

IN RE: PETITION FOR SPECIAL HEARING
N/S Stemmers Run Road, 44' NE
of John Avenue
(616 Stemmers Run Road)
15th Election District
5th Councilmanic District

Clifford A. O'Connell, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-160-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Clifford A. and Deborah L. O'Connell. The Petitioners seek approval of an extension for utilization of the special exception granted in prior Case No. 96-145-X up to five years from the date of the Order issued in that case. The subject property and relief requested 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 Petition were Clifford A. O'Connell, owner of the property, and John P. Evans, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

This matter originally came before me on a Petition for Special Exception in prior Case No. 96-145-X in which the Petitioners sought approval of a service garage use on the subject property. The relief requested was granted, subject to certain terms and conditions, by Order dated November 14, 1995. By law, special exceptions must be utilized within two years of the date granting such relief, unless an extension of time is requested and approved prior to its expiration. In the instant case, the Petitioner cited several difficulties which prevented him from

ORDER RECEIVED FOR FILING

Date 11/14/98

By [Signature]

moving forward with this project. It was noted that the property was formerly used as a contractor's office with accessory equipment storage. The existing building was to be razed and a new building and landscaping provided in accordance with a letter agreement between the Petitioners and the Office of Planning. Testimony indicated that as of the date of this hearing, the Petitioners have not yet obtained a building permit, but anticipate doing so in the near future. Therefore, the Petitioners have requested an extension of up to five years from the date of the original Order in which to utilize the special exception relief granted.

In order for the special hearing relief to be granted, the Petitioners must show that the proposed use meets the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The evidence presented has shown that the proposed use will be conducted without real detriment to the neighborhood and will 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 due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It

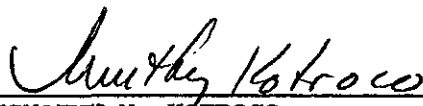
has been established that the proposed use meets the special exception requirements of Section 502.1 and that the relief requested will not be detrimental to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of November, 1997 that the Petition for Special Hearing seeking approval of an extension for utilization of the special exception granted in prior Case No. 96-145-X to five years from the date of the Order, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the period for utilization of the special exception relief granted is extended to November 14, 2000; and,

IT IS FURTHER ORDERED that all other terms and conditions of the Order dated November 14, 1995 shall remain in full force and effect.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 11/14/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

November 14, 1997

John P. Evans, Esquire
Venable, Baetjer & Howard
210 W. Pennsylvania Avenue, 4th Floor
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/S Stemmers Run Road, 44' NE of John Avenue
(616 Stemmers Run Road)
15th Election District - 5th Councilmanic District
Clifford A. O'Connell, et ux - Petitioners
Case No. 98-160-SPH

Dear Mr. Evans:

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

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

Very truly yours,

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

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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

People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 616 Stemmers Run Road

which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an extension of the Special Exception granted in Case No. 96-145-X up to five years from the date of the Order.

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.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

John P. Evans

(Type or Print Name)

Signature

4th Floor

210 W. Pennsylvania Ave

Address

Phone No.

Towson, MD 21204

410-832-2027

City

State

Zipcode

Legal Owner(s):

Clifford A. O'Connell

(Type or Print Name)

Signature

Deborah L. O'Connell

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

John P. Evans

410-832-2027

Name

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

REVIEWED BY:

DATE

10/23/97

ORDER RECEIVED FOR FILING

Date

By

98-160-SPH

K.L.S. CONSULTANTS, INC.

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

160

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

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

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

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

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

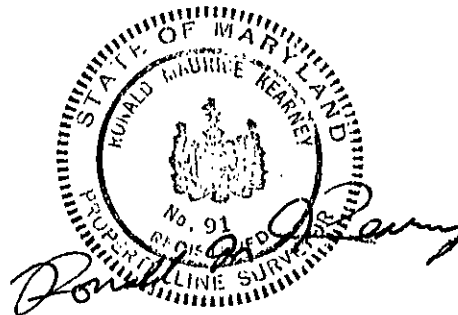
North 62 degrees 55 minutes 29 seconds West, 184.04 feet to a point, thence;

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

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

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

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



98-160-SPH



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/neighborhood 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 160

