

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
 N/S Stemmers Run Road, 44' NE \*  
 of John Avenue \* DEPUTY ZONING COMMISSIONER  
 (616 Stemmers Run Road) \*  
 15th Election District \* OF BALTIMORE COUNTY  
 6th Councilmanic District \*  
 Robert B. Tipton, et ux \* Case No. 96-145-X  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 616 Stemmers Run Road, located in the vicinity of Rossville Boulevard in Essex. The Petition was filed by the owners of the property, Robert B. and Hazel J. Tipton, and the Contract Purchasers/Lessees, Clifford and Deborah L. O'Connell, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval to use the subject property as a service garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert B. Tipton, legal owner of the property, Clifford O'Connell, Contract Purchaser, his parents, Clifford and Elsie O'Connell, Sr., and Jeffrey N. Long, a representative of the Baltimore County Office of Planning and Zoning (OPZ). The Petitioners were represented by G. Scott Barhight, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 2.1478 acres, more or less, zoned B.L. and is improved with a one-story building. The property is presently used for a Contractor's Office with accessory equipment storage. The Contract Pur-

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 Date 11/14/95  
 By [Signature]

11/14/95

chasers are desirous of establishing a body and fender service garage on the property and propose razing the existing structure and constructing a new building thereon in accordance with Petitioner's Exhibit 1.

Mr. Jeffrey Long appeared at the hearing in full support of the Petitioners' request. Furthermore, it was brought to the attention of this Deputy Zoning Commissioner that the Petitioner has entered into a "letter agreement" with the Office of Planning and Zoning dated November 9, 1995, in which the Contract Purchasers have agreed to certain terms and conditions upon approval of this request. A copy of said "letter agreement" shall be attached to this Order and made enforceable as a part of this Order.

Having considered all of the testimony and evidence presented at the hearing, and the lack of opposition from any adjoining property owner or Baltimore County reviewing agency, the Petitioners' request for special exception should be granted.

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

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

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Date

11/14/95

By

[Signature]

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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

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

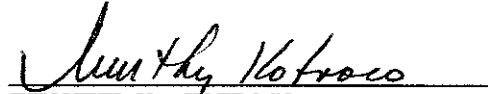
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of November, 1995 that the Petition for Special Exception seeking approval to use the subject property for a service garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall abide by the "letter agreement" dated November 9, 1995 entered into with the Office of Planning and Zoning, a copy of which has been attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this

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By [Signature]

case and set forth and address the restrictions of  
this Order.



TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

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Date 11/11/95  
By [Signature]

FILED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

November 14, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
N/S Stemmers Run Road, 44' NE of John Avenue  
(616 Stemmers Run Road)  
15th Election District - 6th Councilmanic District  
Robert B. Tipton, et ux - Petitioners  
Case No. 96-145-X

Dear Mr. Barhight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Robert B. Tipton  
1811 Wilson Point Road, Baltimore, Md. 21220

Mr. & Mrs. Clifford O'Connell  
335 Montrose Avenue, Baltimore, Md. 21221

People's Counsel

File





# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

for the property located at

616 Stemmers Run Road

96-145-X

which is presently zoned B.L.

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

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

a service garage

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

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

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

Contract Purchaser/Lessee:

Clifford O'Connell Deborah L. O'Connell  
(Type or Print Name)

Clifford O'Connell Deborah L. O'Connell  
Signature

335 Montrose Ave  
Address

Balti MD. 21221  
City State Zipcode

Legal Owner(s):

ROBERT B. TIPTON  
(Type or Print Name)

Robert B Tipton  
Signature

Hazel J. Tipton  
(Type or Print Name)

Hazel J. Tipton  
Signature

1811 Wilson Pk Rd 681-9387  
Address Phone No.

Balti Md. 21220  
City State Zipcode

Name, Address and phone number of representative to be contacted.

G. Scott Barhight 832-2050  
Name 4th Floor

210 W. Pennsylvania Ave, Towson, MD 21204  
Address Phone No

Attorney for Petitioner:

G. Scott Barhight  
(Type or Print Name)

G. Scott Barhight  
Signature

4th Floor 832-2050  
210 W. Pennsylvania Ave  
Address Phone No

Towson, MD 21204  
City State Zipcode

ORDER RECEIVED FOR FILING

Date

By



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_

# K.L.S. CONSULTANTS, INC.

ENGINEERS AND SURVEYORS  
102 NORTH MAIN STREET, BEL AIR, MARYLAND 21014

TELEPHONES  
410-838-1441  
410-879-1441  
FAX 410-879-4776

ARTHUR E. LEONARD, P.E. • RONALD M. KEARNEY, PROPT. L.S. • JOHN A. STALEY, PROPT. L.S.

## DESCRIPTION OF 1.9469 ACRE PARCEL OF LAND LOCATED AT 616 STEMMERS RUN ROAD

96-145-X

BEGINNING at a point on the north side of Stemmers Run Road which is 60' wide at the distance of 44 feet northeast of the centerline intersection of John Avenue which is 20 feet wide. Thence the following courses and distances:

by a curve to right having a radius of 1115.92 feet and an arc length of 34.98 feet, being subtended by a chord North 63 degrees 49 minutes 22 seconds West, 34.98 feet to a point, thence;

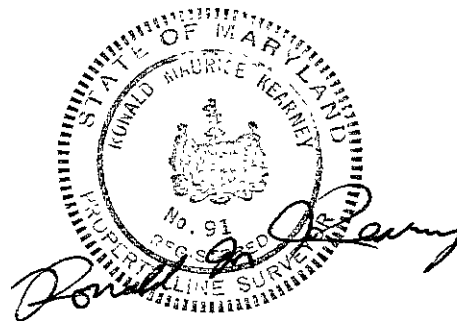
North 62 degrees 55 minutes 29 seconds West, 184.04 feet to a point, thence;

by a curve to the left having a radius of 2491.06 feet and an arc length of 72.63 feet, being subtended by a chord North 63 degrees 45 minutes 36 seconds West, 72.63 feet to a point, thence;

North 42 degrees 44 minutes 50 seconds East, 383.02 feet to a point, thence;

South 83 degrees 51 minutes 37 seconds East, 152.00 feet to a point, thence;

South 20 degrees 49 minutes 13 seconds West, 424.01 feet to the place of beginning. Containing 1.9469 Acres of land.



TO: PUTUXENT PUBLISHING COMPANY  
October 19, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.  
210 W. Pennsylvania Avenue  
Towson MD 21204  
832-2050

---

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: 96-145-X (Item 146)  
616 Stemmers Run Road  
N/S Stemmers Run Road, 44' NE of c/l John Avenue  
15th Election District - 6th Councilmanic  
Legal Owner: Robert B. Tipton and Hazel J. Tipton  
Contract Purchaser: Clifford O'Connell and Deborah L. O'Connell

Special Exception for a service garage.

HEARING: TUESDAY, NOVEMBER 14, 1995 at 11:00 a.m. in Room 106, County Office Building.

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.



**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 21284, at 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

Case: #98-145-X  
(Item 146)

616 Sternmers Run Road  
N/S Sternmers Run Road, 44'

NE of 61 John Avenue  
15th Election District

6th Condemnation  
Legal District

Robert B. Tipton and Hazel J.

Tipton

Central Purchaser:

Clifford O'Connell and Deborah L. O'Connell

Hearing: Tuesday, November 14, 1995 at 11:00 a.m. in Room 106, County Office Building.

