

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE - S/S Frederick Road,	
235' W of Bishops Lane	* DEPUTY ZONING COMMISSIONER
(607 & 609 Frederick Road)	
1st Election District	* OF BALTIMORE COUNTY
1st Councilmanic District	
	* Case Nos. 97-503-SPHA and
Carey A. Piekarski	97-504-SPHA
Petitioner	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of combined Petitions for Special Hearing and Variance for the adjoining properties known as 607 and 609 Frederick Road, located in the vicinity of Bloomsbury Avenue in Catonsville. The Petitions in Case No. 97-503-SPHA were filed by J. Wistar Huey, III, Agent for the then owners of the property known as 607 Frederick Road, and Carey A. Piekarski, the Contract Purchaser who has since settled on the property. Mr. Piekarski owns the adjoining property, known as 609 Frederick Road, and filed the Petitions in companion Case No. 97-504-SPHA. In Case No. 97-503-SPHA, the Petitioner seeks approval of business parking in a residential zone and a variance from Section 409.8.B.2 (B&C) of the Baltimore County Zoning Regulations (B.C.Z.R.) and Zoning Commissioner's Policy Manual, to permit the temporary storage of fully licensed, operable, and/or damaged passenger vehicles during approved working hours on that property, identified as Parcel B on the site plan. In Case No. 97-504-SPHA, the Petitioner requests an amendment to the previously approved site plan, and Restrictions 5 and 6 of the Order issued in prior Case No. 84-322-XA, to reflect the proposed improvements to the subject property, and the adjoining property which he recently purchased. In addition, the Petitioner requests variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From

ORDER RECEIVED FOR FILING

Date 7/11/97

by [Signature]

Section 232.A.4 to permit amenity open space of 0.03 in lieu of the required .2, and from Section 232.3.B to permit a rear property line setback of 0 feet in lieu of the required 20 feet from the abutting residential zone. The subject properties and relief sought are more particularly described on the respective site plans submitted in each case, which were accepted and marked into evidence as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were Carey A. Piekarski, property owner, William P. Monk, Land Planning and Zoning Consultant, Robert Vogel, Professional Engineer who prepared the site plan for this project, and James W. Mohler. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject properties are adjoining lots located off the south side of Frederick Road, just west of its intersection with Bishops Lane. The properties are located immediately behind an Amoco Service Station and the Catonsville Investment Corporation which front on Frederick Road, and are accessed by a 10-foot wide use in common right-of-way easement from Frederick Road. The rear (south) and west sides of the properties are bordered by the Catonsville Elementary School grounds. The east side of the property is bordered by three separate lots, zoned R.O., which are improved with dwellings. The property known as 607 Frederick Road, identified as Parcel B on the site plan, consists of a gross area of 0.50 acres, more or less, zoned R.O., and is unimproved. The adjoining property, known as 609 Frederick Road, or Parcel A on the site plan, consists of 0.31 acres, zoned B.L.- C.C.C. Parcel A is the site of Pie's Body Shop, a body and fender repair business which the Petitioner has owned and operated for the past 26 years. Parcel A was the subject of prior Case No. 84-322-XA in which a special exception

FILED
DATE 7/11/97
BY [signature]

and variances were granted for the existing service garage use on July 17, 1984. Improvements on Parcel A include a two-story brick building, which contains offices on the second floor and a 6-bay service garage on the first floor, and a separate 5-bay service garage building, with accessory office and storage space. The property is also macadam paved with a parking area. Mr. Piekarski recently experienced a fire in his paint booth which caused considerable damage to his operation. He has since renovated the property and wishes to relocate the paint booth to a building addition he proposes to construct adjacent to the existing two-story building as shown on the site plan. In addition, Mr. Piekarski wishes to utilize the adjoining lot, or Parcel B (607 Frederick Road) to provide much needed storage space for those vehicles awaiting service or pick up. In order to proceed with the proposed improvements and utilize the amenity open space area to provide the additional parking required, the special hearing and variance relief are necessary. The Petitioner argued that due to the size of his property and its isolated location adjacent to residentially zoned property, strict compliance with the zoning regulations would unreasonably restrict the use of the property.

