

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NE/S Ebenezer Road, 300' S of * ZONING COMMISSIONER
the c/l Railroad Avenue * OF BALTIMORE COUNTY
(5508 Ebenezer Road) * Case No. 96-161-SPH
11th Election District *
5th Councilmanic District *
Peter C. Sugatt, et ux, Owners; *
John Brooks, Contract Lessee - *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on Remand from the County Board of Appeals, pursuant to its Order dated May 13, 1998, which required that this Zoning Commissioner reconsider the issues presented in the above-captioned case, "in light of the new legislation" (i.e., the passage of Bill No. 29-98).

A review of the history of this case is appropriate. The subject property consists of a gross area of .376 acres, more or less, zoned B.L., and is located on the east side of Ebenezer Road, not far from Pulaski Highway in White Marsh. The property is owned by Peter and Cynthia Sugatt, and is leased by John Brooks, who operates a tattoo salon on the premises. The property is improved with a two-story frame building, a gravel parking area, and shed. Mr. Brooks is a tattoo artist by occupation and has leased the subject property for his tattoo shop since March, 1995. In October, 1995, the owners of the property, Peter and Cynthia Sugatt, and Mr. Brooks filed a Petition for Special Hearing seeking approval of a use permit for, and/or a determination that, a dermagraphic art and design studio (tattoo shop) is a permitted use, or a use in combination with other uses on the subject property, zoned B.L. A hearing on the matter was held before me on November 25, 1995, after which I issued an Order dated March 6, 1997 denying the Petition. In that Order, I outlined the details of Mr. Brooks'

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operation and the state of the law as it existed at that time. I noted that the first floor of the premises was used as a dog grooming studio and that Mr. Brooks' operation occupied the second floor. I also found that Mr. Brooks' studio provided body piercing, the preparation of "flash" (original works of art and design which can be sold directly or used as a basis for the design of tattoos), and that Mr. Brooks also tattooed customers on the premises.

As to the law, I noted that the Baltimore County Zoning Regulations (B.C.Z.R.) are written in the inclusive. That is, only uses identified within the regulations as permitted by right or by special exception are allowed. I also noted that a review of Section 230 of the B.C.Z.R., which regulates the B.L. zone, shows that tattoo salons are not identified as uses permitted either by right or by special exception. In fact, at that time, tattoo parlors were not defined within the definitional section (Section 101) of the B.C.Z.R. Thus, I found that the relief requested could not be granted and concluded, "In my judgment, tattoo studios are prohibited by the B.C.Z.R. until such time as the County Council sees fit to enact a law specifically defining and regulating this business, or, unless a specific business falls within the residential art salon definition."

An appeal followed; however, before the appeal could be heard and considered by the County Board of Appeals, the County Council enacted Bill No. 29-98 which took effect on April 15, 1998. This Bill regulates tattoo and body piercing establishments, in addition to adult entertainment businesses and massage establishments. In view of this legislation, the County Board of Appeals directed a remand of this case to the Zoning Commissioner for further consideration consistent with that legislation.

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Date 8/24/98
By [Signature]

Thus, a hearing was scheduled before me on July 30, 1998. Appearing before me at the requisite public hearing on remand were John Brooks, and his attorney, Charles Lamasa, Esquire. Also present were Adam E. Paul, Sr., President of the White Marsh Civic Association, and J. Carroll Holzer, Esquire, who represented that organization.

The issues under consideration on the remand are exclusive and legal in nature. There is no dispute that Mr. Brooks operates a tattoo business on the subject property and has done so since at least early 1995. Moreover, the specifics of the property, e.g., its B.L. zoning, its size, and improvements thereon, etc., are not contradicted.

Bill No. 29-98 comprehensively regulates adult entertainment businesses, massage parlors, and tattoo or body piercing establishments. The Bill directs in which zones those uses are permitted, the applicable setbacks which must be maintained, and the enforcement for violations of the Bill. Section 6 of the Bill is that portion which generates the issue before me. As passed, Section 6 provides, "AND BE IT FURTHER ENACTED, that this Act does not apply to a massage establishment or tattoo or body piercing establishment in existence in a business or commercial zone for at least 12 months prior to the effective date of this Act, except if a massage establishment, tattoo or body piercing establishment relocates. This Section is not intended to waive any other provision or requirement of state or county law in effect prior to the effective date of this Act." Mr. Holzer on behalf of the White Marsh Community Association argues that this language does not grandfather existing tattoo or body piercing establishments to legitimize same. Rather, he contends that the language employed merely provides that for such establishments which existed at least one year prior to the Act, the prior law controls. As summarized in

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the opinion and order previously issued by me in this case, there was no law prior to Bill No. 29-98 permitting tattoo parlors. Thus, Mr. Holzer argues that since the prior law controls and tattoo parlors were not permitted under same, Mr. Brooks' operation is not allowed.

To the contrary, Mr. Lamasa argues that Section 6 legitimizes Mr. Brooks' operation. He urges a finding that since Mr. Brooks' operation is located within a business zone and has been there for at least one year prior to the effective date of Bill No. 29-98, that same may continue.

The cardinal rule in the construction of statutes is to give effect to the intention of the legislature, and in determining that intention, the reviewing body or Court considers the language of the enactment in its natural and ordinary signification. See Germenko, et al v. Public Service Commission, 226 Md. 295 (1961). The language of the statute is to be given its natural and ordinary meaning. See Montgomery County v. Buckman, 333 Md. 516 (1994). There is no need to look elsewhere to ascertain the intent of the legislative body if there is no ambiguity or obscurity in the language of the statute.

The mere fact that the parties legitimately interpret the language of Section 6 of the Bill differently is compelling to a finding that there is ambiguity or obscurity in the language of the statute. Moreover, it is clear that statutes are to be read so that no word, clause, sentence or phrase, is rendered surplusage, superfluous, meaningless, or negatory. See State v. 149 Slot Machines, 310 Md. 356 (1987). If the Protestants' interpretation of the act were to be adopted, indeed Section 6 would be superfluous. That is, Counsel for the White Marsh Civic Association argues that Section 6 does nothing more than state that the law as it existed prior to the adoption of the Act controls pre-existing tattoo or body

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piercing establishments. That obvious conclusion is clear on its face and the language employed in Section 6 would not need to have been specifically set out if that were the Council's intent.

More compelling is a review of the history of the statute. Originally, Section 6 was proposed to state: "AND BE IT FURTHER ENACTED, that this Act does not apply to a massage establishment or tattoo or body piercing establishment lawfully established prior to the effective date of this Act, except if a massage establishment or tattoo or body piercing establishment relocates." (emphasis added)

I find it significant that the Bill was originally drafted with the words "lawfully established", and that those words were then deleted. In my judgment, it is clear that the Council, when considering the Bill's original language, observed that existing tattoo or body piercing establishments needed to be legitimate under law in order to be grandfathered. That is, the requirement that the establishments be "lawfully established" means that they were granted permission to operate either by the Zoning Commissioner or by right under the B.C.Z.R.

A deletion of the "lawfully established" requirement is a clear indication that the Council recognized that, except in limited cases, existing establishments had not been lawfully established. That is, but for the single decision of this Office (In Re: the Petition of Elton Ensor, Case No. 93-260-SPH), no tattoo establishments were recognized as permitted under the then existing B.C.Z.R. In my opinion, the deletion of the "lawfully established" language is a clear indication that the Council intended to legitimize any existing tattoo or body piercing establishment which existed in a commercial or business zone for one year prior to the Act, despite whether such establishment had been legitimized by a prior

case or by prior law. I believe that the adopted language of Section 6 effectively grandfathers and permits the continued operation of tattoo and body piercing establishments which were in existence on April 15, 1997, unless same relocates.

Support for this conclusion is also found by the language in Section 4 of the Bill. That Section provides grandfathering language for adult entertainment businesses. That Section specifically allows only "lawfully established" adult entertainment businesses to continue. The fact that the Council retained the "lawfully established" language for adult entertainment businesses, but did not do so for tattoo shops, is significant.

Moreover, the Act provides a sunset provision for the continuance of adult entertainment businesses, but no such language for tattoo shops. This omission further supports the conclusion that pre-existing tattoo establishments may continue.

For these reasons, I am persuaded that Mr. Brooks' operation is permissible under law. Therefore, the operation may continue at its present location, and the remanded Petition for Special Hearing shall be granted, allowing the continued operation of the existing shop as permitted by the language in Bill No. 29-98.

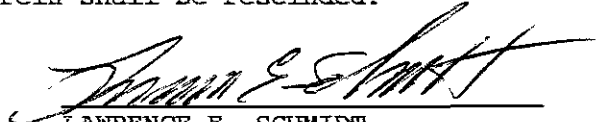
Pursuant to the advertising and posting of the property, and public hearing held thereon, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of August, 1998, that the remanded Petition for Special Hearing to approve a use permit for, and/or a determination that, a dermagraphic art and design studio is a permitted use, or a use in

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[Signature]

combination on the second floor of the subject premises, zoned B.L., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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Date 8/24/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 24, 1998

Charles Lamasa, Esquire
Suder & Suder, P.A.
210 E. Lexington Street, Suite 100
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
NE/S Ebenezer Road, 300' S of the c/l Railroad Avenue
(5508 Ebenezer Road)
11th Election District - 5th Councilmanic District
Peter C. Sugatt, et ux, Owners; John Brooks, Lessee - Petitioners
Case No. 96-161-SPH

Dear Mr. Lamasa:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The remanded Petition for Special Hearing 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Peter Sugatt
~~9128 Cowenton Avenue, Perry Hall, Md. 21128~~
5130 Elder Rd, Nixes, 21002-9550
Mr. John Brooks
5508 Ebenezer Road, White Marsh, Md. 21162

J. Carroll Holzer, Esquire
305 Washington Avenue, Suite 502, Towson, Md. 21204

Mr. Adam E. Paul, Sr., President, White Marsh Civic Association
10404 Vincent Farm Lane, White Marsh, Md. 21162

People's Counsel; Case Files

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IN THE MATTER OF
THE APPLICATION OF
JOHN BROOKS -PETITIONER
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE NORTHEAST SIDE
EBENEZER ROAD, 300' S OF CENTERLINE
RAILROAD AVE (5508 EBENEZER ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 96-161-SPH

* * * * *

RULING ON APPELLANT /PETITIONER'S MOTION FOR REMAND

This matter comes before this Board on appeal filed by Charles Lamasa, Esquire, on behalf of John Brooks, Appellant /Petitioner, from a decision of the Zoning Commissioner dated March 6, 1997, in which the subject request for special hearing relief was denied. On April 3, 1997, Petitioner noted a timely appeal of the Order of the Zoning Commissioner to this Board.

After several postponement requests were granted, the case was heard by this Board on March 5, 1998, with Memoranda due from counsel for the respective parties by April 20, 1998. Subsequent to that date, the County Council enacted Bill No. 29-98 which amends the Baltimore County Zoning Regulations for, among other things, tatoo or body piercing establishments. On April 22, 1998, a Motion for Remand was filed by Charles Lamasa, Esquire, on behalf of Petitioner, requesting that this matter be remanded to the Zoning Commissioner for further proceedings in light of the new legislation.

A public hearing on Petitioner's Motion was conducted by this Board on Tuesday, May 12, 1998, at which Counsel for Petitioner offered argument in support of the Remand.

Public deliberation followed the hearing, at which time the Board made a unanimous decision to remand the case back to the

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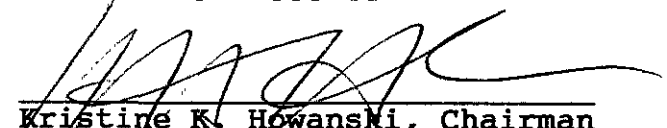
Zoning Commissioner in light of the passage and enactment of Council Bill 29-98. The Board notes no objection raised by the Office of People's Counsel for Baltimore County.

WHEREFORE, upon consideration of Petitioner's Motion to Remand and after public hearing and deliberation, there being no opposition thereto, it is this 13th day of May, 1998, by the County Board of Appeals of Baltimore County

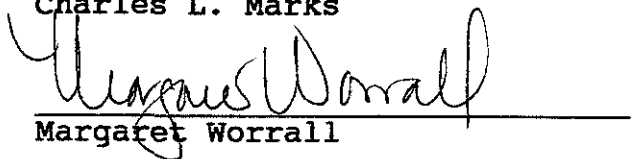
ORDERED that the Motion be, and it is hereby GRANTED; and it is further

ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County for consideration of the issues in light of the new legislation.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Chairman


Charles L. Marks


Margaret Worrall

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Date 5/24/98

By [Signature]

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County Board of Appeals of Baltimore County

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

May 13, 1998

Charles Lamasa, Esquire
SUDER & SUDER, P.A.
210 East Lexington Street
Suite 100
Baltimore, MD 21202

RE: Case No. 96-161-SPH
John Brooks -Petitioner
Ruling on Petitioner's Motion for Remand

Dear Mr. Lamasa:

Enclosed please find a copy of the Ruling on Appellant
/Petitioner's Motion for Remand issued this date by the County
Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte E. Radcliffe for

Kathleen C. Bianco
Administrator

encl.

cc: Mr. John Brooks
Mr. and Mrs. Peter Sugatt
Charles Polesne
Adam E. Paul, Sr., President
White Marsh Civic Association
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt, Zoning Commissioner
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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IN RE: PETITION FOR SPECIAL HEARING *
NE/S EBENEZER ROAD, 300 FT. S
of C/1 RAILROAD AVENUE *
5506 EBENEZER ROAD *
11TH ELECTION DISTRICT *
5TH COUNCILMANIC DISTRICT *
LEGAL OWNER: PETER C. SUGATT, et ux *
LESSEE: JOHN BROOKS, PETITIONER *

BEFORE THE
BOARD OF APPEALS
OF BALTIMORE COUNTY
CASE NO: 96-SPH

MOTION TO REMAND TO ZONING COMMISSIONER

John Brooks and Peter C. Sugatt, et ux, the owners of the property, by their undersigned counsel, move for a REMAND of proceedings to the Zoning Commissioner's Office and for cause states:

1. This matter was before the Board on Respondent's Appeal of the Decision of the Zoning Commissioner on March 5, 1998.
2. At the conclusion of evidence, the Board ordered the filing of Memoranda from counsel for the respective parties.
3. Subsequent to that date, on or about March 20, 1998, the County Council of Baltimore County, Maryland in Bill No. 29-98, passed a Bill entitled "Adult Entertainment Businesses, Massage Establishments, and Tattoo or Body Piercing Establishments" which amended the Zoning Ordinance with respect to the subject matter before the Board in the instant case.
4. The said Bill exempts the restrictions provided for in the Act, any tattoo establishment which have been in existence from in a business or commercial zone for at least twelve (12) months prior to the effective date of the Act. The tattoo establishment which is the subject of this case has been in existence for more than one (1) year prior to March 20, 1998 and accordingly is now presumably allowed under the County Zoning law.

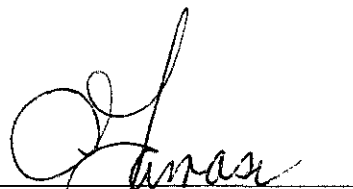
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5. Accordingly, a REMAND to the Zoning Commissioner for further proceedings prior to a decision by the Board is in order.

6. That People's Counsel has been contacted and authorizes the undersigned to represent that the People's Counsel has no objection to this Motion for Remand being granted.

WHEREFORE, the Respondent prays:

- a. That the Board pass an Order remanding this matter to the Zoning Commissioners of Baltimore County for further proceedings as indicated under Bill 29-98 dated March 20, 1998;
- b. That the Board grant such other and further relief as the nature of the cause may require.



CHARLES LAMASA
210 E. Lexington Street
Suite 100
Baltimore, Maryland 21202
410-727-8177
ATTORNEY FOR RESPONDENTS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 22nd day of April, 1998, a copy of the foregoing Motion to Remand was mailed to Carol DeMileo, Esquire, Office of People's Counsel, Room 47, Old Courthouse, Towson, Maryland 21204



CHARLES LAMASA

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IN RE:

97 JUN 17 PM 1:12

PETITION FOR SPECIAL HEARING
John Brooks, Lessee; Peter Sugatt, *et ux*,
Legal Owners
5508 Ebenezer Road
11th Election District
5th Councilmanic District

PETER SUGATT, *et al*

Petitioners/Appellants

BEFORE THE
COUNTY BOARD
OF APPEALS FOR
BALTIMORE COUNTY
CASE NO.: 96-161-SPH

STRIKING OF APPEARANCE

Madame Clerk:

Please **strike** the appearance of LEVIN & GANN, P.A. and Howard L. Alderman, Jr., in the above-captioned matter, as the Petitioners/Appellants are now represented by Charles Lamasa, Esquire.

LEVIN & GANN, P.A.



