

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SE/S Belair Road, 150 ft. +/-
SW of c/l Horn Avenue * ZONING COMMISSIONER
9523 Belair Road
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal Owners: Orville M. Jones, et ux
Baltimore County, Maryland * CASE No. 98-6-SPH
Petitioner

ORDER OF DISMISSAL

WHEREAS, a Petition for Special Hearing was filed by Baltimore County, Maryland, relative to the subject property for various zoning relief. The Petition for Special Hearing requested a determination of whether current landscaping adequately shields the residences on Horn Avenue and the property line between the church and the carwash under Sections 102.1; 409.8A.1; 500.9 of the Baltimore County Zoning Regulations (BCZR); and Section 26-121(A) of the Baltimore County Code.

WHEREAS, a hearing on this matter was scheduled for October 23 1997 at 10:00 A.M. in Room 106 of the County Office Building; and,

WHEREAS, a copy of a letter on behalf of the Petitioner was received on October 9, 1997 from James H. Thompson, Code Inspections and Enforcement Officer, addressed to John B. Gontrum, Esquire, attorney for the property owners, withdrawing the Petition for Special Hearing for the above noted property owned by Mr. and Mrs. Orville Jones.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 28th day of October, 1997, that the Petition for Special Hearing filed herein, be and the same is hereby DISMISSED without prejudice.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER OF
BALTIMORE COUNTY

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

10/28/97
M. H. Hoot



Baltimore County
Zoning Commissioner
Office of Planning

File

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

October 24, 1997

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

RE: Case No. 98-6-SPH
Petition for Special Hearing
Legal Owner: Orville M. Jones, et ux
Baltimore County, Maryland, Petitioner
Property: 9523 Belair Road

Dear Mr. Gontrum:

Attached hereto please find an Order of Dismissal regarding the above captioned matter. This case has been dismissed without prejudice.

Very truly yours,

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

LES:mmn

att.

c: Mr. and Mrs. Orville M. Jones
9523 Belair Road
Baltimore, Maryland 21236

c: James H. Thompson, Code Inspections & Enforcement Officer
Office of Permits and Dev. Mge.



RE: PETITION FOR SPECIAL HEARING
9523 Belair Road, SE/S Belair Road,
150'+/- SW of c/l Horn Avenue
11th Election District, 5th Councilmanic

Legal Owner(s): Orville M. and Mary L. Jones

Baltimore County, Dept. of Permits
and Development Management
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* CASE NO. 98-6-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Orville M. and Mary L. Jones, 9533 Belair Road, Baltimore, MD 21236, and to Avery Harden, Baltimore County, Dept. of Permits and Development Management, County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Petition for Special Hearing

Case # 98-6 SPH

to the Zoning Commissioner of Baltimore County

for the property located at 9523 Belair Road
Baltimore, MD 21236

which is presently zoned B.L. (Business, Local)

This Petition shall be filed with the Department of Permits & Development Management.

Baltimore County hereby petitions for a Special Hearing under Sections 26-3 and 26-121(a) of the County Code and Section 500.6 of the Zoning Regulations of Baltimore County, for the Zoning Commissioner to conduct a hearing involving a violation or alleged violation or non-compliance with any zoning regulations or order issued by the Zoning Commissioner, Board of Appeals or Court, or for the proper interpretation thereof, more specifically:

Section number(s): 102.1; 409.8A.1; 500.9 (BCZCPM); Section 26-121 (a) (BCC)

Nature of violation(s): Whether current landscaping adequately shields the residences on Horn Avenue and the property line between the church and the carwash.

I do solemnly affirm that the contents stated above are correct to the best of my knowledge, information and belief.

