

Larry



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ASE # 98-260 - Item # 260
SPHX

CERTIFICATE OF POSTING

1) Posted _____ Hearing Date _____
2) Posted _____ Hearing Date _____

APR
1) Paper/Date _____ Enc _____
Paper/Date _____ Enc _____
2) Paper/Date _____ Enc _____
Paper/Date _____ Enc _____

P&A FEES
1) _____
2) _____

COMMENTS
Planning _____ Fire _____ Traffic _____
Critical Area _____ SHA _____ EPA _____
Health _____

Associate RT

Working Violation # _____

Major Hearing(s) 4890-RX
TRUCKING FACILITY 139

19980260

98-260-SPHX

no "A"

3600 GEORGETOWN ROAD
Georgetown Corp.
1st CD

IN THE MATTER OF:

3600 Georgetown Road Property
3600 Georgetown Corporation,
Legal Owner/ Appellant;
New England Motor Freight - Tenant
13th Election District;
1st Councilmatic District

* BEFORE THE
* COUNTY BOARD OF APPEALS OF
* BALTIMORE COUNTY
* Case No. CBA-00-162

AUG 27 2001

* * * * *

COMPROMISE AND SETTLEMENT AGREEMENT

Appellant, New England Motor Freight ("NEMF"), by and through its attorneys, G. Scott Barhight and Whiteford, Taylor & Preston, L.L.P., and Appellee, Baltimore County, Maryland, by and through its attorneys, Edward J. Gilliss, County Attorney, and C. Robert Loskot, Assistant County Attorney, agree upon and stipulate to the following facts which are not in dispute, and therefore have compromised and settled this subject appeal.

1. The subject 3600 Georgetown Road property is used as a Class I Trucking Facility, owned and operated by NEMF, which was granted Special Exception approval on October 11, 1961 in Case # 4890-RX.

See, Attachment 1 (Copy of Order in Case # 4890-RX)

2. On May 7, 1982, Zoning Supervisor James E. Dyer found this facility to have been existing prior to April 18, 1976 and to be in compliance with Baltimore County Bill No. 18-76.

See, Attachment 2 (Letter dated May 7, 1982 from James E. Dyer).

3. On February 25, 1998, in Case # 98-260-SPHX, the Zoning Commissioner granted a petition for Special Exception to amend the previously approved Class I Trucking Facility Plan.

See, Attachment 3

4. On January 15, 1999, in Case # 99-208-SPH, the Zoning Commissioner granted a petition for Special Hearing to extend the Special Exception granted in Case No. 98-260-SPHX.

See, Attachment 4.

5. On September 13, 2000, Code Enforcement Officers of the Division of Code Inspections and Enforcement investigated the site.

See, Attachment 5 (Copy of Code Enforcement Report).

6. On September 25, 2000, James H. Thompson, Code Inspections and Enforcement Supervisor, issued a letter wherein he stated that Arnold Jablon, Director of Permits and Development Management "elected to declare the February 25, 1998

decision no longer valid and in effect." The September 25, 2000 letter stated that Mr. Jablon's decision was based on NEMF's failure to 1) obtain an approved landscape plan, a condition of the Zoning Commissioner's Order in Case No. 98-260-SPHX; and 2) obtain permits for grading/paving and the erection of fencing.

See, Attachment 6.

7. The Division of Code Inspections and Enforcement issued Civil Case No. 00-7138, and a hearing on the citation was held before the Hearing Officer Stanley J. Schapiro on November 14, 2000. Mr. Schapiro's Order, dated November 20, 2000, found that NEMF "constructed the fence and graded the property under the mistaken belief that the Zoning Commissioner's Order in Case No. 98-260-SPHX authorized the construction of the fence and grading." Mr. Schapiro further found that NEMF "has removed all tractor-trailers from those proposed areas indicated on the site plan filed with said Order" and that "barriers have been positioned on site to prevent re-entry into those areas." Mr. Schapiro imposed a civil penalty in the amount of \$2,000.00.

See, Attachments 7 and 8 (Copy of Citation No. 00-7138 and Copy of Mr. Schapiro's Order dated November 20, 2000).

8. NEMF paid the \$2,000.00 penalty through its check no. 473754, dated November 28, 2000.

See, Attachment 9

9. NEMF submitted a final landscape screening plan for this site which was approved by the Department of Permits and Development Management on November 30, 2000.

See, Attachment 10 (copy of portion of Landscape Plan showing acceptance by County)

10. On December 1, 2000, G. Scott Barhight issued a letter to Arnold Jablon requesting that Mr. Jablon revisit his decision of September 25, 2000 wherein he declared NEMF's February 25, 1998 decision no longer valid and in effect.

See, Attachment 11

11. On April 27, 2001, James H. Thompson issued a letter to Mr. Barhight stating that Mr. Jablon :

is now willing to abate his decision of September 25, 2000,
However, this department will not permit the existing truck facility within 300 feet of any dwelling or residential zone, per Section 410.2 of the Baltimore County Zoning Regulations, without benefit

of appropriate variances/special exceptions being granted as well as compliance with all other county laws and regulations. Finally, no tractor-trailer rigs or cabs will be permitted standing, parking or stopping within this 300 foot setback requirement.

See, Attachment 12

12. On May 11, 2001, G. Scott Barhight issued a letter to Mr. Jablon explaining that Mr. Jablon's decision that the Department of Permits and Development Management will "not permit the existing truck facility within 300 foot of any residential dwelling or residential zone, per Section 410.2 of the Baltimore County Zoning Regulations" ("BCZR"), is inconsistent with Baltimore County law since BCZR Section 410.2 does not apply to the existing truck facility. Mr. Barhight further explained that BCZR Section 410.2 only applies to Class I Trucking Facilities established on or after the effective date of that section - March 15, 1976. The existing trucking facility was established prior to March 15, 1976. Mr. Barhight further explained that NEMF was fully aware that any expansion of the existing Class I Trucking Facility onto adjacent properties will be subject to BCZR Section 410.2.

See, Attachment 13 (Copy of Baltimore County Bill 18-76), and Attachment 1.

13. On May 14, 2001, Mr. Jablon, via a written note on Mr. Barhight's May 11, 2001 letter, questioned whether W. Carl Richards, Jr., Supervisor of the Zoning Review Office, agreed with Mr. Barhight's letter of May 11, 2001. On May 15, 2001, also via a written note on Mr. Barhight's May 11, 2001 letter, Mr. Richards and John C. Lewis, also of the Zoning Review Office, noted their agreement with Mr. Barhight's letter.

See, Attachment 14 (Copy of Mr. Barhight's May 11, 2001 letter from the Bureau of Code Enforcement's file in Case No. 00-7138, containing Mr. Jablon's and Mr. Richards' written notations).

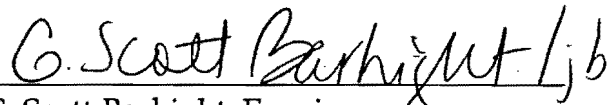
14. The parties agree that Mr. Jablon's September 25, 2000 letter is void because it is based upon a mistaken construction of law, and that NEMF's 1998 Special Exception approval obtained in Case No. 98-260-SPHX remains in full force and effect.