Howard L. Alderman, Jr.

LEVIN & GANN, P.A.

305 West Chesapeake Avenue

Suite 113

Towson, MD 21204

(410) 321-0600

CERTIFICATE OF SERVICE

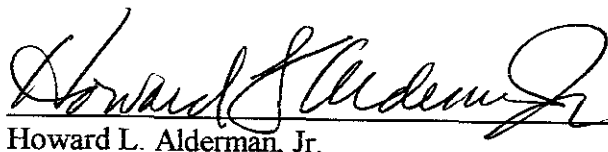
I HEREBY CERTIFY that on this 17th day of June, 1997, a copy of the foregoing Striking of Appearance was mailed, postage prepaid, First Class United States Mail to:

Mr. John Brooks
5508 Ebenezer Road
White Marsh, MD 21162

Mr. and Mrs. Peter Sugatt
9128 Cowenton Avenue
Perry Hall, MD 21128

Peter M. Zimmerman,
People's Counsel
400 Washington Avenue
Old Courthouse-Basement
Towson, MD 21204

Charles P. Lamasa, Esquire
1023 Cathedral Street
Baltimore, MD 21201-5403



Howard L. Alderman, Jr.

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*filed
Keb*

IN RE: PETITION FOR SPECIAL HEARING
NE/S EBENEZER ROAD, 300 FT.S
OF c/l Railroad Avenue
5506 Ebenezer Road
11th Election District
5th Councilmanic District
Legal owner: Peter C. Sugatt, et ux.
Lessee: John Brooks, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO:96-161-SPH
*

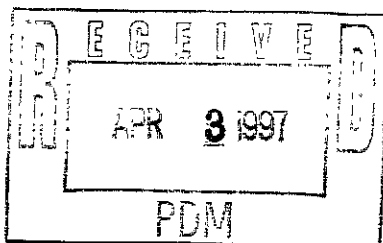
ORDER OF APPEAL

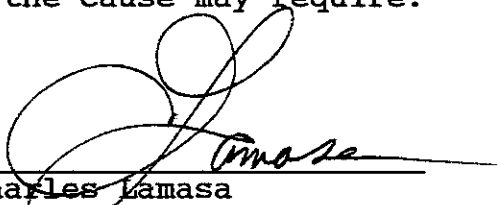
John Brooks, by his undersigned counsel, appeals the decision of the Zoning Commissioner of Baltimore County dated on or about March 6, 1997, and states:

1. The decision of the Zoning Commissioner is erroneous.
2. The decision of the Zoning Commissioner is arbitrary and capricious.
3. The decision of the Zoning Commissioner deprives appellant of the equal protection of law pursuant to the United States Constitution and the Constitution of the State of Maryland.
4. The decision of the Zoning Commissioner is otherwise erroneous.

WHEREFORE Appellant prays:

- a. That the Board of Zoning Appeals reverse the decision of the Zoning Commissioner of Baltimore County.
- b. That the Board of Zoning Appeals grant such other and further relief as the nature of the cause may require.




Charles Lamasa
1023 Cathedral Street
Baltimore, Maryland 21201
(410) 727-4131
Attorney for Appellant

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IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NE/S Ebenezer Road, 300 ft. S *
of c/l Railroad Avenue * ZONING COMMISSIONER
5508 Ebenezer Road *
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal owner: Peter C. Sugatt, et ux * Case No. 96-161-SPH
Lessee: John Brooks, 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 5508 Ebenezer Road in White Marsh. The Petition is filed by Peter C. Sugatt and Cynthia M. Sugatt, property owners, and John Brooks, Lessee. Special hearing relief is requested to approve a use permit for, and/or a determination that, a dermagraphic art and design studio is a permitted use, or a use in combination on the second floor of the subject premises, in a B.L. zone, together with permitted accessory uses or structures. The subject property and improvements thereon are more particularly shown on the plat to accompany the Petition for Special Hearing received as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Peter C. Sugatt, property owner, John P. Brooks and Sharon L. Brooks, Lessees. Also appearing in support of the Petition was Jeremy R. Cox. Also present was Geoffrey C. Schultz, the engineer who prepared the site plan. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. There were no Protestants or other interested persons present.

This is another in a series of cases which have been considered by this office regarding the permissibility of tattoo salons in Baltimore County. In this case, the property at issue is a lot .376 acres in area, zoned B.L. The property is located immediately abutting Ebenezer Road,

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Date

By

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not far from Pulaski Highway, in eastern Baltimore County. The property is improved with a two story frame building, the second floor of which is used as a tattoo salon operated by Mr. Brooks. The first floor is used as a dog grooming studio. The balance of the site is improved with an existing gravel parking area and yard area. The site plan indicates that the Petitioners propose a larger macadam parking lot on the property.

Mr. Brooks testified and described his business. He leased the property in March of 1995 and has been operating a tattoo salon at this location since that time. In addition to tattooing, Mr. Brooks' studio also provides body piercing services and the preparation of "flash"; original works of art or design which can be sold directly or used as a basis for the design of tattoos. Mr. Brooks has been a tattoo artist for approximately 12 years and has worked in the Baltimore area. He testified that he only tattoos those over the age of 18 and described his artistry and method of operation in detail.

As I have noted in other opinions in similar cases, it is to be observed that the BCZR are written in the inclusive. That is, only those uses identified within the regulations as permitted by right or by special exception are allowed. See Kowalski v. Lamar, 25 Md. App. 493 (1973). Section 102.1 of the BCZR specifically 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 the lawful nonconforming use." Moreover, in identifying the uses permitted in the B.L. zone, Section 230 of the BCZR provides, "The following uses only are permitted." (emphasis added)

A review of Section 230 of the BCZR shows that tattoo salons are not a use identified as permitted by either right or special exception. The Baltimore County Council has, for some reason, seen fit not to define tattoo parlors in Section 101 of the BCZR, nor identify them as a permit-

ted use in any zone. In view of the holding in Kowalski and Section 102.1 of the BCZR, such a failure has made it difficult to reach a conclusion that tattoo parlors are permitted anywhere in Baltimore County.

In case No. 96-107-SPH, I addressed this issue when considering a request for approval of a tattoo parlor proposed on a property zoned B.M., located in Towson. In that case, the Petitioner sought relief under alternate theories. Specifically, it was argued that a tattoo parlor could be permitted as a barber shop, beauty shop or residential art salon; as a combination of permissible uses as of right; as a permissible accessory use or structure; or as a printing, lithographing or publishing plant. For reasons fully set forth in that opinion, I held that a tattoo parlor fits none of these classifications and was not permitted under the BCZR.

The only case where a tattoo parlor has been permitted was in Re: The Matter of Elton B. Ensor (case No. 93-260-SPH). In that case, I considered a Petition for Special Hearing for a property zoned B.L. located in Essex. Uncontradicted testimony was presented at that hearing that the structure at issue was primarily used as a residential apartment, however, a small portion of the building contained a tattoo parlor operated by Mr. Ensor. Under the broad definition of "residential art salon" contained within Section 101 of the BCZR, I found that the use was permitted. Specifically, a residential art salon is defined as "A portion of a dwelling unit used for the exhibition and sale of original works of art." Testimony was persuasive in that case that the tattoo parlor was indeed a "portion of a dwelling unit" and that the primary business was "the exhibition and sale of original works of art" whether they be mounted on paper (i.e., flash) or human skin (i.e., tattoos). For those reasons, the Petition was granted in that case.

In the instant matter, relief, however, cannot be granted. Uncontradicted testimony and evidence presented was that the structure at issue is

used solely for commercial purposes. Mr. Brooks' tattoo parlor occupies the second floor of the building and the first floor is occupied by a dog grooming studio. There are no individuals who reside within the building thus, the structure at issue is not a dwelling and the tattoo parlor cannot be considered a "residential art salon".

Moreover, I find no authority to support conclusion that the use is permitted under any other theory advanced by the Petition. In my judgment, Tattoo Studios are prohibited by the BCZR until such time as the County Council sees fit to enact a law specifically defining and regulating this business or, unless the specific business falls within the residential art salon definition. Thus the Petition for Special Hearing must be denied.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6th day of March 1997 that, pursuant to the Petition for Special Hearing, approval of a use permit for and/or a determination that a dermagraphic art and design studio is a permitted use, or a use in combination on the second floor of the subject premises in a B.L. zone, together with permitted accessory uses or structures, be and is hereby DENIED.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 3/6/97
By M. G. G. G.

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 5, 1997

Howard L. Alderman, Jr., Esquire
Levin and Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 96-161-SPH
Property: 5508 Ebenezer Road
John Brooks/Peter C. Sugatt, et ux, Petitioners

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been denied.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: Mr. John Brooks, 5508 Ebenezer Road, White, Marsh, Md. 21162
c: Mr. and Mrs. Peter C. Sugatt, 9128 Cowenton Avenue, Perry Hall 21128



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5508 Ebenezer Road, NE/S Ebenezer Rd, * ZONING COMMISSIONER
300' S of c/l Railroad Avenue * OF BALTIMORE COUNTY
11th Election District, 5th Councilmanic *
Peter and Cynthia Sugatt / John Brooks * CASE NO. 96-161-SPH
Petitioners *

* * * * *

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 November, 1995, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Esquire, Levin & Gann, 305 W. Chesapeake Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED



Petition for Special Hearing

76-161-SPH

to the Zoning Commissioner of Baltimore County

for the property located at

5508 Ebenezer Road

which is presently zoned

BL

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a use permit for and/or a determination that a dermagraphic art and design studio is a permitted use, or a use in combination, on the 2nd floor of the subject premises in a BL zone, together with permitted accessory uses or structures.

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

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

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

John Brooks

(Type or Print Name)

Signature

5508 Ebenezer Road

Address

White Marsh, Maryland 21162

City

State

Zipcode

Attorney for Petitioner

Howard L. Alderman, Jr.

(Type or Print Name)

Signature

Levin & Gann

(410)321-0600

305 West Chesapeake Avenue

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

Legal Owner(s):

Cynthia Molano Sugatt

(Type or Print Name)

Signature

Peter Clifton Sugatt

(Type or Print Name)

Signature

9128 Cowenton Avenue

(410)529-4678

Address

Phone No.

Perry Hall, Maryland 21128

City

State

Zipcode

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

McKee & Associates, Inc.

(410)527-1555

Name

5 Shawan Road, Hunt Valley, MD 21030

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: SNA

DATE

10-10-95

MICROFILMED

154

MCKEE & ASSOCIATES, INC. 96-161-SPH

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile (410) 527-1563

September 9, 1995

**ZONING DESCRIPTION OF
5508 EBENEZER ROAD
ELEVENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a point in the centerline of Ebenezer Road, distant 300 feet south of the centerline of Railroad Avenue; thence running North 33° 43' 10" East 167.41 feet, South 29° 47' 50" East 138.40 feet, and South 54° 28' 50" West 153.24 feet to the center of Ebenezer Road; thence along said road, North 27° 53' 25" West 79.07 feet to the place of beginning.

Containing 16,379 square feet or 0.376 acres of land as recorded in deed Liber 7389, folio 529 and being known as 5508 Ebenezer Road.



J. W. McKee
10/9/95

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
96-161-594

District 114

Posted for: Special Hearing Date of Posting 11/12/95

Petitioner: John Brads - Cynthia & Bob Sugart

Location of property: 5508 E. Jones Rd., NE

Location of Sign: Facing road on property being posted

Remarks: _____

Posted by: [Signature]

Signature

Number of Signs: 1 Date of return: 11/17/95

00246 11/17/95

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 #95-161-SPH (Item 164)

5508 Ebaner Road, 300, S of 27 Railroad Avenue

11th Election District

5th Councilmanic

Legal Owner(s): Cynthia and Peter Slagatt

Contract Purchaser: John Brooks

Hearing: Tuesday, November 28, 1995 at 10:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing: to approve a use permit for a design that a demographic art and design studio is a permitted use, or a use in combination, on the 2nd floor of the subject premises in a B.L. zone, together with permitted accessory uses or structures.

LAWRENCE E. 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.

c14412/1/063 Nov. 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/3, 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 2 successive weeks, the first publication appearing on 11/2, 1995.

THE JEFFERSONIAN,

A. H. Enickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

035083

DATE 4/4/97 ACCOUNT 8-001 MIS.

AMOUNT \$ 210.00

RECEIVED FROM: Charles Lomas

FOR: Appeal # 96-161-SPH

MICROFILMED

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

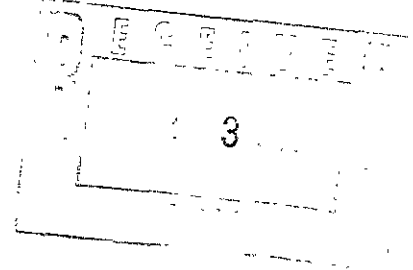
1145
BA COL1:40AND4-04-97

CASHIER'S VALIDATION

\$210.00

97-1455

CHARLES LAMASA
ATTORNEY AT LAW
1023 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(410) 727-4131
TELECOPIER 727-4178



April 2, 1997

Zoning Review Office
Suite 111
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: JOHN BROOKS
CASE NO.: 96-161-SPH

Dear Sir,

Please file the enclosed Order Of Appeal. I enclosed a check in the amount of \$175.00 as filing fee and \$35.00 for posting.

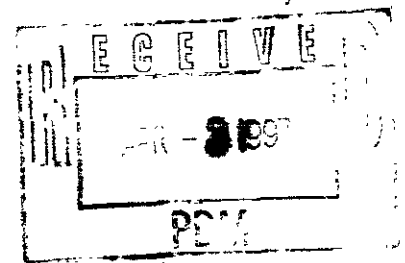
I thank you for your attention to this matter.

Very truly yours,


Charles Lamasa

P.S.- Please date stamp the enclosed copy of the Order of Appeal and mail same back the the self addressed stamp envelope.

CL



MICROFILMED

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

nd.

DATE 10-10-95 ACCOUNT R 001-6100
96-161-SPH
FOR John Brooks AMOUNT \$ 25500.

RECEIVED FROM: HOWARD ALDOLMAN (LOUIS GANN)
CUU SPECIAL HEARING 250
OSC 1 SIGN 35
FOR: TAN 285

MICROFILMED

VALIDATION OR SIGNATURE OF CASHIER

154.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 96-161 SPH

Petitioner/Developer: _____

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

5508 EBENEZER RD.

The sign(s) were posted on 5/29/97
(Month, Day, Year)

Sincerely,

Gary Jones 5/29
(Signature of Sign Poster and Date)

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

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

October 27, 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: 96-161-SPH (Item 154)
5508 Ebenezer Road
NE/S Ebenezer Road, 300' S of c/l Railroad Avenue
11th Election District - 5th Councilmanic
Legal Owner: Cynthia and Peter Sugatt
Contract Purchaser: John Brooks

Special Hearing to approve a use permit for an/or a determination that a dermagraphic art and design studio is a permitted use, or a use in combination, on the 2nd floor of the subject premises in a B.L. zone, together with permitted accessory uses or structures.

HEARING: TUESDAY, NOVEMBER 28, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

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

Arnold Jablon
Director

cc: Cynthia and Peter Sugatt
McKee & Associates, Inc.
John Brooks
Howard L. Alderman, Jr., Esq.

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

MICROFILMED



CHARLES LAMASA
ATTORNEY AT LAW
1023 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(410) 727-4131
TELECOPIER 727-4178

July 31, 1997

County Board of Appeals
of Baltimore County
Old Courthouse Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: 96-161-SPH
John Brooks

Dear Sir:

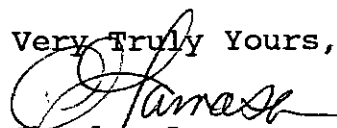
This is to request a postponement of the August 7, 1997, hearing date in this matter. The reasons for the request are twofold.

I am scheduled in Harford County on that date in a criminal case the date of which was recently changed. Additionally, the subject matter of this case is being taken up for consideration by the County Council this fall and depending on the outcome of Council action, the case may become moot.

I have spoken to the Peoples Counsel, Mr. Zimmerman, who has no objection to the request.

I thank you for your attention to this matter.

Very Truly Yours,


Charles Lamasa

cc: Peter Zimmerman, Esq.

MICROFILMED

Received 7/31/97
CBA/Kel

CHARLES LAMASA
ATTORNEY AT LAW
1023 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(410) 727-4131
TELECOPIER 727-4178

November 7, 1997

RECEIVED
COUNTY BOARD OF APPEALS
97 NOV 12 PM 2:04

County Board of Appeals
of Baltimore County
Old Courthouse Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: 96-161-SPH
John Brooks

Dear Sir:

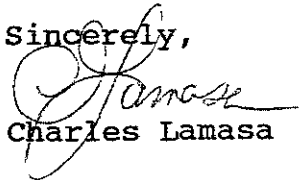
This is to request a second postponement of the hearing date currently scheduled in this matter, November 13, 1997.