Petitioner: CLIFFORD A. O'CONNELL & DEBORAH L. O'CONNELL

Location: 616 STEMMERS RUN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

CLIFFORD A. O'CONNELL
NAME: c/o JOHN P. EVANS

ADDRESS: WHITEFORD, TAYLOR & PRESTON L.L.P., SUITE 400,

210 W. PENNSYLVANIA AVE., TOWSON, MD 21204

PHONE NUMBER: 410-832-2027

AJ:qgs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **076621**

DATE 1/3/00 ACCOUNT 001-6150

AMOUNT \$ 40.00 (JCM)

RECEIVED FROM: Cliff's Hi-Tech Auto Body

FOR: 616 Stemmers Run Rd

99-3266

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL DASH

1/03/2000 1/03/2000 10:00:00

REG NO: 001-6150

Dept 5 528 ZONING VERIFICATION

Receipt # 12/06/99

CR NO. 076621

Receipt Tot 40.00

40.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION



10/30 19 97

WE HEREBY CERTIFY that the annexed advertisement of
W. Hiteford Taylor + Heston

was published in "THE BALTIMORE SUN" a daily newspaper printed
and published in the City of Baltimore *10/30/97*

The Baltimore Sun Company,
By *J. Heston*

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 407 of the County Courts Building, 401 E. Bayview Avenue, Towson, Maryland 21204 as follows:
Case No. #98-160-SPH, (Item 160), 616 Stemmers Run Road, N/S Stemmers Run Road, 44' NE of c/l John Avenue, 15th Election District, 6th Councilmanic.
Legal Owner(s): Clifford O'Connell & Deborah L. O'Connell.
Hearing, November 14, 1997, 2:00 p.m.
SPECIAL HEARING, to extend the Special Exception granted in Zoning Case 98-145-X for up to five years (original hearing approved a service garage).
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES
(1) Hearings are Handicapped Accessible, for special accommodations please call (410) 887-3353
(2) For information concerning the File and/or Hearing, please call (410) 887-3391.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044449

JUL 60

DATE 10/23/97 ACCOUNT R0016150

AMOUNT \$ 250.00

RECEIVED FROM: W.T.P.

FOR: C. SPH.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
0/23/1997 10/23/1997 08:57:52

REC US01 CASHIER CLUM CML DEWAR
5 MISCELLANEOUS CASH RECEIPT

Receipt # 027195
CR NO. 044449

250.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-160-SPH

**Petitioner/Developer:
(Cliff O'Connell)**

**Date of Hearing/~~Closing~~:
(Nov. 14, 1997)**

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

Attention : Ms. Gwendolyn Stephens

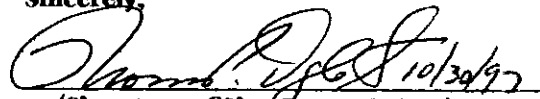
Ladies and Gentleman:

**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 _____**

____ 616 Stemmers Run Road Baltimore, Maryland 21221 _____

**The sign(s) were posted on _____ Oct. 30, 1997 _____
(Month, Day, Year)**

Sincerely,

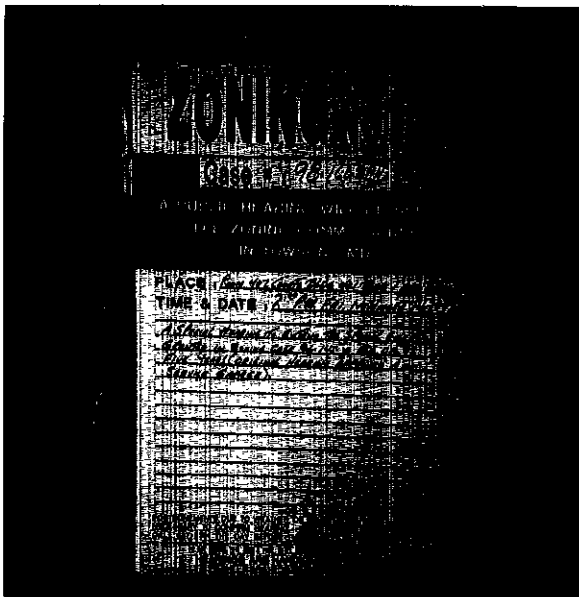

(Signature of Sign-Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

**____ (410)-687-8405 _____
(Telephone Number)**



98-160-SPH

97-5198

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

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

JOHN P. EVANS
DIRECT NUMBER
410 832-2027
jpevans@wtplaw.com

WHITEFORD, TAYLOR & PRESTON
L.L.P.