Special Exception: for a service garage.

LAWRENCE SCHMIDT  
Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) or information concerning the file and/or hearing, Please Call 887-3391.

10/22/95 Oct 19

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 10/23, 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 10/19, 1995.

**THE JEFFERSONIAN,**

*A. H. Emick*  
LEGAL AD. - TOWSON



Baltimore County  
Department of Permits and  
Development Management

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

October 12, 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: 96-145-X (Item 146)  
616 Stemmers Run Road  
N/S Stemmers Run Road, 44' NE of c/l John Avenue  
15th Election District - 6th Councilmanic  
Legal Owner: Robert B. Tipton and Hazel J. Tipton  
Contract Purchaser: Clifford O'Connell and Deborah L. O'Connell

Special Exception for a service garage.

HEARING: TUESDAY, NOVEMBER 14, 1995 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Robert and Hazel Tipton  
Clifford and Deborah O'Connell  
G. Scott Barhight, 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, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

DATE 30 Oct 95 ACCOUNT R-001-6150  
item 146 CAN  
AMOUNT \$ 335.00

RECEIVED FROM: Whitford, Taylor + Preston - for O'Connell

FOR: Special Exception - 616 STEWARTS Run Rd  
Tipton (O'Connell)

96-145-X

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER

Vertical text on the right edge of the receipt, likely a reference or tracking number.



Baltimore County  
Department of Permits and  
Development Management

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

November 9, 1995

G. Scott Barhight, Esquire  
4th Floor  
210 W. Pennsylvania Ave.  
Towson, MD 21204

RE: Item No.: 146  
Case No.: 96-145-X  
Petitioner: R. B. Tipton, et ux

Dear Mr. Barhight:

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 October 30, 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,

A handwritten signature in cursive script that reads "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: October 26, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 616 Stemmers Run Road

INFORMATION:

Item Number: 146

Petitioner: Tipton Property

Property Size: \_\_\_\_\_

Zoning: BL

Requested Action: Special Exception

Hearing Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

This office has contacted the applicant's attorney, Mr Barhight, to discuss issues related to the design of the proposed building. It is our understanding that prior to the hearing information regarding the design of the building will be presented to this office for review purposes. In the event that the applicant is unable to submit this information before the hearing, staff requests that no building permits be issued until such time as elevation drawings have been approved by the Director of Planning.

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be granted. Any comments, if any, pertaining to building design will be forwarded.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

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: Oct. 20, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, <sup>RWB/DAK</sup> P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for October 23, 1995  
Item 146

The Development Plans Review Division has reviewed the subject zoning item. The Development Plan must be revised. See our comments for the "Tipton Property", dated October 4, 1993, particularly the proposed sanitary sewer location, which is not shown on this site plan of 616 Stemmers Run Road.

In addition, this site is subject to the Landscape Manual requirements.

RWB:sw

10/21/95

Baltimore County Government  
Fire Department



10/20/95  
J  
TO ~~WCL~~

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

(410) 887-4500

DATE: 10/18/95

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

RE: Property Owner: ROBERT B. TIPTON & HAZEL J. TIPTON

LOCATION: N/S STEMMERS RUN RD., 44'NE CENTERLINE JOHN AVE.  
(616 STEMMERS RUN RD.)

Item No.: 146

Zoning Agenda: SPECIAL EXCEPTION

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.

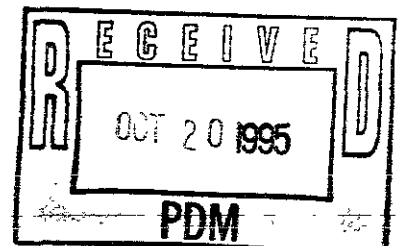
1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

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

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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

cc: File





**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

10-16-95

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

RE: Baltimore County  
Item No. 146 (CAM)

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



COPY

96-145-X  
Tomy  
11/14

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

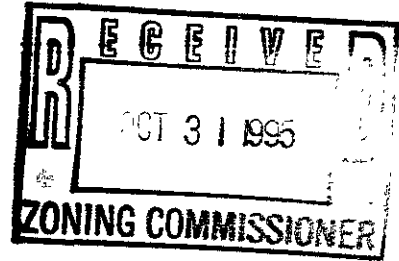
G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2050  
2029522@mcimail.com

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

October 26, 1995

Mr. Ralph Scott  
924 Middlesex Road  
Baltimore Maryland 21221

Re: Special Exception for a Service Garage  
616 Stemmers Run Road



Dear Mr. Scott:

This office represents Clifford O'Connell who currently operates a service garage on Stemmers Run Road. Mr. O'Connell desires to purchase the adjacent property owned by Mr. and Mrs. Tipton and construct and operate a new service garage at the new location.

The Baltimore County Zoning Regulations require that a Petition for Special Exception be approved before the service garage can be constructed at the new location. A hearing has been scheduled for Tuesday, November 14, 1995 at 11:00 a.m. in Room 106 of the County Office Building before the Zoning Commissioner on the Petition for Special Exception for a service garage.

Should you have any questions or comments regarding Mr. O'Connell's plans for the Tipton site, please feel free to contact me. Mr. O'Connell looks forward to continuing to be a good neighbor in your community.

Thank you for your kind attention to this matter.

Sincerely,  
  
G. Scott Barhight

GSB:sll

cc: The Honorable Lawrence E. Schmidt  
Mr. Jeffrey Long  
Mr. Ervin McDaniel

*[Faint handwritten notes]*

COPY

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L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
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WASHINGTON, D. C. 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2050  
2029522@mcimail.com

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

October 26, 1995

Ms. Mary Kronin  
708 Middlesex Road  
Baltimore Maryland 21221

**Re: Special Exception for a Service Garage  
616 Stemmers Run Road**

Dear Ms. Kronin:

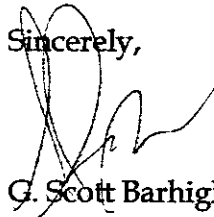
This office represents Clifford O'Connell who currently operates a service garage on Stemmers Run Road. Mr. O'Connell desires to purchase the adjacent property owned by Mr. and Mrs. Tipton and construct and operate a new service garage at the new location.

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Should you have any questions or comments regarding Mr. O'Connell's plans for the Tipton site, please feel free to contact me. Mr. O'Connell looks forward to continuing to be a good neighbor in your community.

Thank you for your kind attention to this matter.

Sincerely,



G. Scott Barhight

GSB:sll

cc: The Honorable Lawrence E. Schmidt  
Mr. Jeffrey Long  
Mr. Ervin McDaniel

COPY

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
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G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2050  
2029522@mcimail.com

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

October 26, 1995

Ms. Jeannie Schafer  
724 Middlesex Road  
Baltimore Maryland 21221

**Re: Special Exception for a Service Garage  
616 Stemmers Run Road**

Dear Ms. Schafer:


This office represents Clifford O'Connell who currently operates a service garage on Stemmers Run Road. Mr. O'Connell desires to purchase the adjacent property owned by Mr. and Mrs. Tipton and construct and operate a new service garage at the new location.

The Baltimore County Zoning Regulations require that a Petition for Special Exception be approved before the service garage can be constructed at the new location. A hearing has been scheduled for Tuesday, November 14, 1995 at 11:00 a.m. in Room 106 of the County Office Building before the Zoning Commissioner on the Petition for Special Exception for a service garage.

Should you have any questions or comments regarding Mr. O'Connell's plans for the Tipton site, please feel free to contact me. Mr. O'Connell looks forward to continuing to be a good neighbor in your community.