Department of
Permits & Development Management
Representative C. Cheryl Harder

Date 7-3-97

ORDER RECEIVED FOR FILING
Date _____
By _____



Baltimore County
Department of Permits and
Development Management

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

September 26, 1997

NOTICE OF REASSIGNMENT

Continued from 7/16/97
CASE NUMBER: 98-6-SPH
9523 Belair Road
SE/S Belair Road, 150'+/- SW of c/l Horn Avenue
11th Election District - 5th Councilmanic
Legal Owner(s): Orville M. and Mary L. Jones

Special Hearing to determine whether the current landscaping adequately shields the residences on Horn Avenue and the property line between the church and the car wash.

HEARING: THURSDAY, OCTOBER 23, 1997 at 10:00 a.m. in Room 106 County Office Building, 111 W. Chesapeake Avenue.

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

ARNOLD JABLON
DIRECTOR

cc: Orville Jones
John B. Gontrum, Esq.
Dorothy S. McMann
Terri Yeager
Edna and George Wilson
Code Enforcement*

*PLEASE NOTE THAT THE ZONING SIGN ON THE PROPERTY MUST POSTED BY OCTOBER 8, 1997.





Baltimore County
Department of Permits and
Development Management

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

October 2, 1997

Mr. and Mrs. Orville Jones
9533 Belair Road
Baltimore, MD 21236

RE: Item No.: 6
Case No.: 98-6-SPH
Petitioner: Orville Jones, et ux

Dear Mr. and Mrs. Jones:

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 July 2, 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, appearing to read "W. Carl Richards, Jr.", is written over a printed name.

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

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7/14/97

DATE: 7/14/97

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

Item #'s:

591
559
579
002
005
006
007
004

RBS:sp

BRUCE2/DEPRM/TXTS8P

Baltimore County Government
Fire Department



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

(410) 887-4500

July 18, 1997

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

RE: Property Owner: Orville M. & Mary L. Jones

Location: DISTRIBUTION MEETING OF July 14, 1997

Item No.: 006 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.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387-4881, MS-1102F

cc: File



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

INTEROFFICE CORRESPONDENCE

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

DATE: July 21, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division **SIGNED: ROBERT W. BOWLING**

SUBJECT: Zoning Advisory Committee Meeting
 for July 21, 1997
 Item No. 006

The Development Plans Review Division has reviewed the subject zoning item. This case has been brought forth and managed by the Department of Permits & Development Management.

RWB:HJO:jrb

cc: File



Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 9, 1997

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

Dear Mr. Gontrum:

Re: 9523 Belair Rd., Case No. 98-6-SPH

In reference to the public hearing scheduled for October 23, 1997 at 10:00 a. m., per Avery E. Harden of our department, this citation for special hearing can now be canceled. Per Mr. Harden, your client is to extend the fencing to fully screen two bays that still are visible. Furthermore, landscaping is to be totally completed per the required final landscape plan by November 1, 1997.

If additional questions remain, please contact Mr. Harden at
(410) 887-3751.

Sincerely,

A handwritten signature in black ink, appearing to read "J. H. Thompson", is written over a large, stylized, handwritten "X" or "Z" mark.

James H. Thompson
Code Inspections and
Enforcement Officer

c: Winnie Carpenter
Dorothy S. McMann
Terri Yeager
Mr. and Mrs. George Wilson

JHT/lmh





Baltimore County
Department of Permits and
Development Management

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

September 26, 1997

NOTICE OF REASSIGNMENT

Continued from 7/16/97
CASE NUMBER: 98-6-SPH
9523 Belair Road
SE/S Belair Road, 150'+/- SW of c/l Horn Avenue
11th Election District - 5th Councilmanic
Legal Owner(s): Orville M. and Mary L. Jones

Special Hearing to determine whether the current landscaping adequately shields the residences on Horn Avenue and the property line between the church and the car wash.