The reasons for the request are twofold. First, the County Council has had under consideration this Fall the matter of potential changes in the County Code with respect to the precise type of business involved in this Appeal, tattoo parlors. The matter has not come to a conclusion as yet, but as a change could be imminently in store, I suggest that it would be prudent to allow an additional short period of delay to avoid a potentially unnecessary expenditure of resources.

Secondly, undersigned counsel has a medical malpractice case, Desi v. Reischer, et al., which is awaiting a Court being available in Baltimore City Circuit Court. The case was set for November 6, 1997, but has been delayed because of Court crowding. Assignment to a Court could occur at any time. In addition to the above additional reason justifying a postponement, a continuance now would avoid a possible last minute delay which would inconvenience witnesses and other participants to a greater extent.

Accordingly, this last request for postponement is requested.

Sincerely,


Charles Lamasa

cc: Peter M. Zimmerman, Esq.

MICROFILMED



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 12, 1997

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 96-161-SPH IN THE MATTER OF: JOHN BROOKS, LESSEE; PETER
SUGATT, ET UX -LEGAL OWNERS 5508 Ebenezer Rd
11th Election District; 5th Councilmanic

(Petition for Special Hearing DENIED)

which was scheduled for hearing before the Board on November 13, 1997 has
been POSTPONED at the request of Counsel for Petitioner, and without
objection by People's Counsel; has been

REASSIGNED FOR: THURSDAY, MARCH 5, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the
advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C,
Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient
reasons; said requests must be in writing and in compliance with Rule
2(b) of the Board's Rules. No postponements will be granted within 15
days of scheduled hearing date unless in full compliance with Rule
2(c).

Kathleen C. Bianco
Administrator

cc: Counsel for Appellant /Petitioner :Charles Lamasa, Esquire
Appellant /Petitioner (Lessee) :John Brooks
Petitioner /Legal Owners :M/M Peter Sugatt

Mr. Charles Polesne
Adam E. Paul, Sr., President
White Marsh Civic Association

People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 29, 1998

NOTICE OF ASSIGNMENT /ARGUMENT ON MOTION FOR REMAND

CASE #: 96-161-SPH IN THE MATTER OF: JOHN BROOKS, LESSEE; PETER
SUGATT, ET UX -LEGAL OWNERS 5508 Ebenezer Rd
11th Election District; 5th Councilmanic

(Petition for Special Hearing DENIED)

Has been scheduled for a Motion hearing to receive argument only on
Petitioner's Motion to Remand to Zoning Commissioner; and has been

ASSIGNED FOR: TUESDAY, MAY 12, 1998 at 12:15 p.m.

NOTICE: This matter has been scheduled for the purpose of receiving oral argument only on
Appellant /Petitioner's Motion for Remand.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore
County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must
be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will
be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

cc: Counsel for Appellant /Petitioner :Charles Lamasa, Esquire
Appellant /Petitioner (Lessee) :John Brooks
Petitioner /Legal Owners :M/M Peter Sugatt

Mr. Charles Polesne
Adam E. Paul, Sr., President
White Marsh Civic Association

People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

May 18, 1998

Charles Lamasa, Esquire
1023 Cathedral Street
Baltimore, MD 21201

RE: Case Number 96-161-SPH
Petitioner: Sugatt
Location: 5508 Ebenezer Rd.
11th Election District

Dear Mr. Lamasa:

The above matter has been **rescheduled for Tuesday, June 23, 1998 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.** This case was remanded from the Board of Appeals to the Zoning Commissioner in an order issued on May 13, 1998.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "scs" written below it.

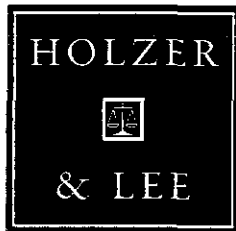
Arnold Jablon
Director

AJ:scj

c: Cynthia & Peter Sugatt
John & Sharon Brooks
McKee & Associates
Charles Polesne
Jeremy Cox
White Marsh Civic Association
People's Counsel for Baltimore County

MICROFILMED





cc: CR
6/3/98
To Sph
6/4
have him
call council
& other rule
+ agree on date
y

LAW OFFICES
J. CARROLL HOLZER, PA
J. HOWARD HOLZER
1907-1989
THOMAS J. LEE
OF COUNSEL

TOWSON OFFICE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MD 21204
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@MAIL.BCPL.LIB.MD.US

June 2, 1998
#7083

Arnold Jablon,
Director of Baltimore County
Department of Permits and Development Management
County Office Building
Towson, Maryland 21204

Re: Case No. 96-161-SPH
Petitioner: John Brooks
Location: 5508 Ebenezer Road

Dear Mr. Jablon:

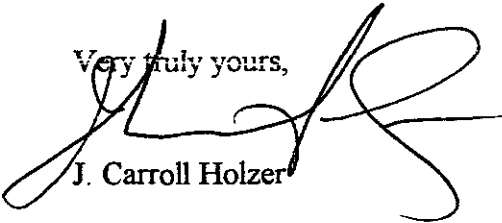
Please be advised that the above-captioned case which was remanded from the Board of Appeals to the Zoning Commissioner in an Order date May 13, 1998, is scheduled for Tuesday, June 23, 1998 at 2:00 p.m. in Room 407.

Please enter my appearance on behalf of the White Marsh Civic Association and Adam Paul, individually, in regard to the above-captioned matter.

I would hereby request a postponement and a rescheduling of the Zoning Commissioner's Hearing in that I am due to be out of town on Friday, June 19, 1998 thru Monday, June 29, 1998 on vacation. I would respectfully request a postponement and rescheduling of the Hearing. I would also note that I will be unavailable during the weeks of Wednesday, July 15, 1998 thru Wednesday, July 29, 1998, in that I will be out of town during that period as well.

I thank you very much for rescheduling this case.

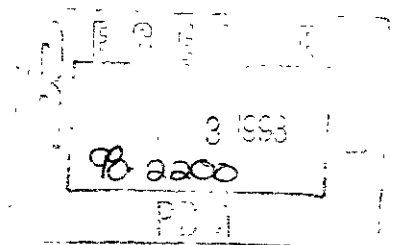
Very truly yours,


J. Carroll Holzer

cc: Adam Paul
Charles Lamasa, Esquire

c:\letters\jablon.3

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

June 11, 1998

Charles Lamasa, Esquire
1023 Cathedral Street
Baltimore, MD 21201

RE: Case Number 96-161-SPH
Petitioner: John Brooks
Location: 5508 Ebenezer Road

Dear Mr. Lamasa:

The above matter, previously assigned to be heard on June 23, 1998 has been postponed at the request of Mr. J. Carroll Holzer, attorney for White Marsh Civic Association and Adam Paul.

Please be advised that the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: J. Carroll Holzer, Esquire
Cynthia & Peter Sugatt
John & Sharon Brooks
McKee & Associates
Charles Polesne
Jeremy Cox
White Marsh Civic Association
People's Counsel for Baltimore County

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

June 24, 1998

Charles Lamasa, Esquire
1023 Cathedral Street
Baltimore, MD 21201

RE: Case Number 96-161-SPH
Petitioner: John Brooks
Location: 5508 Ebenezer Road

Dear Mr. Lamasa:

The above matter, previously assigned to be heard on June 23, 1998 has been **rescheduled for Thursday, July 30, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

The new hearing date and time should be affixed to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a small mark at the end that looks like a stylized "3" or a flourish.

Arnold Jablon
Director

AJ:scj

c: J. Carroll Holzer, Esquire
Cynthia & Peter Sugatt
John & Sharon Brooks
McKee & Associates
Charles Polesne
Jeremy Cox
White Marsh Civic Association
People's Counsel for Baltimore County

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

November 21, 1995

Howard L. Alderman, Jr.
Levin & Gann
305 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No.: 154
Case No.: 96-161-SPH
Petitioner: P. C. Sugatt, et ux

Dear Mr. Alderman:

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 10, 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.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

10/31/95
TO WCR
FYB
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

FROM: Pat Keller, Director, OP

SUBJECT: 5508 Ebenezer Road

DATE: October 30, 1995

INFORMATION:

Item Number: 154

Petitioner: Sugatt Property

Property Size:

Zoning: BL

Requested Action: Special Hearing

Hearing Date: / /

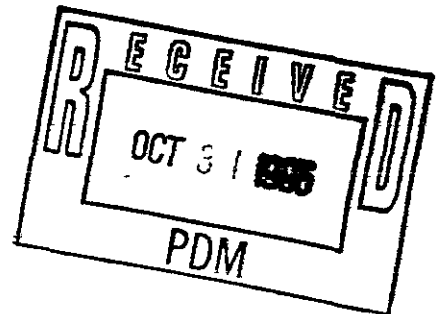
SUMMARY OF RECOMMENDATIONS:

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. Due to the number of similar requests over the past few months, it seems that a legislative approach to this issue is more appropriate than a piecemeal examination of the individual properties under Petition.

Prepared by: Jeffrey M. Long

Division Chief: Cheryl L. Kerns

PK/JL



MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 30, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 5508 Ebenezer Road

INFORMATION:

Item Number: 154

Petitioner: Sugatt Property

Property Size: _____

Zoning: BL

Requested Action: Special Hearing

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

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. Due to the number of similiar requests over the past few months, it seems that a legislative approach to this issue is more appropriate than a piecemeal examination of the individual properties under Petition.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Lewis

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 10/11/95

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

RE: Property Owner: CYNTHIA MOLAND SUGATT & PETER CLIFTON SUGATT

LOCATION: NE/S EBENEZER RD., 300' S OF CENTERLINE RAILROAD AVE.
(5508 RAILROAD AVE.)

Item No.: 154

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.

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



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MICROFILMED

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. 30, 1995
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for October 30, 1995
Item 154

The Development Plans Review Division has reviewed the subject zoning item. Ebenezer Road is an existing road, which shall ultimately be improved as a 42-foot street cross-section on a 70-foot right-of-way.

This office recommends that the Hearing Officer require conformance with the Landscape Manual.

RWB:sw

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-23-95

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

RE: Baltimore County
Item No. 154 (JRA)

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

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

April 14, 1997

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 West Chesapeake Avenue
Towson, MD 21204

RE: Petition for Special
Hearing
NE/S Ebenezer Rd, 300 ft.
S of c/l Railroad Avenue
(5506 Ebenezer Road)
11th Election District
5th Councilmanic District
Peter C. Sugatt, et ux -
Legal Owner
John Brooks -
Lessee/Petitioner
Case No. 96-161-SPH

Dear Mr. Alderman:

Please be advised that an appeal of the above-referenced case was filed in this office on April 3, 1997 by Charles Lamasa, Esquire on behalf of John Brooks. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

MICROFILMED



RECEIVED
COUNTY BOARD OF APPEALS
97 APR 15 PM 6:40

APPEAL

Petition for Special Hearing
NE/S Ebenezer Road, 300 ft. S of c/l Railroad Avenue
(5508 Ebenezer Road)
11th Election District - 5th Councilmanic District
John Brooks, Lessee - Petitioner
Case No. 96-161-SPH

- ✓ Petition for Special Hearing
- ✓ Description of Property
- ✓ Certificate of Posting
- ✓ Certificate of Publication
- ✓ Entry of Appearance of People's Counsel
- ✓ Zoning Advisory Committee Comments
- ✓ Petitioners Sign-In Sheet

- Petitioners' Exhibits:
- ✓ 1 - Plat to Accompany Petition for Special Hearing
 - ✓ 2 - Two Photographs
 - ✓ 3 - Official Zoning Map
 - ✓ 4 - Official Zoning Map
 - ✓ 5 - Illustrations of Tattoos
 - ✓ 6 - Illustrations of Tattoos
 - ✓ 7 - Thinkin' Ink Tattoos Consent and Care Form
 - ✓ 8 - Photographs of Tattoos
 - ✓ 9 - One Photograph and Signed Petition Forms in Support of the Petitioner
 - ✓ 10 - Two Photographs
 - ✓ 11 - Two Photographs
 - ✓ 12 - One Photograph

- ✓ Zoning Commissioner's Order dated March 6, 1997 (Denied)
- ✓ Notice of Appeal received on April 3, 1997 from Charles Lamasa, Esquire on behalf of John Brooks

c: * Charles Lamasa, Esquire, 1023 Cathedral St., Baltimore, MD 21201
Mr. John Brooks, 5508 Ebenezer Road, White Marsh, MD 21162
~~Howard L. Alderman, Jr., Esquire, Levin & Gann, 305 West Chesapeake Avenue, Towson, MD 21204~~ ~~Stuck Appearance 6/17/97~~
Mr. and Mrs. Peter Sugatt, ~~9128 Cowenton Ave., Perry Hall, MD 21128~~
People's Counsel of Baltimore County, M.S. 2010 5130 ELDER RD
HYDES, MD 21082-9536

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

✓E

Charles Polesne
P.O. Box 143 835-4735
White Marsh, MD 21162-0143

Adam E. Paul, Sr., President
White Marsh Civic Association
10404 Vincent Farm Lane
White Marsh, MD 21162 335-1404

MICROFILMED

Case No. 96-161-SPH

SPH -To approve use permit and/or determination that a dermagraphic art and design studio is a permitted use; or a use in combination together with permitted accessory uses or structures.

3/06/97 -Z.C.'s Order in which Petition for Special Hearing was DENIED.

6/04/97 - Notice of Assignment for hearing scheduled for Thursday, August 7, 1997 at 10:00 a.m. sent to following:

Charles Lamasa, Esquire
John Brooks
Mr. and Mrs. Peter Sugatt
Howard L. Alderman, Jr., Esquire
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

6/06/97 -T/C from Charles Polesne -- resides next door to subject property; was not aware that appeal had been taken; requested copy of hearing notice; will add to file for further notifications.

6/17/97 -Striking of Appearance filed by Howard Alderman (Petitioners /Appellants represented now by Charles Lamasa, Esquire.

7/31/97 -PP request filed by Mr. Lamasa on behalf of Petitioner; schedule conflict in Harford County courts and pending legislation cited; no objection by PC to this request being granted.

8/01/97 -Notice of PP and Reassignment sent to parties; case rescheduled to Thursday, November 13, 1997 at 1:00 p.m.

10/15/97 -T/C from Adam Paul, President of White Marsh Civic Association; requested copy of notice of assignment in this matter; association has been added to file for future mailings.

11/12/97 -Letter dated 11/07/97 from Charles Lamasa, Esquire, on behalf of Appellants /Petitioners requesting postponement due to pending legislation in this regard.
- Letter from People's Counsel; no objection to the granting of this request; however asks that it be reassigned "at a convenient time on the Board's docket."
- Postponement to be granted; contacted Board (C.W.M.) and court reporter regarding postponement. Also contacted both Mr. Zimmerman and Mr. Lamasa by telephone to confirm grant of postponement. To be reassigned to next available date.
- Second Notice of PP and Reassignment sent to parties; case rescheduled to Thursday, March 5, 1998 at 10:00 a.m.

3/05/98 -Hearing concluded before Board as to testimony and evidence; briefs due from parties 4/20/98; to be scheduled for public deliberation. (NOTE: Pending legislation could possibly impact this matter; to be monitored.) KCW

MICROFILMED

Page 2 John Brooks, Lessee; Peter Sugatt et ux, Legal Owners

3/06/98 - Letter from P. Zimmerman submitted Rule 8 papers from White Marsh Civic Association with other documentation as listed in letter.

3/11/98 - Letter from Charles Lamasa, Esquire - in receipt of above correspondence; concurs with inclusion of Rule 8 papers and minutes of WMCA meeting. However, believes the Board should strike these the three letters indicated from the record. Response to go out from Board within week.

3/18/98 - Letter from K. Howanski to P. Zimmerman and C. Lamasa -- Board will include Rule 8 documents and 7/8/97 minutes as part of the record in this case; however, the Board granted Mr. Lamasa's request to strike the three letters from Messrs. Paul, Polesne and Wright, which letters were returned to Mr. Zimmerman as attachments to Ms. Howanski's instant letter.

4/20/98 - Memos were due from parties; however, advised by Counsel that a Motion to remand to the ZC is to be filed by Petitioner's counsel. When received, scheduled for motion hearing and deliberation same date.

4/22/98 - Motion to Remand to Zoning Commissioner filed by Counsel for Petitioner; PC aware that Motion has been filed; to be scheduled for motion hearing and deliberation on same. (K.C.W.)

4/29/98 - Notice of Assignment /Motion to Remand sent to parties; scheduled for Tuesday, May 12, 1998 at 12:15 p.m. (K.C.W. copies as FYI)

5/12/98 - Hearing on Petitioner's Motion to Remand to ZC. Deliberated at conclusion of argument. Motion GRANTED by Board; case to be remanded to the Zoning Commissioner. (K.C.W.)

