IN THE MATTER OF THE

THE APPLICATION OF

GERMAN HILL LTD PARTNERSHIP

- PETITIONER FOR SPECIAL

HEARING, SPECIAL EXCEPTION AND

VARIANCE ON THE W/S PLAINFIELD

ROAD, 284.50' S OF GERMAN HILL RD * BALTIMORE COUNTY

(2508 PLAINFIELD DROAD) 15TH ELECTION DISTRICT

7TH COUNCILMANIC DISTRICT

* BEFORE THE

* COUNTY BOARD OF APPEALS

* OF

* CASE NO. 96-485-SPHXA

ORDER OF DISMISSAL

This matter comes before this Board on appeal dated August 29, 1996 from a decision of the Deputy Zoning Commissioner dated August 5, 1996 in which the requested special hearing, special exception and variance relief was granted with restrictions.

WHEREAS, by letter dated November 14, 2003, the Board of Appeals notified the parties of record in the above-entitled matter that the appeal would be dismissed for lack of prosecution lafter a period of 30 days; and

WHEREAS, the Board has not received a reply from its letter of November 14, 2003, within 30 days as requested;

IT IS THEREFORE ORDERED this Hot day of October 2004 by the County Board of Appeals of Baltimore County that the above-referenced appeal in Case No. 96-485-SPHXA be and the same is hereby DISMISSED FOR LACK OF PROSECUTION.

> **COUNTY BOARD OF APPEALS** OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

NOTICE TO PARTIES PRIOR TO DISMISSAL

11/14/03 – Letter to J. Gontrum and T. Dore; per note of 1/28/97 – agreement reached; to be forwarded t Board with dismissal request; none received a of this date; Order of Dismissal to be issued after expiration of 30 days at ile closed – failure to prosecute.	ıs
11/20/03 – T/C from Liz for Tom Dore – requesting additional information regarding the above letter.	



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

October 20, 2004

Thomas P. Dore, Esquire 614 Bosley Avenue Towson, MD 21204

RE: In the Matter of: German Hill Ltd. Partnership

Case No. 96-485-SPHXA /Order of Dismissal

Dear Mr. Dore:

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

Very truly yours,

Kathleen C. Bianco C. Block of the

Administrator

Enclosure

c: Philip Filippakis
John B. Gontrum, Esquire
Ron Thompson /Thompson Automotive Group
Office of People's Counsel
Pat Keller, Director /Planning
William J. Wiseman III /Zoning Commissioner
Timothy M. Kotroco, Director /PDM

IN RE:

PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE -

W/S Plainfield Road, 284.50' S

of the c/l German Hill Road

(2805 Plainfield Road)
15th Election District
7th Councilmanic District

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 96-485-SPHXA

German Hill Limited Partnership *

Petitioner

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 2805 Plainfield Road, located in the vicinity of Merritt Boulevard and German Hill Road in Dundalk. The Petitions were filed by the owners of the property, German Hill Limited Partnership, by Thomas B. Thompson, General Partner, through their attorney, John B. Gontrum, Esquire. The Petitioners seek approval of commercial parking in a D.R. 5.5 zone and to continue the use of an existing travelway therein as permitted in Case No. 67-129-X. In addition to the special hearing relief sought, the Petitioners request a special exception to permit a service garage use in a B.L. zone and a variance from Section 409.8.A-1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a commercial driveway within the required minimum 10-foot setback required for Class "A" screening, pursuant to the Baltimore County Landscape Manual. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Ron Thompson, a representative for the German Hill Limited Partnership, owner of the property, Timothy F. Madden, Professional Engineer who prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for

ORIDEH HECEIVED FOR FILING

By

the Petitioner. Appearing as Protestants in the matter were Philip Filippakis, owner of the adjacent property, and Frederick J. Rogers, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of a gross area of .4724 acres, more or less, split zoned B.L.-C.N.S. and D.R.5.5, and is located near the corner of Plainfield Road and German Hill Road. The property is V-shaped and fronts on Plainfield Road, but enjoys access to German Hill Road as well. The property is presently improved with a four-bay, self-serve car wash facility which was approved in 1967, pursuant to prior zoning Case No. 67-129-X. The Petitioners now come before me seeking approval to convert the subject property to a service garage use. The Petitioners propose to raze the existing car wash facility and replace same with a 4708 sq.ft. service center consisting of eight (8) service bays. Testimony revealed that the German Hill Limited Partnership is part of the Thompson Automotive Group. Mr. Ron Thompson testified that his family wishes to utilize the proposed service center for new car preparation and cleaning. In addition, they propose to use the facility to perform service work on vehicles, but no body or fender work will be done at this location. Mr. Thompson further testified that the hours of operation of this service center would be Monday through Friday, 7:30 AM to 6:00 PM, with Wednesday evening hours being extended to Both Mr. Thompson and Mr. Madden testified that the change-over 9:00 PM. from a car wash use to the proposed service center will be an improvement to the property inasmuch as the old building will be removed and the macadam lot repaved in conjunction with the proposed improvements. Due to the unusual configuration of the property and split zoning of same, three of the required parking spaces for the proposed use will be located on the

HEGEN WE WILLIAMS

D.R. 5.5 zoned portion of the site. Furthermore, the Petitioners wish to continue to use the existing 10-foot wide travelway for access to both Plainfield Road and German Hill Road. Thus, the relief requested is necessary in order to proceed as proposed.

Appearing in oppostion to the Petitioner's request was Mr. Philip Filippakis, who operates a restaurant on the property which is situated within the "V" shape of the subject property, as shown on the site plan. As can be seen from the plan, Mr. Filippakis' restaurant is located no more than 100 feet from the proposed service garage facility. Mr. Filippakis is opposed to the conversion of the car wash to a service garage in that he believes his customers will be cut-off from using the 10-foot wide travelway located adjacent to the car wash facility on the Petitioners' Mr. Filippakis testified that in the past, his customers were property. permitted to utilize this travelway as an exit route to Plainfield Road. He believes that the proposed improvements will interfere with his customer's access to Plainfield Road and he does not want to lose that access. Furthermore, Mr. Filippakis testified that he objects to the Thompson Automotive Group parking used and trade-in vehicles along the fenced in area located immediately adjacent to the rear of his property. Some of the photographs submitted into evidence depict an 8-foot high chain link fence with barbed wire running along the perimeter of the Petitioners' property. The Thompson Automotive Group apparently utilizes that property to store vehicles which are traded in by customers and/or used vehicles that are ultimately offered for sale. Mr. Filippakis testified that this area becomes unsightly at times and he believes this detracts from his business.

As to Mr. Filippakis' concern over whether he has the right to utilize the 10-foot wide travelway located on the Petitioner's property is a matter over which I have no authority. The purpose of the hearing before me was to determine whether or not the proposed conversion was an appropriate use of the property. I advised Mr. Filippakis that if, in fact, he has a title dispute with the Petitioners over the use of this 10-foot wide travelway, that he would have to settle this matter in the Circuit Court for Baltimore County. I suggested that he consult a title attorney for the purpose of pursuing whether he has the right to continue utilizing this 10-foot wide travelway.