Prior to the hearing before me, the Petitioner agreed to certain conditions with the Office of Planning as to the redevelopment of this site. By letter dated June 10, 1997 from Mr. Monk to Mr. Jeffrey Long, a representative of the Office of Planning, the Petitioner has agreed to perform certain screening and fencing on the property to further enhance its appearance to the surrounding community. Based on that letter, the Office of Planning has recommended approval of the requested special hearing and variances, so long as the conditions contained within the letter are satisfied by the Petitioner. Therefore, as a condition of

ORDER RECEIVED FOR FILING

Date

By

approval of the special hearing and variance relief, I shall impose a restriction at the end of this Order which requires that the Petitioner shall meet all of the obligations contained within Mr. Monk's letter.

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, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject properties and that strict compliance with 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 meets 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 special hearings and variances requested shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of July, 1997 that the Petitions for Special Hearing and Variance filed in Case No. 97-503-SPHA, seeking approval of business parking in a residential zone, and variance relief from Section 409.8.B.2 (B&C) of the Baltimore County Zoning Regulations (B.C.Z.R.) and Zoning Commissioner's Policy Manual, to permit the temporary storage of fully licensed, operable, and/or damaged passenger vehicles during approved working hours on Parcel B of the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

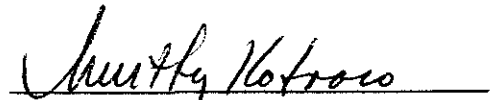
IT IS FURTHER ORDERED that the Petitions for Special Hearing and Variance filed in Case No. 97-504-SPHA, seeking approval of an amendment to the previously approved site plan, and Restrictions 5 and 6 of the Order issued in prior Case No. 84-322-XA, to reflect the proposed improvements to Parcel A of the subject property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 232.A.4 to permit amenity open space of 0.03 in lieu of the required .2, and from Section 232.3.B to permit a rear property line setback of 0 feet in lieu of the required 20 feet from the abutting residential zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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) Compliance with the conditions contained in the letter from Mr. William P. Monk to Mr. Jeff Long, dated June 10, 1997, a copy of which is attached hereto and made a part hereof.

3) Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



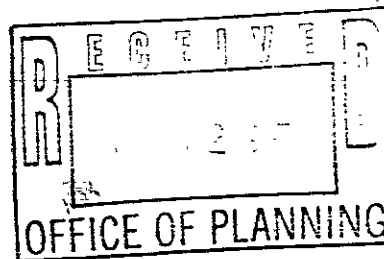
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



June 10, 1997

Mr. Jeff Long
Baltimore County Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, MD 21204

RE: 609 Frederick Road: Case #97-503SPHA

Dear Jeff:

As a follow-up to our meeting yesterday, please let this serve to summarize the consensus reached regarding the screening of the automobile storage facility from the adjacent school property and residences. Parcel "B" on the Plan to Accompany Special Hearing and Variance Application is the site in question.

- Along the west property line adjacent to the school parking lot the following screening is proposed: The existing 8' high chain link fence with metal slats will remain, in addition, the applicant will construct a similar height board-on-board fence on the school side of the chain link fence or in the alternative plant a row of upright evergreen trees (i.e. Leyland cypress).
- Along the south property line facing the ball fields, the applicant will retain the existing 8' high chain link fence with the metal slats. Those slats which are in need of repair will be replaced.
- Along the east property line facing rear of the residences, the existing 8' high, wood privacy fence will remain and be extended to buffer all three properties from the applicant's automobile storage facility. In addition, within the 20' wide landscape strip, additional evergreen plantings will be provided. A landscape plan will be submitted as required by Baltimore County at the time permits are applied for.

Cordially,

William P. Monk
/cjs

cc: Carey Piekarski
Councilman Sam Moxley

965ltr/d41

NOT RECORDED FOR FILING



Baltimore County
Zoning Commissioner
Office of Planning

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

July 11, 1997

Mr. Carey A. Piekarski
609 Frederick Road
Baltimore, Maryland 21228

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
S/S Frederick Road, 235' W of Bishops Lane
(607 & 609 Frederick Road)
1st Election District - 1st Councilmanic District
Carey A. Piekarski - Petitioner
Case Nos. 97-503-SPHA and 97-504-SPHA

Dear Mr. Piekarski:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. William P. Monk
222 Bosley Avenue, C-6, Towson, Md. 21204

People's Counsel; Case Files



RE:-- PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
607 Frederick Road (rear), S/S Frederick	*	ZONING COMMISSIONER
Road, 235' W of Bishops Lane at 10 ft		
use in common right-of-way	*	OF BALTIMORE COUNTY
1st Election District, 1st Councilmanic		
	*	
Legal Owners: M. Smith, Jr., A. Farrish,		
F. Dugan, III, L. Gaines, J. Macgill, Jr.	*	CASE NO. 97-503-SPHA
Contract Purchaser: Carey A. Piekarski		
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 5th day of June, 1997, a copy of the foregoing Entry of Appearance was mailed to William Monk, 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

503



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 607 Frederick Road (Rear)
97-503-SPHA which is presently zoned RO

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
business parking in a residential zone.