Edward J. Gilliss
County Attorney



C. Robert Loskot
Assistant County Attorney
400 Washington Avenue, Room 219
Towson, MD 21204
410-887-4420

Attorneys for Baltimore County,
Maryland



G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Ave.
Suite 400
Towson, MD 21204
410-832-2050

Attorneys for Appellant
New England Motor Freight

It appears from the testimony presented that it would be highly impractical to expect the petitioner to build homes on the subject property. A large majority of the surrounding area is zoned commercial and is being used for commercial purposes. The testimony of Mr. Charles M. Bandiero, an admitted real estate expert, was to the effect that the "highest and best use" of the property would be "M-1". He felt that the commercial aspects of the area that surround the residential area to the southwest of the subject property made it impractical to expect the petitioner to develop his property for residential purposes. He pointed out the automobile junk yard, the gasoline stations on Washington Boulevard and the trucking establishments over the City line on Caton Avenue. His testimony was substantiated by Mr. Augustine J. Muller, Consulting Engineer, former Zoning Commissioner and County Commissioner of Baltimore County, appearing as an expert witness. His testimony also was to the effect that the property had been originally zoned in error and that it should have been zoned "M-1"—the same category which the land to the west of the subject tract had been zoned.

Attach 3

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
SPECIAL EXCEPTION
N/S Georgetown Road, 629.36 ft. * ZONING COMMISSIONER
SW of c/l Bloomfield Road
3600 Georgetown Road * OF BALTIMORE COUNTY
13th Election District
1st Councilmanic District * Case No. 98-260-SPHX
3600 Georgetown Corp., Petitioner

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Special Exception for the property located at 3600 Georgetown Road in Lansdowne. The Petitions were filed by 3600 Georgetown Corporation, property owner. Special Exception relief is requested, pursuant to Sections 410.1.F and 502.7 of the Baltimore County Zoning Regulations (BCZR), to amend the site plan for a previously approved Class 1 trucking facility dated June 16, 1981 (Trucking Facility 139). Special Hearing relief is requested to approve an amendment to a previously approved plan in case No. 48-90-RX. The subject property and requested relief are all more particularly shown on the amended plan to accompany the Petition for Special Hearing and Petition for Special Exception marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Robert Walker, on behalf of New England Motor Freight Company, the business entity which operates the subject trucking facility. Also present was David L. Martin, a Landscape Architect with G.W. Stephens, Jr. and Associates, the preparers of the site plan. The Petitioner was represented by David Gildea, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property under consideration is a triangularly shaped parcel which straddles the Baltimore County/Baltimore City line in Lansdowne. The property, in its entirety, is approximately 9.523 acres in area. Approximately 6.25 acres are in Balti-

IN RE: PETITION FOR SPECIAL HEARING
W/S Old Georgetown Road, 150 ft. NW
Of c/l Hopkins Avenue
3600 Georgetown Road
13th Election District
1st Councilmanic District
3600 Georgetown Road, LLP
Petitioner

* BEFORE THE *Attach 4*
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-208-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 3600 Georgetown Road in Lansdowne. The Petition was filed by 3600 Georgetown Road, LLP, property owner. Special Hearing relief was requested to approve an extension of the special exception approved in case No. 98-260-SPHX, pursuant to Section 502.3 of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was David L. Martin, a Landscape Architect with G.W. Stephens, Jr. and Associates, Inc., the preparers of the site plan. The Petitioner was represented by David K. Gildea, Esquire. There were no Protestants or other interested persons present.

The subject property was the subject of a recent hearing before me under Petitions for Special Hearing and Special Exception filed in case No. 98-260-SPHX. Pursuant to an opinion and Order issued on February 25, 1998, the Petitions for Special Hearing and Special Exception were approved to amend the site plan for a previously approved Class I trucking facility dated June 16, 1981 and to amend the previously approved plan in case No. 48-90-RX.

The Petitioner comes before me under a Petition for Special Hearing, seeking to expand the timeframe wherein the Special Exception might be utilized. Section 502.3 of the BCZR provides that special exceptions may be utilized for a period of 2 years from the date of the grant of the Petition. However, that section further allows the Zoning Commissioner to increase that period of utilization up to 5 years from the date of the initial grant.

Testimony and evidence presented was that the Petitioner was negotiating to acquire an

DE ENFORCEMENT REP

Attach 5

DATE: 9/13/00 INTAKE BY: CHT CASE #: 00-7138 INSP: M. GAWNE

COMPLAINT
LOCATION:

3600 Georgetown Road

ZIP CODE:

DIST: 13th

COMPLAINANT
NAME:

Theresa Lowry

PHONE #: (H)

(W)

ADDRESS:

2517 Hammonds Ferry Road

ZIP CODE:

21227

PROBLEM:

Expansion of truck facility into an
un-approved area on the site plan

OWNER/TENANT
INFORMATION:

3600 Georgetown Corporation

1-71 North Avenue

Elizabeth, N.J. 07201

TAX ACCOUNT #:

13-13-01230000

ZONING:

MLR-IM

INSPECTION:

9-13-00 7 photos taken
Expansion into an area - NW portion of
property adjacent to Sulphur Spring Rd - Not
REINSPECTION: Approved per site plan

Note: Prior Case - 77-139-TV

Comprehensive Zoning Request # 1-031

REINSPECTION:

No grading permits issued
No fence permits "

REINSPECTION:

Attach 6



Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdinspect@co.ba.md.us

September 25, 2000

3600 Georgetown Corporation
1-71 North Avenue
Elizabeth, NJ 07201

Gentlemen:

RE: Case Number 00-7138, 3600 Georgetown Road

As a result of conversations between your company, George W. Stephens and Associates, and Whiteford, Taylor and Preston L.L.P. on September 18, 2000, the correspondence issued by the Baltimore County Bureau of Code Enforcement is not totally accurate. In our letter, we referenced a violation of the approved June 16, 1981 truck facility plan. What the enforcement division failed to verify was that an amended site plan had been prepared and accepted for filing in case number 98-260-SPHX, with Zoning Commissioner Lawrence E. Schmidt granting both the Petition for Special Hearing and Special Exception requests on February 25, 1998. This amended plan, in conjunction with the required approved landscape plan, would regulate the proposed changes to 3600 Georgetown Road. However, in this instance, while expansion of the truck facility did occur in areas approved by the zoning commissioner, your company failed to fully comply with his order by first obtaining an approved landscape plan as set forth in restriction number two of case number 98-260-SPHX, along with failing to obtain permits for grading/paving and the erection of the fencing.

Therefore, per Director Arnold Jablon, all tractor-trailer rigs currently parked in areas other than those originally designated on the approved June 16, 1981 truck facility plan, must be re-parked on site to conform with the 1981 plan within 24 hours. Failure to take this action will result in the immediate issuance of a citation imposing a fine of \$200.00 per day. In addition, a \$2,000.00 fine will be levied for both grading/paving without a permit and the fence erection. Further, by December 1, 2000, the entire facility must be returned to its original condition (1981 plan) - i.e., removal of all paving in expanded areas, reforestation of same area (per approved landscape plan), replacement of telephone pole wheel stops, and relocation of fencing.

Post-It® Fax Note	7671	9-25-00	# of Pages 2
To DAVID		From	
Co./Dept. GILDER		CC Jim Thompson	
Phone #		Phone #	
Fax # 410-832-2015		Fax #	

Census 2000

Census 2000

Attach 8

In the Matter of

Civil Citation No. 00-7138

3600 Georgetown Corporation

3600 Georgetown Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 14 November 2000, for a hearing on a citation for violations under the Baltimore County Zoning Regulations and Baltimore County Code for failure to comply with a landscape plan, tractor-trailer parking, and for grading, paving and erecting a fence on property, zoned MLR-IM, located at 3600 Georgetown Road.

Mark F. Gawel, code enforcement inspector, stated that the County received a complaint concerning the use of the property. The property was inspected on 13 September 2000, and his findings indicate that grading and fencing were completed without permits. Also tractor-trailer parking in areas not approved on the site plan were observed.

On 15 September 2000, the inspector issued a written correction notice pursuant to §1-7(c), Baltimore County Code, which described with particularity the nature of the violation and the manner of correction. The correction notice was marked in evidence as PEx1 and was served on the Respondent. A revised notice was ultimately issued on 25 September 2000.