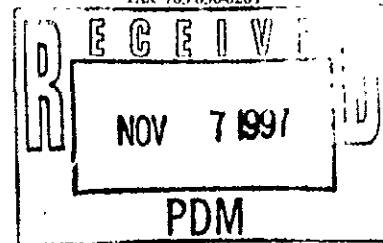
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015
www.wtplaw.com

u/s/lar
g

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

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



November 5, 1997

Ms. Sophia C. Jennings
Department of Permits &
Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

**Re: Case #98-160-SPH
616 Stemmers Run Road**

Dear Sophia:

As you requested, enclosed please find the following for the above-referenced property:

1. Certificate of Publication from *The Baltimore Sun* certifying that the Notice of Hearing was published in *The Sun* on October 30, 1997.

2. Certificate of Posting from Thomas P. Ogle, Sr. certifying that the property was posted on October 30, 1997.

Should you have any questions or need any additional information, please feel free to contact me.

Very truly yours,

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

John P. Evans

JPE:sll
Enclosures

120578



Baltimore County
Department of Permits and
Development Management

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

October 29, 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: 98-160-SPH

616 Stemmers Run Road

N/S Stemmers Run Road, 44' NE of John Avenue (616 Stemmers Run Road)

15th Election District; 6th Councilmanic District

Legal Owners: Clifford A. O'Connell & Deborah L. O'Connell

Special Hearing to approve an extension of the special exception granted in case no. 96-145-X up to five years from the date of the order.

HEARING: FRIDAY, NOVEMBER 14, 1997 at 2:00 p.m. in Room 407, Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

AJ:scj

c: John P. Evans, Esquire
Clifford & Deborah O'Connell

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 30, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

October 29, 1997

John P. Evans, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 West Pennsylvania Avenue
Towson, MD 21204-4515

RE: Zoning Case #98-160-SPH
616 Stemmers Run Road
15th Election District

Dear Mr. Evans:

This letter is to confirm our telephone conversation today regarding the scheduling of the hearing for the above referenced case. As indicated on the enclosed "Notice of Hearing", the case has been scheduled for Friday, November 14, 1997 at 2:00 p.m. in room 407 of the Courts Building.

As per our conversation, you will have the property posted by tomorrow, October 30. You also agreed to advertise the hearing in the Sun newspaper by tomorrow, October 30. Please remember that you must provide our office with a copy of the certificate of publication for the newspaper and a posting certificate (and picture) of the sign.

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

Very truly yours,

A handwritten signature in black ink that reads "Sophia C. Jennings".

Sophia C. Jennings
Zoning Review

SCJ:scj

Enclosure



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.: 98-160-SPH

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

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL HEARING TO EXTEND THE SPECIAL EXCEPTION
GRANTED IN ZONING CASE 96-145-X FOR UP TO FIVE YEARS.
(ORIGINAL HEARING APPROVED A SERVICE GARAGE)

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



Baltimore County
Department of Permits and
Development Management

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

November 10, 1997

John P. Evans, Esquire
4th Floor
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 160
Case No.: 98-160-SPH
Petitioner: Clifford O'Connell et ux

Dear Mr. Evans:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 23, 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 faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: November 6, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RB Seeley*
Subject: Zoning Item #160

O'Connell Property, 616 Stemmers Run Road

Zoning Advisory Committee Meeting of November 3, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☒ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).