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.

Contract Purchaser/Lessee

Carey A. Piekarski

(Type or Print Name)

Signature

609 Frederick Road 410-788-4600

Address

Baltimore MD 21228

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

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) Mark Alexander Herbert Smith, Jr. & Annie Campbell Farrish & Ferdinand Chatard Dugan III & Louisa Macgill Gaines & John Charles Macgill, Jr.

(Type or Print Name)

Signature

J. WISTAR HUEY, III, Agent

(Type or Print Name)

Signature

Address

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

William Monk 410-494-8931

Name

222 Bosley Ave, C-6, Towson, MD 21204

Address

Phone No

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 HR COMBINED
unavailable for hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: JOH

DATE 5/6/97

ORDER RECEIVED FOR FILING
Date 7/1/97
By [Signature]

TO BE HEARD WITH ITEM 504

503



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

607 Frederick Road (Rear)

which is presently zoned RO

97-503-SPHA

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) BCZC + POLICY MANUAL

Variance from Section 409.8 B 2 (B & C) to permit the temporary storage during approved working hours of fully licensed, operatable and/or damaged passenger vehicles in the area so designated on the plat.

WPM 4/10/97

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

due to the limited area for parking on the adjacent parcel caused by the need to relocate the paint booth damaged by the fire.

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

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

Contract Purchaser/

Carey A. Piekarski

(Type or Print Name)

Signature

609 Frederick Road

410-788-4600

Address

Baltimore

MD

21228

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

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

Legal Owner(s)

Mark Alexander Herbert Smith, Jr. & Annie Campbell Farrish & Benjamin Chetard Dugan III, & Louisa McGill Gaines & John Charles McGill, Jr.

Signature

J. WISTAR HUEY, III, Agent

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

William Monk

410-494-8931

Name

222 Bosley Ave, C-6, Towson, MD 21204

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink on Recycled Paper



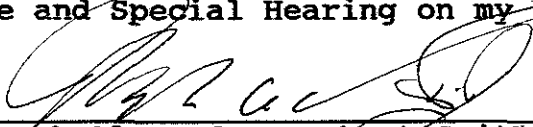
DELETED AT REQUEST OF APPLICANT WPM 5/6/97

97-503-SPHA 503

AUTHORIZATION

The undersigned is one of the owners of the rear at 601 Frederick Road and authorizes J. Wistar Huey III to execute the attached Petitions for Variance and Special Hearing on my behalf.

607 JML

 4/21/97
Mark Alexander Herbert Smith, Jr.,
~~Trustee of Anne C. Magill Trust~~

Trustee ;

Annie Campbell Magill Smith Trust

u/a DTD 11/20/89



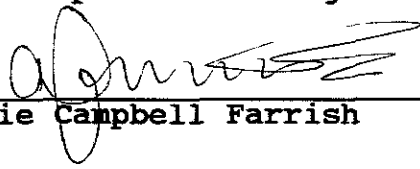
ADDRESSES, PAGES #
DELETED AT REQUEST OF
APPLICANT

WPM 5/6/97

AUTHORIZATION

503
97-503-SPH A

The undersigned is one of the owners of the rear at 601 Frederick Road and authorizes J. Wistar Huey III to execute the attached Petitions for Variance and Special Hearing on my behalf.


Annie Campbell Farrish

ADDRESSES, PAMS #S
DELETED AT REQUEST OF
APPLICANT WPM 5/6/97

AUTHORIZATION

● 503
97-503-SPH A

The undersigned is one of the owners of the rear at ⁶⁰⁷~~601~~ Frederick Road and authorizes J. Wistar Huey III to execute the attached Petitions for Variance and Special Hearing on my behalf.