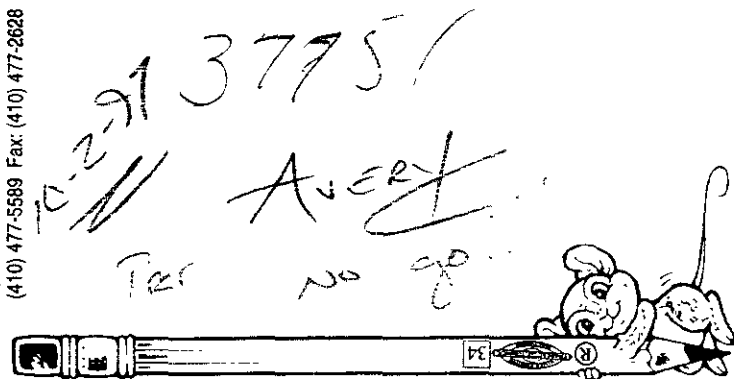
HEARING: THURSDAY, OCTOBER 23, 1997 at 10:00 a.m. in Room 106 County Office Building, 111 W. Chesapeake Avenue.

ARNOLD JABLON
DIRECTOR

cc: Orville Jones
John B. Gontrum, Esq.
Dorothy S. McMann
Terri Yeager
Edna and George Wilson
Code Enforcement*

C & A PRINTING

2330 Sparrows Point Rd • Baltimore, MD 21219
(410) 477-5589 Fax: (410) 477-2628



*PLEASE NOTE THAT THE ZONING SIGN ON THE PROPERTY MUST POSTED BY OCTOBER 8, 1997.



Extend
Fencing

2 sections to Fully
enclose ~~of fencing~~ screen the 2
bays that ARE
still visible

Finish installing
the landscaping
per the required
Final Landscape
Plan by Nov. 1st 97



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 7, 1997

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - CF
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 006
PETITIONER: Orville M. And Mary L. Jones

VIOLATION CASE NO.: C-97-5708

LOCATION OF VIOLATION: 9523 Belair Road
11 th Election District

DEFENDANTS: Orville M. And Mary L. Jones

98-6

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

Terri Yeager

9531 Horn Avenue
Baltimore, Maryland 21236

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/CF/hek

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Gwendolyn Stephens, Docket Clerk
Department of Permits & Dev. Mgmt. DATE: July 28, 1997

FROM: Lawrence E. Schmidt
Zoning Commissioner *LES*

SUBJECT: Petition for Special Hearing
9523 Belair Road
Case No. ~~98-16-SPH~~ *98-6-SPH*

Attached herewith is Case File No. 98-⁶~~16~~-SPH which is being returned to you for rescheduling. This matter concerns a Petition for Special Hearing which was apparently filed by Avery Harden on behalf of the Department of Permits and Development Management. The Petition was filed on July 3, 1997 and the hearing scheduled for July 16, 1997. At the hearing, John B. Gontrum, Esquire, attorney for the property owner (Orville B. Jones) requested a postponement of the hearing, claiming that his client had only recently received notice of the hearing and was not ready to pursue the matter. Several residents from the surrounding community were also in attendance and raised concerns that there were others who had not been notified of the hearing.

I saw Jim Thompson and Avery Harden about this case and asked them why the property was not posted. Obviously, there was no sign on the property for 15 days as is usually required in that the hearing date was scheduled 13 days after the Petition was filed. They indicated that Arnold said it was okay.

I disagree. This is not a violation case, but a Petition for Special Hearing. In my opinion, it is not any different from any other Petition for Special Hearing. I've heard other Petitions for Special Hearing filed by Baltimore County and they have always been posted. If Arnold wants to move forward on this, DPDM will have to follow the same procedure that everyone else does when they want special hearing relief.

Please call me if you have any questions and tell Arnold I will discuss this with him when I get back from vacation.

LES:bjs

cc: File

Baltimore County
Department of Permits and
Development Management



SUMMONS

ISSUED TO: Orville M. & Mary L. Jones

ADDRESS: 9533 Belair Road
Baltimore, MD 21236

To appear and testify in the matter of an alleged zoning violation or for the purpose of a proper interpretation of the zoning regulations or order of the Zoning Commissioner, Board of Appeals or Court.