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

Inter-Office Correspondence

TO: Arnold Jablon, Director
 Office of Permits &
 Development Management

DATE: May 14, 1998

FROM: Charlotte E. Radcliffe *ce*
 County Board of Appeals

SUBJECT: John Brooks, Lessee - Petitioner
 Case No. 96-161-SPH

Pursuant to the Remand Order issued by the Board on May 13, 1998, we are hereby returning the file to you to be forwarded to the Zoning Commissioner for his further consideration as required.

Should you have any questions, please call me at ext. #3180.

Attachment (Case filed No. 96-161-SPH)

c: Docket Clerk
 Charles Lamasa, Esquire
 Adam E. Paul, Sr., President
 White Marsh Civic Association
 People's Counsel for Baltimore County
 Lawrence E. Schmidt, Zoning Commissioner

MICROFILMED



County Board of Appeals of Baltimore County

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

June 12, 1997

Mr. Charles Polesne
P.O. Box 143
White Marsh, MD 21162-0143

RE: Case No. 96-161-SPH
John Brooks, Lessee; Peter
Sugatt, et ux -Legal Owners

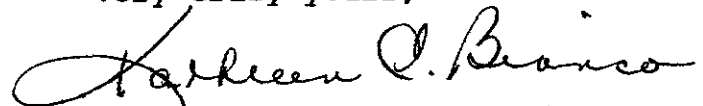
Dear Mr. Polesne:

As promised in our telephone conversation, enclosed, for your information, are the following:

1. Copy of Petition for Special Hearing filed by the Petitioner (which resulted in the hearing before the Zoning Commissioner).
2. Copy of March 6, 1997 decision of the Zoning Commissioner in which the subject Petition for Special Hearing was DENIED.
3. Copy of Order of Appeal filed by Counsel for Petitioner.
4. Notice of Assignment from this office for hearing scheduled for Thursday, August 7, 1997 at 10:00 a.m.

Should you have any further questions, please call me at 410-887-3180.

Very truly yours,


Kathleen C. Bianco
Administrator

Enclosures

MICROFILMED





County Board of Appeals of Baltimore County

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

October 15, 1997

Adam E. Paul, Sr., President
White Marsh Civic Association
10404 Vincent Farm Lane
White Marsh, MD 21162

RE: Case No. 96-161-SPH
John Brooks, Lessee; Peter
Sugatt, et ux -Legal Owners

Dear Mr. Paul:

As promised in our telephone conversation, enclosed is a copy of the Notice of Postponement & Reassignment for hearing scheduled for Thursday, November 13, 1997 at 1:00 p.m.

Should you have any further questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in cursive script that reads "Kathleen C. Bianco".

Kathleen C. Bianco
Administrator

Enclosure

cc: Charles Lamasa, Esquire
Peter Max Zimmerman /People's Counsel

MICROFILMED





County Board of Appeals of Baltimore County

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

March 18, 1998

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Charles Lamasa, Esquire
SUDER & SUDER, P.A.
210 East Lexington Street
Suite 100
Baltimore, MD 21202

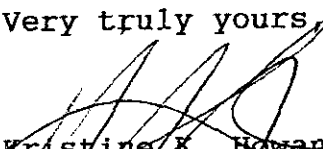
Re: Case No. 96-161-SPH
John Brooks, et al -Petitioners

Dear Counsel:

The Board is in receipt of Mr. Zimmerman's correspondence of March 6, 1998 and attachments thereto, as well as Mr. Lamasa's response to same.

The Board will accept into the record the Rule 8 forms in accordance with instructions given at the hearing in this matter. We will also accept the minutes of the White Marsh Civic Association meeting of July 8, 1997. However, the Board will grant Mr. Lamasa's request to strike from the record the letters from Adam Paul, Charles Polesne and William Wright, Jr., and will return those letters to Mr. Zimmerman.

Very truly yours,


Kristine K. Howanski, Chairman
County Board of Appeals

Enclosures to Peter M. Zimmerman

MICROFILMED



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

November 12, 1997

Kathleen C. Bianco, Administrator
County Board of Appeals for
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

Hand-delivered

RECEIVED
COUNTY BOARD OF APPEALS
97 NOV 12 PM 2:27

Re: Petition for Special Hearing
5508 Ebenezer Road, NE/S Ebenezer Rd,
300' S of c/l Railroad Ave, 11th
Election District, 5th Councilmanic
LEGAL OWNERS: PETER SUGATT, ET UX,
LESSEE: JOHN BROOKS - Petitioners
Case No. 96-161-SPH

Dear Ms. Bianco:

In view of the pendency of potential legislation on the subject of tattoo parlors, this office does not object to the second request for postponement by the Petitioner in this case.

However, we do not believe that the case should be delayed indefinitely. Therefore, we request that it be set back in for assignment at a convenient time on the Board docket. If legislation is not forthcoming by then, we ask that the case be tried.

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

PMZ/caf

cc: Charles Lamasa, Esq.

MICROFILMED

**SUDER & SUDER
P.A.**

ATTORNEYS AT LAW
210 East Lexington Street
Suite 100
Baltimore, Maryland 21202

Telephone (410) 727-8177

Fax (410) 625-2916

ROBERT B. SUDER*
JOANNE L. SUDER*+
MATT R. BALLENGER°
C. HOLLY BUCKLEY†
CHARLES LAMASA°
T. CHRISTINE PHAM†
JEFFREY P. SHILLER°

† MEMBER OF THE MARYLAND STATE BAR
*MEMBER OF MARYLAND STATE BAR
AND WASHINGTON D.C. BAR
• MEMBER OF MARYLAND STATE BAR,
WASHINGTON D.C. BAR
AND CALIFORNIA STATE BAR
° MEMBER OF THE MARYLAND STATE BAR
AND OF COUNSEL
+ EXAMINER/MASTER OF THE CIRCUIT COURT

March 9, 1998

Kristine K. Howanski, Chairman
Board of Appeals of Baltimore County
Room 49 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: PETITION FOR SPECIAL HEARING
5508 Ebenezer Road, NE/S Ebenezer Road
300' S of c/I Railroad Avenue
11th Election Dist., 5th Councilmanic
LEGAL OWNERS: PETER & CYNTHIA SUGATT
LESSEE: JOHN BROOKS, Petitioners
Case No. 96-161-SPH
Hearing Date: March 5, 1998

RECEIVED
COUNTY BOARD OF APPEALS
98 MAR 11 PM 12:36

Dear Chairman Howanski.

This is to move that certain attachments to the Submission of the People's Counsel be stricken from the record of this case. On March 9, 1998, I received a copy of the Submission filed by the White Marsh Civic Association. Much to my chagrin, I noticed that a letter from Mr. Paul and letters from two (2) other individuals were attached as well. I believe this is in direct contravention of the instructions of the Board and in any event, constitute the admission of evidence not subject to cross-examination which is unfair and prejudicial to the property owners, Mr. Sugatt and Mr. Brooks.

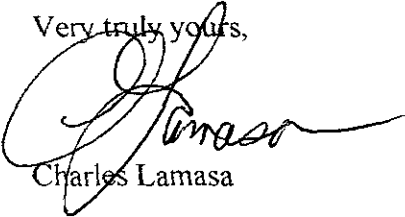
Accordingly, I believe it is appropriate to strike the offending letters from the record of the case and to admit only the forms of the Board and the White Marsh Civic Association Minutes of the meeting of July 8, 1997.

MICROFILMED

Kristine K. Howanski, Chairman
March 9, 1998
Page 2

I thank you for your attention to this matter

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lamasa", written over the typed name "Charles Lamasa".

Charles Lamasa

CL/lmf

cc: Peter Max Zimmerman, Esquire
Carole S. Demilio, Esquire

MICROFILMED



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

March 6, 1998

CAROLE S. DEMILIO
Deputy People's Counsel

Kristine K. Howanski, Chairman
Board of Appeals of Baltimore County
Room 49 Courthouse
400 Washington Avenue
Towson, MD 21204

Hand-delivered

RECEIVED
COUNTY BOARD OF APPEALS
98 MAR -6 PM 3:49

Re: PETITION FOR SPECIAL HEARING
5508 Ebenezer Road, NE/S Ebenezer Rd,
300' S of c/l Railroad Avenue
11th Election Dist, 5th Councilmanic
LEGAL OWNERS: PETER & CYNTHIA SUGATT
LESSEE: JOHN BROOKS; Petitioners
Case No. 96-161-SPH
Hearing Date: March 5, 1998

Dear Chairman Howanski:

In accordance with the Board's instruction, we transmit a copy of the Rule 8 materials faxed to this office by Adam E. Paul, Sr., President of the White Marsh Civic Association. The transmittal also includes W.M.C.A. minutes of their meeting of July 8, 1997, a copy of a letter dated July 2, 1997, Notice of Assignment of the CBA hearing then scheduled for August 7, 1997, copy of Order of Appeal in this case, and copy of letter dated March 6, 1998 from William C. Wright, Sr. to the CBA.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/caj

cc: Charles S. Lamasa, Esq. (with enclosures)

Mr. Adam Paul

MICROFILMED

FROM THE DESK OF ADAM E. PAUL SR.
10404 VINCENT FARM LANE
WHITE MARSH, MARYLAND 21162

Pages 11
Including this page

DATE: March 6, 1998

TO: Carle D. Devilio - Deputy People's Counsel

FAX: 410-887-3182

FROM: Adam Paul - Pres. White Marsh Civic Assoc.

Fax: (410) 335-2966 Phone: (410) 335-1404

COMMENTS: Included with this fax are:

1. Cover letter from Adam Paul returned

2. Affidavit

3. Letter of Authorization

4. Position letter concerning Tattoo Parlor

5. WMCA Minutes of Meeting of 7/8/97 (2)

6. Letter from Charles Polserne returned

7. Original Hearing Date - 8/7/97 (2) returned

8. Letter from William C. Wright, Jr. returned

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AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear upon penalty of perjury that I am currently a
duly elected member of the (Board of Directors) (Zoning Committee)
of the White Marsh Civic Association.

Adam E. Paul, Jr.

ATTEST:

White Marsh Civic Association

Sam B. Bickel
Secretary

Adam E. Paul, Jr.
President

DATE: March 5, 1998

MICROFILMED

White Marsh CivicASSOCIATION

RESOLVED: That at the June meeting of the
White Marsh Civic Association held on
June 3rd, 1997, it was decided by the
Association that responsibility for review and action on all zoning
matters for the period June 1, 1997 to May 31, 1998 be
placed in the (Board of Directors) (Zoning Committee) consisting of
the following members: Adam Paul (Pres.), James Maszczenski (Vice-Pres),
Jane Bickel (Sect), Karen Britchett (Tres), Laverne Neale, Roy Rector, Sara
Paul, Irene Alban, William Wright, & Robert Pauer.

AS WITNESS OUR HANDS AND SEAL THIS 5th day of
March, 19 98.

ATTEST:

White Marsh Civic Association

Jane B. Bickel
Secretary

Adam E. Paul, Jr.
President

White Marsh Civic **ASSOCIATION**

RESOLVED: That the position of the President of the
White Marsh Civic Association as adopted by the (Board
of Directors) (Zoning Committee) on the zoning matter known as:

Case #96-161-SPH

John Brooks, lessee

Peter Sugat, ET UX, legal. legal owners

5508 Ebenezer Rd. 11th Election 5th Councilmantic

is that: The association will go on record as supporting the decision of the Zoning Commissioner, Lawrence E. Schmidt which states that current zoning laws do not make any provision for tattoo parlors. The Board feels that the Appeals Board should deny the plaintiff's appeal and allow the Zoning Commissioner's decision to stand.

AS WITNESS OUR HANDS AND SEAL THIS 5th day of
March, 1998.

ATTEST:

White Marsh Civic Association

Jane L. Bickel
Secretary

Adam E. Paul, Jr.
President

WMCA Minutes of Meeting 7/8/97

The White Marsh Civic Association had their monthly meeting on Tuesday, July 8, 1997 at 7:00PM. The meeting opened with an invocation by Rev. Jack Bussard and reading of the minutes of the last meeting.

The first item on the agenda was the intersection at MD Rt.7 and Ebenezer Rd./Cowanton Ave.. Councilman Vince Gardina reported that he was attempting to get the funding for the project moved up to a closer date. Both the State and County Highway engineers are prepared to move as soon as funding is available. In the meantime, efforts will be made to make the intersection safer. It can be noted that of the 19 reported accidents for 1995 and 1996, seven were rear-end collisions and eight were caused by speed.

The question of tattoo parlors operating in Baltimore County was brought up. At present no clear cut zoning classification exists to allow the operation of such an establishment. At the County Council's Monday meeting on July 7th, clarification of the issue was made. The new law makes the operation of tattoo parlors illegal in business locations.

Larry Lee from Loreley Beach reported that a new date for the zoning hearing for the methadone treatment center has not been set. He advised that his community would provide busses for those who wished to attend and future date set for a hearing.

The Office of Planning of Baltimore County will hold a hearing in regards to establishing a zoning classification to allow the development of a Professional Auto Raceway. The date of the hearing was set for 5:30PM on Thursday, July 10, 1997 on the fourth floor of the New Courts Building in Towson. Members were advised that transportation to this meeting would be provided. The community will have an opportunity to set the standards by which a Raceway is allowed.

About 1700 residents of the White Marsh/Middle River area received letters from the Maryland State Department of Transportation concerning a survey that it would take in connection with the construction of MD43. A call to the person in charge of the project revealed that the Raceway developer had requested that certain secondary roads be made one-way during racing events. The attorney for the Raceway clarified this by stating that they proposed that New Bengles Road and Earls Road be made one-way to Eastern Avenue during racing events. Also that an additional lane be constructed on Eastern Avenue to Carroll Island Road. This would allow for the speedy egress of traffic from the Raceway.

Councilman Vincent Gardina gave an update on the progress of the various sewer projects in the White Marsh area. At present right-of-ways are being obtained for the Vincent Farms pumping station, force main, and collection system. Also, right-of-ways are being obtained for the Darryl Gardens collection system. The Bird River Grove Road Sewer extension is in the design stage. Most systems are scheduled for construction beginning in 1998.

The attorney for the Raceway developer presented the results of the traffic survey that was conducted on Ebenezer Road. The study was made for the weekend beginning Friday 5/30/97 at 3:00PM and ending on Monday 6/2/97 at 3:00PM. The survey indicated that there was a higher volume of traffic on Saturday and Sunday than on weekdays. This would indicate that people using the recreational facilities located in waterfront areas increased the traffic volume. The community was not impressed with the traffic survey.

A volunteer fireman presented this scenario. After the race and traffic is bumper to bumper leaving the raceway, a fire truck is responding to an emergency call. Someone in the traffic line is behind a large van and can't see what is in front. He moves the front of his vehicle across the center line and meets the on-coming fire truck. Because of the law of inertia and the weight of the water carried by the truck, it is impossible to stop. The fire truck hits the first car causing damage to about 7 more vehicles. Ebenezer Road is narrow, has no shoulders, and ditches on both sides. Increased traffic creates a safety hazard.

The attorney for the developer was asked how many parking places would be provided and he answered that they would use stadium parking at 200 cars per acre. The developer would set aside about 250 acres for parking which equates into about 50,000 parking spaces. The track would be a one mile facility to be used for various auto race competitions.

As a point of order, Susan Chanoski made a motion that a vote be taken either for or against supporting the construction of an auto raceway. The motion was seconded by Sandra Burleson. The body voted to support the motion unanimously. A vote by ballot by members only was taken. The final count was 37 (thirty-seven) against and 1 (one) for supporting the raceway.

The White Marsh Civic Association will go on record as opposing the construction of a raceway in our community. After the vote, the meeting was adjourned.

The next meeting of the White Marsh Civic Association will be on Tuesday, August 5, 1997 at 7:00PM in the church hall of the Cowenton United Methodist Church on Red Lion Road in White Marsh.

MICROFILMED

WHITE MARSH CIVIC ASSOCIATION

P. O. Box 314

White Marsh, MD 21162

July 31, 1997

County Board of Appeals of Balto. County
Old Courthouse, Room 49
Towson, MD 21204

Dear Chairperson:

I am writing in regards to case #96-161-SPH which is the matter of:

John Brooks, lessee
Peter Sugat, ET UX, legal owners
5508 Ebenezer Rd. 11th Election District
5th Councilmanic District

The plaintiffs filed an appeal of a decision of a Zoning Commissioner. In regards to the appeal, the White Marsh Civic Association will go on record as supporting the decision of the Zoning Commissioner, Lawrence E. Schmidt. Based on current zoning law, tattoo parlors are prohibited by Baltimore County Zoning Regulations.