As to the continued use of the 10-foot wide travelway by the Petitioners, it was clear from the testimony that this driveway has existed on the property for many years. Furthermore, the previous owners constructed the 8-foot high screen fence along the rear of the car wash property and running along the south side of the subject property, adjacent to that property owned by Nelson Manning. Basically, there will be no change in the use of this driveway or the screen fence that exists on the property at this time, and thus, the relief requested should be granted. Furthermore, I find from the testimony and evidence presented that the proposed conversion from a car wash facility to an automotive service center will be a benefit to the neighborhood and an improvement to the property wherein the existing building will be removed and the macadam parking and driveway areas repaved in conjunction with the proposed improvements. Thus, the special exception should be granted.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. There-

fore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

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

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

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, I am persuaded to grant the special hearing and variance requests. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning commissioner for Baltimore County this ______ day of August, 1996 that the Petition for Special Hearing seeking approval of commercial parking in a D.R. 5.5 zone and to continue the use of an existing travelway therein as permitted in Case No. 67-129-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

S FR. INC.

COOP HECE!

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a service garage in a B.L. zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.8.A-1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing commercial driveway within the required minimum 10-foot setback required for Class "A" screening, pursuant to the Baltimore County Landscape Manual, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan to the Office of Planning for review and approval by the Landscape Architect for Baltimore County.
- 3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

OPIDER RECEIVED FOR FILING
Date
By

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

August 5, 1996

(410) 887-4386

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE W/S Plainfield Road, 284.50' S of the c/l German Hill Road (2805 Plainfield Road)
15th Election District - 7th Councilmanic District German Hill Limited Partnership - Petitioner
Case No. 96-485-SPHXA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted in accordance with the attached Order.

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

Very truly yours,

with later

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Ron Thompson, Thompson Automotive Group 1307 Merritt Boulevard, Baltimore, Md. 21222

Mr. Philip Filippakis, 7625 German Hill Road, Baltimore, Md. 21222

Mr. Frederick J. Rogers, 7338 Waldman Avenue, Baltimore, Md. 21219

Thomas P. Dore, Esquire, 614 Bosley Avenue, Towson, Md. 21204

People's Counsel; Case File



JADER RECE

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 96-485-5PHX

Plainfield Road 150' SW German Hill Road

OTHER

which is presently zoned BL-CNS (AS) D.R. 5.5

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

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

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

Parking for a commercial use in a D.R. 5.5 residential zone and Topvelwas to se continued as Peantited in Case No. 67-1294.

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 Legal Owner(s) German Hill Limited Partnerhsip (Type or Print Name) (Type or Print Name) Signature Signature Address (Type or Print Name) City State Zipcode Signature 900 Merritt Boulevard Attorney for Petitioner Address Phone No. Baltimore, Maryland 21222 John B. Gontrum (Type or Print Name) City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Name 814 Eastern Boulevard 686-8274 Address Phone No. Address | Phone No. Baltimore, Maryland OFFICE USE ONLY Zipcode 36 **ESTIMATED LENGTH OF HEARING** unavailable for Hearing the following dates **Next Two Months**

REVIEWED BY:



ROETH RECE

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

Plainfield Road 150' SW German Hill Road

96-485-5PHX

which is presently zoned BL-CNS (AS)_

D.R. 5.5

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

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

A service garage in a BL zone.

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

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

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

Legal Owner(s): Contract Purchaser/Lessee. German Hill Limited Partnership (Type or Print Nethe) (Type or Print Name) Signatury Signature Thompson, Gen. Portner (Type or Print Name) Address Signature Zipcode City State 900 Merritt Boulevard Phone No. Address Attorney for Petitioner: 21222 Baltimore, Maryland John B. Gontrum Zipcode State City (Type or Print Name) Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Name 814 Eastern Boulevard 686-8274 Phone No. Address Baltimore, Maryland OFFICE USE ONLY 3hi City Zipcode State **ESTIMATED LENGTH OF HEARING** unavailable for Hearing **Next Two Months** the following dete OTHER

REVIEWED BY:



JADER RECE

Petition for Variance

to the Zoning Commissioner of Baltimore County

96-485-5PHX

for the property located at Plainfield Road 150' SW German Hill Road

which is presently zoned DT

BL-CNS (AS) -D.R. 5.5

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

BCZR 409.8 A-1

To permit a commercial drive within the required minimum 10' setback from class "A" screening as per the Baltimore County Landscape Manual an 8' screen fence will be provided.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Unique site configuration does not permit a building and access without using residential zone screening area.

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

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

		We do solemnly declare and affirm, und legal owner(s) of the property which is the	der the penalties of perjury, that i/we are the subject of this Petition.
Contract Purchaser/Lesses:		Legal Owner(s):	
		German Hill Limited	Partnership
(Type or Print Name)		(Type or Print Name)	7
Signature		Signature	Ron, Gentren
Address		(Type or Print Name)	Hor, Ocal Funish
City State	Zipcode	Signature	
Attorney for Petitioner:			
John B. Gontrum	<u> </u>	900 Merritt Boulevan	rđ
(Type or Print Name)		Address	Phone No.
213/		Baltimore, Maryland	
Signature		Name, Address and phone number of tepre	State Zipcode sentative (to be contacted.
	6-8274		
Baltimore, Maryland 2122		Name	<u> </u>
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	AV .	the following dates	•
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	· V	REVIEWED BY: OTHER_	5/30/96

479

ZONING DESCRIPTION

96-485-5 PHX

BEGINNING at a point on the west side of Plainfield Avenue, 60 feet wide, at the distance of 184.50 feet measured southeasterly from the centerline of German Hill Road, 60 feet wide. Thence the following courses and distances:

South 14° 22' 39" East 97.57 feet, North 74° 33' 59" West 138.44 feet, South 14° 08' 19" East 107.96 feet, South 75° 51' 41" West 39.05, North 15° 03' 09" West 229.57 feet, and South 74° 33' 59" East 187.08 feet to the place of beginning.

CONTAINING 0.472 Acres of land, more or less.

BEING known as 2508 Plainfield Avenue and located in the Twelfth Election District.

1

George T Keller

Registered Property Line Surveyor #67

96-485-584 NA

CZRTIFICATE OF POSTINO

ZONING DEPARTMENT OF BALTIMORE COUNTY

District

Date of Posting 927/94

Posted for:

CENAN HILL LIME PACTHERS LAND

Location of property. 2508 PAINS FIELD ROAD

Location of Signs:

Posted by

Signature

Rumber of Signs:

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 96-485-5PH

District			Dat	e of Posting	6/15/96	
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118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-485-SPHX (Item 479) 2508 Plainfield Road W/S Plainfield Road, 284.50' S of German His Road **15th Election District** 7th Council transic Legal Owner(s): German Hall Limited Partner-

Special Hearing: to approve parking for a commercial use in a residential zone and travelway to be continued as per-mitted in case #67-129-X. Special Exception: for a service garage Hearing: Wednesday, July 3, 1996 at 9:00 a.m. in Rm. 118,

Old Courthouse.