Thank you for your kind attention to this matter.

Sincerely



G. Scott Barhight

GSB:sll

cc: The Honorable Lawrence E. Schmidt  
Mr. Jeffrey Long  
Mr. Ervin McDaniel

COPY

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L.L.P.

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1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 699-6800  
FAX 202 331-0573

G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2050  
2029522@mcimail.com

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

October 26, 1995

Mr. and Mrs. Michael & Jean Davis  
946 Middlesex Road  
Baltimore Maryland 21221

**Re: Special Exception for a Service Garage  
616 Stemmers Run Road**

Dear Mr. and Mrs. Davis:

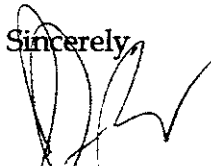
This office represents Clifford O'Connell who currently operates a service garage on Stemmers Run Road. Mr. O'Connell desires to purchase the adjacent property owned by Mr. and Mrs. Tipton and construct and operate a new service garage at the new location.

The Baltimore County Zoning Regulations require that a Petition for Special Exception be approved before the service garage can be constructed at the new location. A hearing has been scheduled for Tuesday, November 14, 1995 at 11:00 a.m. in Room 106 of the County Office Building before the Zoning Commissioner on the Petition for Special Exception for a service garage.

Should you have any questions or comments regarding Mr. O'Connell's plans for the Tipton site, please feel free to contact me. Mr. O'Connell looks forward to continuing to be a good neighbor in your community.

Thank you for your kind attention to this matter.

Sincerely,



G. Scott Barhight

GSB:sll

cc: The Honorable Lawrence E. Schmidt  
Mr. Jeffrey Long  
Mr. Ervin McDaniel

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 347-8700  
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 699-6800  
FAX 202 331-0573

G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2050  
2029522@mcm.com

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

November 9, 1995

**DELIVERY BY HAND**

Mr. Jeffrey Long  
Office of Planning & Zoning  
Room 406  
401 Bosley Avenue  
Towson, Maryland 21204

**Re: Cliff's Hi-Tech Body Shop, Inc.**

Dear Mr. Long:

As you are aware, this office represents Cliff's Hi-Tech Body Shop, Inc. regarding the Petition for Special Exception for a service garage (Case No. 96-145-X). This letter is intended to evidence the agreement between Cliff's Hi-Tech Body Shop, Inc. and the Baltimore County Office of Planning & Zoning. In exchange for the support of the Baltimore County Office of Planning & Zoning for the Special Exception requested, my client agrees to construct the subject service garage in substantial conformity with the attached building elevation prepared by John Patrick Chalk, AIA, P.A., Architect dated November 9, 1995. The front elevation of the building will be constructed of dryvit or stucco type material and the sides and rear of the building will be constructed of decorative ribbed metal siding material. The expansion of the office area contemplated by the plan to accompany special exception, if constructed, will be consistent with these architectural elements.

Further, my client agrees to submit a landscape plan to Baltimore County for approval prior to obtaining a building permit. This landscape plan will include street trees consistent with the landscaping requirements of Baltimore County.

Additionally, my client agrees not to use chain link fence for the security gate as shown on the plan to accompany the Petition for Special Exception. Instead, the gate or fence will be constructed of decorative wrought iron material.

ORDER RECEIVED FOR FILING

Date


By

11/14/95  
[Signature]

Jeff Long  
November 9, 1995  
Page 2

As we discussed, Cliff's Hi-Tech Body Shop, Inc. agrees to these conditions in return for the support of the Planning Office, which shall include your presence and supportive testimony at the hearing which is currently scheduled for November 14, 1995 at 11:00 a.m. in room 116 of the County Office Building. This letter intends to provide Cliff's Hi-Tech Body Shop, Inc. with a reasonable degree of flexibility provided that the actual construction is consistent with the spirit and intent of the attached elevation and the conditions recited in this letter.

Thank you for your kind support.

Sincerely,  
  
G. Scott Barhight

GSB:sll  
Enclosure  
cc: Mr. Clifford O'Connell

ORDER RECEIVED FOR FILING

Date

By

11/15/95  
[Signature]

NOV 15 1995



Baltimore County  
Department of Permits and  
Development Management

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

January 3, 2000

Ms. Debbie O'Connell  
Hi-Tech Auto Body Shop, Inc.  
610 Stemmers Run Road  
Baltimore, Maryland 21221

Dear Ms. O'Connell:

RE: B Zoning Verification, 616 Stemmers Run Road, 15<sup>th</sup> Election District

Pursuant to your letter of December 28, 1999, you have requested general zoning verification for the above referenced property. Please be advised as follows.

The subject property is currently zoned ML-IM (Manufacturing Light - Industrial Major). It has been the subject of two zoning cases, 96-145-X, which granted a special exception for the operation of a service garage, and case 98-160-SPH, which extended the period to utilize said special exception until November 14, 2000. Once the special exception is "utilized", it is vested.

Additionally, Baltimore County Code Enforcement has confirmed that there are no current or outstanding zoning citation(s) on the subject 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,

A handwritten signature in black ink, appearing to read "Joseph C. Merrey".

Joseph C. Merrey  
Planner II  
Zoning Review

JCM:kew



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Clifford O'Connell

335 Montrose Ave.

ROBERT B. Tipton

1811 Wilson Pt. Rd.

Clifford O'Connell SR.