Hearing Date: July 16, 1997 Time: 2:00 am / pm

Location: Room 106 of the County Office Building
111 W. Chesapeake Avenue, Towson, MD 21204


Lawrence E. Schmidt

Zoning Commissioner for Baltimore County

Please be advised that your failure to appear at the date, time and location stated above could result in your attachment.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: July 15, 1997

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

SUBJECT: 9523 Belair Road

INFORMATION

Item Number: 6

Petitioner: Baltimore County, Maryland

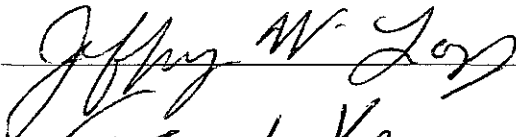
Zoning: BL

Requested Action: Special Hearing

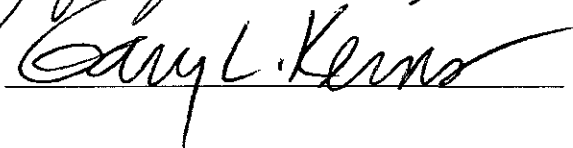
Summary of Recommendations:

The Office of Planning would expect that the subject site would be in full compliance with all regulations.

Prepared by:



Division Chief:



AFK/JL

ITEM #6

WHEN A VIOLATION SPECIAL HEARING IS FILED, THE ENFORCEMENT INSPECTOR MUST COMPLETE THE FOLLOWING INFORMATION IN ORDER THAT THE PETITION CAN BE INCLUDED ON THE ZAC AGENDA. THIS FORM, ONCE COMPLETED, SHOULD BE ATTACHED TO THE VIOLATION SPECIAL HEARING FORM. IF YOU HAVE ANY QUESTIONS CONCERNING THIS FORM, SEE EITHER SOPHIA OR CARL.

Legal Owner's Name Orville M. & Mary L. JonesLegal Owner's Address 9533 BELAIR ROADCity BALTO. State MD. Zip Code 21236Legal Owner's Phone Number -- Day 410-256-6630 Evening ?Contract Purchaser's Name N/AContract Purchaser's Address N/ACity _____ State _____ Zip Code _____Contract Purchaser's Phone Number -- Day _____ Evening _____Attorney _____Address of Property 9523 BELAIR ROADLocation Description of Property S/E BELAIR ROAD, 150'
+/- SW of C/L Horn AvenueType (residential, commercial) Previous Zoning Cases 93-214 SPHX;
CBA-93-133;Elderly Housing? N/A Critical Area? N/A Floodplain? N/AZoning of Property B.L Area (acres, sq. ft.) .81 ACRESElection District 11th Councilmanic District 5thEnforcement Inspector's Name Avery Harden7/2/97
from JT

2/24/97

3/3/97

TO WCA
what do you
think?

To: Arnold Jablon

From: Winnie Carpenter

RE: Magic Wand Car Wash "Landscape Plan", Belair Road

I met briefly with Mr. Kelly and he thought that you may be able to interpret the landscape plan for this car wash. I have also spoken with Avery Harden and Larry Schmidt about this issue. As Larry explains it, he initially denied the car wash; it was then approved by the County Board of Appeals, affirmed by the Circuit Court, and affirmed by the Court of Special Appeals. The landscape plan of the County Board of Appeals is the one that was approved.

The third side of the fence is the issue at this time. A fence is not shown on the landscape plan on the North side. Avery said it was not included because there were commercial buildings buffering the neighbors at the time of drawing. These buildings have since been taken down.

What we need clarified: Could the wording on the landscape plan and in the Opinion of the Board stating "The landscaping must adequately shield the residences on Horn Avenue..." be interpreted by the County as a need for additional fencing since the area is exposed to residents on Horn Avenue?

Please let me know how to resolve this issue. Thank you.