LAWRENCE E. SCHMIDT Zoning Commissioner for **Baltimore County**

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

(2) For information concerning the File and/or Hearing. Please Call 887-3391.

6/143June 13

C59532

CERTIFICATE OF PUBLICATION

TOWSON, MD.,	<u>3</u> , 19 <i>9</i> 6
THIS IS TO CERTIFY, that the annexed adve	rtisement was
published in THE JEFFERSONIAN, a weekly newspa	aper published
in Towson, Baltimore County, Md., once in each of_	
weeks, the first publication appearing on $\frac{Q}{ Q }$	<u>96.</u>

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

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BALTIMORE COUNTY, MARYLAND

DISTRIBUTION WHITE - CASHIER

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Baltimore County Department of Permits and Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 479 Petitioner: German Hill Comited Partnership
Location: 2508 Plainfield Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: MARAN HAN WASKE Plother John B. Gostron
ADDRESS: 814 Eastern Blul
Balto. MD 21221
PHONE NUMBER: 686-8274

TO: PUTUXENT PUBLISHING COMPANY

June 13, 1996 Issue - Jeffersonian

Please foward billing to:

John B. Gontrum, Esq. 814 Eastern Boulevard Baltimore, MD 21221 686-8274

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: 96-485-SPHX (Item 479)

2508 Plainfield Road

W/S Plainfield Road, 284.50' S of German Hill Road

15th Election District - 7th Councilmanic

Legal Owner(s): German Hill Limited Partnership

Special Hearing to approve parking for a commercial use in a residential zone and travelway to be continued as permitted in case #67-129-X.

Special Exception for a service garage.

HEARING: WEDNESDAY, JULY 3, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County Department of Permits and Development Management

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

June 10, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

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

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2508 Plainfield Road

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15th Election District - 7th Councilmanic

Legal Owner(s): German Hill Limited Partnership

Special Hearing to approve parking for a commercial use in a residential zone and travelway to be continued as permitted in case #67-129-X.

Special Exception for a service garage.

HEARING: WEDNESDAY, JULY 3, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon

Director

cc: German Hill Limited Partnership

John B. Gontrum, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

Hearing Room - Room 48 (410) 887-3180 Old Courthouse, 400 Washington Avenue

November 26, 1996

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), BOARD'S RULES OF PRACTICE & PROCEDURE, APPENDIX C, BALTIMORE COUNTY CODE.

CASE NO. 96-485-SRHXA

GERMAN HILL LTD. PARTNERSHIP -Petitioner W/s Plainfield Road, 284.5' S of c/l German Hill Road (2805 Plainfield Road)

15th Election District 7th Councilmanic District

SPH -Approval of commercial parking area in DR 5.5 zone & to continue use of exstng travelway as permitted in 67-129-X; SE -svce garage in BL zone; VAR -permit commrcl driveway w/in req'd min 10' setback req'd for Class A screening.

8/05/96 -D.Z.C.'s Order in which Petition for Special Hearing was GRANTED with restrictions.

ASSIGNED FOR:

WEDNESDAY, JANUARY 29, 1997 at 10:00 a.m.

cc: Thomas P. Dore, Esquire Philip Filippakis

Counsel for Appellant /Protestant Appellant /Protestant

Counsel for Petitioner

Frederick J. Rogers

Protestant

John B. Gontrum, Esquire
Ron Thompson /Thompson Automotive Group
(German Hill Ltd. Partnership)

Petitioner

Timothy F. Madden, P.E.

People's Counsel for Baltimore County

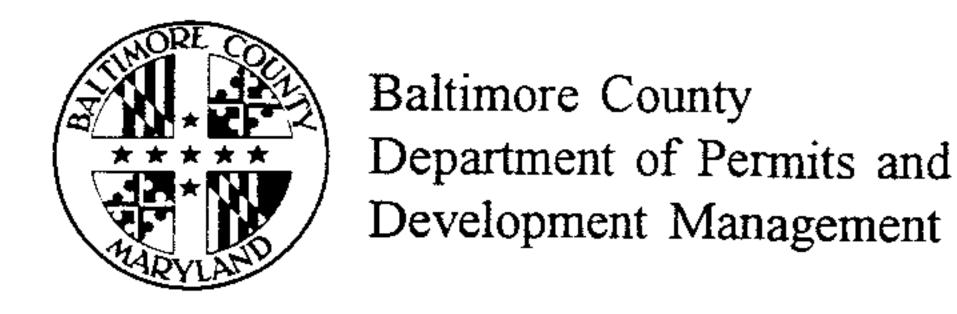
Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM

Virginia W. Barnhart, County Attorney

Kathleen C. Bianco Legal Administrator



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

July 3, 1996

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, MD 21221

RE: Item No.: 479

Case No.: 96-485-SPHX

Petitioner: Thomas Thompson

Dear Mr. Gontrum:

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 May 30, 1996.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: JUNE 17, 1996

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: <u>JUNE 10,1996</u>

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

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government Fire Department



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

DATE: 06/11/96

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

RE: Property Owner: GERMAN HILL LIMITED PARTNERSHIP

Location:W/S PLAINFIELD RD. 284.50' S OF GERMAN HILL RD.(2508 PLAINFIELD ROAD)

Item No.: 479 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

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

- 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.

1 ...;

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Hal Kassoff Administrator

6-7-96

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

RE:

Battimore County Item No. 479 MTK

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 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Engineering Access Permits

Division

BS/es

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 17, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for June 17, 1996

Item No. 479

The Development Plans Review Division has reviewed the subject zoning item. Proposed entrance will be built per the Department of Public Works' Road & Street Detail, Standard Plate R-32 single commercial entrance.

Baltimore City Department of Public Works' policy prohibits water service meter installation in either roadways or driveways. The existing water meter at the Plainfield Road frontage must be relocated outside the proposed 30-foot entrance.

A variance of Sec. IX.C.2.b.(3) of the Landscape Manual is needed to support this request. It should be granted only if the resident on the southern property line agrees. A Schematic Landscape Plan should be submitted and approved as a condition of considering approval of the Special Exception.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,	Director, PDM	DATE:	June	18,	1996
FROM: Arnold F. "P	at" Keller, III, Director, OP				
SUBJECT: Corner of	Plainfield Road and German Hill Ro	ad			
INFORMATION:					
Item Number:	479				
Petitioner:	German Hill Limited Partnership				
Property Size:			· ··		
Zoning:	B.L.A.S. and D.R. 5.5				
Requested Action:					
Hearing Date:		<u>,_,,,,</u> ,	····		

SUMMARY OF RECOMMENDATIONS:

The plan does not propose any signs. Should a sign be desired on Plainfield Road, it should be a ground mounted sign. The south side of the building should be a finished side. Slats should be included with the proposed chain link fence. Hours of operation should not extend past 9:00 p.m. The lighting should be placed so not to affect the adjoining residential use. If this service garage is associated with Thompson's Car Sales, seasonal or temporary banners should not be allowed on the site.