712 Essex Ave 21221

Elsie O'Connell

712 Essex Ave. 21221

Jeffrey N. Long

Planning Office

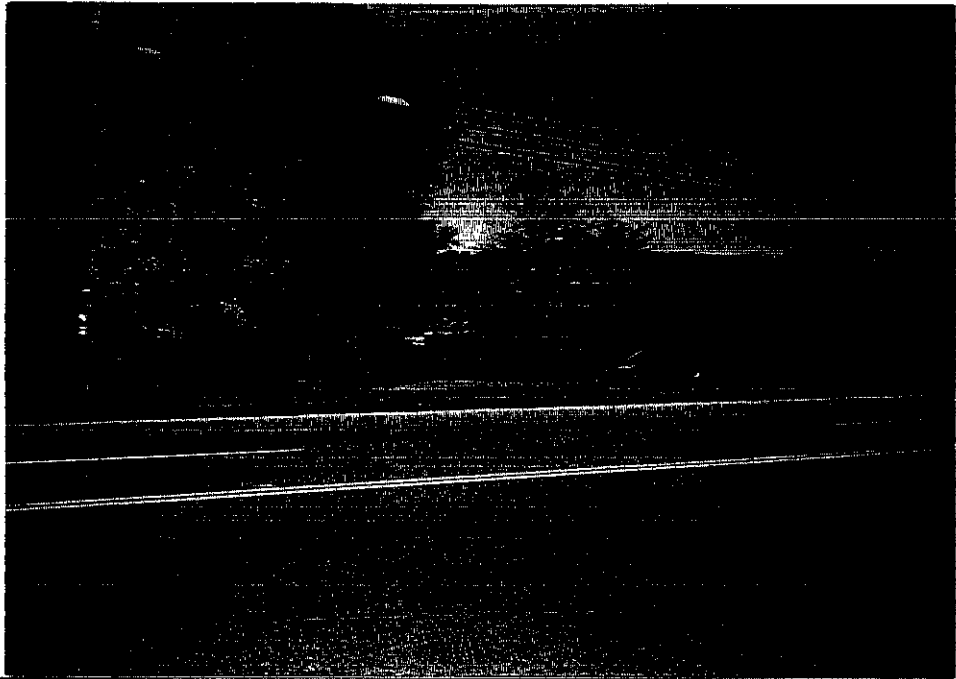


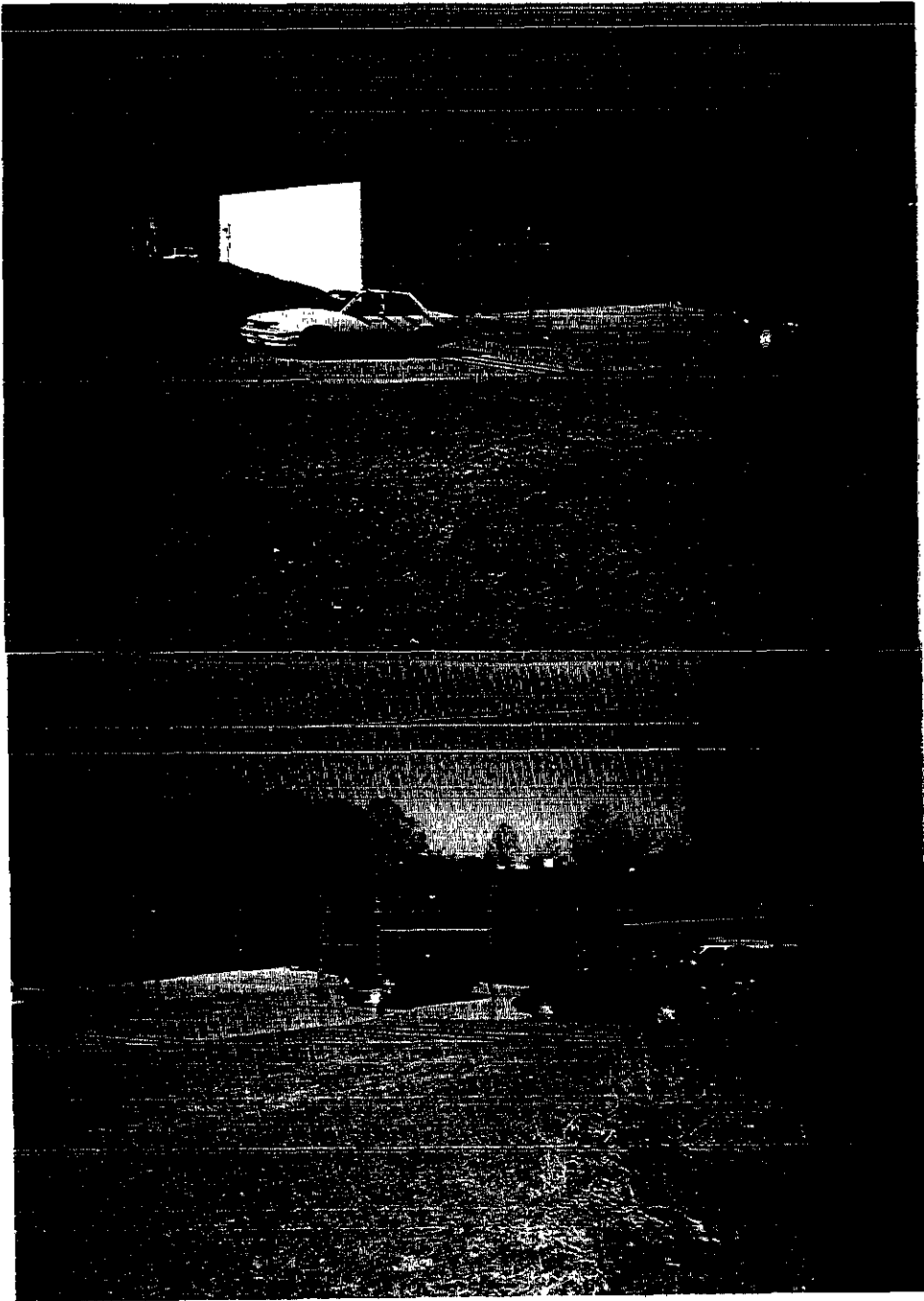


Petitioner's  
Exhibits

2A-2D

96-145-X





IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
 N/S Stemmers Run Road, 44' NE \* DEPUTY ZONING COMMISSIONER  
 of John Avenue \* OF BALTIMORE COUNTY  
 (616 Stemmers Run Road) \* Case No. 96-145-X  
 15th Election District  
 6th Councilmanic District  
 Robert B. Tipton, et ux  
 Petitioners

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 616 Stemmers Run Road, located in the vicinity of Rossville Boulevard in Essex. The Petition was filed by the owners of the property, Robert B. and Hazel J. Tipton, and the Contract Purchasers/Lessees, Clifford and Deborah L. O'Connell, through their attorney, G. Scott Barhight, Esquire. The Petitioners seek approval to use the subject property as a service garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert B. Tipton, legal owner of the property, Clifford O'Connell, Contract Purchaser, his parents, Clifford and Elsie O'Connell, Sr., and Jeffrey N. Long, a representative of the Baltimore County Office of Planning and Zoning (OPZ). The Petitioners were represented by G. Scott Barhight, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 2.1478 acres, more or less, zoned B.L. and is improved with a one-story building. The property is presently used for a Contractor's Office with accessory equipment storage. The Contract Pur-

chasers are desirous of establishing a body and fender service garage on the property and propose razing the existing structure and constructing a new building thereon in accordance with Petitioner's Exhibit 1.

Mr. Jeffrey Long appeared at the hearing in full support of the Petitioners' request. Furthermore, it was brought to the attention of this Deputy Zoning Commissioner that the Petitioner has entered into a "letter agreement" with the Office of Planning and Zoning dated November 9, 1995, in which the Contract Purchasers have agreed to certain terms and conditions upon approval of this request. A copy of said "letter agreement" shall be attached to this Order and made enforceable as a part of this Order.

Having considered all of the testimony and evidence presented at the hearing, and the lack of opposition from any adjoining property owner or Baltimore County reviewing agency, the Petitioners' request for special exception should be granted.

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

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. *Schultz v. Pritts*, 432 A.2d 1319 (1981).

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

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of November, 1995 that the Petition for Special Exception seeking approval to use the subject property for a service garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall abide by the "letter agreement" dated November 9, 1995 entered into with the Office of Planning and Zoning, a copy of which has been attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this

ORDER RECEIVED FOR FILING  
 Date 11/14/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 11/14/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 11/14/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 11/14/95  
 By [Signature]

11/14/95  
 TIMOTHY M. KOTROCCO  
 Deputy Zoning Commissioner  
 for Baltimore County

Case and set forth and address the restrictions of this Order.

TMK:bjjs

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning  
 Suite 112 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-4386  
 November 14, 1995

G. Scott Barhight, Esquire  
 Whiteford, Taylor & Preston  
 210 W. Pennsylvania Avenue, 4th Floor  
 Towson, Maryland 21204  
 RE: PETITION FOR SPECIAL EXCEPTION  
 N/S Stemmers Run Road, 44' NE of John Avenue  
 (616 Stemmers Run Road)  
 15th Election District - 6th Councilmanic District  
 Robert B. Tipton, et ux - Petitioners  
 Case No. 96-145-X

Dear Mr. Barhight:  
 Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,  
 Timothy M. Kotrocco  
 Deputy Zoning Commissioner  
 for Baltimore County

cc: Mr. & Mrs. Robert B. Tipton  
 1811 Wilson Point Road, Baltimore, Md. 21220  
 Mr. & Mrs. Clifford O'Connell  
 335 Montrose Avenue, Baltimore, Md. 21221  
 People's Counsel  
 Title

**Petition for Special Exception**  
 to the Zoning Commissioner of Baltimore County

for the property located at 616 Stemmers Run Road  
 96-145-X which is presently zoned B.L.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a service garage

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.