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 11.3.97
Item No. 160 JLL

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

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: Nov. 5, 97

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

SUBJECT: Zoning Advisory Committee
Meeting Date: Nov. 3, 1997

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

Item #'s: 158

159

161

164

166

167

168

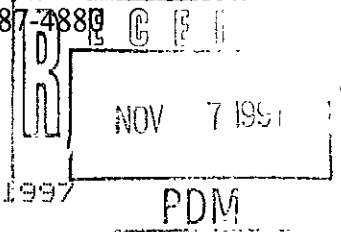
RBS:sp

BRUCE2/DEPRM/TXTS8P



Baltimore County
Fire Department

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



November 5, 1997

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

RE: Property Owner: Clifford and Deborah O'Connell, 160

Location: DISTRIBUTION MEETING OF NOVEMBER 3, 1997

Item No.: 160 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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: November 3, 1997

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

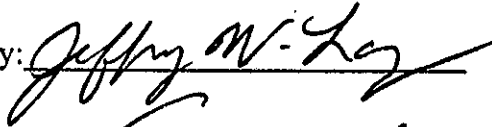
SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

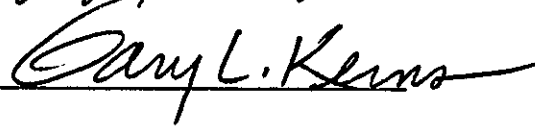
Item Nos. 151, 155, 156, 157, 158, 159, 160, 161, and 167

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:



Division Chief:



AFK/JL



Baltimore County
Department of Permits and
Development Management

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

January 3, 2000

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

Dear Ms. O'Connell:

RE: B Zoning Verification, 616 Stemmers Run Road, 15th Election District

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

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

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

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

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

Joseph C. Merrey
Planner II
Zoning Review

JCM:kew



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Cliff's

12/28/99

qj

WCF

To: Jcm
12/29/99

Hi-Tech Auto Body Shop Inc.

610 Stemmers Run Road Baltimore, MD 21221

410 574-9025 Fax 410 391-3018

Mr. Arnold Jablon
Director of PDM
111 West Chesapeake Avenue
Room 1111
Towson, MD 21204

Dear Mr. Jablon,

This letter is to request a letter of compliance for zoning regulations. The new building in question is located at 616 Stemmers Run Road, Baltimore, MD 21221. We are settling a loan with the SBA and they require this information to settle. I phoned your office and this is what I was told to do to get this letter. I have included a check for \$40.00 and any County information numbers I can provide. Please let me know if I have provided all information.

Land of Baltimore County # 16000008058. Zoned ML-IM Commercial 5297/484. Building Permit # B333539, District 15 , Precinct 13

Please contact me if you have any questions or comments,

Thank You

Debbie OConnell
Debbie OConnell

99.3064

97-4979

98-160-SPH

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

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. 20036-5105
TELEPHONE 202 659-6800
FAX 202 531-0573

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

JOHN P. EVANS
DIRECT NUMBER
410 832-2027
jpevans@wtplaw.com

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

October 27, 1997

10/28/97
G
TO BS
OK
please schedule
as indicated
& delivered

Via Hand Delivery

Arnold Jablon, Director
Department of Permits &
Development Management
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

**Re: Case No. 98-160-SPHA
616 Stemmers Run Road, Baltimore County, Maryland 21221**

Dear Mr. Jablon:

The purpose of this letter is to request an expedited hearing on the above-referenced Petition for Special Hearing to extend the term of the Special Exception previously granted by the Deputy Zoning Commissioner.

On November 14, 1995, the Deputy Zoning Commissioner granted a Special Exception in Case No. 96-145-X for use of the subject property for a service garage, subject to certain restrictions set forth in that Order. For a variety of reasons, a building permit has not yet been issued for construction of the service garage, although it is anticipated that such a permit will be issued in the near future. Thus, on October 23, 1997, we filed on behalf of the Petitioner a Petition for Special Hearing pursuant to Section 502.3 for an extension of the Special Exception for up to five years from the date of the original Order.

I have spoken to the Deputy Zoning Commissioner and he has agreed to hear the Petition for an Extension on or prior to November 14, 1997. However, I understand that Section 500.7 of the Baltimore County Zoning Regulations states that "the public hearing shall be scheduled for a date not less than 30 days after the Petition is accepted

Arnold Jablon, Director
October 27, 1997
Page 2

for filing." Therefore, I respectfully request an exception to that provision to permit the hearing to occur prior to the expiration of the Special Exception.

Please note that the only relief sought in the Special Hearing is the extension of the already existing Special Exception.