At the July 7th Council session, the Baltimore County Council passed a new zoning law that closed a loop-hole in the existing code which allows tattoo businesses to exist in most commercially zoned properties as long as a residence existed in the same building. Under the new law, tattoo businesses can no longer be considered as "residential art salons." The building which the plaintiffs wanted use for a tattoo business in the past has not been used for a residence. For many years, a barber shop occupied the first floor. The second floor had been rented out to numerous different businesses.

The White Marsh Civic Association urges the Appeals Board to deny the plaintiffs appeal and allow the Zoning Commissioner's decision to stand.

Sincerely,

Adam E. Paul, Sr.

Adam E. Paul, Sr.
President
410-335-1404

97 AUG - 1 PM 12:03

RECEIVED
COUNTY BOARD OF APPEALS

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 7, 1999
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed Files on Remand:

96-161-SPH /John Brooks (ZC Order -8/24/98)
97-203-SPHA /Larry G. Hoover, et ux (DZC Order 11/18/98)
97-229-SPHA /E. Walter Bell, Jr. (ZC Order 7/6/98)
97-347-SPH /SSAK Partnership (ZC Order 11/13/97)

Since the 30-day appellate period has expired with no further appeals having been taken in the above captioned cases, which were remanded to the Zoning Commissioner in 1998, we are hereby noting our records that these files are closed.

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Sharon L. Brooks

5508 Ebenezer Rd.

JEREMY R COX

5508 EBENEZER RD.

GEOFFREY C SCHULTZ

5 SHAWAN RD

John L. Brooks

5508 Ebenezer Rd

P. C. Long (Property Owner)

9128 COUNTRY AVE

MICROFILMED

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

MICROFILMED

SUGARHILL 21282011 1796 14 11/18/97
 FORWARD TIME EXP RTN TO SEND
 SUGATT
 5130 ELDER RD
 HYDESB MD 21002-9550

[illegible]

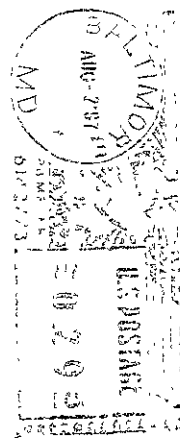
County Board of Appeals of Baltimore County
ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

MAA

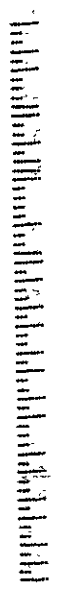
MR AND MRS PETER SUGATT
9128 COMENTON AVENUE
PERRY HALL MD 21128

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD



CSA forwarding
no address.
moved from no index
address.
MICROFILMED

21204

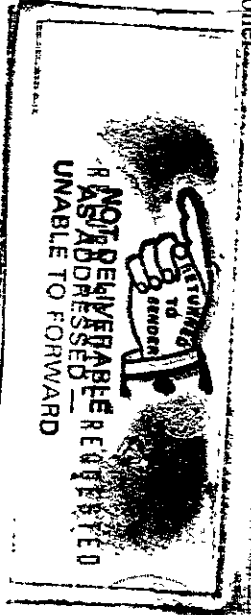




Baltimore County Zoning Commissioner
 Office of Planning
 Suite 405, County Courts Bldg.
 401 Bosley Avenue
 Towson, Maryland 21204

*5130
 5130-0550
 5130-0550
 5130-0550*

*Mr. Peter Sugalt
 312A Cowenton Avenue
 Perry Hall, Md. 21128*



NOT DELIVERABLE
 AS ADDRESSED - REQUESTED
 UNABLE TO FORWARD

*Return to
 312A Cowenton Ave
 Perry Hall, Md. 21128*

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Address Service Requested

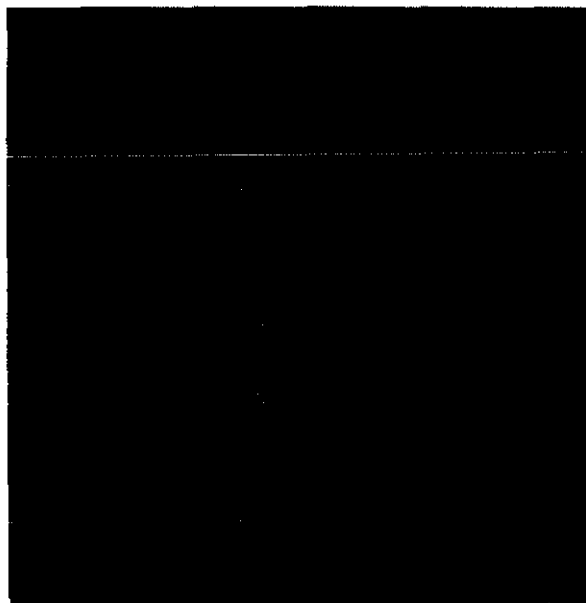
96-161-5PH

Brooks

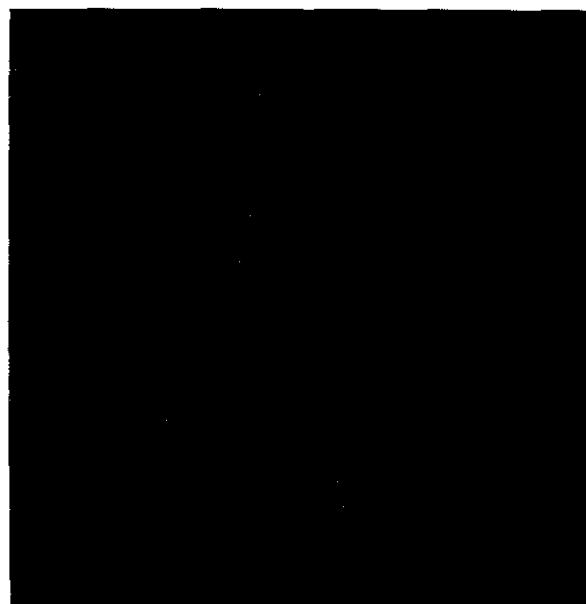
Petr's #1-7

(7 photos)

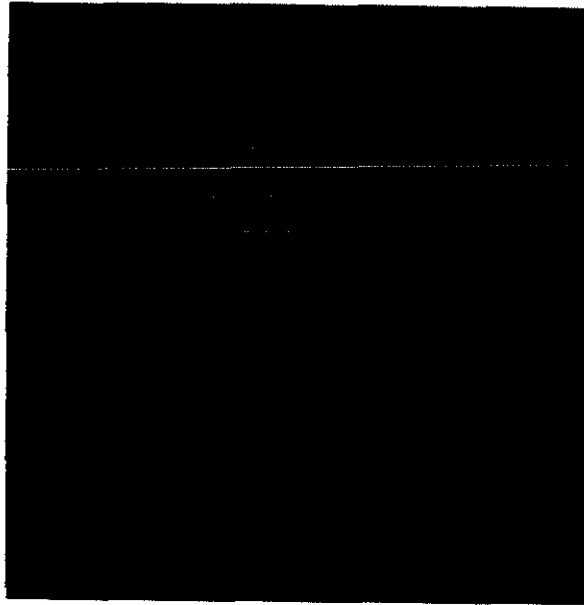
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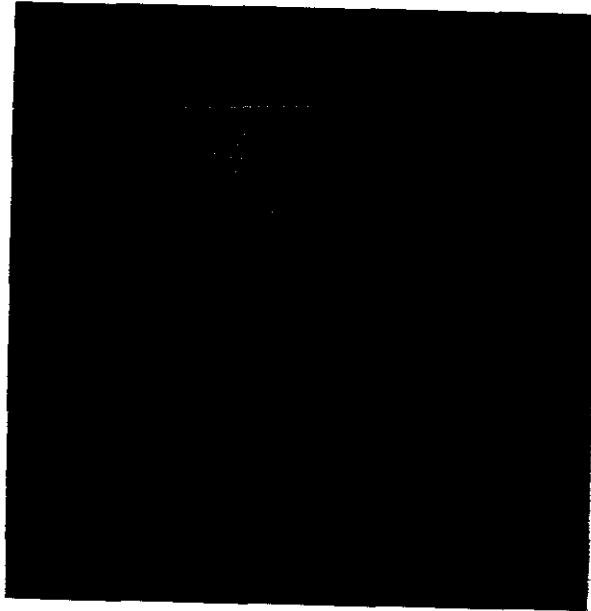
John Wiedman



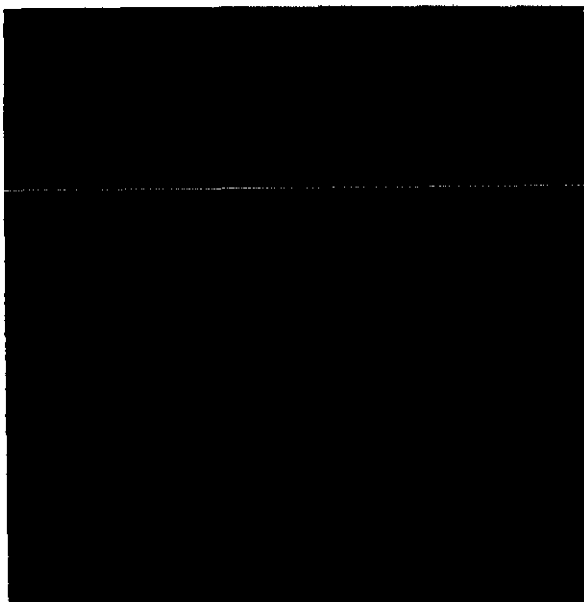
Tom Sheets



Tom Sheets



John Weidman



John Weidman



John Weidman



Exhibits

Verified
3/05/98

Petitioner

- ✓ 1. Photo of Subject property
- ✓ 2. Photo of tattoo on ^{left} shoulder - Thos. Sheets
- ✓ 3. " " " " right shoulder - " "
- ✓ 4. Photos of John Weidman's tattoos - mermaid, angel
- ✓ 5. - dragon head
- ✓ 6. - eagle
- ✓ 7. - vampire woman
- ✓ 8. No. 025729 - McKee & Assoc. statement

P.C.

~~11-1992-7-10-1992-11-1992~~

MICROFILMED

INVOICE NO. 025729

Per. #8

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030 (410) 527-1555
25729 (410) 527-1563 Facsimile

October 24, 1995
Project 95-086

Mr. John Brooks
5508 Ebenezer Road
White Marsh, MD 21162

Project: 5508 Ebenezer Road, Tattoo Parlor

Professional Services: July 1, 1995 through September 30, 1995

Gather information from County, field locate improvements, prepare zoning package, and set up appointment to file Special Hearing request.

OFFICE PERSONNEL

	Hours	Rate	Amount
Clerk	2.0	30.00	60.00
Designer	3.0	40.00	120.00
Draftsman	3.5	35.00	122.50
Senior Project Manager	10.0	85.00	850.00
Sub Total Labor			1,152.50

SURVEY PERSONNEL

2 Man Field Crew	3.5 Hours @	\$85.00	297.50
Sub Total Labor			297.50

REIMBURSABLE EXPENSES
Reproductions

	10.90
Sub Total Expenses	10.90

TOTAL DUE THIS INVOICE

\$1,460.90

MICROFILMED

Project: 95-86
Invoice #25729
Page Two

LESS: Retainer received August 15, 1995

<500.00>

TOTAL NOW DUE

960.90

=====

PLACE
STAMP
HERE

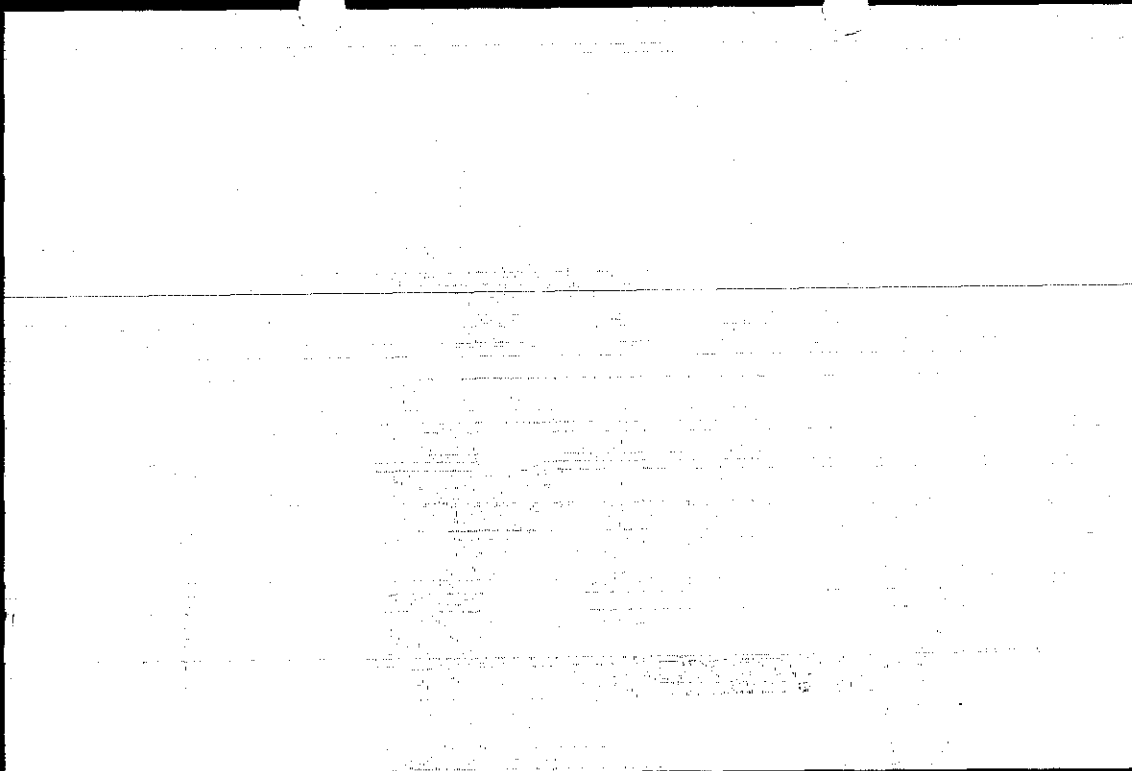
McKEE & ASSOCIATES, INC.
Shawan Place
5 Shawan Road
HUNT VALLEY, MARYLAND 21030



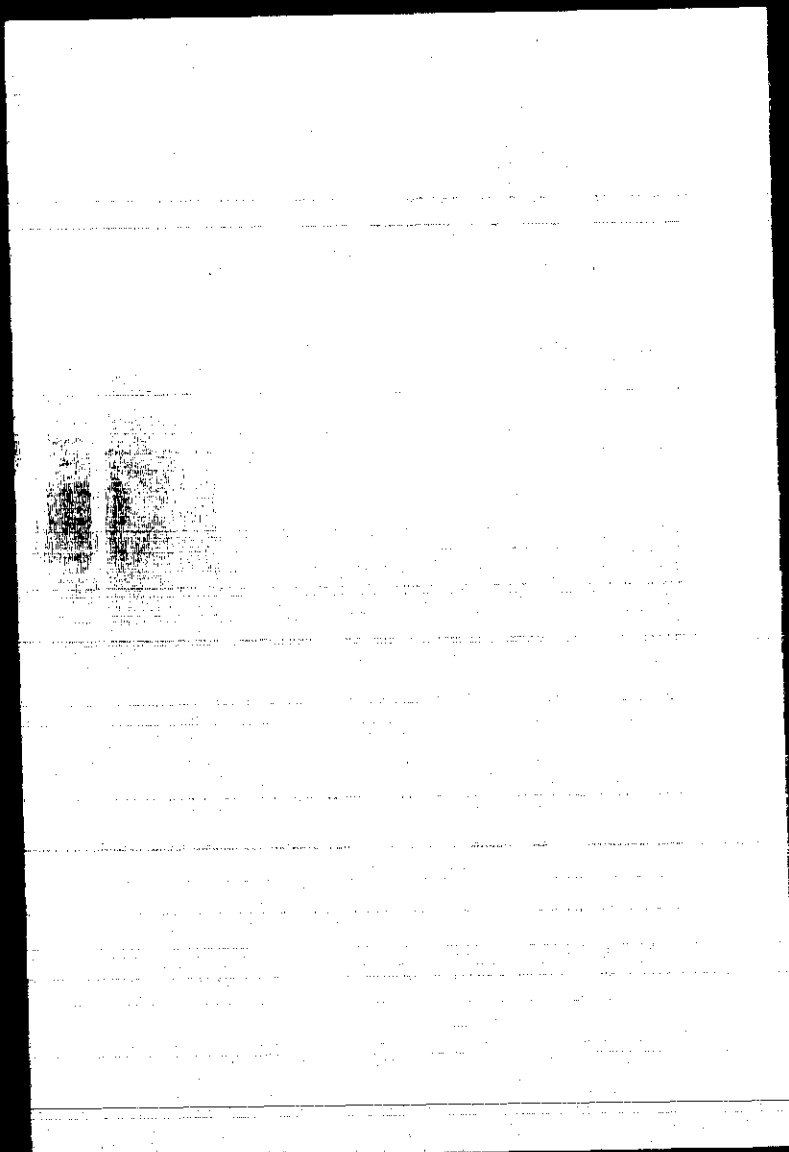
Vol 9

MICROFILMED

(A)