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

Contract Purchaser/Lessee: Clifford O'Connell, Deborah L. O'Connell  
 Legal Owner(s): Robert B. Tipton  
 335 Montrose Ave  
 1811 Wilson Point Rd  
 City: Baltimore, MD  
 State: MD  
 Zip: 21221

Attorney: G. Scott Barhight  
 4th Floor  
 210 W. Pennsylvania Ave  
 Towson, MD 21204

G. Scott Barhight  
 4th Floor  
 210 W. Pennsylvania Ave, Towson, MD 21204

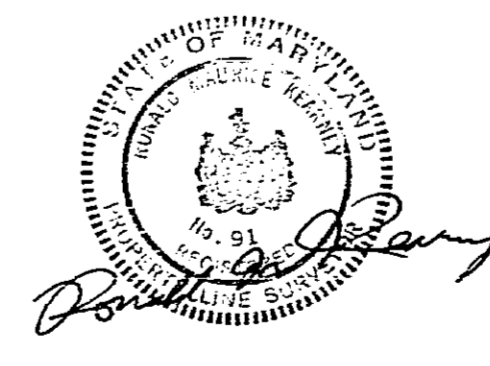
ORDER RECEIVED FOR FILING  
 Date 11/14/95  
 By [Signature]

ESTIMATED LENGTH OF HEARING: \_\_\_\_\_  
 ALL OTHER: \_\_\_\_\_  
 REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

K.L.S. CONSULTANTS, INC.  
 ENGINEERS AND SURVEYORS  
 102 NORTH MAIN STREET, BEL AIR, MARYLAND 21014  
 ARTHUR E. LEONARD, P.E. • RONALD M. KEARNEY, PROPT. L.S. • JOHN A. STALEY, PROPT. L.S.  
 TELEPHONES: 410-838-1441, 410-879-1441, 410-879-4776

DESCRIPTION OF 1.9469 ACRE PARCEL 96-145-X  
 OF LAND LOCATED AT 616 STEMMERS RUN ROAD

BEGINNING at a point on the north side of Stemmers Run Road which is 60' wide at the distance of 44 feet northeast of the centerline intersection of John Avenue which is 20 feet wide. Thence the following courses and distances:  
 by a curve to right having a radius of 1115.92 feet and an arc length of 34.98 feet, being subtended by a chord North 63 degrees 49 minutes 22 seconds West, 34.98 feet to a point, thence;  
 North 62 degrees 55 minutes 29 seconds West, 184.04 feet to a point, thence;  
 by a curve to the left having a radius of 2491.06 feet and an arc length of 72.63 feet, being subtended by a chord North 63 degrees 45 minutes 36 seconds West, 72.63 feet to a point, thence;  
 North 42 degrees 44 minutes 50 seconds East, 383.02 feet to a point, thence;  
 South 83 degrees 51 minutes 37 seconds East, 152.00 feet to a point, thence;  
 South 20 degrees 49 minutes 13 seconds West, 424.01 feet to the place of beginning. Containing 1.9469 Acres of land.



**CERTIFICATE OF PUBLICATION**  
 TOWSON, MD, 10/23, 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 10/14, 1995.  
 THE JEFFERSONIAN,  
 A. Henickson  
 LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT  
 No. 007649  
 DATE 30 Oct 95 ACCOUNT R-001-6150  
 FROM: Whiteford, Taylor & Preston - For O'Connell  
 AMOUNT \$ 335.00  
 FOR: Special Exception - 616 Stemmers Run Rd  
 96-145-X  
 VALIDATION OR SIGNATURE OF CASHIER

TO: PUTNEY PUBLISHING COMPANY  
October 19, 1995 Issue - Jeffersonian  
Please forward billing to:  
G. Scott Barhight, Esq.  
210 W. Pennsylvania Avenue  
Towson MD 21204  
832-2050

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: 96-145-X (Item 146)  
616 Stemmers Run Road  
N/S Stemmers Run Road, 44' NE of c/1 John Avenue  
15th Election District - 6th Councilmanic  
Legal Owners: Robert B. Tipton and Hazel J. Tipton  
Contract Purchaser: Clifford O'Connell and Deborah L. O'Connell  
Special Exception for a service garage.

HEARING: TUESDAY, NOVEMBER 14, 1995 at 11:00 a.m. in Room 106, County Office Building.

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

October 12, 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: 96-145-X (Item 146)  
616 Stemmers Run Road  
N/S Stemmers Run Road, 44' NE of c/1 John Avenue  
15th Election District - 6th Councilmanic  
Legal Owners: Robert B. Tipton and Hazel J. Tipton  
Contract Purchaser: Clifford O'Connell and Deborah L. O'Connell  
Special Exception for a service garage.

HEARING: TUESDAY, NOVEMBER 14, 1995 at 11:00 a.m. in Room 106, County Office Building.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Robert and Hazel Tipton  
Clifford and Deborah O'Connell  
G. Scott Barhight, 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.

Printed with Soybean Ink  
on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

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

November 9, 1995

G. Scott Barhight, Esquire  
4th Floor  
210 W. Pennsylvania Ave.  
Towson, MD 21204

RE: Item No.: 146  
Case No.: 96-145-X  
Petitioner: R. B. Tipton, et ux

Dear Mr. Barhight:

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 October 30, 1995.

Any comments submitted thus far from the members of ZAC that offer or intend 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)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: October 26, 1995

FROM: Pat Keller, Director, OP

SUBJECT: G16 Stemmers Run Road

INFORMATION:

Item Number: 146  
Petitioner: Tipton Property  
Property Size: \_\_\_\_\_  
Zoning: BL  
Requested Action: Special Exception  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This office has contacted the applicant's attorney, Mr. Barhight, to discuss issues related to the design of the proposed building. It is our understanding that prior to the hearing information regarding the design of the building will be presented to this office for review purposes. In the event that the applicant is unable to submit this information before the hearing, staff requests that no building permits be issued until such time as elevation drawings have been approved by the Director of Planning.

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be granted. Any comments, if any, pertaining to building design will be forwarded.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Ervin L. McDaniel*

PK/JL

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Oct. 20, 1995  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for October 23, 1995  
Item 146

The Development Plans Review Division has reviewed the subject zoning item. The Development Plan must be revised. See our comments for the "Tipton Property", dated October 4, 1993, particularly the proposed sanitary sewer location, which is not shown on this site plan of 616 Stemmers Run Road.

In addition, this site is subject to the Landscape Manual requirements.

RWB:ew

Baltimore County Government  
Fire Department

700 EastJoppa Road Suite 301  
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/18/95

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

RE: Property Owner: ROBERT B. TIPTON & HAZEL J. TIPTON

LOCATION: N/S STEMMERS RUN RD., 44' NE CENTERLINE JOHN AVE.  
(616 STEMMERS RUN RD.)