In order to meet the advertising requirements of the BCZR, I need to place that ad without delay. Therefore, I certainly would appreciate your prompt attention to this request. If you need any additional information regarding this request, please contact me at (410) 832-2027 at your earliest convenience.

Very truly yours,



John P. Evans

JPE:sll

cc: Mr. and Mrs. Clifford O'Connell

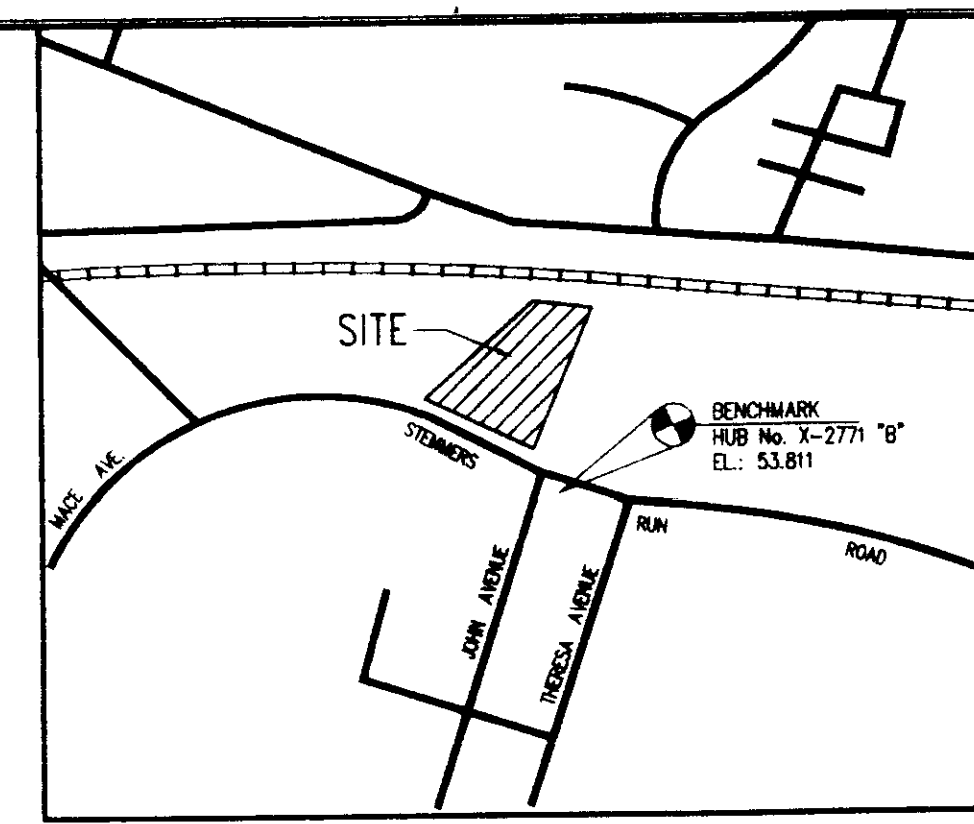
119828

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Adopted by the Baltimore County Board
July 13, 1992

William A. Howard
Chairman, County Council



VICINITY MAP
SCALE: 1"=500'

BENCH MARK: HUB NO. 14-2771 "B"
ELEV.: 53.811
LOCATED: 50' OUT G/L TOP OF BOTTOM CONCRETE STEP TO
WALK OF HOUSE (W/1) SE CORNER STEMMERS RUN
ROAD AND JOHN AVENUE