On 29 September 2000, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was marked as PEx2 and was legally served on the Respondent.

The citation described the violations as follows: BCZR, §102.1; 248; 500.6, §107.0. Baltimore County Building Code, §1-8(a)(b)(c); §7-36(b)(1); §7-36(b)(2); §26-121(a), BCC, non-compliance case No. 98-260-SPX, landscape plan/tractor trailer parking, grading/paving and fence erection without permits. Further, the citation proposed a civil penalty of \$2400 to be assessed. A code enforcement hearing date was scheduled for 14 November 2000.

Attach 7

Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION
SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No. 00-7138	Property No. 13-01-230000	Zoning: MLR-IM
Name(s): 3600 GEORGETOWN CORPORATION		
Address: 1-71 North Ave E Elizabeth N.J. 07201-2936		
Violation Location: 3600 GEORGETOWN ROAD		
Violation Dates: 9-13-00 9-27-00		

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID
UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

102.1; 248; 500.6 B.C.Z.R.
SECTION 107.0 - BALTIMORE COUNTY BUILDING CODE
SECTIONS 1-8(a)(h)(c) - 17-36(b)(1);
7-36(b)(2); 26-121(a) B.C.C.
NON-COMPLIANCE CASE NO. 99-260-SPHX -
LANDSCAPE PLAN / TRACTOR-TRAILER PARKING
GRADING / PAVING & FENCE ERECTION - NO PERMITS

Pursuant to Section 1-8, Baltimore County Code, a civil penalty
has been assessed, as a result of the violation cited herein, in
the amount indicated:

\$ **2400**

A quasi-judicial hearing has been pre-scheduled in Room 116,
111 West Chesapeake Avenue, Towson, Maryland, for:

Date: **11-14-00**

Time: **9:00 AM**

Citation must be served by:

Date: **10-14-00**

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

Print Name: **MARK CAWEL**

Date: **9-29-00** Inspector's Signature: **Mark F. Gawe**

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name:	Citation/Case No.: 00-7138
Address:	

Date: Defendant's Signature: **DAVID K. Gildea, Esq. DEFENDANT**



NEW ENGLAND MOTOR FREIGHT, Inc.

473754

5271
10/21

DATE

11/28/00

THE BANK OF NEW YORK, N.A.
NATIONAL COMMUNITY DIVISION
FAIR LAWN CENTER OFFICE
FAIR LAWN, NJ 07410

PAY TO THE ORDER OF BALTIMORE COUNTRY

2,000 DOLLARS 00 CENTS

VOID AFTER SIX MONTHS

0022203

TO THE
ORDER
OF

⑆00473754⑆ ⑆021202719⑆ ⑆6100226365⑆

Attach 9

10
 n the building & 1 rest room in dock area

7) = 0.078 < 0.60 Permitted
 placed as shown. Installation to be
 to be placed in the entire chain link fence so as to

5.
 re perimeter of the property.
 s with SHA standard details & specs.

- permit a Trucking Facility.
- 2. Property was re-zoned in the 1976 Comprehensive Zoning Map process from ML to MLR-IM.
- 3. Truck Facilities Plan approved by the Baltimore County Zoning Commissioner on 6/16/81.
- 4. On May 7, 1982, James E. Dyer, Zoning Supervisor, found this facility as existing prior to the April 18, 1976 and to be in compliance with Bill No. 18-76.
- 5. Special Exception to amend a previously approved Class I Trucking Facility Plan, Case # 98-260-SPHX, granted February 25, 1998.

ZONING RELIEF REQUESTED:
 1. Special Hearing to extend the Special Exception approved on case no. 98-260-SPHX.

REMARKS

full crown
 full crown
 full crown
 full crown
 matched crowns
 multi-stem
 matched crowns
 sheared
 full to base
 full to base

BALTIMORE COUNTY
 DEPT. OF PERMITS & DEV. MGMT.
 LANDSCAPE PLAN APPROVED

11-30-00

FINAL LANDSCAPE SCREENING PLAN
 TO ACCOMPANY ZONING PLAT FOR AN
 AMENDMENT TO A CLASS I TRUCKING
 FACILITIES PLAN

NEW ENGLAND
 MOTOR FREIGHT COMPANY
 AT
 3600 GEORGETOWN ROAD

ELECTION DISTRICT 13
 COUNCILMANIC DISTRICT 1
 SCALE: 1" = 40'

BALTIMORE COUNTY, MD.
 OCTOBER 3, 2000
 REVISED: NOVEMBER 3, 2000

Attach 10

BY
 DATE

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. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

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

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

G. SCOTT BARHIGHT
DIRECT NUMBER
410 832-2050
gbarhight@wtplaw.com

Attach 11

December 1, 2000

Via Hand Delivery

Mr. Arnold Jablon, Director
Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Mail Stop 1105
Towson, Maryland 21204

Re: New England Motor Freight
3600 Georgetown Road
Zoning Violation Case No.: 00-7138
Our File No.: 48237/00131

Dear Mr. Jablon:

Enclosed please find the following items for your review:

1. The final landscape screening plan for the above referenced property approved by Baltimore County Department of Permits and Development Management on November 30, 2000.
2. The Findings of Fact and Conclusions of Law of Code Enforcement Hearing Office Stanley J. Shapiro dated November 20, 2000.
3. NEMF's check number 473754, dated November 28, 2000, payable to Baltimore County as a full and final payment of the fine issued by Hearing Officer Shapiro pursuant to the Findings of Fact and Conclusions of Law dated November 20, 2000.

It is my understanding that after the County approval of the final landscape screening plan and after the disposition of the zoning violation case and the



Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

April 27, 2001

Attach 12

G. Scott Barhight, Esquire
Whiteford, Taylor and Preston, LLP
210 West Pennsylvania Avenue
Towson, Maryland 2104-4515

Dear Mr. Barhight:

Re: Case No. 00-7138, 3600 Georgetown Road

In response to your December 1, 2000 letter to Director Arnold Jablon, I have had the opportunity to discuss this matter with him. He is now willing to abate his decision of September 25, 2000, wherein, he elected to declare the February 25, 1998 decision of Zoning Commissioner Lawrence E. Schmidt in Case No. 98-260-SPHX no longer valid and in effect. However, this department will not permit the existing truck facility within 300 foot of any dwelling or residential zone, per Section 410.2 of the Baltimore County Zoning Regulations, without benefit of appropriate variances/special exceptions being granted as well as compliance with all other county laws and regulations. Finally, no tractor-trailer rigs or cabs will be permitted standing, parking or stopping within this 300 foot setback requirement.

As always, if additional questions remain, please contact this office at 410-887-3352.

Sincerely,

James H. Thompson
Code Inspections and
Enforcement Supervisor

JHT/hek

c: Councilman S.G. Samuel Moxley
Kathleen A. Lewis, Director
Business Development
Inspector Mark Gawel
Theresa Lowery, 2517 Hammonds Ferry Rd., Baltimore, MD 21227
Brenda Armstrong, 3416 Hopkins Ave., Baltimore, MD 21227

BILL NO. 18-76

Mr. O'Rourke, Councilman
By Request of County Executive

Attach 13

By the County Council, March 15, 1976

A BILL
ENTITLED

AN ACT to amend the Baltimore County Zoning Regulations to regulate truck-oriented uses of property in Baltimore County, to designate the zoning classifications under which such uses shall be permitted as of right, allowed by special exception or prohibited both in terms of control over the development of new facilities as well as remedial measures applicable to existing ones, by adding certain definitions to Section 101 of said zoning regulations and revising certain existing ones, by repealing and re-enacting with amendments Section 104 thereof, by redesignating the subtitle "Statement of Purpose" under Article 4 thereof, by repealing and re-enacting with amendments subsections 233.2, 236.4, 241.1, 253.2A, 256.2, 256.4, 409.2b and 500.7 thereof and by adding new sections B400, 410 and 410A to said zoning regulations.