Ferdinand Chatard Dugan III

ADDRESSED, PLEAS AS
DELETED AT REQUEST
OR APPROPRIATE
WPM 5/6/97

AUTHORIZATION

503
97-503-SPHA

The undersigned is one of the owners of the rear at ⁶⁰⁷~~601~~ Frederick Road and authorizes J. Wistar Huey III to execute the attached Petitions for Variance and Special Hearing on my behalf.

Louisa Macgill Gaines
Louisa Macgill Gaines

ADDRESS
PAID & IS DELIVERED
AT REQUEST OF
MARICANT
WPM 5/6/87

AUTHORIZATION

The undersigned is one of the owners of the rear at ⁶⁰⁷~~601~~ Frederick Road and authorizes J. Wistar Huey III to execute the attached Petitions for Variance and Special Hearing on my behalf.

John Charles Macgill, Jr.

ADDRESSES, PHONE #s
DELETED AT REQUEST
OF APPLICANT.

WPM 5/6/97



503

MARKS & VOGEL ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS

**Zoning Description
Parcel "B"**

97-503-SPHA

Beginning at a point on and distant South 14° 54' 21" East 150.03 feet from the south side of Frederick Road (Maryland Route No. 144) which is 66 feet wide, at the distance of 235 feet west of the centerline intersection of Bishops Lane and Frederick Road. Thence the following courses and distances:

North 73° 49' 11" East 132.77 feet thence,

South 17° 07' 52" East 8.69 feet thence,

South 17° 07' 52" East 152.00 feet thence,

South 74° 00' 50" West 139.00 feet thence,

North 14° 54' 21" West 160.23 feet to the place of beginning, being part of the land described in Liber 6238 at folio 288, containing 21,800 square feet. Also known as part of 607 Frederick Road and located in the First Election District.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

503 JLL. No. 036558

DATE 5/6/97 ACCOUNT 80016150

AMOUNT \$ 500.00

RECEIVED FROM: Fies Body Shop.

FOR: SP44 Jelling

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

05/06/97 01 4 CML R 11454

Dept 5 502 MISCELLANEOUS CASH

CR NO. 036558

\$500.00 OK P-A-1-B

Baltimore County Maryland

Office Of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 97-503 & 504 SPHA
 Petitioner/Developer: C.A. PIEKARSKI, ETAL
PIES BODY SHOP / BILL MONK
 Date of Hearing/Closing: 6/25/97

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

10:30 AM
4TH FL. H.R. COURTS
BLDG.

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 TWO (2) SIGNS.
#607 & #609 FREDERICK ROAD.

The sign(s) were posted on 6/6/97
Fix (Month, Day, Year)

Sincerely,

Patrick O'Keefe 6/13/97
 (Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

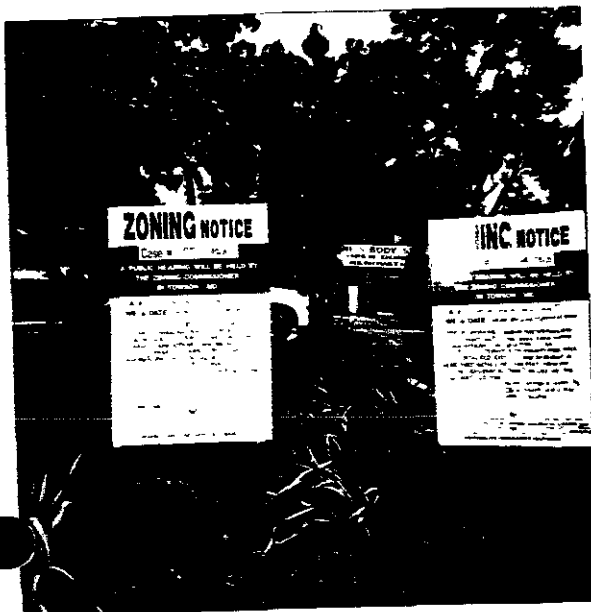
(City, State, Zip Code)