SITE DATA

- DEED REFERENCE: 5720 / 229
- GROSS SITE AREA: 93,560 S.F. OR 2.15 AC
- NET SITE AREA: 84,809 S.F. OR 1.95 AC
- TAX ACCOUNT NUMBER: 1520950050
- TAX MAP: 90 P-1073
- COUNCILMANIC DISTRICT: JF 5'
- PREVIOUS ZONING CASE NUMBER: XV-613, 11/1/93 APPROVED DEVELOPMENT PLAN FOR SHOPPING CENTER
- VARIANCE TO REGULATIONS: DEPRM LETTER 6/6/94 PERMANENT DISCHARGE INTO FOREST BUTTER EASEMENT GRANTED
- EXISTING USE: COMMERCIAL CONTRACTOR'S OFFICE & EQUIPMENT STORAGE
- PROPOSED USE: SERVICE GARAGE
- 100' AREA WITHIN 1/4 MILE RADIUS:
TOTAL GROSS FLOOR AREA: 17,500 S.F.
TOTAL GROSS SITE AREA: 93,560 S.F.
GROSS FLOOR AREA RATIO: 0.187
MAXIMUM FLOOR AREA RATIO: 3.0
- PARKING REQUIRED (3.3/1000 S.F.): (17,500 / 1000) x 3.3 = 57.75 USE: 58
- PARKING PROPOSED: 58 SPACES INCLUDES 3 HANDICAP SPACES (TWO CAR AND ONE VAN ACCESSIBLE)
- PREVIOUS PERMITS: GRADING PERMIT NUMBER: B207681, CONTROL NUMBER: GRC
- SPECIAL EXCEPTION CASE NO: 96-145-X

GENERAL NOTES

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

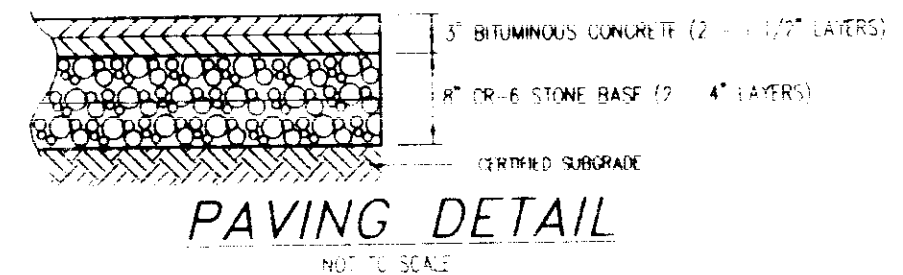
ZONING HISTORY

SPECIAL EXCEPTION GRANTED BY DEPUTY ZONING COMMISSIONER IN CASE NO. 96-145-X DATED NOVEMBER 14, 1995 FOR USE OF SUBJECT PROPERTY FOR A SERVICE GARAGE, SUBJECT TO THE FOLLOWING RESTRICTIONS:

- 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 POINT IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE THIRTY-DAY APPELLANT PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.
- THE PETITIONERS SHALL ENTER INTO THE "LETTER AGREEMENT" DATED NOVEMBER 9, 1994 ENTERED INTO WITH THE OFFICE OF PLANNING & ZONING, A COPY OF WHICH HAS BEEN ATTACHED HERETO AND MADE A PART HEREOF.
- 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.

REQUESTED ZONING ACTION

SPECIAL HEARING PURSUANT TO §502.3 FOR AN EXTENSION OF THE SPECIAL EXCEPTION GRANTED IN CASE NO. 96-145-X FOR UP TO FIVE YEARS FROM THE DATE OF THE ORDER.