1. SECTION 1. Be it enacted by the County Council of Baltimore
2. County, Maryland, that the following definitions be and they are hereby
3. added, in alphabetical order, to Section 101 of the Baltimore County
zoning regulations:

4. Section 101 - Definitions

5. Collector street, major: A street, or part of one, that: is in-
6. tended for travel between neighborhoods or between neighborhoods and
7. other places, but not for travel within neighborhoods; is not an
8. arterial street; and has been designated as a major collector street
9. by the Planning Board by the same method used to designate freeways,
10. expressways, and arterial streets.

11. ~~County trucking facilities development officials; The Directors~~
12. ~~of Planning, Public Works, and Traffic Engineering and of the Industrial~~
13. ~~Development Commission; COUNTY TRUCKING-FACILITIES-DEVELOPMENT~~
14. OFFICIALS: A COMMITTEE CONSISTING OF THE COUNTY ADMINISTRATIVE OFFICER,
15. AS CHAIRMAN; THE DIRECTORS OF PLANNING, PUBLIC WORKS, PERMITS AND
16. LICENSES, AND TRAFFIC ENGINEERING; AND THE DIRECTOR OF THE INDUSTRIAL
17. DEVELOPMENT COMMISSION; OR THEIR RESPECTIVE DESIGNEES.

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

G. SCOTT BARHIGHT
DIRECT NUMBER
410 832-2050
gbarhighi@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

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

May 11, 2001

5/14/01
wer
do you
agree?
Yes
wer + JCB
5/15/01

Attach 14

Via Hand Delivery

Mr. Arnold Jablon, Director
Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: New England Motor Freight
3600 Georgetown Road
Zoning Violation Case No.: 00-7138

Dear Mr. Jablon:

Please accept this letter in response to James H. Thompson's letter dated April 27, 2001, a copy of which is attached hereto. Preliminarily, thank you for abating your decision of September 25, 2000. Nevertheless, with regard to your assertion that the Department of Permits & Development Management will "not permit the existing truck facility within 300 foot of any dwelling or residential zone, per Section 410.2 of the Baltimore County Zoning Regulations", I respectfully submit that your request is inconsistent with Baltimore County law since Section 410.2 of the BCZR does not apply to the existing trucking facility at this site. Specifically Section 410.2 of the BCZR only applies to Class I trucking facilities established on or after the effective of that section. The existing trucking facility at this site was established prior to the effective date of that section.

We are fully aware that any expansion of the area of the existing Class I trucking facility on to adjacent properties will be subject to Section 410.2 of the BCZR. The plans which are being prepared by our engineers are in compliance with this section.

IN THE MATTER OF
NEW ENGLAND MOTOR FREIGHT -
TENANT; 3600 GEORGETOWN
CORPORATION - LEGAL OWNER
3600 GEORGETOWN ROAD

* BEFORE
* COUNTY BOARD OF APPEALS
* OF

RE: ZONING ENFORCEMENT
CASE # 00-7138; ZONING CASE
#98-260-SPHX; TRUCKING
FACILITY FILE # 139

* BALTIMORE COUNTY
* CASE NO. CBA-00-162

* * * * *

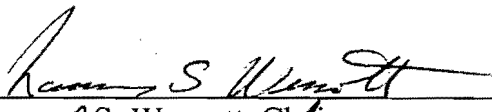
ORDER OF DISMISSAL

This matter comes to this Board on appeal filed from a decision of the Department of Permits & Development Management dated September 25, 2001.

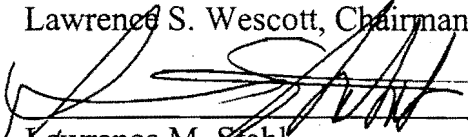
WHEREAS, this appeal having been withdrawn by Counsel for Appellant on August 7, 2001, and for the reasons as stated on the record,

IT IS THEREFORE ORDERED this 15th day of August, 2001, by the County Board of Appeals of Baltimore County that the subject appeal be and is hereby **DISMISSED**.

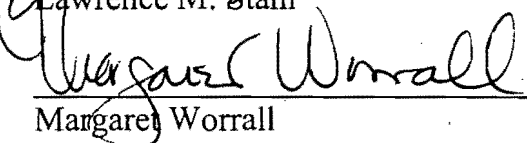
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence S. Wescott, Chairman



Lawrence M. Stahl



Margaret Worrall



County Board of Appeals of Baltimore County

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

August 15, 2001

G. Scott Barhight, Esquire
WHITEFORD, TAYLOR & PRESTON
500 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204-4515

RE: *In the Matter of: 3600 Georgetown Corp - Legal Owner;*
New England Motor Freight - Tenant /Case No. CBA-00-162

Dear Mr. Barhight:

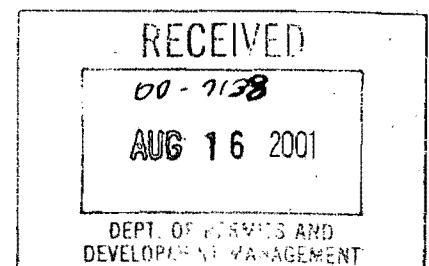
Enclosed please find a copy of the Order of Dismissal issued this date by the County Board
of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: 3600 Georgetown Corporation
Larry E. Shepherd, Terminal Manager
New England Motor Freight
People's Counsel for Baltimore County
James H. Thompson, CIE /PDM (Case #00-7138)
✓ Mark Gawel, CIE /PDM
Lawrence E. Schmidt, Zoning Commissioner (Case #98-260-SPHX)
Arnold Jablon, Director /PDM
C. Robert Loskot, Assistant County Attorney



IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
SPECIAL EXCEPTION
N/S Georgetown Road, 629.36 ft. * ZONING COMMISSIONER
SW of c/l Bloomfield Road
3600 Georgetown Road * OF BALTIMORE COUNTY
13th Election District
1st Councilmanic District * Case No. 98-260-SPHX
3600 Georgetown Corp., Petitioner

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Special Exception for the property located at 3600 Georgetown Road in Lansdowne. The Petitions were filed by 3600 Georgetown Corporation, property owner. Special Exception relief is requested, pursuant to Sections 410.1.F and 502.7 of the Baltimore County Zoning Regulations (BCZR), to amend the site plan for a previously approved Class 1 trucking facility dated June 16, 1981 (Trucking Facility 139). Special Hearing relief is requested to approve an amendment to a previously approved plan in case No. 48-90-RX. The subject property and requested relief are all more particularly shown on the amended plan to accompany the Petition for Special Hearing and Petition for Special Exception marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Robert Walker, on behalf of New England Motor Freight Company, the business entity which operates the subject trucking facility. Also present was David L. Martin, a Landscape Architect with G.W. Stephens, Jr. and Associates, the preparers of the site plan. The Petitioner was represented by David Gildea, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property under consideration is a triangularly shaped parcel which straddles the Baltimore County/Baltimore City line in Lansdowne. The property, in its entirety, is approximately 9.523 acres in area. Approximately 6.25 acres are in Balti-

ORDER RECORDED
DATE 7/2/98
BY [Signature]

more County and 3.28 acres are in Baltimore City. That portion of the property in Baltimore County is zoned M.L.R.-I.M.