*Winnie's plan
Horn Ave
fence
landscaping
and other stuff
Carol, attorney*

3/5/97
Talked to John Goutroux (AHY)
and he agreed to talk to Orville Jones about
extending the fence to the 3rd side (NE/S)
near Horn Ave in compliance with restriction
#3.
Carl Richards

L. plan in case # 93-214 SPHX

IN THE MATTER OF THE
THE APPLICATION OF
ORVILLE M. JONES
FOR A SPECIAL EXCEPTION ON
PROPERTY LOCATED ON THE SOUTH-
EAST SIDE BELAIR ROAD, 150'+/-
SOUTHWEST OF CENTERLINE HORN
AVENUE (9523 BELAIR ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
AND
JONES CARWASH /ZADM IX-610
RE: DEVELOPMENT PLAN

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-214-X
* AND
* CASE NO. CBA-93-133
*

* * * * *

O P I N I O N

This case comes before this Board on appeal from a decision of the Zoning Commissioner in which the Petition for Special Exception to permit a carwash in a B.L. zone was denied, and therefore the consideration of the development plan outlining the proposed use of the property as a carwash was moot. The Petition requests a special exception to permit a carwash in a B.L. zone as is required by Baltimore County Zoning Regulations (BCZR), and the approval of a development plan to implement the special exception. Testimony and evidence in this case was received by the Board on two days of hearing.

Appearing before the Board in favor of the Petition was Orville M. Jones, property owner; Samuel Crozier, landscape architect and land planner; David Dallas, Jr., professional engineer and surveyor; and Jonathan Dallas, engineer and surveyor who prepared the site plan, all being represented by John B. Gontrum, Esquire. Appearing in opposition to the granting of the Petition was John H. Ludwig, III, represented by Thomas P. Dore,

Esquire. Also appearing and testifying in opposition to the Petition was Pat Keller, the Deputy Director of the Office of Planning & Zoning. A number of individual protestants also appeared and testified; namely, Jean Scheuerman, who resides at 9527 Horn Avenue and who recently purchased her property; Reverend Robert Clipp, pastor of the church abutting this property; Catherine Szeto, who represents the Monteressi School being conducted in the church building; William Diller, a trustee of the church; Kenneth Mason, the chairman of the administrative board of the church; Dorothy McMann, representing the Perry Hall Improvement Association; and Jane Gilpin, Theresa Garrett and Barry Rider, all nearby residents.

Jonathan Dallas, a professional surveyor and engineer, testified at length as to the site plans offered into evidence. He noted in particular an easement allowing the sewer to cross the site, the distances from the right of way of Belair Road, the showing that the entrance meets all the State requirements, the residences in the rear of the property to be totally buffered, storm water controls which have been provided and approved by Baltimore County, that the traffic counts would amount to 280 average daily trips, that a preliminary landscape plan entered as Petitioner's Exhibit 4 was thoroughly reviewed and noted the changes incorporated in this plan as producing less units, larger easements, and the landscape details.

David Dallas, Jr., professional engineer and surveyor, testified that he's worked on this site plan, is qualified on the traffic information and is qualified as to noise regulations. He reiterated that the total trips projected would amount to 280 trips per day. He also testified as to noise levels and noted that they comply with the State standards.

Samuel Crozier, land planner and landscape architect, testified that he has studied this site and that it was his opinion this plan is in harmony with the Master Plan and noted the many other similar uses already in existence. He further testified that the site will be properly buffered and landscaped, and that many uses in the B.L. classification were permitted as of right. It was his testimony that this use is not detrimental to the area, that the floor area ratio exceeds all the requirements, and that this site would generate less traffic than many others.

Orville Jones, the property owner, testified that he was willing to put up an attractive facility. He further noted that many properties along Belair Road are erected in a vertical manner to Belair Road to conform with the shape of the parcel upon which they are constructed. He further testified that he is a contractor, has been in the construction business for 30 years, has built four carwashes elsewhere, and that it was his opinion no detriment to the health, safety and welfare of the neighborhood would result. He further agreed to limit the hours of operation

from 7:00 a.m. to 10:00 p.m., and that he would employ a full-time attendant for Sunday morning so that the customers would not be allowed to disturb the neighbors by playing their radios too loud. He further testified that all the requirements of 502.1 have been complied with. This concluded Petitioner's case.