Prepared by:

Division Chief: My L. Kens

PK/JL/lw

* *	*	*	*	*	*	*	*	*	*	*	*
Pet	itioner										
German H	ill Limi	ited Par	rtner	ship		*		CASE N	ю. 96-	·485-SI	PHX
15th Elec					lmanic	*		OF BAI	TIMORE	COUNT	Ϋ́
2508 Pla:	infield	Road, N	W/S P	lainfie		*		ZONING	COMMI	SSIONE	ER
RE: PETI	ETION FO				N	*		BEFORE	THE		

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

* 1 ...

People's Counsel for Baltimore County

Etellax Timmamas

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 day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioner.

PETER MAX ZIMMERMAN

PETITION PROBLEMS

#473 --- MJK

No printed name or title for contract purchaser.

#475 --- JCM

- 1. No telephone number for legal owner.
- 2. Need authorization for person signing for legal owner.

#476 --- JLL

- 1. Who signed for legal owner??? Need printed name and title.
- 2. Need authorization for person signing for legal owner.

#477 --- MJK

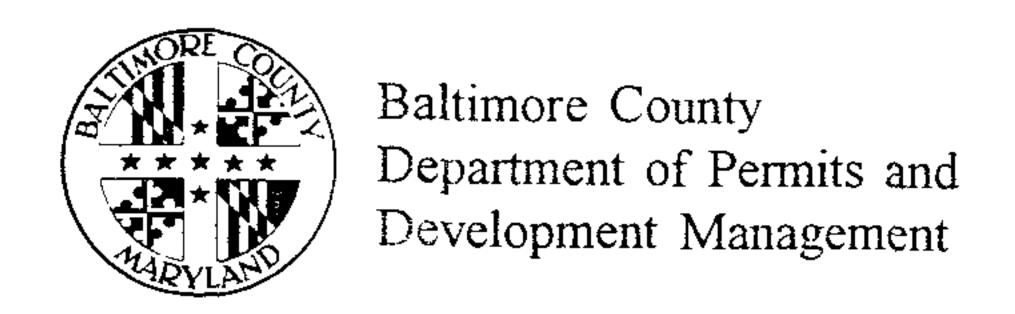
1. Need authorization for person signing for legal owner.

#479 --- MJK

1. Need telephone number for legal owner.

#482 --- RT

1. Folder says it is in critical area; plat says it is not in critical area. Which is it???



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

September 3, 1996

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, MD 21221

RE: Petition for Special
Hearing, Special Exception
& Variance
W/S Plainfield Road,
284.50' S of German Hill
Road
(2508 Plainfield Road)
15th Election District
7th Councilmanic District
German Hill Limited
Partnership - Petitioner
Case No. 96-485-SPHX

Dear Mr. Gontrum:

Please be advised that an appeal of the above-referenced case was filed in this office on August 29, 1996 by Thomas P. Dore, Esquire on behalf of Filippos Filippakis. 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,

ARNOLD JABLON

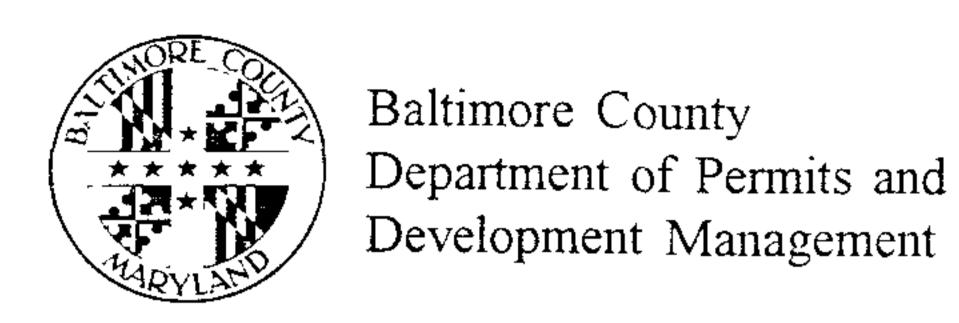
Director

AJ:rye

cc: Mr. Ron Thompson

Mr. Frederick J. Rogers

People's Counsel



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

September 3, 1996

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, MD 21221

RE: Petition for Special
Hearing, Special Exception
& Variance
W/S Plainfield Road,
284.50' S of German Hill
Road
(2508 Plainfield Road)
15th Election District
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Sincerely,

ARNOLD JABLON

Director

AJ:rye

cc: Mr. Ron Thompson

Mr. Frederick J. Rogers

People's Counsel

Petition for Special Hearing, Special Exception & Variance W/S Plainfield Road, 284.50' S of German Hill Road (2508 Plainfield Road)

15th Election District - 7th Councilmanic District German Hill Limited Partnership - Petitioner

Case No. 96-485-SPHX

Petition for Special Hearing, Special Exception & Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Vzoning Advisory Committee Comments

Petitioners and Protestants Sign-In Sheets

Petitioners' Exhibits:

1 - Plat to Accompany Special Exception and

Special Hearing

2A-2G - Seven Photographs

Copy of Deed

Four Photographs not Marked as Exhibits

Deputy Zoning Commissioner's Order dated August 5, 1996 (Granted)

Notice of Appeal received on August 29, 1996 from Thomas P. Dore on behalf of Filippos Filippakis

cc: John B Gontrum, Esquire, 814 Eastern Blvd., Baltimore, MD 21221 Mr. Ron Thompson, Thompson Automotive Group, 1307 Merritt Boulevard, Baltimore, MD 21222

Mr. Philip Filippakis, 7625 German Hill Road, Baltimore, MD 21222 Mr. Frederick J. Rogers, 7338 Waldman Avenue, Baltimore, Md 21219 Thomas P Dore, Esquire, 614 Bosley Avenue, Towson, MD 21204 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

1E

11/26/96-Notice of Assignment for hearing scheduled for Wednesday, January 29, 1997 at 10:00 a.m. sent to following:

Thomas P. Dore, Esquire
Philip Filippakis
Frederick J. Rogers
John B. Gontrum, Esquire
Ron Thompson /Thompson Automotive Group
(German Hill Ltd. Partnership)
Timothy F. Madden, P.E.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

1/28/97 -T/C from Thomas Dore, Counsel for Protestants /Appellants; easement agreement completed but not yet signed by Mr. Gontrum's client. Upon full execution of agreement, appeal will be dismissed. Anticipates this dismissal will be submitted to CBA on Friday, 1/31/97.