Apparently, a trucking facility has been operated from the subject premises by the New England Motor Freight Company for many years. The existing facility was granted special exception approval on October 11, 1961 in case No. 48-90=RX. The property was rezoned in the 1976 Comprehensive Zoning Map process from M.L. to M.L.R.-I.M. Later, pursuant to legislation passed by the County Council which regulated trucking facilities and is now codified in Section 410 of the BCZR, the use on the subject property was found to be in existence prior to April 18, 1976 and to be in compliance with the provisions of such legislation (Bill No. 18-76).

The Petitioner seeks relief in the instant Petitions to permit the construction of certain additions and improvements to the property. As noted on the plan, there presently exists a one story metal warehouse/-terminal building on a concrete foundation. This facility contains 16 truck bays. The Petitioner proposes to construct an addition to this building as more particularly shown on the site plan. Specifically, a new area for office space will be added as well as an addition to the terminal. Moreover, a new one-story service garage will be constructed next to the existing service facility. The plan also shows additional areas of parking and macadam.

Based upon the testimony and evidence presented, all of which is uncontradicted, I am persuaded to grant the Petitions for Special Exception and Special Hearing. The existing use and the proposed improvements to the site appear compatible with the property's zoning classification and neighborhood. The additions and improvements represent an upgrade to the property.

Additionally, the Petitioner submitted an illustrated concept plan showing proposed landscaping for this site. In this regard, the Petitioner

ORIGINAL FILED
DATE 2/28/78
BY [Signature]

has apparently met with representatives of the residential community which is located nearby and reached an agreement as to the specifics of the landscape plan. The plan submitted shows that the perimeter of the site will be bermed and also landscaping will be added to buffer the view of the trucking facility. Moreover, the topography of the site lends itself to these efforts and will permit screening of the property so as to buffer the use thereon. In this regard, the Petitioner will be required to submit a final landscaping plan to the County's Landscape Architect, Avery Harden, for review and approval. This plan should detail the proposed berming and landscaping of the site and also indicate that the lighting of the property should be installed so as to prevent detrimental impact on the surrounding locale. It is also to be noted that there are no variances requested in connection with the relief sought.

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

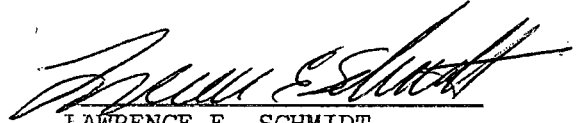
IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 25th day of February 1998 that the Petition for Special Hearing for approval to amend the site plan for a previously approved Class 1 trucking facility dated June 16, 1981 (Trucking Facility 139), pursuant to Sections 410.1.F and 502.7 of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to amend a previously approved plan in case No. 48-90-RX, be and is hereby GRANTED, subject, however to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECOMMENDING GRANTING
2/25/98
M. Mark
Date
By

2. The Petitioner shall be required to submit a landscape plan to Avery Harden, Baltimore County's Landscape Architect, for review and approval, as more fully set forth above.



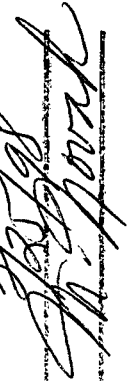
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED

Date

By





Baltimore County
Zoning Commissioner
Office of Planning

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

February 24, 1998

David K. Gildea, Esquire
G. Scott Barhight, Esquire
Whiteford, Taylor and Preston, LLP
210 E. Pennsylvania Avenue, 4th floor
Towson, Maryland 21204

RE: Case No. 98-260-SPHX
Property: 3600 Georgetown Road
3600 Georgetown Corp. Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception and the Petition for Special Hearing have been granted, with restrictions, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

c: Mr. Robert Walker
New England Motor Freight Co.
1-71 North Avenue East
Elizabeth, N.J. 07201





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3600 Georgetown Road

which is presently zoned MLR

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

amendment to previously approved Plan in case no. 4890-RX

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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

Whiteford, Taylor & Preston L.L.P.

Signature

210 W. Pennsylvania Avenue, 4th Fl.

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

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):

3600 Georgetown Corp.

(Type or Print Name)

Signature

Myron P. Shevell, President

(Type or Print Name)

Signature

1-71 North Avenue East

Elizabeth, NJ 07201

Address

908-355-3919

Phone No.

City

State

Zipcode

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

G. Scott Barhight, Whiteford, Taylor, Preston

Name

Preston, L.L.P.

210 W. Pennsylvania Ave, 4th Fl.

Address

Phone No.

Towson, MD 21204

410-832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: RIT

DATE

1-14-98

260

98-260-SPHX



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 3600 Georgetown Road

which is presently zoned MLR

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

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

Special Exception pursuant to 410.1.F and 502.7 -- to amend a previously approved Class I Trucking Facility Plan dated June 16, 1981 (trucking facility number 139).

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

Whiteford, Taylor & Preston L.L.P.

Signature

210 W. Pennsylvania Ave. 4th Floor

Address Phone No.

Towson, MD 21204

City

State

Zipcode

Legal Owner(s):

3600 Georgetown Corp.

(Type or Print Name)

Signature

Myron P. Shevell, President

(Type or Print Name)

Signature

1-71 North Avenue East

908-355-3919

Address

Phone No.

Elizabeth, NJ 07201

City

State

Zipcode

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

G. Scott Barhight

Whiteford, Taylor & Preston L.L.P.

Name

210 W. Pennsylvania Ave. 410-832-2000

Address Phone No.

Towson, MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: RT

DATE

1-14-98

#260

98-260-SPHX

**Zoning Description
December 29, 1997**

**Description to accompany a Special Exception & Special Hearing to Amend an
Approved Trucking Facilities Plan**

3600 Georgetown Road
Baltimore County, Maryland
Election District 13, Councilmanic District 1
Tax Map 102 - Parcel 121

Beginning at a point located at the centerline intersections of Joh Avenue, 80' wide, and Bloomfield Road, 50' wide at the said intersection, thence S 32 degrees 39' minutes 43 seconds W to a Point of Beginning at the intersection of the right of way of Old Georgetown Road and the Baltimore City municipal boundary, thence the following property courses:

S 38 degrees 49 minutes 10 seconds W, 133.21 feet, thence S 34 degrees 19 minutes 10 seconds W, 292.04 feet, thence N 32 degrees 40 minutes 50 seconds W, 125.00 feet, thence S 34 degrees 19 minutes 10 seconds W, 51.60 feet, thence N 45 degrees, 09 minutes 57" E, 687.67, thence N 77 degrees 14 minutes 59 seconds E, 411.24 feet, thence S 60 degrees 20' minutes 24 seconds E, 533.07 feet, concurrent with the Baltimore County / Baltimore City municipal boundary, back to the point of beginning.

**Containing 6.25 acres (272,250) square feet of land more or less, located in
Baltimore County, Maryland**



260

98-260-
SPHX

NOTE: the above description is for zoning purposes only and is not intended to be used for conveyances or agreements. 410-825-8120 • FAX 410-583-0288

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044565

ITEM 260

DATE 1/14/98

ACCOUNT 2001-6150

040--SPH
050--SPX

AMOUNT \$ 550.00

RECEIVED FROM: WHITSTON TAYLOR & FRESTON

FOR: (SHEVELL)
SPHX - 3600 GEORGETOWN RD

REF. 1

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
1/16/1998 1/16/1998 11:24:32

REF 0304 CASHIER LSH LMS DRYER
5 MISCELLANEOUS CASH RECEIPT

Receipt # 035468
CR NO. 044565

550.00 CHECK

Baltimore County, Maryland

98-260-SPHX

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

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: #98-260-SPHX
3600 Georgetown Road
N/S Old Georgetown Road
629.36' +/- SW of centerline
Bloomfield Road
13th Election District
1st Councilmanic District
Legal Owner(s): 3600
Georgetown Corp.