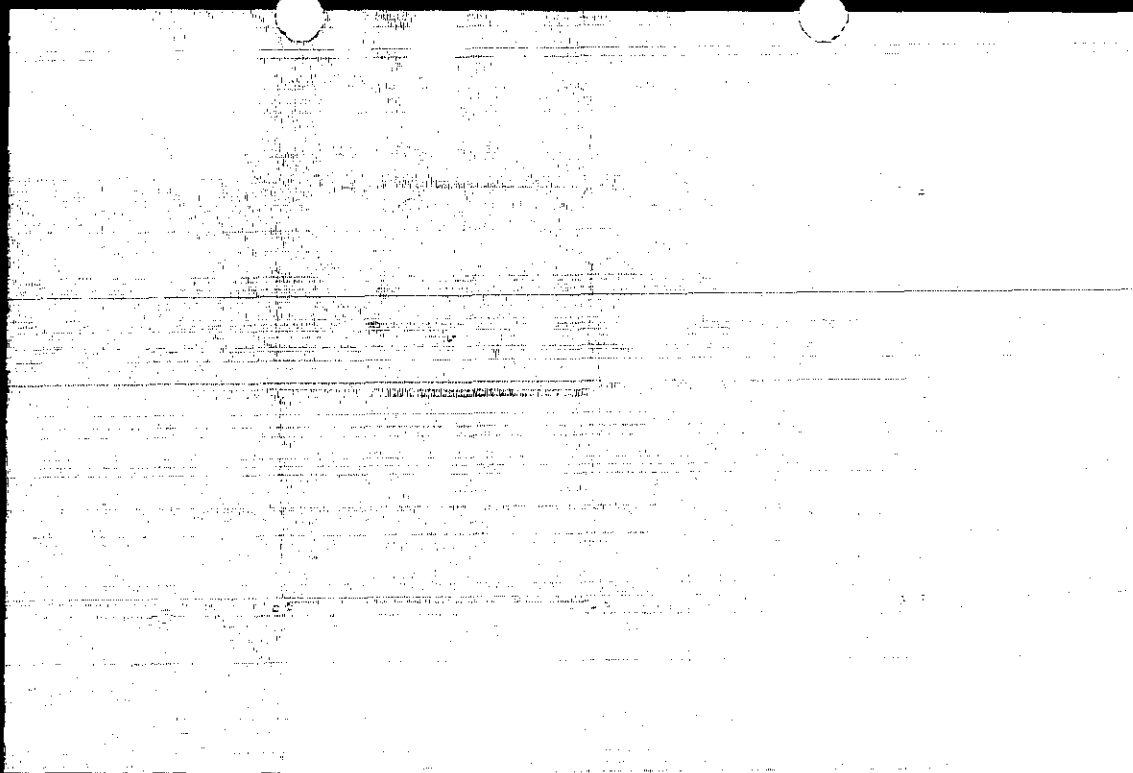
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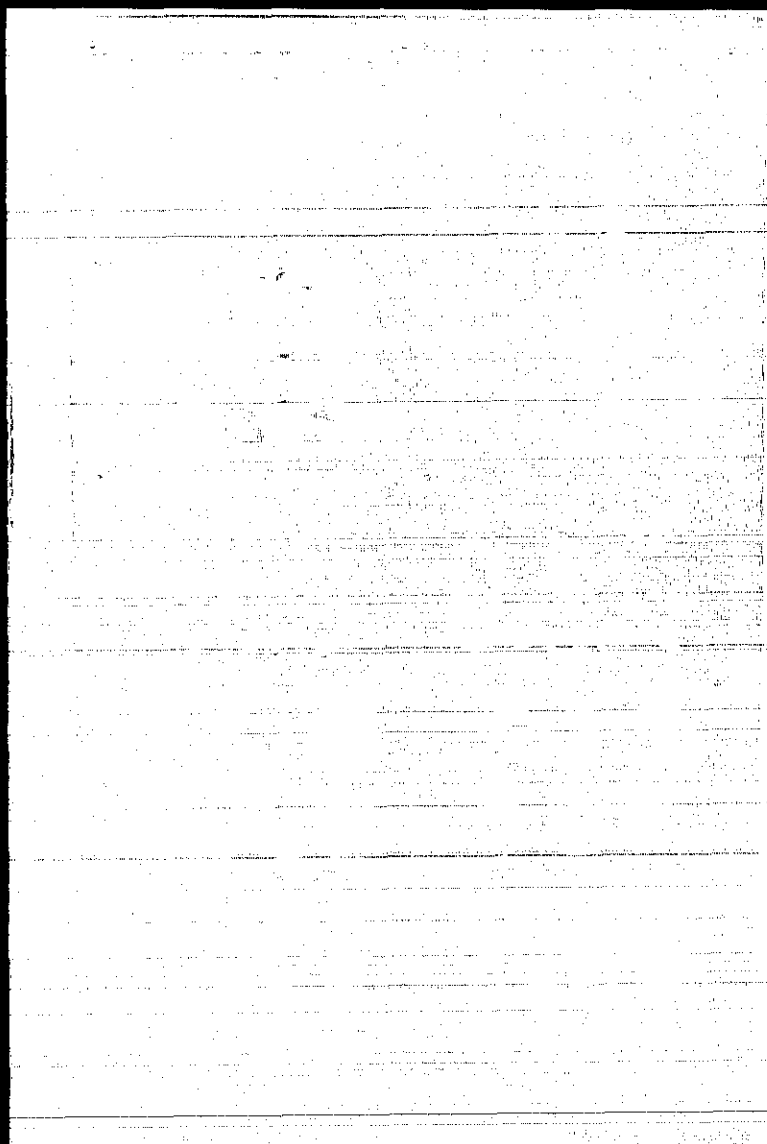
23
10

MICROFILMED

(A)

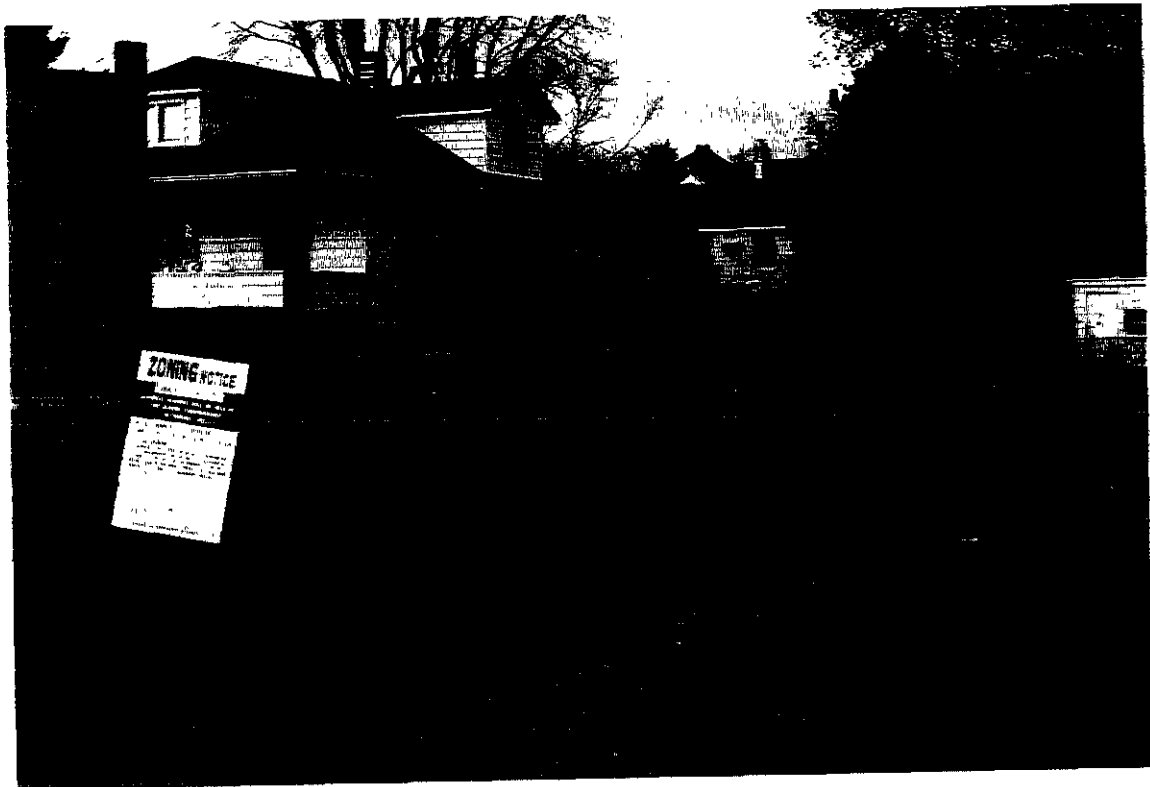


(B)



Part II

MICROFILMED



Ref 12

MICROFILMED



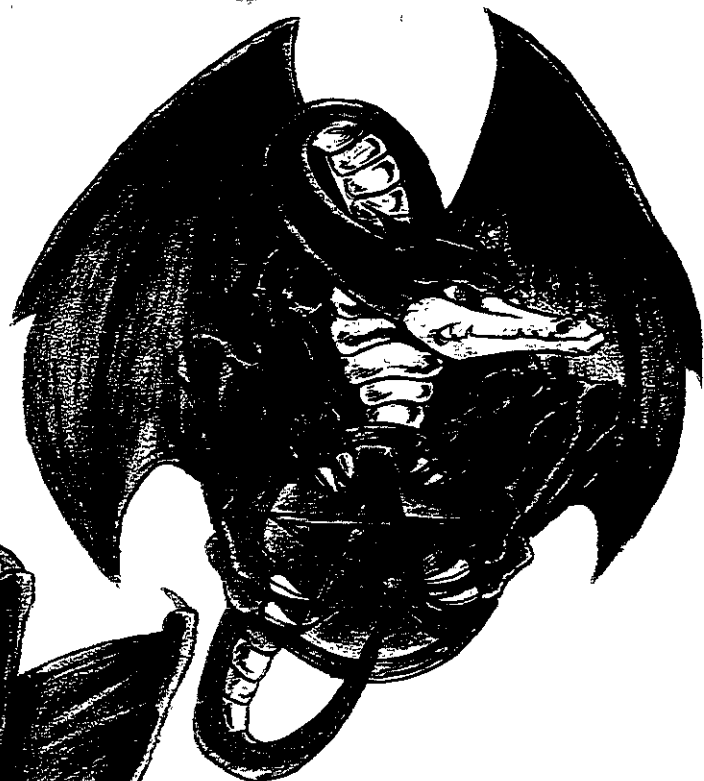
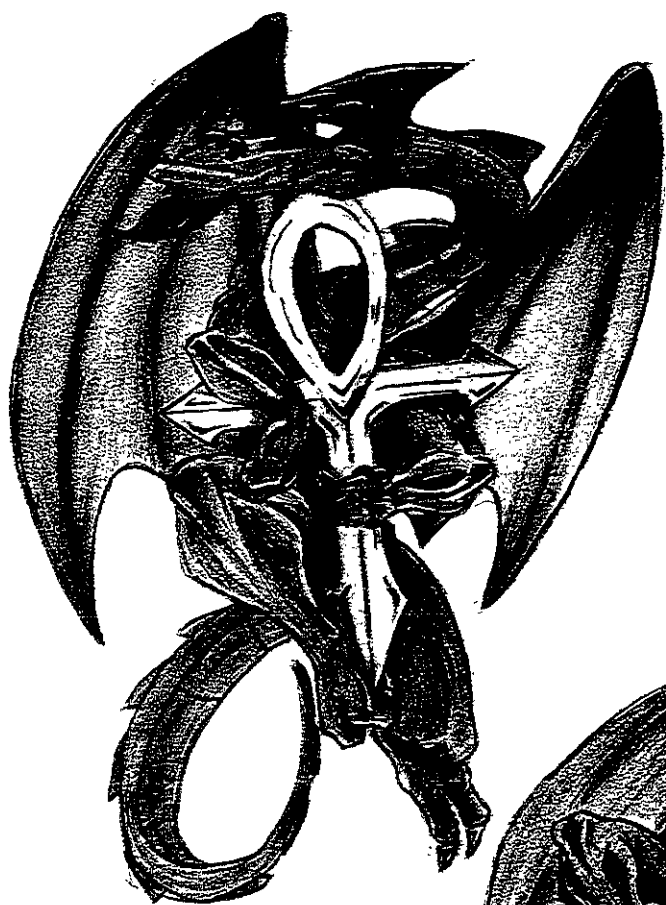
(A)



(B)

Ref No 2

MICROFILMED



MICROFILMED

Pet No 5

7 Days - Noon - 10:00 P.M.

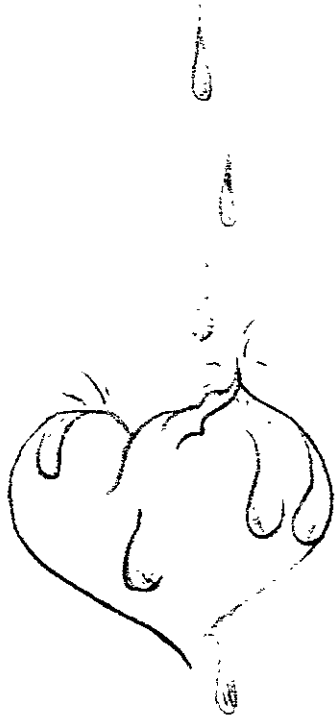
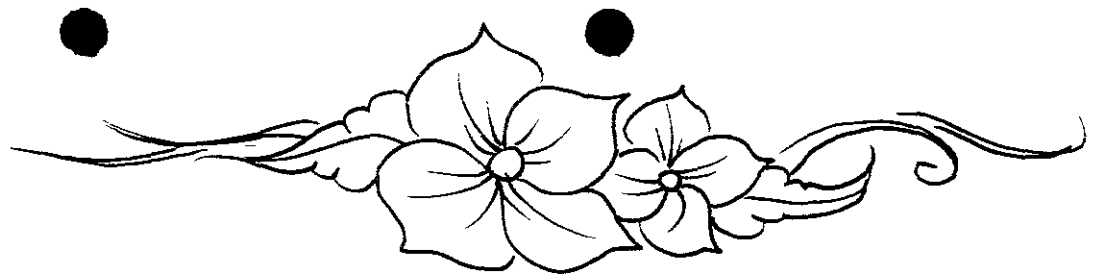
15-7773

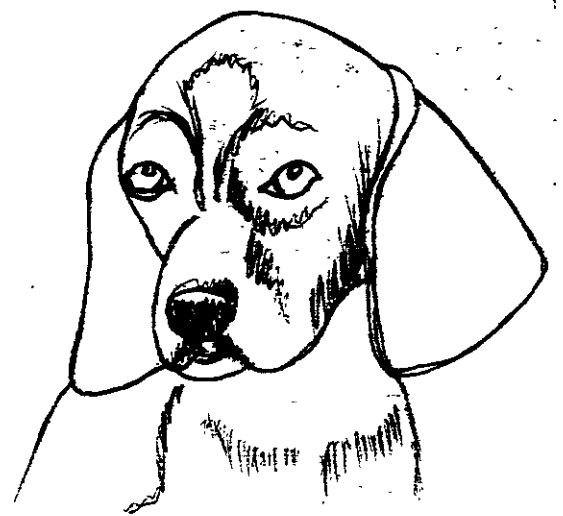
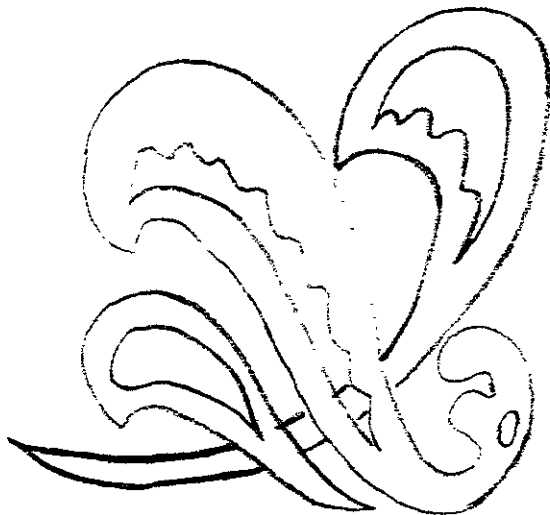
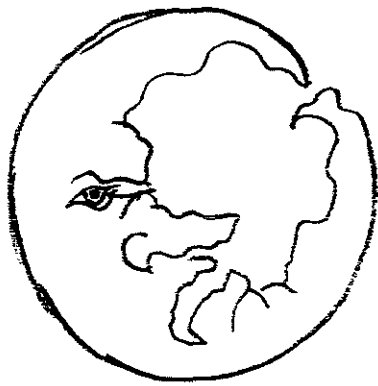
THINKIN' INK
TATTOOS
Dermagraphics Illustrations