Item No.: 146 Zoning Agenda: SPECIAL EXCEPTION

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.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

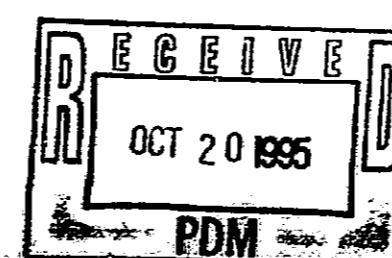
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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

cc: File

Printed on Recycled Paper



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

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

RE: Baltimore County  
Item No. 146 (cont)

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*  
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

COPY

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21201-1648  
TELEPHONE 410 547-8700  
FAX 410 753-7052

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5469  
TELEPHONE 202 696-0060  
FAX 202 531-0973

G. SCOTT BARHIGHT  
DIRECT NUMBER  
410 832-2000  
2029122@barhight.com

October 26, 1995

Mr. Ralph Scott  
924 Middlesex Road  
Baltimore Maryland 21221

Re: Special Exception for a Service Garage  
616 Stemmers Run Road

Dear Mr. Scott:

This office represents Clifford O'Connell who currently operates a service garage on Stemmers Run Road. Mr. O'Connell desires to purchase the adjacent property owned by Mr. and Mrs. Tipton and construct and operate a new service garage at the new location.

The Baltimore County Zoning Regulations require that a Petition for Special Exception be approved before the service garage can be constructed at the new location. A hearing has been scheduled for Tuesday, November 14, 1995 at 11:00 a.m. in Room 106 of the County Office Building before the Zoning Commissioner on the Petition for Special Exception for a service garage.

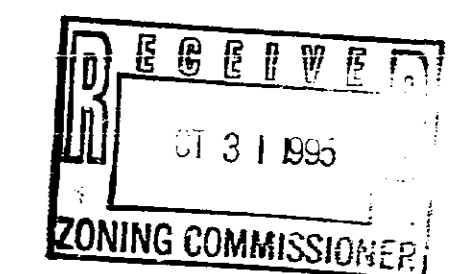
Should you have any questions or comments regarding Mr. O'Connell's plans for the Tipton site, please feel free to contact me. Mr. O'Connell looks forward to continuing to be a good neighbor in your community.

Thank you for your kind attention to this matter.

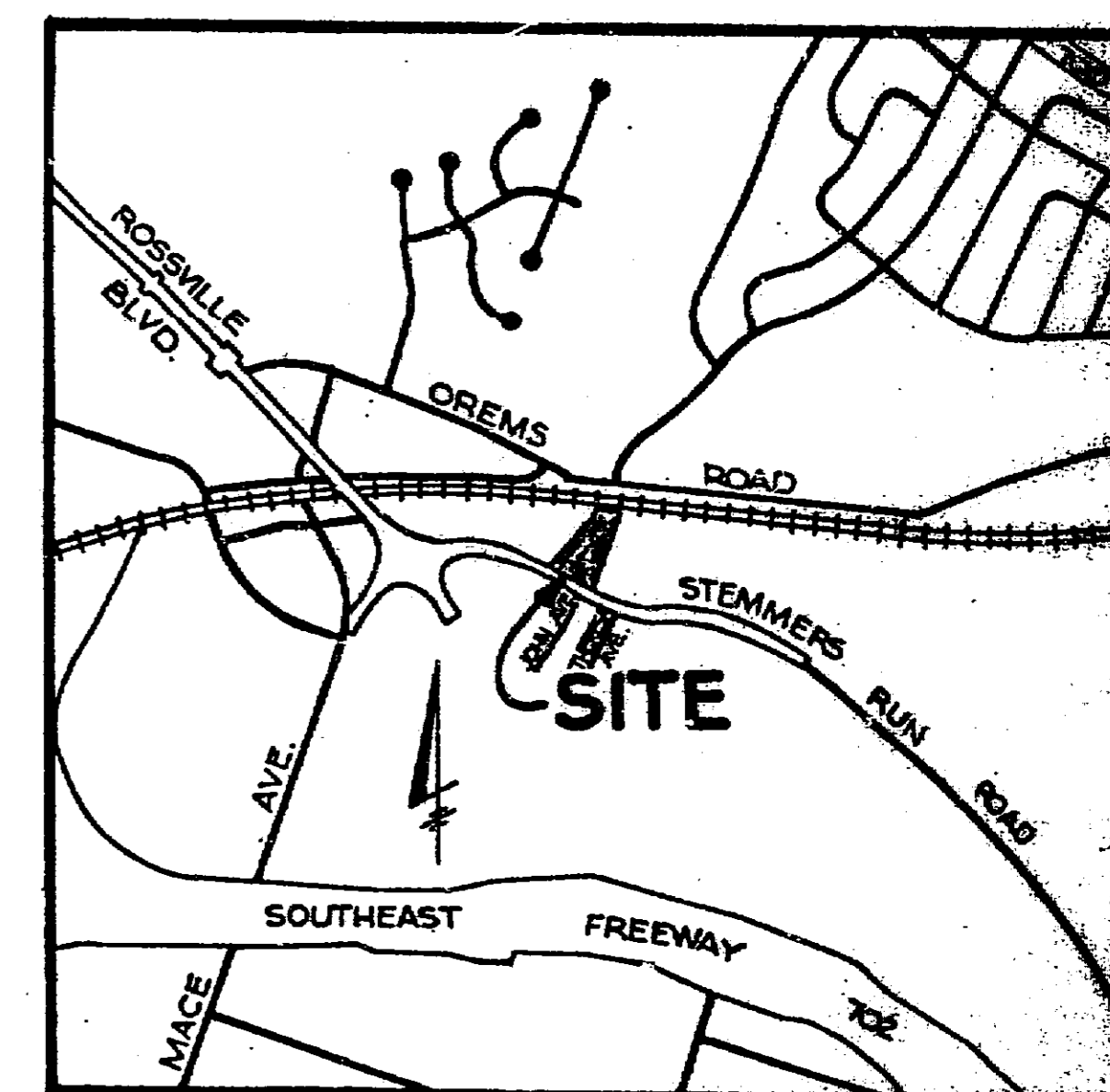
Sincerely,  
*G. Scott Barhight*  
G. Scott Barhight

CSB:sl  
cc: The Honorable Lawrence E. Schmidt  
Mr. Jeffrey Long  
Mr. Ervin McDaniel