Special Exception: to amend a previously approved Class I trucking facility plan dated June 16, 1981 (trucking facility number 139). **Special Hearing:** to approve an amendment to previously approved plan in case, no 4890-RX.

Hearing: Monday, February 23, 1998 at 9:00 a.m., in Room 407, County Court Bldg., 401 Bosley Avenue.

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.

2/055 Feb '5 C205064

TOWSON, MD.,

2-5

, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2-5, 1998.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No. 98-260-SPHX
Petitioner/Developer:
(3600 Georgetown Corp.)
Date of Hearing/Closing:
(Feb. 23, 1998)

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 _____

3600 Georgetown Road Baltimore, Maryland 21227 _____

The sign(s) were posted on _____ Feb. 7, 1998 _____
(Month, Day, Year)

Sincerely,

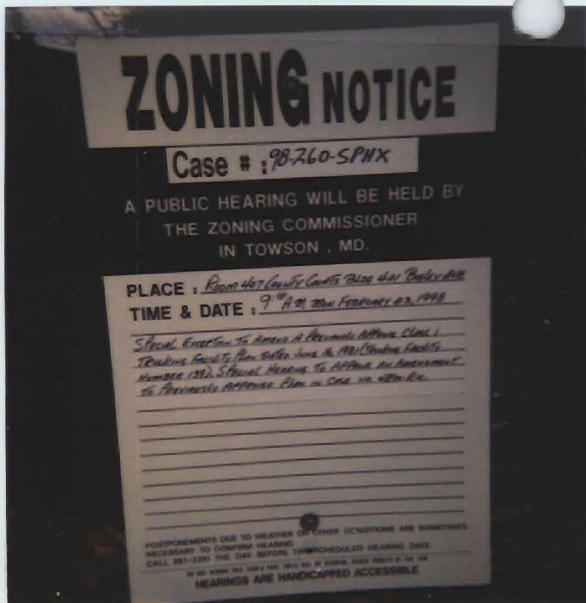

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



98-260-SPHX

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:

ITEM 260

ZONING NOTICE

Case No.: 98-260 SPHX

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO AMEND PREVIOUSLY APPROVED
PLAN IN CASE No 4890-RX. SPECIAL EXCEPTION TO
AMEND A PREVIOUSLY APPROVED CLASS I TRUCKING
FACILITY PLAN DATED JUNE 6, 1981 (TRUCKING
FACILITY No. 139)

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

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 (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.: 260

Petitioner: NEW England Motor Freight (Georgetown Corporation)

Location: 3600 Georgetown Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David K. Jorden

ADDRESS: 210 W. Penn. Ave

Towson, Md. 21204

PHONE NUMBER: (410) 832-2066

AJ:ggs

(Revised 09/24/96)

98-260-SPHX

-16-

TO: PATUXENT PUBLISHING COMPANY
February 5, 1998 Issue - Jeffersonian

Please forward billing to:

David K. Gildea, Esquire 410-832-2066
210 W. Pennsylvania Avenue
Towson, MD 21204

NOTICE OF ZONING 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: 98-260-SPHX
3600 Georgetown Road
N/S Old Georgetown Road, 629.36' +/- SW of centerline Bloomfield Road
13th Election District - 1st Councilmanic District
Legal Owner: 3600 Georgetown Corp.

SPECIAL EXCEPTION to amend a previously approved Class I trucking facility plan dated June 16, 1981 (trucking facility number 139). SPECIAL HEARING to approve an amendment to previously approved plan in case no. 4890-RX.

HEARING: Monday, February 23, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

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
Department of Permits and
Development Management

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

January 23, 1998

NOTICE OF ZONING 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: 98-260-SPHX
3600 Georgetown Road
N/S Old Georgetown Road, 629.36' +/- SW of centerline Bloomfield Road
13th Election District - 1st Councilmanic District
Legal Owner: 3600 Georgetown Corp.

SPECIAL EXCEPTION to amend a previously approved Class I trucking facility plan dated June 16, 1981 (trucking facility number 139). SPECIAL HEARING to approve an amendment to previously approved plan in case no. 4890-RX.

HEARING: Monday, February 23, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

c: G. Scott Barhight, Esquire
3600 Georgetown Corp.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 8, 1998.**
- (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

February 18, 1998

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston L.L.P.
210 W. Pennsylvania Avenue, 4th Floor
Towson, MD 21204

RE: Item No.: 260
Case No.: 98-260-SPHX
Petitioner: 3600 Georgetown Corp.

Dear Mr. Barhight:

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 January 14, 1998.

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 the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Baltimore County
Fire Department

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

January 28, 1998

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 26, 1998

Item No.: See Below

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.

The following comments apply to the following item numbers:

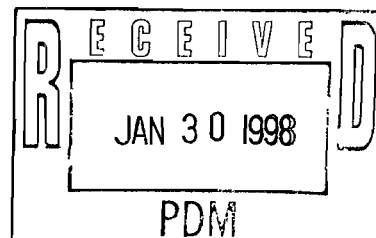
Misc: DRC #122971, (260), 263, and 266

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 1-23-91
Item No. 260 RT

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

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

SUBJECT: Zoning Advisory Committee
Meeting Date: Jan 26, 98

DATE: 1/27/98

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

Item #'s:

260

261

263

264

RBS:sp

BRUCE2/DEPRM/TXTSBP

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: January 30, 1998

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 2, 1998
 Item Nos. 260, 261, 262, 264, and
 265

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE0202.NOC

for
2/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
and Development Management

Date: February 19, 1998

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

SUBJECT: 3600 Georgetown Road

INFORMATION

Item Number: 260

Petitioner: 3600 Georgetown Corporation

Zoning: MLR

Requested Action: Special Exception and Special Hearing

Summary of Recommendations:

The Office of Planning supports the proposed amendment to the previously approved special exception for a Class I Trucking Facility (as shown on the 2nd revised site plan dated January 1, 1998), conditioned by the following restrictions:

A landscape plan that complies with the Baltimore County Landscape Manual to the fullest extent possible should be submitted for review and approval to Avery Harden, County Landscape Architect prior the the issuance of any permits. The slatted chain link fence should be improved with Privacy Decorative Slatting (PDS) or a comparable type.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kerns

AFK/JL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR SPECIAL EXCEPTION *
3600 Georgetown Rd, N/S Georgetown Rd, * ZONING COMMISSIONER
629.36' ± SW of c/l Bloomfield Rd *
13th Election District, 1st Councilmanic * OF BALTIMORE COUNTY
3600 Georgetown Corp. * CASE NO. 98-260-SPHX
Petitioner *

* * * * *

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 28th day of February, 1998, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

DEPARTMENT OF ENVIRONMENTAL PROTECTION
& RESOURCE MANAGEMENT
INTEROFFICE CORRESPONDENCE

TO: [X] Design & Review
[X] Pam Scott

DATE: February 9, 2001

PROJECT NAME: New England Motor Freight
TYPE OF PLAN: Grading, #D950130, 1st sub.
PLAN/REV. DATE: December 4, 2000

Environmental Impact Review staff have reviewed the subject submission.
The following recommendations are made:

[X] Disapproved

1. This project must satisfy the requirements of Article IX, Regulations for the Protection of Water Quality, Streams, Wetlands, and Floodplains. It appears that the recently installed stone window and pipe outfall are within close proximity of an intermittent stream channel. This unpermitted work is within the future Forest Buffer Easement (FBE) and must be approved via a variance request or removed from within the FBE.
2. This project may also have to satisfy the requirements of Article X, the Forest Conservation Regulations. The revised grading plan submittal shall show the tree line on the entire property, as it existed prior to the clearing and grading activities of September 2000. Utilization of the Geographic Information System (GIS) photograph (approximate date 1995) to determine forest/tree cover shall be sufficient. Be advised that clearing 25,000 to over 40,000 square feet of forest will engage the Forest Conservation Regulations for Baltimore City Government and Baltimore County Government/State of Maryland, respectively
3. Clearly show the pre 2000 limit of disturbance (LOD), the LOD associated with the September 2000 violation, and the proposed, ultimate LOD. Please note that the September 2000 grading activities may have encroached onto the Weiner Property.