PAVING DETAIL
NOT TO SCALE

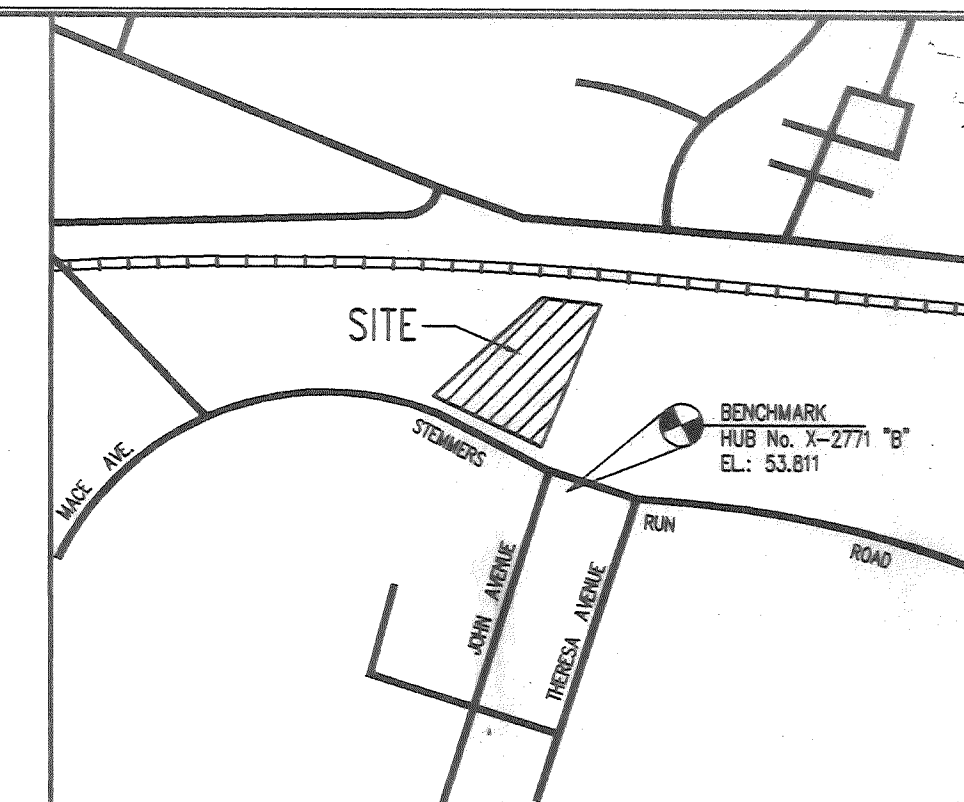
100-YEAR FLOOD PLAIN CERTIFICATION

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

Arthur E. Jernard 10/2/97
Signature Date

ENGINEER / SURVEYOR K.L.S. CONSULTANTS, INC. 102 NORTH MAIN STREET BEL AIR, MARYLAND 21014 (410) 879-1441	OWNER CLIFFORD A. & DEBORAH L. O'CONNELL 616 STEMMERS RUN ROAD BALTIMORE, MARYLAND 21221	DEVELOPER CLIFFORD A. & DEBORAH L. O'CONNELL 616 STEMMERS RUN ROAD BALTIMORE, MARYLAND 21221	DRAWN BY: JMA DESIGNED BY: AEL CHECKED BY: AEL KLS JOB NUMBER: 9567	DATE: 10/97 DRAWING NO.: OCNLSPEX SCALE: 1"=50' SHT. 1 OF 1	PLAN TO ACCOMPANY REQUEST FOR SPECIAL HEARING 616 STEMMERS RUN ROAD ELECTION DISTRICT 15-06 BALTIMORE COUNTY, MD
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160
98-160-SPH



VICINITY MAP
SCALE: 1"= 500'

BENCHMARK: HUB No. X-2771 "B"
ELEV.: 53.811
LOCATED: SO. CUT G.L. TOP OF BOTTOM CONCRETE STEP TO
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ROAD AND JOHN AVENUE.