First appearing and testifying in opposition to the special exception was Pat Keller, Deputy Director of the Office of Planning & Zoning. He testified he has visited the site, videotaped the area, studied the plans as submitted, and that his office recommended denial of the special exception. He noted in particular no turning lane being provided for this site and the lack of buffering to shield the neighbors visibly and from any noise problems.

Also testifying in opposition was Reverend Robert Clipp, the pastor from the adjoining Methodist church. He testified as to the total activity schedule of the church, including weddings and funerals, many meetings, church services, and the Monteressi School. He was principally opposed to the carwash because of the potential for clients of the carwash to play their radios too loud.

Catherine Szeto testified as to the Monteressi School, it being an accredited non-public school, grades one through three. At present there are 60 students but there are facilities to handle 70. She testified that these students are dropped off and picked up by automobile on the days they have classes.

William Diller, chairman of the Board of Trustees of the church, agreed to the extent of the church activities and testified as to his opinion that there was no way to restrict the radio noise, and that the traffic situation was bad now and would only get worse.

Kenneth Mason, chairman of the administrative board of the church, testified that it was his opinion the sight distances on the proposed facility were not adequate, and that a carwash would not be in harmony with the church usage.

Dorothy McMann, president of the Perry Hall Improvement Association, also testified to the potential for noise from the customers and the carwash, that this use was out of character with the area, and that the improvement association opposed the proposed use.

John Ludwig, III, a resident of Horn Avenue, testified that from his house the car lights and noise would bother him, and that it was his opinion this carwash would be a detriment to his home.

Thomas Garrett of 9525 Horn Avenue and Barry Rider of 9519 Horn Avenue reiterated the concerns evidenced by Mr. Ludwig. This basically concluded testimony in this case.

Special exception uses are recognized in any zone where they are so noted if they can comply with BCZR 502.1. This proposed use as evidenced by Petitioner's exhibits promises the only visual effects upon the neighbors will be a brick end of a building to a

gable roof, which would not appear to be detrimental to the neighborhood. In addition, the landscape plan, entered as Petitioner's Exhibit 4, shows extensive landscaping on Horn Avenue and what appears to be adequate landscaping between the church and the proposed carwash. Relative light use of 280 trips a day on Belair Road is not justification in and of itself to deny the Petition. The testimony from the church members indicates that the church's normal usage is much higher than this.

From the testimony and evidence, the Board will find as a fact that the proposed use does in fact meet the requirements of 502.1 of the BCZR, and that the proposed use would not be detrimental to the health, safety or general welfare of either the church, the tavern next door, or the houses along Horn Avenue that will be buttressed by extensive landscaping from the proposed use, and therefore will grant the special exception.

O R D E R

IT IS THEREFORE this 3rd day of November, 1993 by the County Board of Appeals of Baltimore County,

ORDERED that the Petition for Special Exception to permit a carwash in a B.L. zone be and is hereby GRANTED; and it is further

ORDERED that the development plan as evidenced by Petitioner's Exhibits 2 and 4 be and the same is APPROVED, with the following restrictions:

1. The business hours of operation shall be from 7:00 a.m. to 10:00 p.m.;

Case No. 93-214-SPHX
Case No. CBA-93-133

Orville M. Jones
Jones Carwash /ZADM IX-610

7

2. A full-time attendant shall be employed on-site every Sunday to prevent noise from customers' radios disturbing the neighborhood;
3. The landscaping must adequately shield the residences on Horn Avenue and the property line between the church and the carwash; and
4. No access shall be provided to Horn Avenue now or in the future.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz
Judson H. Lipowitz

TAX Acct. No.
 on Approved Final Landscape Plan

AS10018

DATE: 07/02/97
 TIME: 10:11:04

STANDARD ASSESSMENT INQUIRY (1)