(410) 666-5366

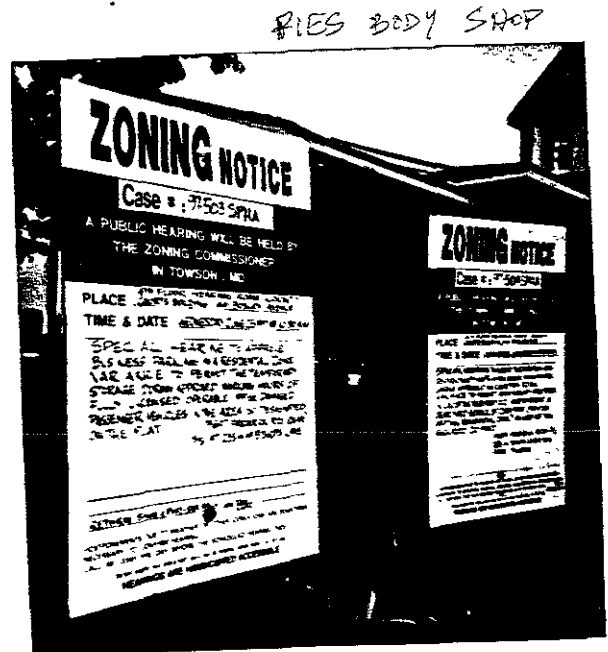
Pager (410) 646-8354

(Telephone Number)

9/96
 cert.doc



PIE'S BODY SHOP-788-4600
 97-503 & 97-504 SPHA
 #607 & #609 FREDERICK RD.



#607 & #609 FREDERICK RD.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be 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.: 503

Petitioner: SMITH ET AL

Location: 607 FREDERICK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WILLIAM MAONK INC

ADDRESS: 222 BOSLEY AVE SUITE C-6

TOWSON, MD 21204

PHONE NUMBER: 410-484-8931

AJ:ggg

(Revised 04/09/93)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than * _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-503-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: * _____

DATE AND TIME: * _____

REQUEST: A SPECIAL HEARING TO PERMIT BUSINESS PARKING IN A
RESIDENTIAL ZONE AND VARIANCE TO PERMIT TEMPORARY
STORAGE (DURING WORKING HOURS) OF OPERABLE AND/OR
DAMAGED PASSENGER VEHICLES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTTICKET PUBLISHING COMPANY
May 28, 1997 Issue - Jeffersonian

Please forward billing to:

William Monk Inc.
222 Bosley Avenue #C-6
Towson, MD 21206
410-494-8931

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-503-SPHA
607 Frederick Road - rear
S/S Frederick Road, 235' W of Bishops Lane at 10 foot use in common right-of-way
1st Election District - 1st Councilmanic
Legal Owners: Mark Alexander Herbert Smith, Jr., Annie Campbell Farrish, Ferdinand Chatard Dugan, III,
Louisa Macgill Gaines and John Charles Macgill, Jr.
Contract Purchaser: Carey A. Piekarski

Special Hearing to approve business parking in a residential zone.
Variance to permit the temporary storage during approved working hours of fully licensed, operable and/or damaged passenger vehicles in the area so designated on the plat.

HEARING: WEDNESDAY, JUNE 25, 1997 at 10:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

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

May 19, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-503-SPHA

607 Frederick Road - rear

S/S Frederick Road, 235' W of Bishops Lane at 10 foot use in common right-of-way

1st Election District - 1st Councilmanic

Legal Owners: Mark Alexander Herbert Smith, Jr., Annie Campbell Farrish, Ferdinand Chatard Dugan, III,
Louisa Macgill Gaines and John Charles Macgill, Jr.

Contract Purchaser: Carey A. Piekarski

Special Hearing to approve business parking in a residential zone.

Variance to permit the temporary storage during approved working hours of fully licensed, operable and/or damaged passenger vehicles in the area so designated on the plat.

HEARING: WEDNESDAY, JUNE 25, 1997 at 10:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Carey A. Piekarski
William Monk

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 10, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

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

June 24, 1997

William Monk
222 Bosley Avenue, C-6
Towson, MD 21204

RE: Item No.: 503
Case No.: 97-503-SPHA
Petitioner: J. Wistar Huey, III

Dear Mr. Monk:

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 6, 1997.

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 (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

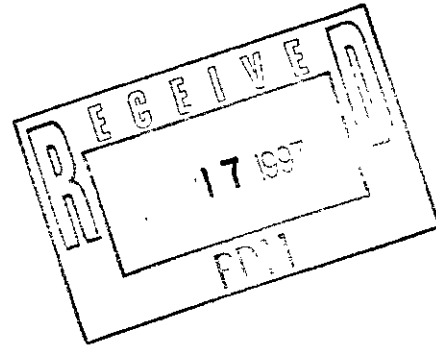
97-2924
6/17/97
g
wcr

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 16, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 609 Frederick Road



INFORMATION

Item Number: 503 & 504

Petitioner: Huey Property

Zoning: RO

Requested Action: Variance and Special Hearing

Summary of Recommendations:

The properties under petition are zoned RO and BL-CCC. The site is located within the area of the Catonsville Plan, which was adopted by the County Council on October 7, 1991. The property is also located within the Catonsville Revitalization area. In addition, the applicant's property is within a Design Review Panel area; however, due to the minor nature of the requested proposal, a Design Review Panel meeting is not required.