*Visu
mc*

By - John

Featuring: Permanent Make-up •
Body Piercing • Air Brush & Glass Etching
5508 Ebenezer Road
White Marsh











Pet No 6

MICROFILMED

35-7773

7 Days - Noon - 10:00 P.M.

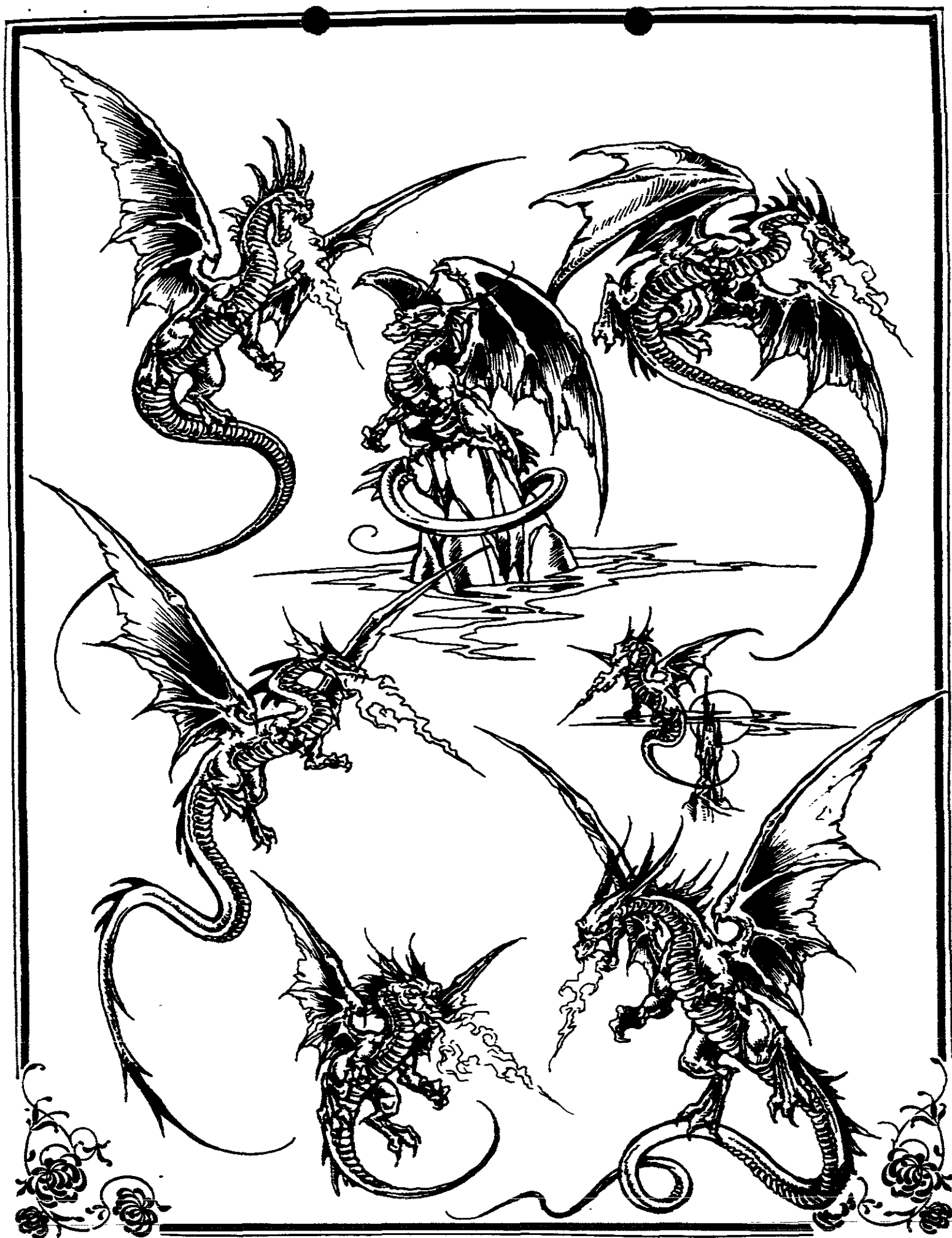
**THINKIN' INK
TATTOOS**
Dermographic Illustrations

By - John

Featuring: Permanent Make-up •
Body Piercing • Air Brush & Glass Etching
White Marsh

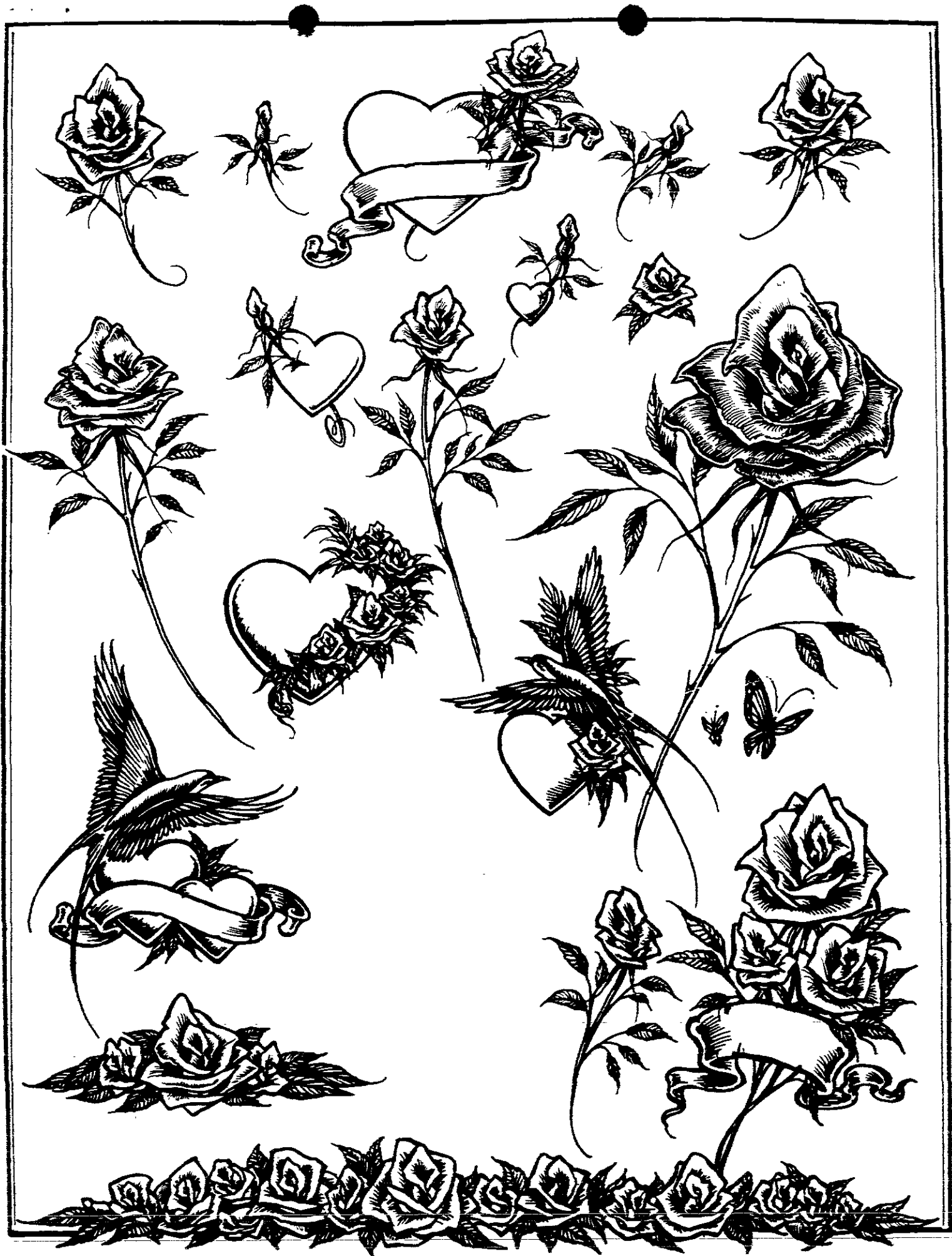
5508 Ebenezer Road

1/15/20









THINKIN' INK TATTOOS

Derma-graphic Illustrations by:
John and Jeremy
5508 Ebenezer Road
White Marsh, MD 21162
(410) 335-7773

Date:: _____

NAME:: _____

ADDRESS:: _____

PHONE:: _____

DATE OF BIRTH:: _____

DESCRIPTION:: _____

PLACEMENT:: _____

PRICE:: _____

ARTIST:: _____

COMMENTS:: _____

I hereby give consent to the artists of Thinkin' Ink to either tattoo or pierce me. I am at least 18 years of age and am not under the influence of any drugs or alcohol.

SIGNATURE:: _____

CARE INSTRUCTIONS

Tattoos:: (1) Remove bandage after 1 hour. (2) Wash area with cold soapy water. (3) Apply bacitracin ointment 3-4 times daily for 1 week. (4) Do not rebandage. (5) Avoid sunlight or use a sunscreen.

Piercing:: (1) Do not handle metal, handle bead. (2) Lubricate both sides of hole with bacitracin ointment 3-4 times a day for 1 week. (3) Rinse with saline solution once a day, for 1 week.

Ref No 7

MICROFILMED

dayton



- Pet No 8 -

35-7773

7 Days • Noon - 10:00 P.M.

THINKIN' INK

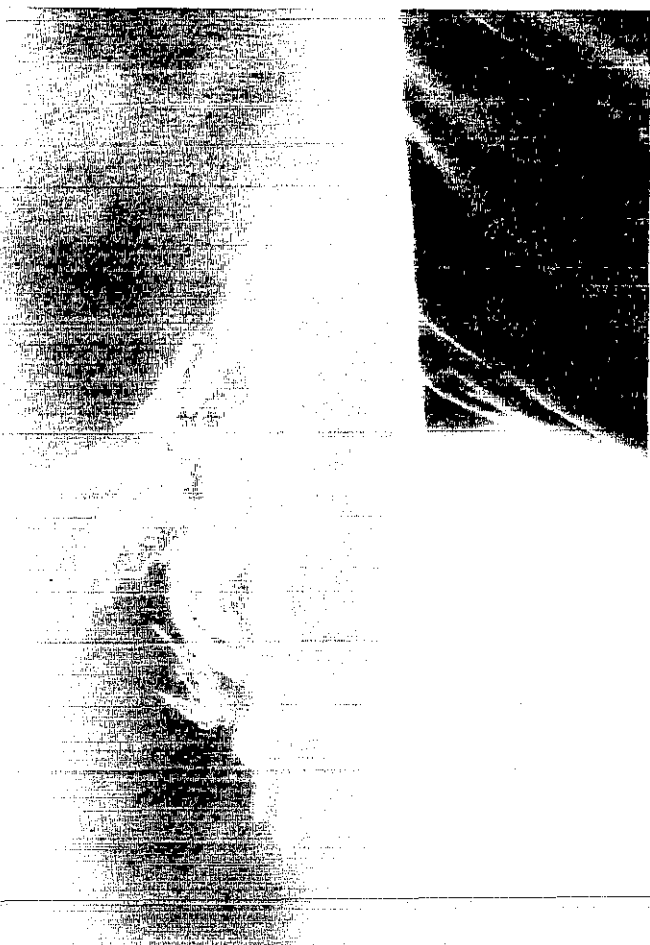
TATTOOS
Dermapgraphic Illustrations

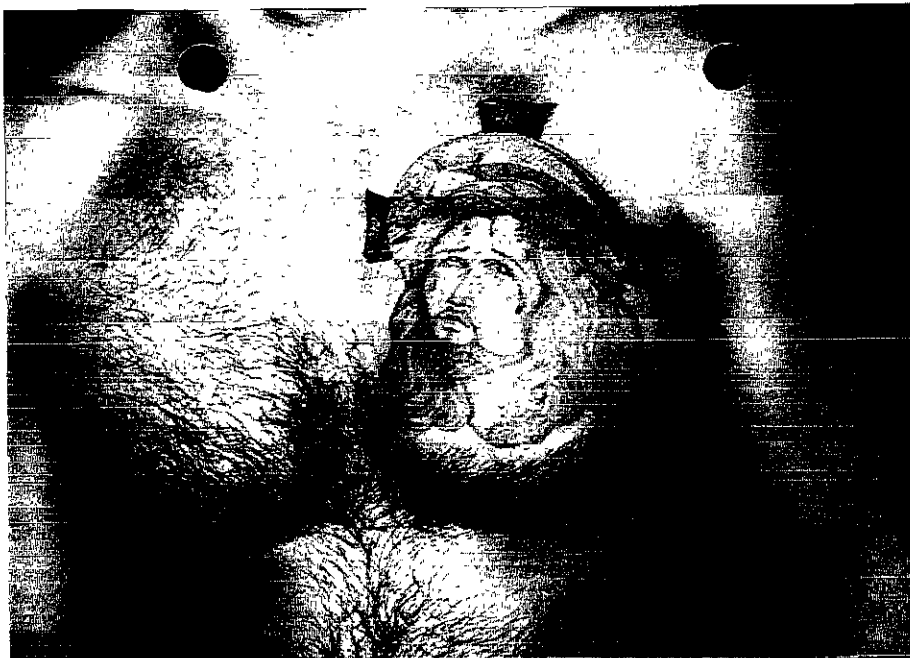
By - John

11521
NC

RESERVED

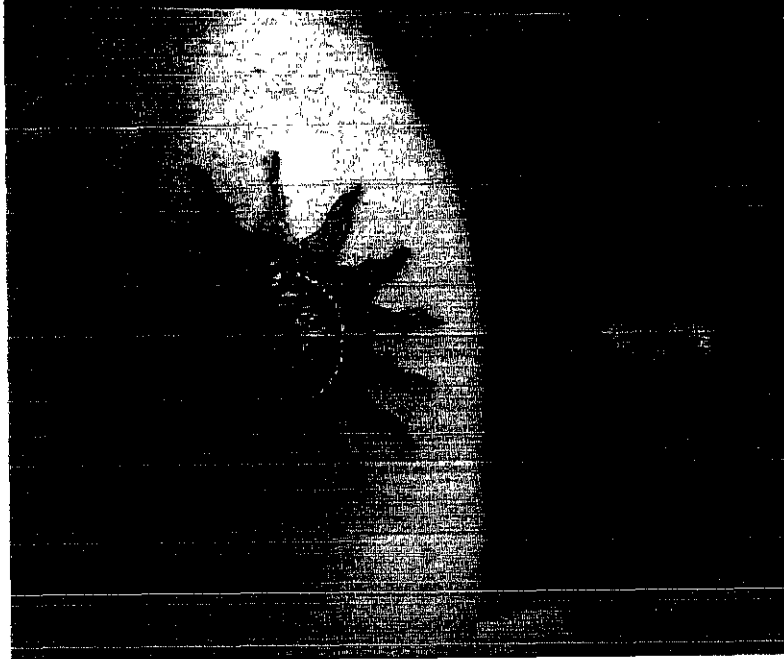
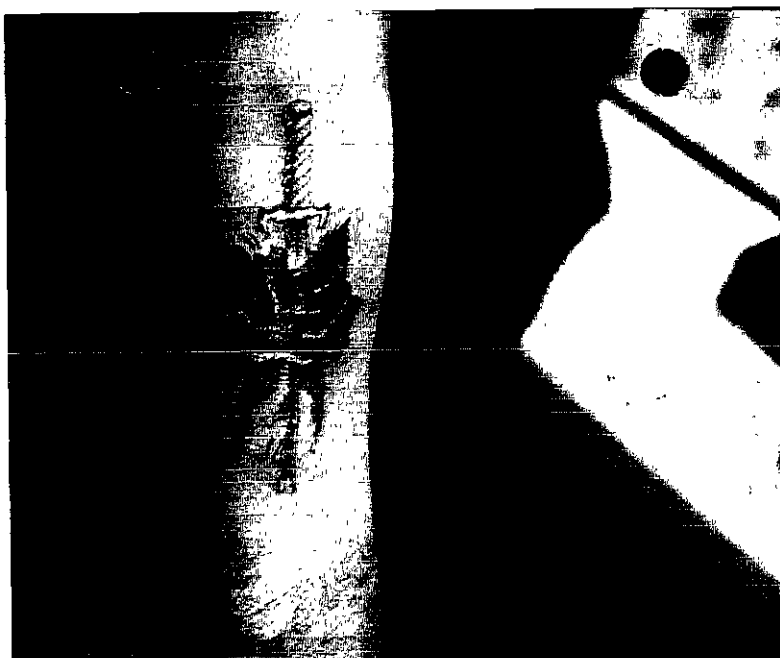
Featuring: Permanent Make-up
Body Piercing • Air Brush & Tattoo Etching
5508 Ebenezer Road
White Marsh







E
WIPPA
AIA





We, the residents, employees, and employers, of the White Marsh community, are pleased with the statue of John Brooks, owner of Thinkin' Ink Dermagraphic Illustration Studio, located at 5508 Ebenezer Road, White Marsh, Maryland 21162.