-T/C with J. Gontrum's secretary; matter will be postponed and no parties need attend 1/29/97 scheduled hearing. Board also alerted that postponement had been granted pending completion of agreement and dismissal of appeal.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

November 14, 2003

John B. Gontrum, Esquire WHITEFORD TAYLOR & PRESTON LLP 210 W. Pennsylvania Avenue Towson, MD 21204-4515

Thomas P. Dore, Esquire 614 Bosley Avenue Towson, MD 21204

RE: In the Matter of: German Hill Ltd. Partnership Case No. 96-485-SPHXA

Dear Counsel:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

A docket note under date of January 28, 1997 indicates that an agreement had been reached between the parties, a copy of which would be submitted to the Board with a request for dismissal. To date, that document has not been provided. Therefore, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

Kathleen C. Bianco

Administrator



PLS. CALL THOMAS DORE

828-5528

Re: P.P. - GERMAN HILL CASE - FOR

TOMORROW EASEMENT AGREEMENT NOT SIGNED YET BY Gowieum's Client. GOISTEUM VIVE BE BACK in rown weo. and case CAN BE DISMISSED 134. FRIDAY ONCE DOC. 13 SIGNED



BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE: December 3, 2004

TO: Timothy Kotroco, Director

Permits & Development Management

Attn.: David Duvall

FROM: Theresa R. Shelton

Board of Appeals

SUBJECT: CLOSED APPEAL CASE FILES

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	<u>PDM</u> FILE NUMBER	NAME	LOCATION
94-205-X	94-205-X	NAYLOR LANE LIMITED PARTNERSHIP	4000 OLD COURT ROAD
96-485-SPHXA	96-485-SPHXA	GERMAN HILL LIMITED PARTNRSHIP	2508 PLAINFIELD ROAD
CBA-90-119	PLAT VALIDITY	HILLTOP PLACE	PLAT 1 AND 2 CLARK BLVD
CBA-90-118	WAIVER DENIAL W-90-56	W BELL PLAZA	SECURITY BLVD

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED;

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW

ANNEX OFFICE

606 BALTIMORE AVENUE

SUITE 302

TOWSON, MARYLAND 21204 AREA CODE 410 828-5525 MAIN OFFICE 614 BOSLEY AVENUE TOWSON, MD 21204

FAX 410-296-2131

EDWARD C COVAHEY, JR

F VERNON BOOZER *

ANTHONY J DIPAULA *

MARKS DEVAN

THOMAS P DORE

ROGER J SULLIVAN

August 28, 1996

HAND DELIVERED

Arnold Jablon, Director,
Baltimore County Department of
Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Case No. 96-485-SPHXA

German Hill Limited Partnership, Petitioner

W/S Plainfield Road, 284.50' S of the c/1

German Hill Road (2805 Plainfield Road)

Dear Mr. Jablon:

Please treat this as a notice of an appeal to the Board of Appeals being filed in the above-referenced case on behalf of Filippos Filippakis. Enclosed herewith is a check in the amount of \$460.00 to cover the cost of same. Please see that all future notices and other communications regarding the above case be sent to the undersigned as well as to the parties in interest.

Thank you for your assistance in this matter.

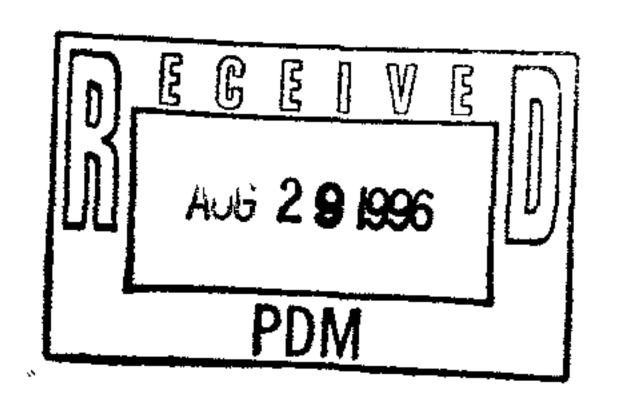
Very truly yours,

homas P. Dore

TPD/eyb Enclosure

27eyb.17

cc: Mr. Filippos Filippakis



^{*} ALSO ADMITTED TO D C BAR

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW

ANNEX OFFICE

606 BALTIMORE AVENUE

SUITE 302

TOWSON, MARYLAND 21204 AREA CODE 410 828-5525 MAIN OFFICE 614 BOSLEY AVENUE TOWSON, MD 21204

FAX 410-296-2131

EDWARD C COVAHEY, JR

F VERNON BOOZER *

ANTHONY J DIPAULA *

MARK S DEVAN

THOMAS P. DORE

ROGER J SULLIVAN

August 28, 1996

HAND DELIVERED

Arnold Jablon, Director,
Baltimore County Department of
Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

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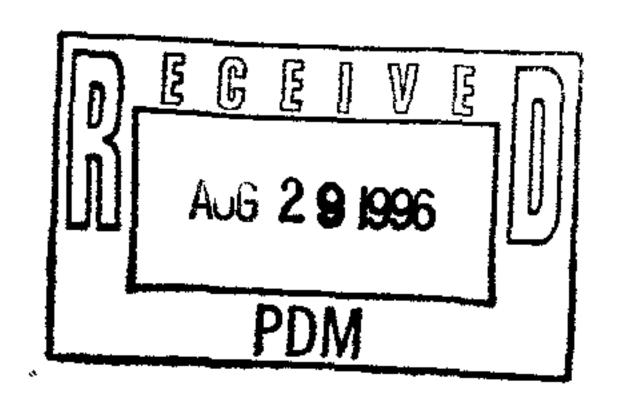
Very truly yours,

homas P. Dore

TPD/eyb Enclosure

27eyb.17

cc: Mr. Filippos Filippakis



^{*} ALSO ADMITTED TO D C BAR

410 823 7530;# 1

ROVD AT CUNTER #175.00 RCPT PD. DAS 8/30/96

> นกม office 814 203ยยy กุษยยย **Towson**, มช. 21264

DVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
ANNEX OFFICE
BOS BALTIMORE AVENUE
SUITE 302
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY. JR.

F. VERNON BOOZER * TOWSON, MARYLAND 21204

MARK 5. DEVAN AREA CODE 410

ANTHONY J. DIPAULA * \$28-5525

THOMAS P. DORE

* ALSO ADMITTED TO D. C. BAR

ROBER J. BULLIVAN

August 28, 1996

FAX 410-296-2131

HAND DELIVERED

Arnold Jablon, Director,
Baltimore County Department of
Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Case No. 96-485-SPHXA

German Hill Limited Partnership, Petitioner
W/S Plainfield Road, 284.50' s of the c/1
German Hill Road (2805 Plainfield Road)

Dear Mr. Jablon:

Appeals being filed in the above-referenced case on behalf of Filippos Filippakis. Enclosed herewith is a check in the amount of cost of same. Please see that all future notices and other communications regarding the above case be sent to the undersigned as well as to the parties in interest.

Thank you for your assistance in this matter.

