conditions, and I am extremely concerned about the kind of people that a tattoo parlor would draw to add to the new "billiard parlors" and the other clothing store.

Sincerely,
John G. Schisler

RECEIVED
2 1995
ZONING COMMISSIONER

John A. White, Jr.
1755 York Road
Towson, Maryland 21204

Oct 30, 1995

Dear Commissioner Schmidt,

In regard to cases 96-1075 PH (Item 96) we are deeply concerned and wish to express that concern to you.

"LVT Dermagraphics" seems to be out of keeping with the Towson area. The lack of parking, disposal of needles and type of business and where it would attract make it very undesirable.

We appreciate any thing you can do in this matter.

Sincerely,
John A. White, Jr.
Robert A. White

Dear Mr. Schmidt:

This letter is written to express our concern regarding the petition for a tattoo parlor in Towson. As long time residents, we feel strongly that businesses that in the long run can hurt Towson, are coming into the area. We would hate to see Towson develop a "strip." The tattoo industry is unregulated in health and behavior, and as we all know, self-regulation often doesn't work (will needles be disposed of safely, will tears be tattooed?) Even though this particular vendor may be of high standard, what will prevent those of lower standard. They may well follow suit to establish businesses in the area.

We strongly encourage denial of this request to establish business in Towson. No Tattoo parlors, please.

Carol & Skip
Roupton
613 Stevenson Lane
Towson, MD.
21286

Mrs. Kenneth W. Volk
604 YARMOUTH ROAD
TOWSON, MARYLAND 21204

Oct. 24, 1995

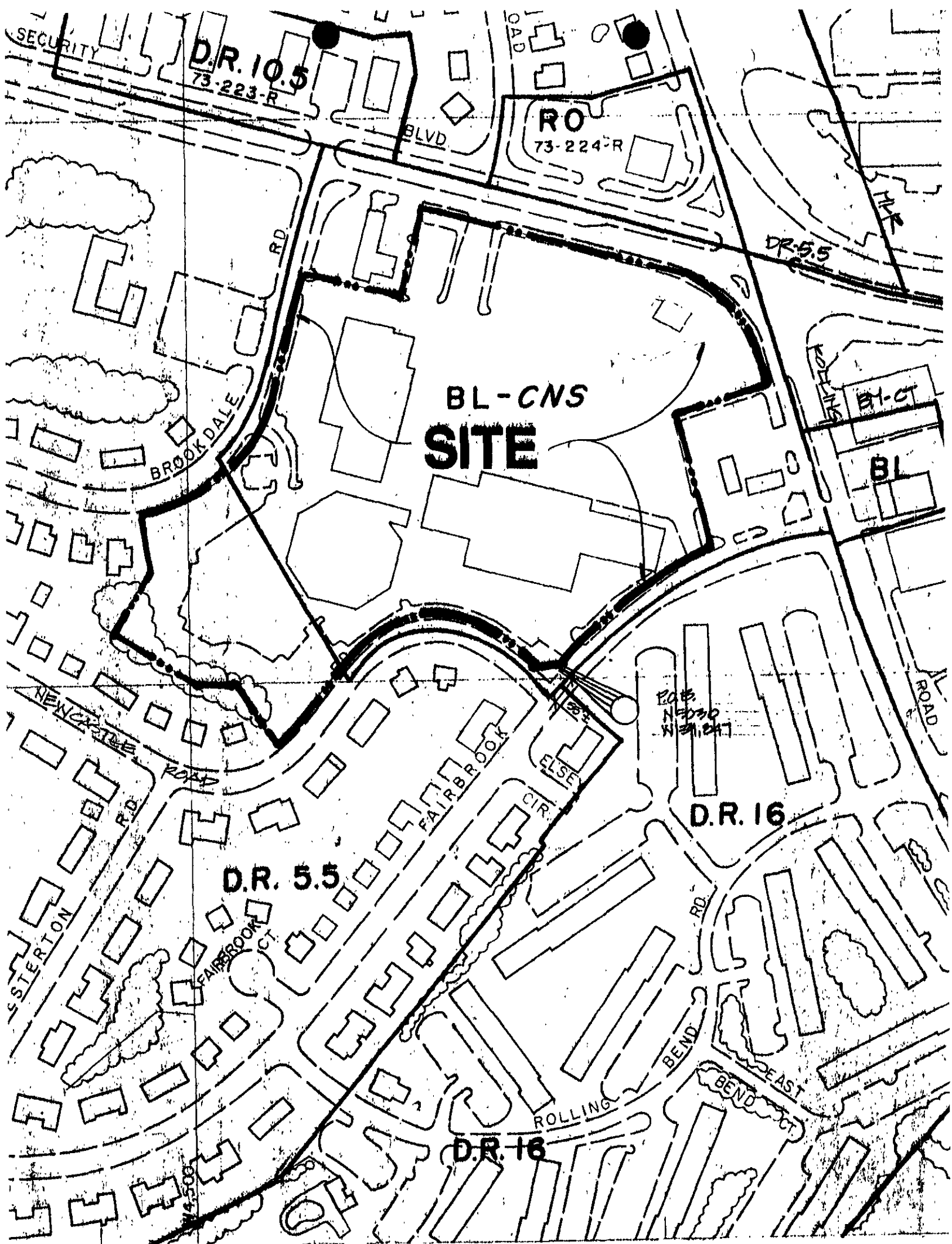
Mr. Lawrence Schmidt,
Zoning Commissioner
Old Courthouse
400 Washington Ave.
Towson, Md. 21204

Re: 96-1075 PH (Item 96)

Dear Sir,

My husband and I have been residents of Wiltondale, Towson, for the past 40 years. My husband had a dental practice in the area for 35 years and is still involved in the life of Towson as a tennis coach at Towson State.

We have seen many changes in



1992 Baltimore County 200 Scale Zoning Map (NW-2G) To Accompany Zoning Petition

CHADWICK MANOR SHOPPING CENTER

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