6179







**VICINITY MAP**

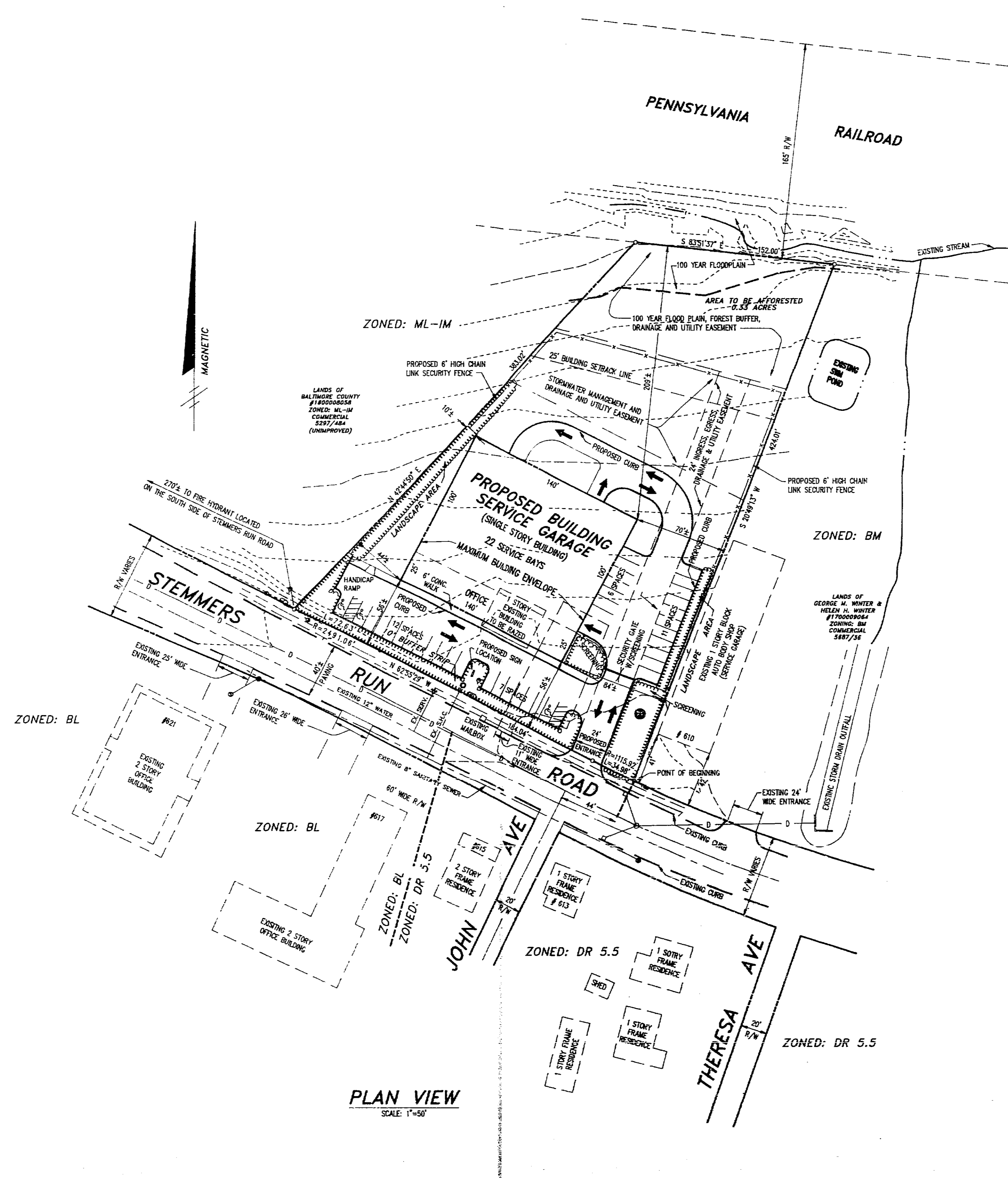
SCALE: 1"=1000'

**SITE DATA**

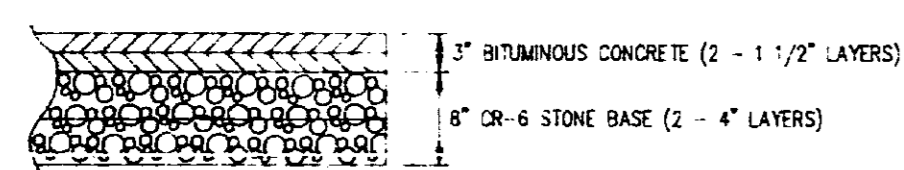
- DEED REFERENCE: 5726 / 229
- GROSS SITE AREA: 93860 S.F. OR 2.1478 AC.
- NET SITE AREA: 84809 S.F. OR 1.9469 AC.
- TAX ACCOUNT NUMBER: 152095050
- TAX MAP: 90 P-1073
- COUNCILMANIC DISTRICT: 6
- PREVIOUS ZONING CASE NUMBER: XV-613, 11/1/93 APPROVED DEVELOPMENT PLAN FOR SHOPPING CENTER.
- VARIANCE TO REGULATIONS: DEPRM LETTER 8/6/84 PERMANENT DISCHARGE INTO FOREST BUFFER EASEMENT - GRANTED
- EXISTING USE: COMMERCIAL CONTRACTOR'S OFFICE & EQUIPMENT STORAGE
- PROPOSED USE: SERVICE GARAGE
- FLOOR AREA RATIO CALCULATIONS:  
TOTAL GROSS FLOOR AREA: 17500 S.F.  
TOTAL GROSS SITE AREA: 93860 S.F.  
GROSS FLOOR AREA RATIO: 0.187  
MAXIMUM FLOOR AREA RATIO: 3.0
- PARKING REQUIRED (3.3/1000 S.F.): (17500 / 1000) x 3.3 = 57.75 USE: 58
- PARKING PROVIDED: 58 SPACES INCLUDES 3 HANDICAP SPACES (ALL HANDICAP SPACES ARE CAR AND VAN ACCESSIBLE)
- PREVIOUS PERMITS: GRADING PERMIT NUMBER: 820781, CONTROL NUMBER: GRC

**GENERAL NOTES**

- THE SUBJECT SITE IS ZONED: BL. THE TRACT BOUNDARY IS ALSO THE ZONING DISTRICT DIVISION LINE.
- EXTERIOR LIGHTING SHALL BE DIRECTED TOWARD THIS SITE ONLY. LOCATIONS OF LIGHT STANDARDS WILL BE SUBMITTED ON THE FINAL SITE GRADING PLAN FOR BALTIMORE COUNTY APPROVAL.
- ALL DRIVES AND PARKING AREAS ARE TO BE PAVED. (SEE DETAIL, THIS SHEET)
- ALL PARKING SPACES ARE TO BE PERMANENTLY STRIPPED.
- THE LANDSCAPING SHOWN ON THIS PLAN IS SCHEMATIC ONLY. A DETAILED LANDSCAPE PLAN WILL BE SUBMITTED FOR APPROVAL PRIOR TO APPLYING FOR A BUILDING PERMIT.
- EXISTING PUBLIC WATER AND SEWER SERVICES ARE TO BE MAINTAINED.
- STORMWATER MANAGEMENT WILL BE PROVIDED BY AN UNDERGROUND STONE STORAGE FACILITY LOCATED WITHIN THE STORMWATER MANAGEMENT AND DRAINAGE & UTILITY EASEMENT.
- A FOREST CONSERVATION PLAN HAS BEEN APPROVED BY DEPRM FOR THE FOREST BUFFER EASEMENT AREA.
- THE PROPOSED SIGN WILL COMPLY WITH BALTIMORE COUNTY ZONING REGULATIONS.
- PARKING FOR THOSE VEHICLES REQUIRING SERVICE/REPAIR WILL BE CONFINED TO THOSE PARKING SPACES INSIDE THE SECURITY FENCED AREA. SCREENING WILL BE PROVIDED SO THAT THESE VEHICLES WILL NOT BE VISIBLE FROM STEMMERS RUN ROAD. THE SECURITY GATE SHALL HAVE SCREENING.
- THERE SHALL BE NO STORAGE OF DAMAGED AND DISABLED VEHICLES OUTSIDE OF THE BUILDING.



**PLAN VIEW**  
SCALE: 1"=50'



**PAVING DETAIL**  
NOT TO SCALE

**100-YEAR FLOOD PLAN CERTIFICATION**

I certify that the 100-year flood plain outline shown on this plan is correct and done in accordance with the Baltimore County Department of Public Works, Bureau of Capital Projects policy recommendations and procedures for Watershed Studies, Flood Plain Studies and Wetland Crossing Studies adopted August 1, 1991.