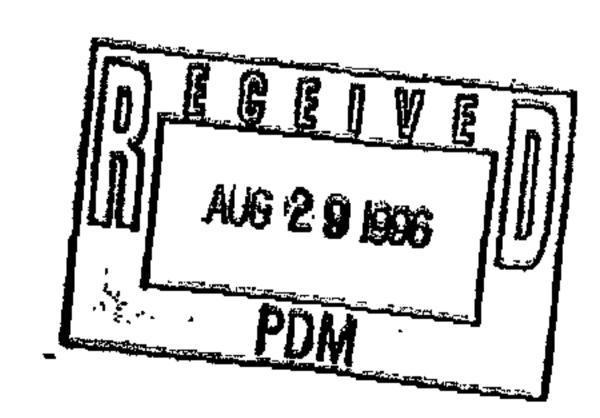
Very truly yours,

Thomas P. Dore

TPD/eyb Enclosure

27eyb.17

cc: Mr. Filippos Filippakis



WHITEFORD, TAYLOR & PRESTON L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
FAX 410 832-2015
www.wtplaw.com

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

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

JOHN B. GONTRUM
DIRECT NUMBER
410-832-2055
JGoornan@wiplaw.com

SEVEN SAINT PAUL STREET

BALTIMORE, MARYLAND 21202-1626

TELEPHONE 410 347-8700

FAX 410 752-7092

20 COLUMBIA CORPOBATE CENTER

10420 LITTLE PATUXENT PARKWAY

COLUMBIA, MARYLAND Z1044-3528

TELEPHONE 410 884-0700

FAX 410 884-0719

February 15, 2005

Timothy Kotroco, Esq.
Donald Rascoe
Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: German Hill Ltd. Partnership/Case No. 96-485-SPHXA

Gentlemen:

We are requesting approval of the spirit and intent of the conversion of a service garage from mechanical repairs to a quick repair body and fender shop. Enclosed is a copy of a site plan filed in the above-referenced matter along with a copy of the Order issued by Mr. Kotroco as Deputy Zoning Commissioner dated August, 1996, and a subsequent Board of Appeals order dismissing the appeal.

This property has been used continuously as a service center for the Thompson automotive group of automobile dealerships in the Dundalk area. The Thompson dealerships currently are considering a proposal to convert at least a portion of the facility into a fast track body repair shop. The total investment would be about \$100,000 and would involve hiring about 8 additional employees for a total of 33 employees. The kind of repairs would involve minor body damage only. The objective is to quickly repair and restore vehicles and to conduct minor body repairs. No vehicles would be stored on the property for lengthy periods of time.

Vehicles would be brought onto the lot mostly by Thompson employees from German Hill Road under the power lines. They would be worked on inside the building and then turned around and brought back through the cleaning and paint booths.

Timothy Kotroco, Esq. March 2, 2005 Page 2

There were no restrictions in the Order approving the special exception for a service garage, but at the time body work was not contemplated in the facility, and this was so stated during the hearing. We are not requesting any changes in the Order or in the site plan. Over the past 8 years there has been much renovation work to the building, and this would continue with the proposed improvements.

Your approval of this continued service garage use as proposed would be greatly appreciated.

Sincerely,

John B. Gontrum

JBG:jbg cc. Thompson Automotive Group Enclosures

APPROVED AS TO SPIRIT AND INTENT OF FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE NO. 96-485 SPHX.

Donald T. Lucae

WT&P LLP

ESTON L.L.P. already Signed

WHITEFORD, TAYLOR & PRESTON L.L.P.

400 Court Towers 210 W. Pennsylvania Ave Towson, Maryland 21204 (410) 832-2000 Fax - (410) 832-2015

FACSIMILE TRANSMITTAL COVER SHEET

TOTAL PAGES (including cover sheet): 3	Date: March 2, 2005
	File No.: 1111/11111

SENT TO: FAX #:

Donald T. Rascoe (410)-887-5708

FROM: Anya Enova

Re: German Hill Ltd. Partnership

SPECIAL INSTRUCTIONS: Enclosed please find the copy of the German Hill Partnership letter.

PRIVILEGED AND CONFIDENTIAL: All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. mail.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Timothy F. Madden	Morris & Ritchie Assoc. Inc. 110 West Rd. Towson
Row Thompson	Morris & Ritchie Assoc. Inc. 110 WESTA TOWSON. 1309 MERRITT Blue BALTO 21222
	
	
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·—————————————————————————————————————	
······································	

THOMAS P. DORE

ATTORNEY AT LAW

**OVAHEY & BOOZER, P.A. 614 BOSLEY AVENUE TOWSON, MARYLAND 21204

(410) 828-9441 FAX (410) 823-7530

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Philip Filippatis	7625 GERMAN HILL POUL MD 21222
	Palt. 40 2122
FRICh, Zjan	7338 WALDMAN AUG
	13ACTO 21219 MO

- <u></u>	
	
- 	
	
	·-·
	
	

FEE-SIMPLE DEED-CODE-City or County

This Deed, Made this

30 th

day of January

in the year one thousand nine hundred and eighty-five

HERBERT C. ALT and FANNY K. ALT, his wife,

øf Baltimore County

in the State of Maryland, of the first part/Ghantors

CLERK

FILIPPOS FILIPPAKIS and ELENI FILIPPAKIS, his wife, of Baltimore County, State of Maryland,

of the second part., Grantees.

Witnesseth, That in consideration of the sum of Fifteen Thousand Dollars (\$15,000.00), the 5.0 receipt of which is hereby acknowledged,

the said parties of the first part, Herbert C. Alt and Fanny K. Alt, his wife JR I 170.0 17

EMINITER'S

hairs and assigns, in fee simple, all that of ground, situate, lying and being in the Twelfth Election District of Baltimore County, State of Maryland, and described according to a survey by Frank S. Lee, Registered Land xaforexidkand/describedxaxfollowsxtlutris:toxxxxxx Surveyor, dated July 7, 1979, as follows, that is to say: -

Beginning for the same on the south side of German Hill Road at the beginning of the sixth line of the 0.628/parcel of land which by deed dated July 30, 1976 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5663, folio 370, was conveyed by Leroy E. Taylor and wife to Herbert C. Alt and wife; and thence running with and binding on said sixth line and on the seventh line along the south side of German Hill Road as follows: - South 72 degrees 24 minutes 05 seconds East 22.67 feet and by a line curving to the north with a radius of 2490 feet for a distance of 30.72 feet, thence leaving German Hill Road and binding on the eight line South 13 degrees 59 minutes 50 seconds East 153.86 feet, thence running for a line of division North 74 degrees 25 minutes 30 seconds West 49.11 feet to intersect the fifth line in deed above referred to, and thence running with and binding on part of said fifth line North 14 degrees 54 minutes 40 seconds West 158 feet to the place of beginning.

Herbert C. Alt and Fanny K. Alt, his wife, retain unto themselves, their personal representatives and assigns, for the use of their remaining property, an easement approximately 13 feet wide across said parcel of land for the purpose of ingress and egress from German Hill Road and the property of Herbert C. Alt and Fanny K. Alt, his wife, the property which adjoins the southernmost end of the parcel of ground herein conveyed, which fronts on Plainfield Road, with the provision that it shall be the obligation of the Grantees, their personal representatives and assigns to construct, maintain and replace as necessary a hard surface macadam roadway on the lot which is the subject matter of this conveyance.