[X] State and Federal review may be required.

[X] An Environmental Agreement will be required.

REVIEWER: Michael S. Kulis

PHONE: 410-887-3980

MSK8/NEMFTransmit.doc

James Thompson - New England Motor Freight

From: People's Counsel
To: Thompson, James
Date: 12/9/04 10:28 AM
Subject: New England Motor Freight

A while back, Arnold Jablon wrote a letter regarding the New Englad Motor Freight Case located at 3600 Georgetown Road. In the letter, Arnold stated that the zoning approved in the prior case had expired. I believe there was a violations case on this property also and I would like to see if you have a copy of this letter. The zoning office has misplaced there file and your office is the only other office I think may still have a copy.

Thanks, Peter Max Zimmerman



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 13 Account Number - 1301230000

Owner Information

Owner Name: 3600 GEORGETOWN CORPORATION
Use: INDUSTRIAL
Principal Residence: NO
Mailing Address: 1-71 NORTH AVE E
 ATTN MYRON P SHERELL
 ELIZABETH NJ 07201-2936
Deed Reference: 1) / 8628/ 198
 2)

Location & Structure Information

Premises Address 3600 GEORGETOWN RD
Zoning ML
Legal Description 6.25 AC NWS
 OLD GEORGETOWN RD
 SW COR JOB AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
102	14	121						81	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1964	35,085 SF	5.98 AC	07

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2002	Phase-in Assessments As Of 07/01/2002	As Of 07/01/2003
Land:	357,700	357,700		
Improvements:	265,400	286,000		
Total:	623,100	643,700	629,966	636,832
Preferential Land:	0	0	0	0

Transfer Information

Seller: BONSCO INC	Date: 10/22/1990	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8628/ 198	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2002	07/01/2003
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

March 3, 2003

Jennifer R. Busse, Esquire
Whiteford, Taylor and Preston, LLP
210 West Pennsylvania Avenue
Towson, MD 21204-4515

Re: Case No. 00-7138
3600 Georgetown Road

Dear Ms. Busse:

On January 31, 2003, the Baltimore County Bureau of Code Enforcement issued a correction notice to 3600 Georgetown Corporation. This document dealt with submitting contracts for the paving, wheel-stop, and fence-slatting installations, along with a planting schedule for the landscaping. Your firm was able to supply this department with that information by the February 14, 2003, deadline.

Upon review with Director Arnold Jablon, the question was raised whether the petitioner had indeed utilized its special exception per Section 502.3 of the Baltimore County Zoning Regulations in case no. 98-260 SPHX. In this instance, the portion of this regulation that the director contends is most relevant reads:

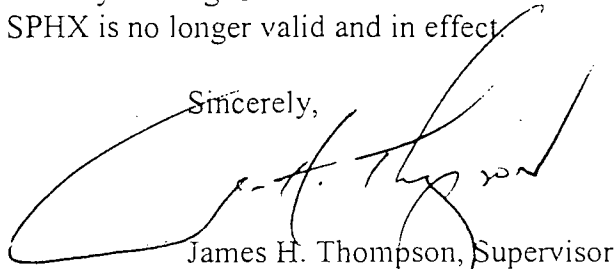
A special exception which requires any construction for its utilization shall be deemed to have been used within its authorized time if such construction shall have commenced during the authorized period, or any extension thereof, provided said construction is thereafter pursued to completion with reasonable diligence.

In the 1998 special exception case, the property owner proposed to construct a 10,970-square-foot terminal addition and a new 2,999-square-foot, one-story service garage facility to replace the existing one-story garage building that was to be razed. Also, additional trailer/employee paved parking areas were to be created on the overall facility site. To date, none of these projects has been started, let alone completed. In fact, your firm informed this department that the property owner had elected not to proceed with the construction of the terminal addition/new service garage building. If one would further factor in the issues outlined

Jennifer R. Busse, Esquire
March 3, 2003
Page 2

in the January 2003 correction notice, this department must conclude, pursuant to Section 502.3, BCZR, that the special exception granted by Zoning Commissioner Lawrence E. Schmidt on February 25, 1998, in case no. 98-260 SPHX is no longer valid and in effect.

Sincerely,



James H. Thompson, Supervisor
Bureau of Code Enforcement

JHT/jm



Baltimore County
Department of Permits and
Development Management

BOA HAS PLAN & COPY 11/06/01

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdinspect@co.ba.md.us

September 25, 2000

FILE COPY
FOR CASE No.

98-260-SPHX

also
all 01-544 SPHX
3600 Georgetown Corporation
1-71 North Avenue
Elizabeth, NJ 07201

Gentlemen:

RE: Case Number 00-7138, 3600 Georgetown Road

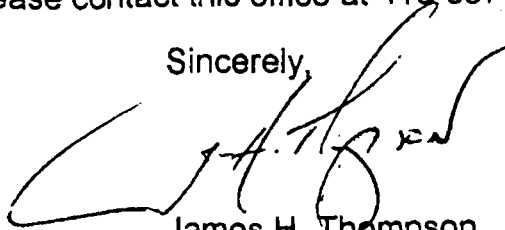
As a result of conversations between your company, George W. Stephens and Associates, and Whiteford, Taylor and Preston L.L.P. on September 18, 2000, the correspondence issued by the Baltimore County Bureau of Code Enforcement is not totally accurate. In our letter, we referenced a violation of the approved June 16, 1981 truck facility plan. What the enforcement division failed to verify was that an amended site plan had been prepared and accepted for filing in case number 98-260-SPHX, with Zoning Commissioner Lawrence E. Schmidt granting both the Petition for Special Hearing and Special Exception requests on February 25, 1998. This amended plan, in conjunction with the required approved landscape plan, would regulate the proposed changes to 3600 Georgetown Road. However, in this instance, while expansion of the truck facility did occur in areas approved by the zoning commissioner, your company failed to fully comply with his order by first obtaining an approved landscape plan as set forth in restriction number two of case number 98-260-SPHX, along with failing to obtain permits for grading/paving and the erection of the fencing.

Therefore, per Director Arnold Jablon, all tractor-trailer rigs currently parked in areas other than those originally designated on the approved June 16, 1981 truck facility plan, must be re-parked on site to conform with the 1981 plan within 24 hours. Failure to take this action will result in the immediate issuance of a citation imposing a fine of \$200.00 per day. In addition, a \$2,000.00 fine will be levied for both grading/paving without a permit and the fence erection. Further, by December 1, 2000, the entire facility must be returned to its original condition (1981 plan) - i.e., removal of all paving in expanded areas, reforestation of same area (per approved landscape plan), replacement of telephone pole wheel stops, and relocation of fencing.

In summary, because of actions of your company in failing to comply with the one major restriction in public hearing case number 98-260-SPHX, to wit: failure to submit a landscaping plan for approval, this department has elected to declare the February 25, 1998 decision no longer valid and in effect.

If additional questions do exist, please contact this office at 410-887-3352.