Name: *WELTON EMES*
Address: *5512 EBENEZER RD*
Phone: *335-2566*
Occupation: *VP*

Name: *Anna M. Pyle*
Address: *14 Bandy Ave*
Phone: *256-5224*
Occupation: *Hostess*

Name: *CHRIS MALLOY*
Address: *5512 EBENEZER RD*
Phone: *335-1829*
Occupation: *Parts Sales - Auto*

Name: *Michael Rentergast*
Address: *2200 Perry Hall Blvd 21236*
Phone: *538-3018*
Occupation: *Police officer (Baltimore County)*

Name: *Nick Rose*
Address: *White Marsh*
Phone: *335-7482*
Occupation: *Owner / Towing Service*

Name: *Dwight Eaves*
Address: *5512 EBENEZER RD*
Phone: *335-3205*
Occupation: *V-8*

Name: *Lisa Liscion*
Address: *6 Larkknoll Way*
Phone: *532-1174*
Occupation:

Name: *Ron W. Galt*
Address: *5419 EBENEZER Rd.*
Phone: *887-5770*
Occupation: *firefighter*

MICROFILMED

Ref No 9

Name: Charles Reed
Address: 1702 EDGEWOOD Rd EDGEWOOD MD 21040
Phone: 676-3349
Occupation: FACTORY WORKER

Name: Nancy DeFeyier
Address: 11105 Pulaski Hwy
Phone: 828-6355
Occupation: Business owner

Name: TAMMY BRUENING
Address: 409 OAKWOOD Rd. BALTO MD 21222
Phone: 285-8553 (410)
Occupation: BABYSITTER

Name: Fred Riedel
Address: 5419 Ebenezer Road
Phone: 887-5770
Occupation: Firefighter

Name: SCOTT U. Davidson
Address: 5419 Ebenezer Rd.
Phone: 887-5770
Occupation: Paramedic / Firefighter

Name: JACK Amrhein
Address: 9217 BOWLINE RD
Phone: 252 4831
Occupation: FIREFIGHTER / PARAMEDIC

Name: Scott Burton
Address: 10500 Philadelphia Rd
Phone: 335-2301
Occupation: Sales

Name: Ken Gouzon
Address: 10500 Phil. Rd.
Phone: 335-2301
Occupation: Sales

Name: Lawrence T. Shepard
Address: ~~3357~~ 10800 Phil Rd.
Phone: 335-2301
Occupation: Sales

Name: PAPA D'S Deli
Address: 10740 Pulaski Hwy
Phone: 335-1508
Occupation: Deli worker

Name: Valerie Moravec Papa D's Deli
Address: 10740 Pulaski Hwy
Phone: 335-1508
Occupation: owner

Name: L.A. Cheers Christine Kane
Address: 10741 Pulaski Hwy
Phone: 335-1188
Occupation: owner

Name: Susan Scavuzo
Address: 10741 Pulaski Hwy
Phone: 335-1188
Occupation: 335-1188 - BARTEND.

Name: MICHELLE CHIOFALO
Address: 24. N. Symington Ave.
Phone: 788-1072
Occupation: Bartender, waitress

Name: Rose Smith
Address: 1449 Kirkwood Rd.
Phone: 744-7326
Occupation: BANK Manager

Name: Russell Green
Address: 4309 Dartmouth Rd.
Phone: 665-5139
Occupation: Road Construction

Name: Laura Coates
Address: 30 Main St.
Phone: 796-3497
Occupation: Aqua Cool

Name: Margie Frankson
Address: 683 Pulaski Hwy
Phone: 391-1972
Occupation: Fire Company

Name: WOODROW CONNELLY
Address: 6 BELLAND COURT
Phone: 410-574-9246
Occupation: TRUCK DRIVER

Name: DANNY CARR
Address: 7713 A BUCKHILL RD, 21087
Phone: 592-2483
Occupation: BR. Gde CARPENTER

Name: CRAIG CRAWLEY
Address: 2142 BUTTERNUT LANE
Phone:
Occupation: DOMESTIC ENGINEER

Name: GUY BATES
Address: 517 FOREST RD
Phone: 595-6766
Occupation: DRIVER

Name: RICK FABERIO
Address: 800 ESSER AVE
Phone:
Occupation: DRIVER

Name: TIM WAGNER
Address: 4316 BEDDOCK CIRCLE
Phone:
Occupation: BILDMAN

Name: JERRY GUNTHER
Address: 6829 S. RIVER DR
Phone: 335-9542
Occupation: ELECTRICIAN

Name: GEORGE NOCIATIS
Address:
Phone: 335-1182
Occupation: CHESS -

Name: JIMMY BENAVENTE
Address: 1743 MEADOWOOD ST EDGEMOND 21040
Phone: 676-5763
Occupation: CONSTRUCTION.

(Officers)

Name: Brian S. Martin
Address: 8220 Perry Hall Blvd. Bldg 21236
Phone: 887-5000
Occupation: Police Ofc.

Name: ROBERT CROSS
Address: 8224 PERRYHALL BLVD 21236
Phone: 887-5000
Occupation: POLICE DEPT.

Name: JOAN WHEELER-FELTS
Address: 8220 PERRYHALL BLVD 21236
Phone: 887-5000
Occupation: POLICE OFC

Name: MICHAEL MALONE
Address: 8220 PERRY HALL BLVD 21236
Phone: 887-5000
Occupation: Police ofc.

Name: JOE BACKHAUS
Address: 8220 Perry Hall Blvd 21236
Phone: 887-5000
Occupation: Police Officer

Name: CHRIS MORGAN
Address: 8220 PERRY HALL BLVD 21236
Phone: 887-5000
Occupation: POLICE DEPT

Name: RAY TAYLOR
Address: 8220 Perry Hall Blvd
Phone: 887-5000
Occupation: Police officer

Name: MICHAEL JONES
Address: 8220 PERRY HALL BLVD
Phone:
Occupation: Police Cadet

Name: MARK PERRY
Address: 8220 Perry Hall
Phone: 887-5000
Occupation: Police officer

Name: JOE BENVENNI
Address: FOX MEADOWS CT
Phone: EDGEWOOD MD
Occupation: CARPENTER

Name: DAVE CLEMENTS
Address: 11246 Red Lion Rd
Phone: 335-3848
Occupation: welder

Name: EDWARD NEFF
Address: 2022 HARKNALL RD
Phone: 477-2928
Occupation: PIPE WELDER

Name: BOB BLANTON
Address: 401 ARMSTRONG LN
Phone: 682 7284
Occupation: ENGINEER

Name: TIM O'LEARY
Address: 68 SILVER KNOLL RD.
Phone: 931-9709
Occupation: SALES.

Name: TOM RANAZZO
Address: 606 SHELTER COVE ST
Phone: 538-6436
Occupation: CARPENTER

Name: DONALD L. MUELT
Address: 12818 CUNNINGHAM HILL COURT
Phone: 335-8463
Occupation: CRANE-MECH

Name: RICHARD ZINIECKI
Address: 9509 HORN AVE.
Phone: 256-9244
Occupation: SALES

Name: KEN CULLUM SR
Address: 6001 LORELEY BEACH RD 21162
Phone: 335 6941
Occupation: PAINTER

Name: KEN CULLUM
Address: 11718 BELLEVUE AVE
Phone: 592-9042
Occupation: WELDER

Name: RICK WERT
Address: 7401 KENNA AVE
Phone: 762-1266
Occupation: self employed

Name: BRENT Crawford II
Address: 606 LANCASTER RD
Phone: None
Occupation: Self Employed

Name: Kristin Riter
Address: 6006 LANCASTER RD.
Phone: None
Occupation: Manager

Name: Tim Hendell
Address: 3112 Swift Run EX
Phone: 6717812
Occupation: AC mechanic

Name: MARK Spilman
Address: 13106 Miles RD
Phone: 335-4173
Occupation: Carpenter

Name: Nick Telekakis
Address: 929 Oliver Branch CT
Phone: 679-1033
Occupation:

Name: Joe Roggio
Address: 54 SHAW JO CT
Phone:
Occupation: ASBESTOS WORKER

Name: ROBERT CLAY
Address: 1406 EASTERN AVE
Phone: 574-0464
Occupation: TRUCK DRIVER

Name: MIKE DILON'S
Address: 2852 CORNWALL RD
Phone: 282-7865
Occupation: STORE DETECTIVE

Name: JOHN W. PRESTON
Address: 2952 Cornwall Rd
Phone: 282-7165
Occupation: DISABLED

Name: Joe Hove
Address: 11423 Phil Rd
Phone: 256-5532
Occupation: RACING

Name: Tom Baker
Address: 1841 Harrison St.
Phone: 529-1405
Occupation: DISC Jockey

Name: Charles W. Wren
Address: 50 Transome Dr
Phone: 391-7884
Occupation: UPHOLSTER

Name: Randy Bismuth
Address: 8059 Bradley Rd
Phone: 669-3589
Occupation: Baby Sitter

Name: Greg Jarrell
Address: 10412 Vincent Rd.
Phone: 335-0532
Occupation: Self employed

Name: Andy Daise
Address: 10405 Vernon Rd.
Phone: 335-5661
Occupation: Self Employed

Name: Al Martschall
Address: 9510 PERRYMAN BLVD
Phone: N/A
Occupation: TRUCK DRIVER

Name: David Stedley
Address: 9001 Perryville Rd
Phone: 529-9407
Occupation: ~~SE~~ Mech.

Name: Rick Gissner
Address: 3001 Matthew St.
Phone: 366-1642
Occupation: Siding mach.

Name: Robert G. Sner
Address: 1375 Corby Dr.
Phone: 366-1642
Occupation: DRAFTSMAN

Name: Michael Sarn
Address: 5921 Ebenezer Rd-
Phone: 335-7022
Occupation: ~~Welder~~ Welder

Name: ~~Butch~~ Howard PK Drive
Address: 6324
Phone: 335-2474
Occupation: Eng

Name: Buom Mason
Address: 13 Cork Grove Dr
Phone: 682 6154
Occupation: Drywall

Name: Jeanne Brissard
Address: 6925 Harewood PK Dr
Phone: 335-1158
Occupation: Bartender Horse trainer

Name: ~~Robert~~ ~~Brissard~~
Address: 10424 Ct Perryville, Md 21288
Phone: 529-32192
Occupation: ~~Barista~~

Name: ~~Bob~~
Address: PO Box 34078 21221
Phone: 712-8270
Occupation:

St Lt Mech - BGE

Name: Duane Epps
Address: 715 Wampler Rd 21220
Phone: 686-8699
Occupation: Auto-Tec

Name: Ron O'Donnell
Address: 13207 Patuxent Rd
Phone: 335-9077
Occupation: Painter's Helper

Name: Tim Gott
Address: 333 Fullerton Pl.
Phone: 509-3929
Occupation: Painter's helper

Name: Ross Heustess
Address: 13111 Cherwin Ave
Phone: 335-1881
Occupation: Paint Shop

Name: Daniel Mitchell
Address: 1201 Reisterstown Rd, Apt 406 B
Phone: 486-3101
Occupation: News man

Name: Terry Sheridan
Address: 1201 Reisterstown Rd. Apt 404 A
Phone: 486-3101
Occupation: ~~Painter~~

Name: PAUL CATTANON
Address: 1043 JACKSON ST
Phone: 752-8878
Occupation: SALES

Name: COLLIN C. MORRIS
Address: 5007 HILLBURN AVE
Phone: 410 485 5379
Occupation: TRUCK DRIVER

Name: JASON SHEA
Address: 11017 Bird River-Grove
Phone: 335-8336
Occupation: pipe layer

Name: Steve W. Rimmer
Address: 11017 Bird River & Grove Rd.
Phone: 2110 335 8336
Occupation: Doctor

Name: W. P. Biensach
Address: 6150 Eisenhower Rd
Phone: 335-7066
Occupation: Bum

Name: Kenneth Bowers
Address: 4237 E. Joppa Rd
Phone: 335-2863
Occupation: ~~Doctor~~

Name: Ray L. Biensach
Address: 6150 Eisenhower Rd.
Phone: 335-7066
Occupation: FARMER

Name: M. Hammer
Address: 2311 Beverly Dr Joppa MD.
Phone: 679-2248
Occupation: Educator

Name: MICHAEL ALEXANDER
Address: 506 N. Pike
Phone: 588-4201
Occupation: Driver

Name: Lisa VandeGiessen
Address: 3816 Hamilton Ave
Phone: 335-4397
Occupation: Dog groomer

Name: Theo VandeGiessen
Address: 3816 Hamilton Ave
Phone: 335-4397
Occupation: Power Plant Operator

Name: JOHN D. REID III
Address: 5412 BANGERT ST.
Phone: 256-3289
Occupation: AREA MGR.

Name: Brenda Lee Reid
Address: 5412 Braubert St
Phone: 256-3289
Occupation: Emergency Medical Technician

Name: Charles E. Jinn
Address: 5502 Ebenezer Road, White Plains, Md. 21162
Phone: 335-4735
Occupation: Retired

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

Name:
Address:
Phone:
Occupation:

96-161-SP#

TOWSON, MD., 11/3, 1995

THE JEFFERSONIAN.

A. Henikson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County is hereby giving notice of the meeting of the Zoning Act and Regulations Committee of Baltimore County to be held at a public hearing, November 23, 1988, at 10:00 a.m. in the Conference Room of the County Office Building, 1111 W. Center Street, Baltimore, Maryland 21204, on the following:

Case: P-61-181-SH
(From 154)
SOLICITOR GENERAL
NEWS Enterprises, Road, 300' S.
S. of Railroad Avenue
119 S. of Railroad Avenue
S.S. Concessionaire
Legal Office 154
Olympia and Peter Seeger
Contract Purchaser:
John B. Boring

Hearing: Tuesday, November 23, 1988, at 10:00 a.m. in Room 201, County Office Building, 1111 W. Center Street, Baltimore, Maryland 21204.

Special Hearing: To approve a permit for minor alterations to a commercial site plan and design studio is a personal use of the property, as defined in the ordinance, on the second floor of the building, 154 S. of Railroad Avenue, Baltimore, Maryland 21204, and to prepare accessory uses or structures.

Interested parties should appear at the hearing and be heard by the Zoning Commissioner or the Zoning Act and Regulations Committee.

NOTES: 1. Baltimore County Department of Planning and Handicapped Accessibility, 1111 W. Center Street, Baltimore, Maryland 21204.
2. For more information, please call 800-333-3333.
3. For information concerning the hearing, please call 800-333-3333.
4. For information concerning the hearing, please call 800-333-3333.

cc4442015653 Nov 23 1988

PROPERTY ADDRESS: 5508 EBENEZER ROAD

OWNER: CYNTHIA MOLANO SUGATT
PETER CLIFTON SUGATT

TABULATION

EXIST. ZONING: B1
GROSS AREA: 0.376 AC.:
PROPOSED USE & FLOOR AREAS:
DOE GARAGE 700 SQ. FT.
GENERAL OFFICE 200
TATTOO PARLOR 731 SQ. FT.
TOTAL FLOOR AREA = 1600 SQ. FT.
PARKING REQUIRED = 1600/1000 x 0.3 = 6 SPACES
PARKING PROVIDED = 6 SPACES
FLOOR AREA RATIO = 0.11

2nd FLOOR

SUBJECT OF SPECIAL HEARING
(DEMOGRAPHIC ART + DESIGN STUDIO)

Hand-drawn floor plan of a building with two rooms: "DOG SALON" and "GENERAL OFFICE". The "DOG SALON" is a rectangle with dimensions 22.0' by 22.1'. The "GENERAL OFFICE" is a rectangle with dimensions 12.1' by 10.0'. The rooms are connected by a narrow hallway. Other dimensions shown include 18.5', 14.2', 10.0', 3.0', 25.4', and 5.6'. A note "167" is written at the bottom left.

FLOOR AREA

FLOOR AREA



McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030
PHONE - (410) 527-1555

96-161-SPT



LOCATION INFORMATION

Councilmanic District: 5
Election District: 11
1"=200' scale map#: H.E. 8-I
Zoning: B1
Lot size: 0.276 16,279
 acreage square feet
SEWER: ☐ public
WATER: ☒ public
Chesapeake Bay Regional Area:
Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
SDA	154	