AND, the said Herbert C. Alt and Fanny K. Alt, his wife, retain for themselves, their personal representatives and assigns the right to erect and maintain a sign of reasonable height, width and length on said property at German Hill Road for the purpose of advertising and making known to the public the existence and hours of operation of the business of said Herbert C. Alt and Fanny K. Alt, his wife, now known as Thrifty Carwash, located on their property adjoining the parcel herein conveyed on the south end thereof.

> AGRICULTURAL TRANSFER TAX NOT APPLICABLE

B DD 9 * * * * * 2 4000 Aa 8048A SIGNATURE DATE

LIBER 6865 FOLIO 360-B

The said Herbert C. Alt and Fanny K. Alt, his wife, agree that in the event the Grantees, their personal representatives and assigns, obtain an easement to German Hill Road satisfactory to the said Herbert C. Alt and Fanny K. Alt, his wife, to be used for ingress and egress between German Hill Road and Herbert C. Alt and Fanny K. Alt, his wife's, property, as hereinabove set forth, then they agree to release the Grantees herein, their personal representatives and assigns, from the easements hereinabove established, and accept in place thereof the one so obtained under the terms of this clause.

BEING part of a parcel of ground firstly described in a deed dated July 30, 1976, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5663, folio 370, from Leroy E. Taylor and Hazel M. Taylor, his wife, to the Grantors herein.

ALLEN TO SUBSTITUTE OF THE PARTY OF THE PART

SCALE:- 1"= 50' DATE:- 7-7-79

BALTIMORE, MD. 21237

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, Filippos Filippakis and Eleni Filippakis, his wife, as tenants by the entirety, their assigns, the survivor of them, his or her personal representatives

hairs and assigns, in fee simple.

And the said part ies of the first part hereby covenant that the y have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and the they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantor s.

TEST:

(SEAL)

(SEAL)

STATE OF MARYLAND, COUNTY OF BALTIMORE

, to wit:

I HEREBY CERTIFY, That on this

day of

in the year one thousand nine hundred and eighty-five

before me, the subscriber,

a Notary Public of the State of Maryland, in and for the County of Baltimore

aforesaid,

personally appeared Herbert C. Alt and Fanny K. Alt, his wife,

the above named grantor s , and they acknowledged the foregoing Deed to be

their

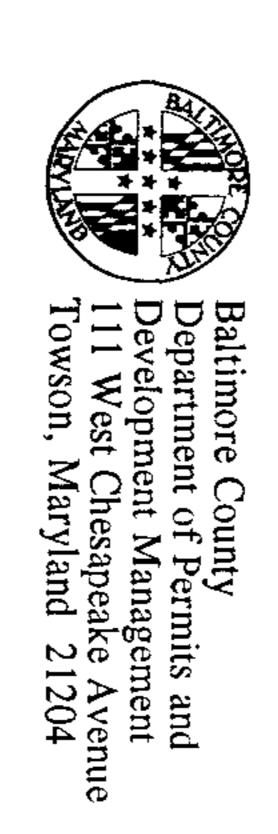
act.

As Witness my hand and Notarial Seal.

My Commission expires:

July 1, 1986

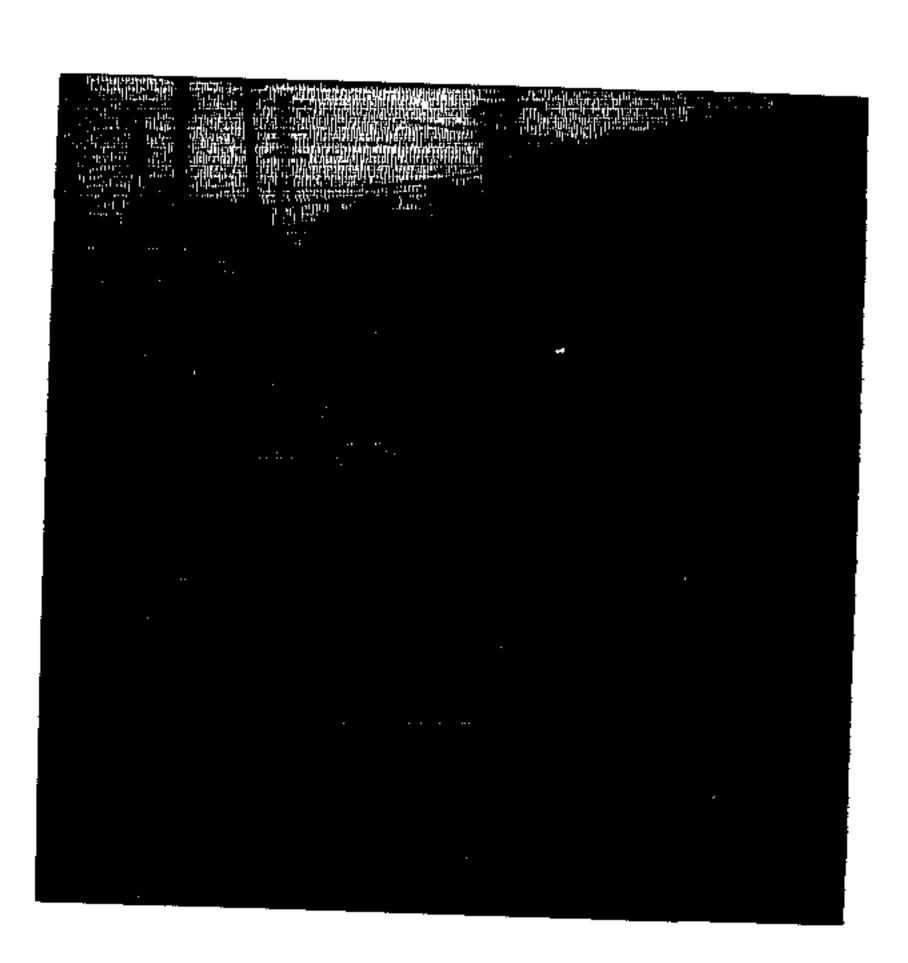
Per Elmer H. Akahline, Je.