Based upon a review of the information provided, analysis conducted and meetings with the petitioner's representative, William Monk, staff believes the expansion of Pie's Auto Body is consistent with the revitalization efforts set forth in the Catonsville Plan. Therefore, this office supports the requested petition provided the agreed upon conditions outlined in Mr. Monk's letter of June 10, 1997 are met (see attached).

Prepared by:

Jeffrey W. Loy

Division Chief:

Carol L. Kern

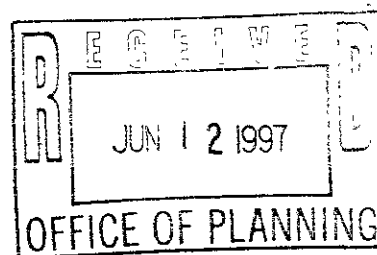
AFK/JL

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

June 10, 1997

Mr. Jeff Long
Baltimore County Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, MD 21204



RE: 609 Frederick Road: Case #97-503SPHA

Dear Jeff:

As a follow-up to our meeting yesterday, please let this serve to summarize the consensus reached regarding the screening of the automobile storage facility from the adjacent school property and residences. Parcel "B" on the Plan to Accompany Special Hearing and Variance Application is the site in question.

- Along the west property line adjacent to the school parking lot the following screening is proposed: The existing 8' high chain link fence with metal slats will remain, in addition, the applicant will construct a similar height board-on-board fence on the school side of the chain link fence or in the alternative plant a row of upright evergreen trees (i.e. Leyland cypress).
- Along the south property line facing the ball fields, the applicant will retain the existing 8' high chain link fence with the metal slats. Those slats which are in need of repair will be replaced.
- Along the east property line facing rear of the residences, the existing 8' high, wood privacy fence will remain and be extended to buffer all three properties from the applicant's automobile storage facility. In addition, within the 20' wide landscape strip, additional evergreen plantings will be provided. A landscape plan will be submitted as required by Baltimore County at the time permits are applied for.

Cordially,

William P. Monk
/cjs

cc: Carey Piekarski
Councilman Sam Moxley

965ltr/d41

INTEROFFICE CORRESPONDENCE

Date: May 29, 1997

SUBJECT: Zoning Advisory Committee Meeting
for May 27, 1997
Item No. 503

The Development Plans Review Division has reviewed the subject zoning item. The parking lot is subject to the Landscape Manual. Any fence relocation must be set back a minimum of 10 feet from the property line. Planting will occur in the 10 feet.

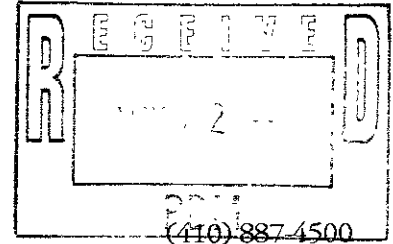
cc: File

ZONE527.503

Baltimore County Government
Fire Department



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



May 20, 1997

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

RE: Property Owner: Carey A. Fiekarski

Location: DISTRIBUTION MEETING OF May 27, 1997

Item No.: 503 Zoning Agenda:

Gentlemen:

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

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

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 5-16-97
Item No. 503 JLL

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.
Thank you for the opportunity to review this item.

Very truly yours,

R. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: May 27, 97

FROM: R. Bruce Seeley *RBS/sp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 19, 97

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

Item #'s:

500 508
502 511
503
504
505

RBS:sp

BRUCE2/DEPRM/TXTSBP

File

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 DATE: April 29, 1998
Permits & Development Management

FROM: Kathleen C. Bianco
County Board of Appeals

SUBJECT: Case No. 97-503-SPH /Evan M. Shifren /Hi-Caliber Towing

Attached for your information is a copy of a letter received by FAX this date from Petitioner, Evan Shifren, in the subject matter. Mr. Shifren's letter responds to your memorandum of April 14, 1998 and the subpoena referenced therein.