*Robert E. Tipton*  
DATE: 9/5/95

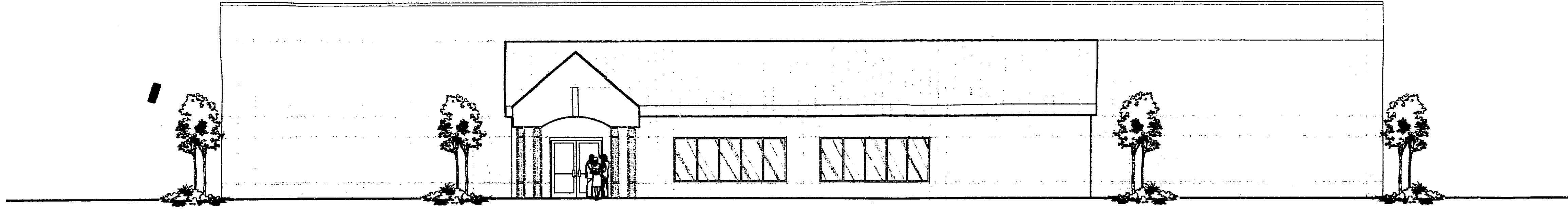
<p><b>ENGINEER / SURVEYOR</b> <b>K.L.S. CONSULTANTS, INC.</b> 102 NORTH MAIN STREET BEL AIR, MARYLAND 21014 (410) 879-1441</p>	<p><b>CONTRACT PURCHASER</b> <b>CLIFF O'CONNELL</b> 610 STEMMERS RUN ROAD BALTIMORE, MARYLAND 21221</p>	<p><b>OWNER</b> <b>ROBERT TIPTON</b> 616 STEMMERS RUN ROAD BALTIMORE, MARYLAND 21221 (410) 682-9252</p>	<p><b>DRAWN BY:</b> MAK <b>DESIGNED BY:</b> AEL <b>CHECKED BY:</b> AEL <b>KLS JOB NUMBER:</b></p> <p><b>DATE:</b> 9/5/95 <b>DRAWING NO.:</b> CL150801 <b>SCALE:</b> AS-SHOWN <b>SHT. 1 OF 1</b></p>	<p><b>PLAT TO ACCOMPANY</b> <b>REQUEST FOR SPECIAL EXCEPTION</b> <b>616 STEMMERS RUN ROAD</b> ELECTION DISTRICT 15 C6 BALTIMORE COUNTY, MD</p>
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**96-145-X**

**PETITIONER'S EXHIBIT NO. 1**

14C

REVISIONS		
Number	Description	Date



Proposed Front Elevation

PROPOSED BODY SHOP AND OFFICES FOR

CLIFFS HI-TECH BODY SHOP, INC.  
610 STEMMERS RUN ROAD · BALTIMORE, MARYLAND 21291

John Patrick Chalk, AIA, P.A.  
ARCHITECT

7 Allepico Court  
Owings Mills, Maryland 21117  
410.881.0271 Fax 410.881.0222

Sheet Title:  
FRONT ELEVATION

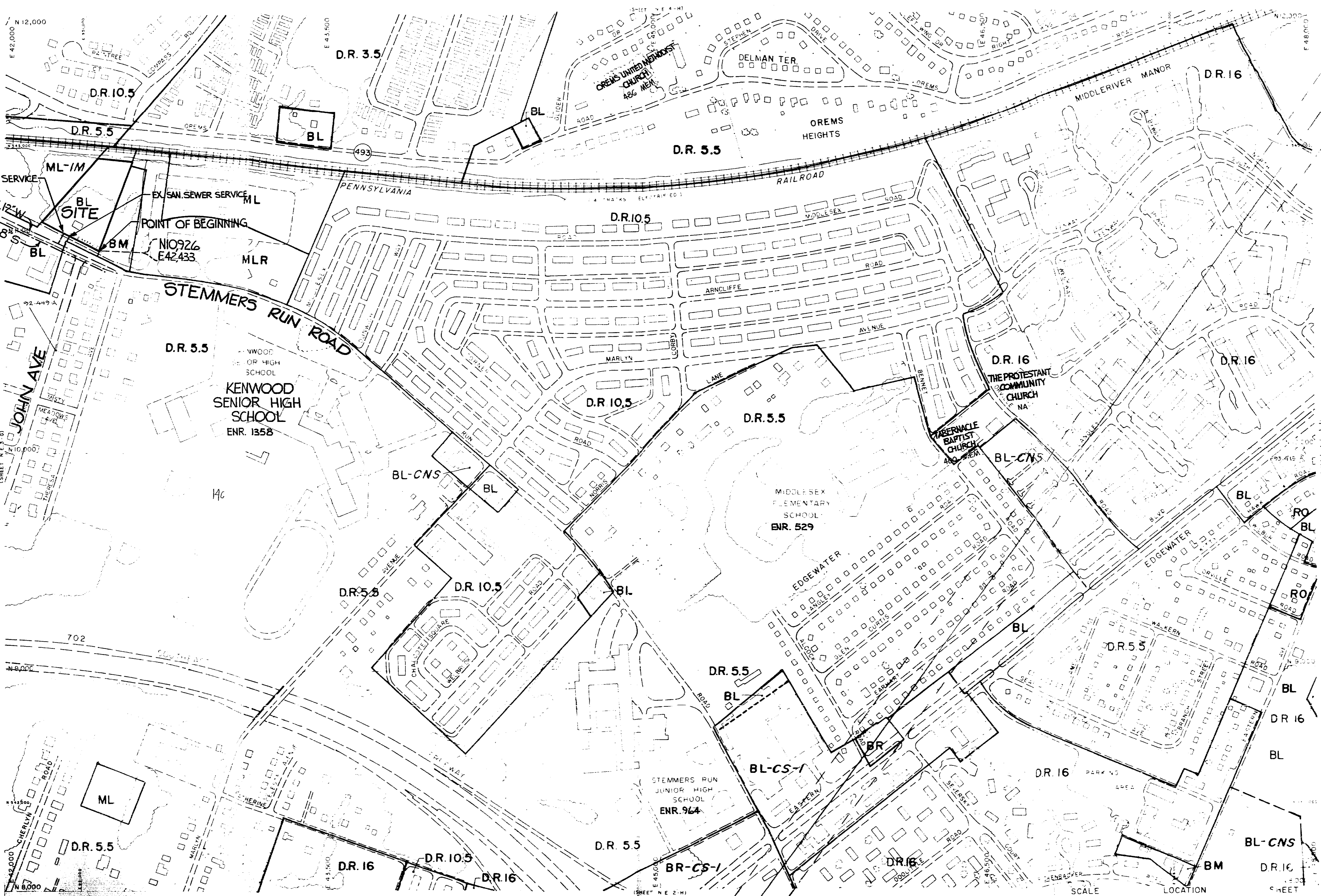
PETITIONER'S  
EXHIBIT NO. 3

Scale: 1/4" = 1'-0"  
Date: NOVEMBER 5, 1998  
Project Number:  
Drawn By:  
Sheet Number:

SK 31



96-145-X



1 - SW 1 - SE  
 1 - NW 1 - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP  
 Adopted by the Baltimore County Council  
 Oct. 15, 1992

William A. Howard  
 Chairman, County Council

SCALE 1" = 200'

DATE OF PHOTOGRAPHY: JANUARY 1986

STEMMERS RUN AERO ACRES