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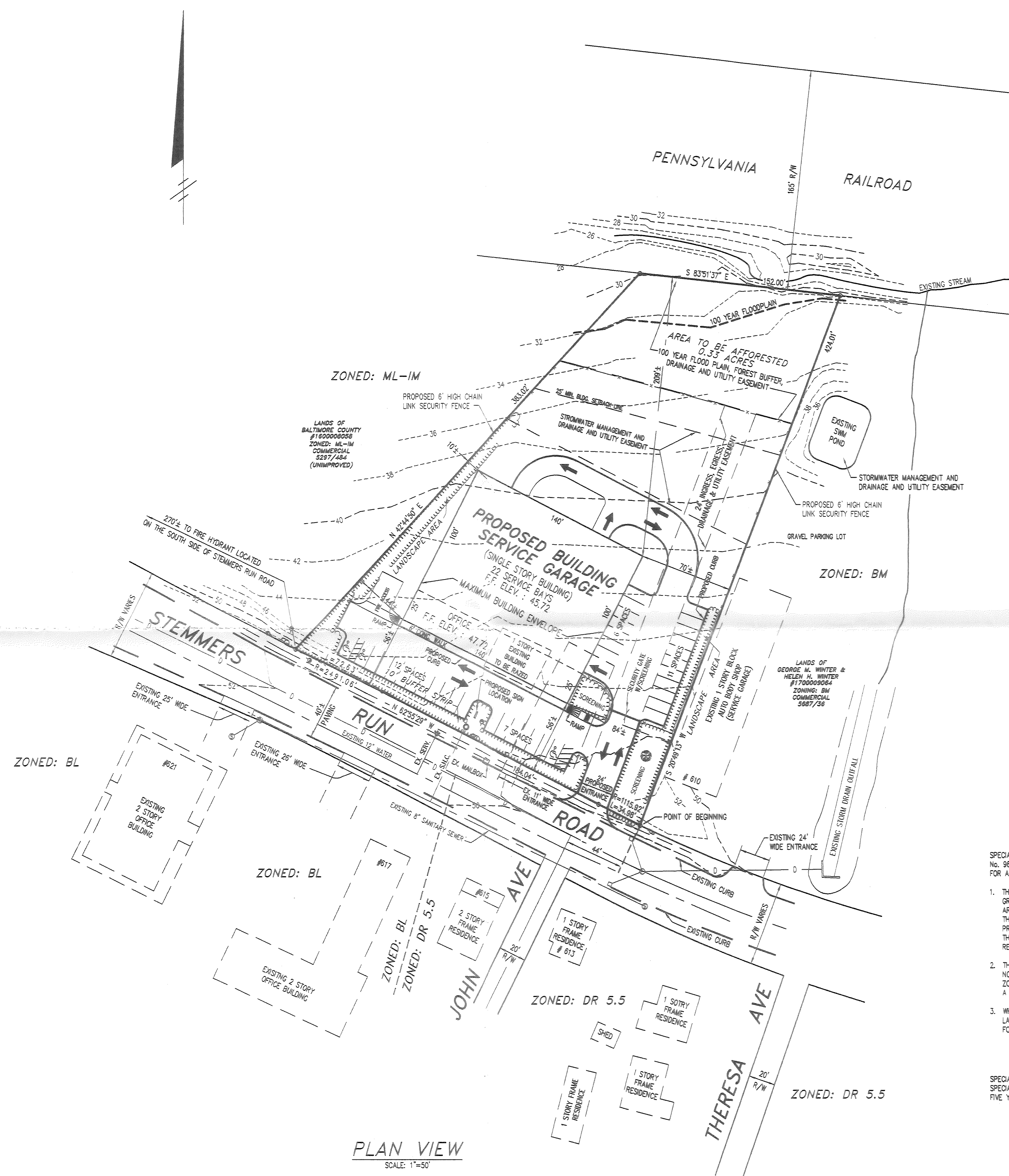
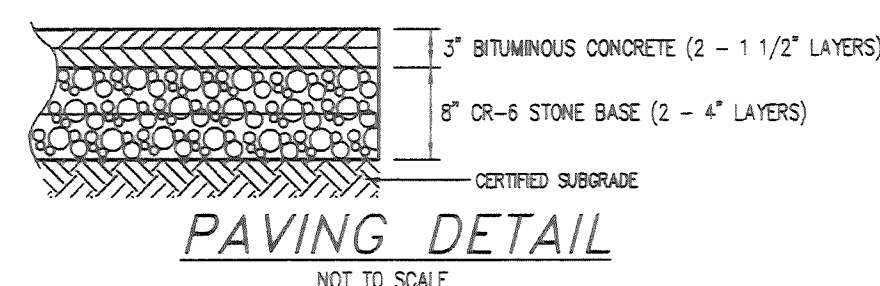
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PLAN VIEW
SCALE: 1"=50'

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Signature: *Arthur E. Jarnal* Date: 10-23-97



ENGINEER / SURVEYOR
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102 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
(410) 879-1441

OWNER
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BALTIMORE, MARYLAND 21221

DEVELOPER
CLIFFORD A. & DEBORAH L. O'CONNELL
616 STEMMERS RUN ROAD
BALTIMORE, MARYLAND 21221

DRAWN BY: JMA DATE: 10/97
DESIGNED BY: AEL DRAWING NO.: OCNLSPEX
CHECKED BY: AEL SCALE: 1"=50'
KLS JOB NUMBER: 9567 SHT. 1 OF 1

PLAN TO ACCOMPANY
REQUEST FOR SPECIAL HEARING
616 STEMMERS RUN ROAD
ELECTION DISTRICT 15 06 BALTIMORE COUNTY, MD

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48-160-SPH