As indicated below, I've also provided a copy of this letter to those individuals listed on your April 14th memo.

cc: Evan M. Shifren
Michael D. Vogelstein, Esquire
People's Counsel for Baltimore County
Lawrence E. Schmidt, Zoning Commissioner
Derek Propalis /Code Enforcement Officer
Jeffrey Perlow /Code Enforcement Officer

April 23, 1998

Dear Kathleen C. Bianco, Administrator
Board of Appeals (M.S. 2013)

RE: Case No: 97-303-SPH (12026-28 Park Heights Av)
Evan M. Shifren/Hi-Caliber Towing, Inc.

In response to the inner office memo, from
Arnold Jablon, ZADAM. It will be unacceptable for him not to attend
the Board of Appeals. He has to be at this hearing. It is
necceassary and relivant to our case. We have already subpoena
Mr. Derek Proppalis. We do not need or want, Mr. Jeffery Perlow.

Thank You,

Sincerely

Date: 4/28/98

Mr. Evan Shifren
12026 Park Heights Ave
Owings Mills, Md. 21117
(410) 833-2886

*Copied to Michael Vegetarian
sent by Mr. Shifren*

LAW OFFICES
PAIRO & PAIRO
9050-A FREDERICK ROAD
ELLICOTT CITY, MARYLAND 21042
410-461-1800
FAX: 410-750-2085

PRESTON A. PAIRO, JR.
PRESTON A. PAIRO, III

PRESTON A. PAIRO 1926-1973

June 18, 1997

Mr. & Mrs. Carey A. Piekarski
Pie's A.C.E.S, Inc.
3420 Ellicott Center Drive
Ellicott City, MD 21043

Re: Purchase of Vacant Lot
Behind 609 Frederick Road

Dear Jane & Pie:

Enclosed please find Security Title folder containing two settlement sheets, your original title policy, and copy of the executed Deed, which I am hand-delivering.

One of these settlement sheets should be given to Charlie Nemphos so he can make the appropriate entries for your income tax.

Finally, that old devil timesheet which I have adjusted as best I can, and hope the same meets with your approval.

Naturally, if I can be of additional assistance in this or any other matter, please do not hesitate to give me a call.

Very truly yours,
PAIRO & PAIRO


Preston A. Pairo, Jr.