4 Photographs Not Marked AS Exhibits 96-405-5PHX

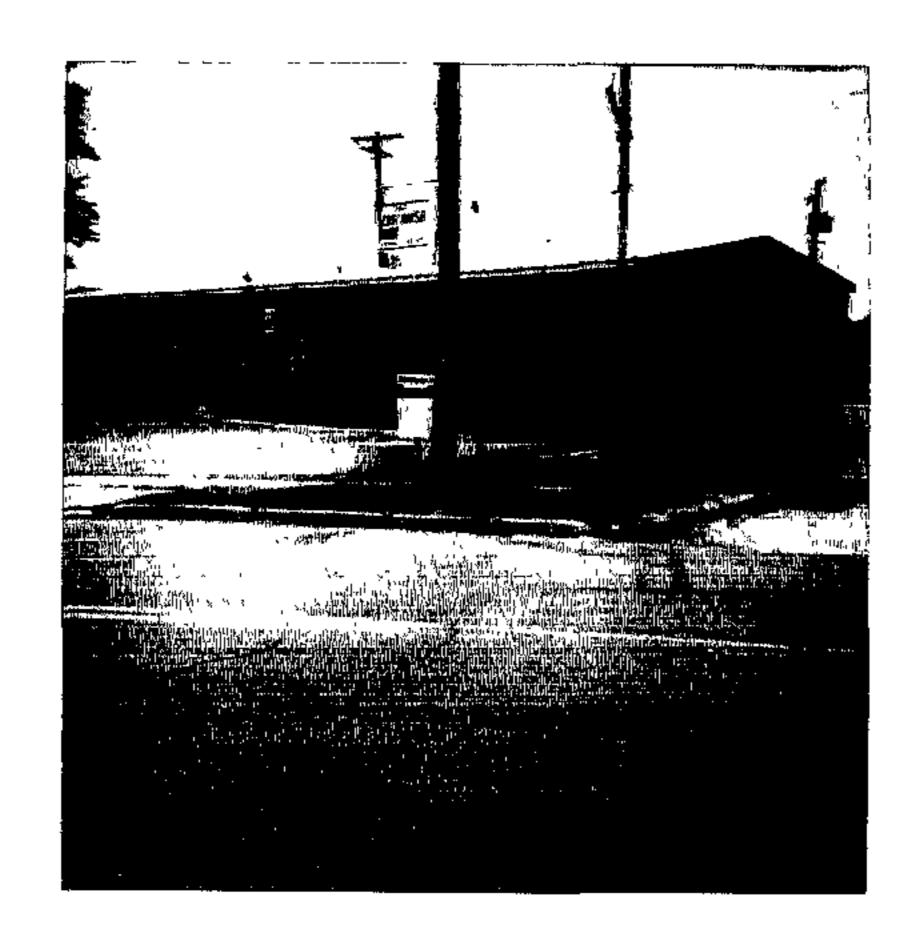








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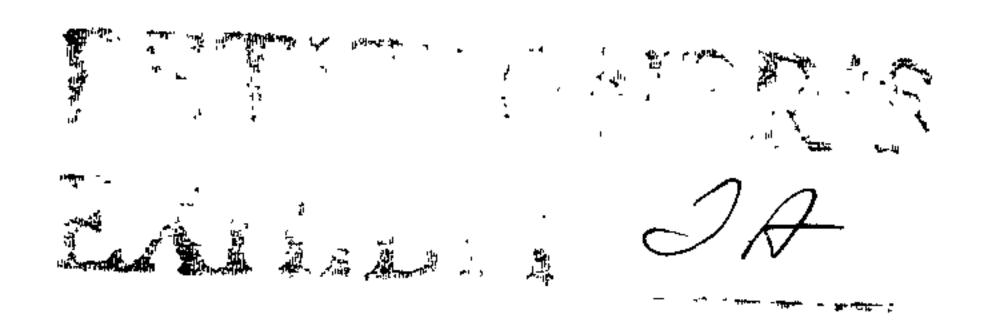
20,



Looky S. From Plaintreld Road

Toward: 5. 5, de BF 5/1E w/

con word on RIGHT





e. Looking cost from rear of 51TE Toward Plaintie W Road

08



A existing can work Look's 5.65. From Plansvill Rd.

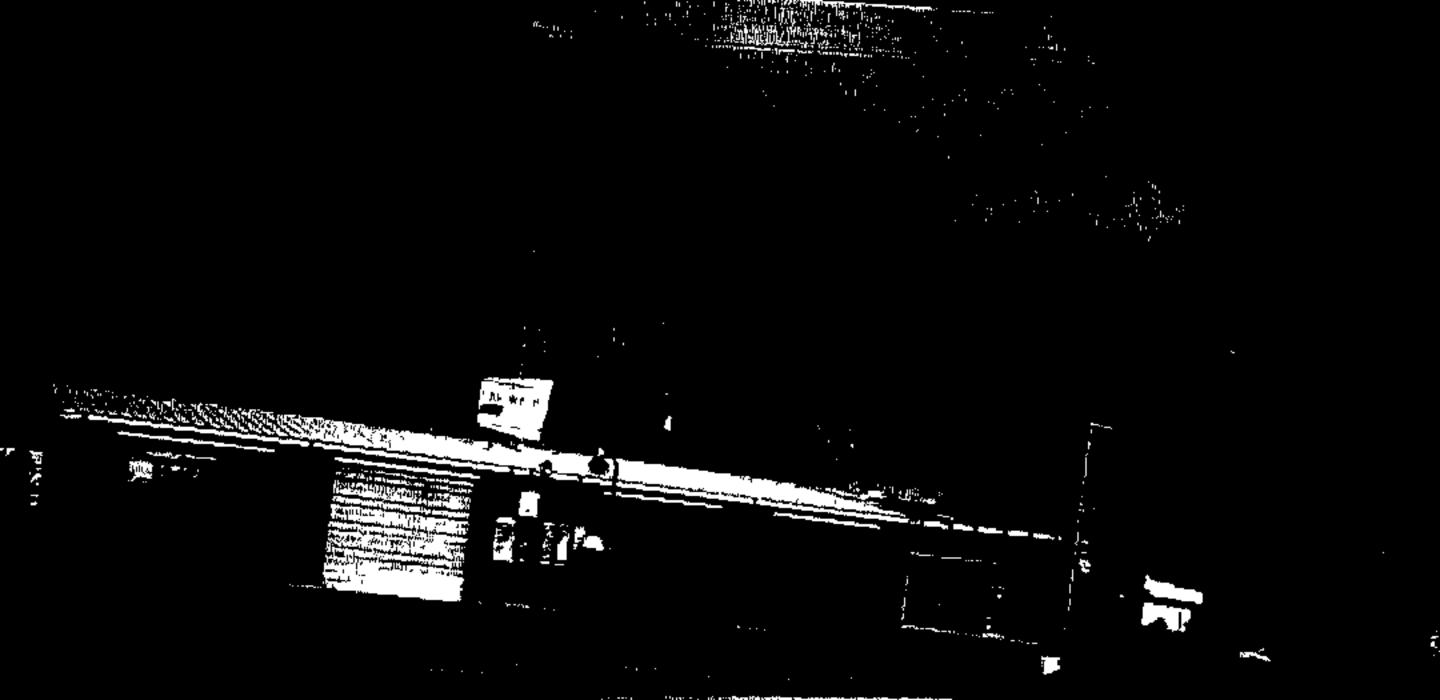


c. Looky 5. along Rear OF SITE

al con work on LEFT

-and OF PROPERTS on nec. vehicles

 \mathcal{L}



B. existy con work looky wist From



d. near access point From German

2