PROPERTY NO.	DIST	GROUP	CLASS	CCO.	HISTORIC	DEL.	FM DATE
11 00 066828	11	1-3	06-00	N	NO		06/25/97
JONES GRVILLE M				DESC-1.. 1MPS.81 AC			
JONES MARY L				DESC-2.. 200 W HORN RD			
9530 BELAIR RD				PREMISE. 09533 BELAIR RD			
				000000-0000			

BALTIMORE MD 21236-0000 FORMER OWNER: JONES GRVILLE M

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
	07,900	107,900		FOL	ASSESS	ASSESS
IMPS:	164,200	178,690	TOTAL..	286,650	114,660	112,720
TOTL:	272,160	286,650	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.	0	0	0
DATE:	10/91	08/95				
	-----			-----		

DATE: 07/02/97
 TIME: 10:11:04

PROPERTY NO.	DIST	GROUP	CLASS	CCO.	HISTORIC	DEL.	FM DATE
11 00 066828	11	1-3	06-00	N	NO		06/25/97
JONES GRVILLE M				DESC-1.. 1MPS.81 AC			
JONES MARY L				DESC-2.. 200 W HORN RD			
9530 BELAIR RD				PREMISE. 09533 BELAIR RD			
				000000-0000			

-----TRANSFER DATA-----
 NUMBER..... 028451
 DATE..... 04/28/94
 PURCHASE PRICE..... 1
 GROUND FERT..... 0
 DEED REF LIBER..... 10494

-----EXEMPT DATA-----
 STATUS..... 0
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT..... 0

DEED REF FOLIO..... 0040 PRIOR STATE EX ASMT... 0
CON EYED IND..... 9 CURR COUNTY EX ASMT... 0
FUT-PART TRAN IND..... 1 PRIOR COUNTY EX ASMT.. 0

GRANTOP ACCT NO.. 11-20-066822

CRITICAL NEW CONST CARD -----STRUCTURE-----
AREAS CODE YEAR NO CODE SQ. FEET

76 03963

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF
01-01 SA MW KS IM II S1 S1019666 KB

AS1001D

DATE: 07/02/97

STANDARD ASSESSMENT INQUIRY (3)

TIME: 10:13:04

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	FM DATE
11 01 066822	11	1-3	06-00	N	NO		06/20/97

-----STATE-----	-COUNTY-	SED CODE	N/A	LAND-USE	UPDATE NO
REC LPEATE DATE.. 10/23/92	10/30/92	80	NO	C	989
DELETE CODE.....					
DATE DELETED..... 00/00/00	00/00/00				
LAST FM DATE..... 06/24/97	06/25/97				
LAST FM TYPE..... C	C				
PREV FM DATE.....	02/13/97				
PREV FM TYPE.....	N				

STATE

TAXABLE ASSESS

97/98 ASSESS: 114,660
96/97 ASSESS: 112,720
95/96 ASSESS: 64,660

ENTER INQUIRY3 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF
01-01 SA MW KS IM II S1 S1019666 KB

Baltimore County Government
Department of Community Development
Livability Code Enforcement Office



One Investment Place Suite 825
Towson, MD 21204

(410) 887-4032
Fax: (410) 887-5696

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Dorothy J. Mc Mann
Terri Yeager
Edna Wilson
GEORGE WILSON

9513 Dawson Rd 21236
9531 Horn Ave 21236
4517 Forge Rd 21128
4517 FORGE RD 21128



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Write your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Orville M Jones
4533 Belair Rd
Baltimore Md 21236

4a. Article Number

PHOT 284469

4b. Service Type

- ☒ Registered ☐ Certified
- ☐ Express Mail ☐ Insured
- ☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

7-5-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3817, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 404 284 468

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Orville M Jones	
Street & Number	
4533 Belair Rd	
Post Office, State, & ZIP Code	
Baltimore Md 21236	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.77
Postmark or Date	

PS F 3800, April 1995