PAP,JR:ls
Enclosures - Security Title folder
Timesheet

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BILL MCMC

222 BUSLEY AVE

SUITE C-6

DOWNSW

CAREY PIEKARSKI

609 FREDERICK RD.

BALT. MD. 21228

ROBERT VOGL

3691 PARK AVE #101

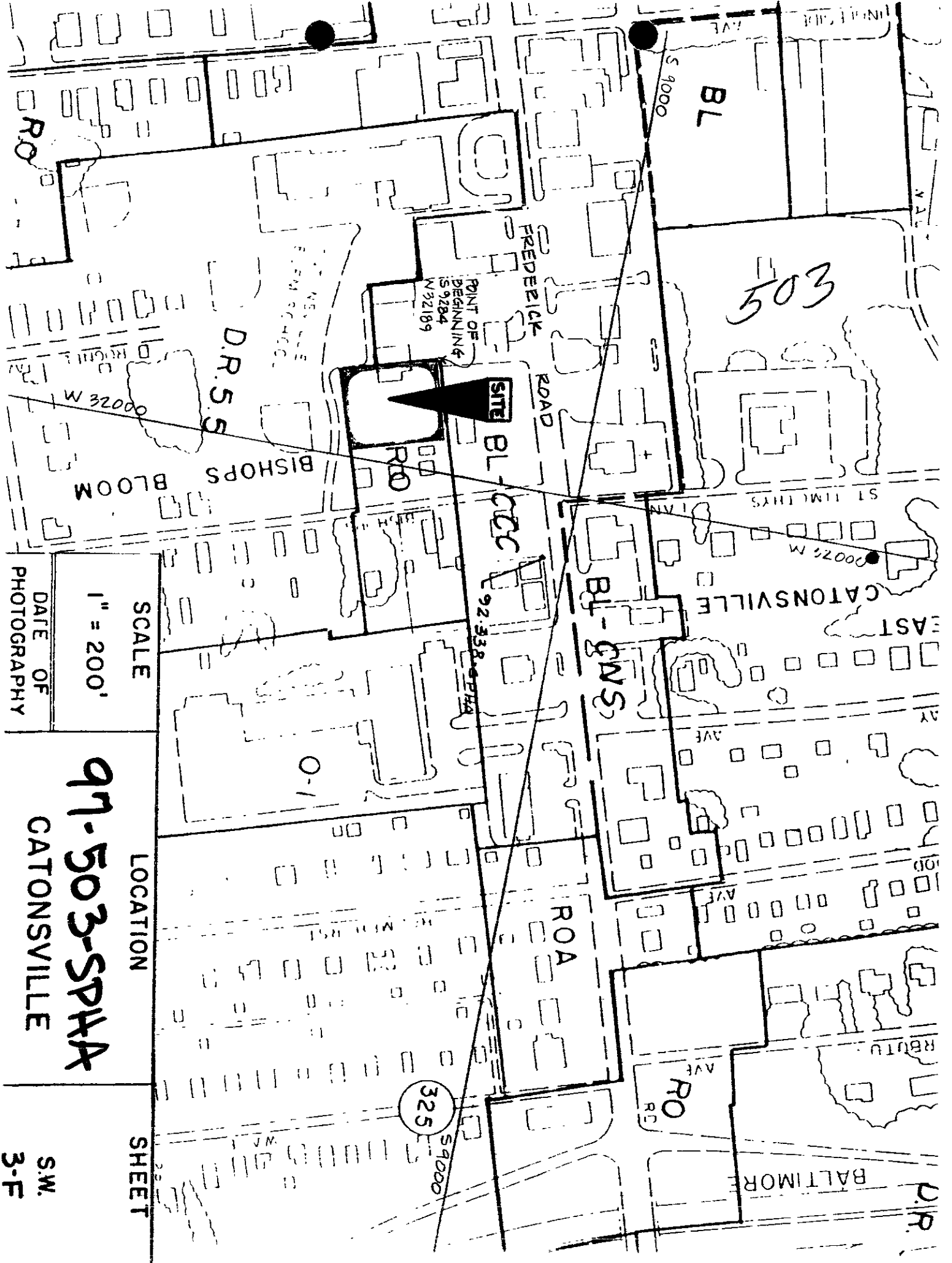
LAWSON CITY, MD 21043

JAMES W. MOHLER

7 SOMERSET RD

CATONSVILLE, Md. 21228





503

POINT OF BEGINNING
S 9284
W 32189

SITE BL-CCC

92-338-SPHA

325

D.R. 5 S

BISHOPS BLOOM

EAST CATONSVILLE

SCALE

1" = 200'

DATE OF PHOTOGRAPHY

LOCATION

91-503-SPHA
CATONSVILLE

SHEET

S.W.
3-F

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

PROFESSIONAL SERVICES
FOR THE
COUNTY OF MONTGOMERY
AND
CITY OF BETHESDA



607 FREDERICK ROAD

REVISIONS
3



VIEW LOOKING NORTH TOWARDS 607 FREDERICK ROAD FROM BALL FIELDS

greater
CATONSVILLE
Chamber of Commerce

"Serving the Business & Professional Communities"

P. O. Box 21100 Catonsville, MD 21228
(410) 719-9609

June 24, 1997

Zoning Commissioner of Baltimore County
Old Court House
400 Washington Avenue
Towson, MD 21204

Re: Case # 97-503-SPHA &
Case #97-504-SPHA

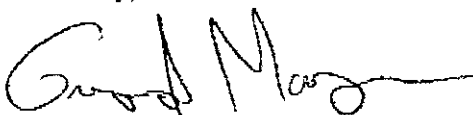
To Whom it may concern,

The intent of this letter is to notify the Zoning Commissioners Office of Baltimore County that the Greater Catonsville Chamber of Commerce fully supports the above referenced zoning request as submitted by Mr. Cary Piekarski, owner of Pie's Body Shop located at 609 Frederick Road, Catonsville. Mr. Piekarski is a well respected businessman and community leader with a reputation for quality workmanship and dedication to preserving the community surrounding his business. Mr. Piekarski's facility is a first class operation and has never posed a problem to the surrounding businesses or residential community.

The Chamber feels that Mr. Piekarski's proposed changes will have a positive impact not only on his business but on the surrounding area in that his continued investment into this facility will help continue the positive growth and prosperity of Catonsville.

Should you require further comment or discussion please do not hesitate to contact the undersigned.

Sincerely,



Gregory J. Morgan
Executive Director

PETITIONER'S
EXHIBIT 5