Sincerely,



James H. Thompson
Code Inspections and
Enforcement Supervisor

JHT:scj

C: Larry E. Shepherd, Terminal Manager, New England Motor Freight
David K. Gildea, Esquire, Whiteford, Taylor & Preston, LLP
Kathleen A. Lewis, Economic Development
Mark Gawel, Code Enforcement
Zoning Case 98-260-SPHX



Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No. 00-7138	Property No. 13-01-230000	Zoning: MLR-IM
Name(s):	3600 GEORGETOWN CORPORATION	
Address:	1-71 North Ave E Elizabeth N.J. 07201-2936	
Violation Location:	3600 GEORGETOWN ROAD	
Violation Dates:	9-13-00 9-27-00	

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

102.1; 248; 500.6 B.C.Z.R
SECTION 107.0 - BALTO. COUNTY BUILDING CODE
SECTIONS 1-8(a)(b)(c); 7-36(b)(1);
7-36(b)(2); 26-121(a) B.C.C.
NON-COMPLIANCE CASE NO. 98-260-SPHX -
LANDSCAPE PLAN / TRACTOR-TRAILER PARKING
GRADING / PAVING & FENCE ERECTION - NO PERMITS

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in the amount indicated:

\$ **2400**

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for:

Date: **11-14-00**

Time: **9:00 AM**

Citation must be served by:

Date: **10-14-00**

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

Print Name: **MARK GAWEL**
Date: **9-29-00** Inspector's Signature: **Mark F. Gawel** *PEX*

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name: _____ Citation/Case No.: **00-7138**

Address: _____

Date: _____ Defendant's Signature: **DAVID K. Gildea, Esq.** AGENCY

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

COPY

In the Matter of

Civil Citation No. 00-7138

3600 Georgetown Corporation

3600 Georgetown Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 14 November 2000, for a hearing on a citation for violations under the Baltimore County Zoning Regulations and Baltimore County Code for failure to comply with a landscape plan, tractor-trailer parking, and for grading, paving and erecting a fence on property, zoned MLR-IM, located at 3600 Georgetown Road.

Mark F. Gawel, code enforcement inspector, stated that the County received a complaint concerning the use of the property. The property was inspected on 13 September 2000, and his findings indicate that grading and fencing were completed without permits. Also tractor-trailer parking in areas not approved on the site plan were observed.

On 15 September 2000, the inspector issued a written correction notice pursuant to §1-7(c), Baltimore County Code, which described with particularity the nature of the violation and the manner of correction. The correction notice was marked in evidence as PEx1 and was served on the Respondent. A revised notice was ultimately issued on 25 September 2000.

On 29 September 2000, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was marked as PEx2 and was legally served on the Respondent.

The citation described the violations as follows: BCZR, §102.1; 248; 500.6, §107.0. Baltimore County Building Code, §1-8(a)(b)(c); §7-36(b)(1); §7-36(b)(2); §26-121(a), BCC, non-compliance case No. 98-260-SPX, landscape plan/tractor trailer parking, grading/paving and fence erection without permits. Further, the citation proposed a civil penalty of \$2400 to be assessed. A code enforcement hearing date was scheduled for 14 November 2000.

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

David K. Gildea, Esquire, appeared for the hearing on behalf of the Respondent.

Brenda Armstrong, a Complainant, appeared and testified.

Jim Thompson and Mark F. Gawel appeared and testified.

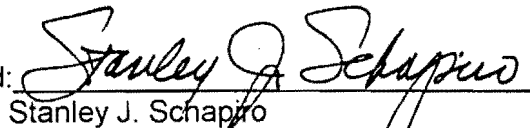
Testimony and evidence shows that the Respondent constructed the fence and graded the property under the mistaken belief that the Zoning Commissioner's Order in Case No. 98-260-SPHX authorized the construction of the fence and grading. The Respondent has removed all tractor-trailers from those proposed areas indicated on the site plan filed with said Order. Further, barriers have been positioned on site to prevent re-entry into those areas.

The Respondent is found to be in violation of the Building Code by erecting the fence and grading without permits.

Pursuant to the correction notice and subsequent code enforcement citation issued, and hearing held, and for the reasons set forth above, it is found as a matter of law that violations existed from 13 September 2000 and the violations are continuing.

THEREFORE IT IS ORDERED by the Code Enforcement Hearing Officer, this 20 day of November 2000 that a civil penalty is imposed in the amount of \$2000.

Signed:


Stanley J. Schapiro
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.



Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

April 27, 2001

G. Scott Barhight, Esquire
Whiteford, Taylor and Preston, LLP
210 West Pennsylvania Avenue
Towson, Maryland 2104-4515

Dear Mr. Barhight:

Re: Case No. 00-7138, 3600 Georgetown Road

In response to your December 1, 2000 letter to Director Arnold Jablon, I have had the opportunity to discuss this matter with him. He is now willing to abate his decision of September 25, 2000, wherein, he elected to declare the February 25, 1998 decision of Zoning Commissioner Lawrence E. Schmidt in Case No. 98-260-SPHX no longer valid and in effect. However, this department will not permit the existing truck facility within 300 foot of any dwelling or residential zone, per Section 410.2 of the Baltimore County Zoning Regulations, without benefit of appropriate variances/special exceptions being granted as well as compliance with all other county laws and regulations. Finally, no tractor-trailer rigs or cabs will be permitted standing, parking or stopping within this 300 foot setback requirement.

As always, if additional questions remain, please contact this office at 410-887-3352.

Sincerely,

James H. Thompson
Code Inspections and
Enforcement Supervisor

JHT/hek

c: Councilman S.G. Samuel Moxley
Kathleen A. Lewis, Director
Business Development
Inspector Mark Gawel
Theresa Lowery, 2517 Hammonds Ferry Rd., Baltimore, MD 21227
Brenda Armstrong, 3416 Hopkins Ave., Baltimore, MD 21227

Census 2000

For You, For Baltimore County

Census 2000

APPEAL
Of Letter from Code Inspections and Enforcement

3600 Georgetown Road
Legal Owner: 3600 Georgetown Corporation
Tenant: New England Motor Freight

Zoning Enforcement Case Number 00-7138
Zoning Case Number 98-260-SPHX
Trucking Facility File Number 139

Letter from James H. Thompson, Code Inspections and Enforcement Supervisor, dated September 25, 2000 to 3600 Georgetown Corporation.

Zoning Commissioner Lawrence Schmidt's Order dated February 25, 1998 (Granted, with restrictions).

Notice of Appeal received on October 25, 2000 from G. Scott Barhight, Esquire, on behalf of 3600 Georgetown Corporation.

C: G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, LLP, 210 West
Pennsylvania Avenue, Towson, MD 21204
3600 Georgetown Corporation, 1-71 North Avenue, Elizabeth, NJ 07201
Larry E. Shepherd, Terminal Manager, New England Motor Freight, 3600
Georgetown Road, Baltimore, MD 21227
James H. Thompson, Code Enforcement
Mark Gawel, Code Enforcement
Virginia Barnhart, County Attorney, MS #2209
Lawrence Schmidt, Zoning Commissioner, MS #2112
People's Counsel of Baltimore County, MS #2010
Arnold Jablon, Director of PDM
Zoning Enforcement Case Number 00-7138
Zoning Hearing Case Number 98-260-SPHX



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

October 27, 2000

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, LLP
210 West Pennsylvania Avenue
Towson, MD 21204

Dear Mr. Barhight:

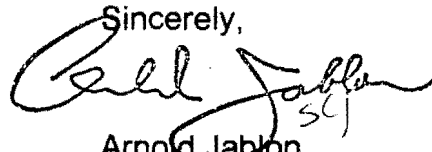
RE: 3600 Georgetown Road

Please be advised that your appeal of the above-referenced case was filed in this office on October 25, 2000. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,



Arnold Jablon
Director

AJ:scj

C: 3600 Georgetown Corporation, 1-71 North Avenue, Elizabeth, NJ 07201
Larry E. Shepherd, Terminal Manager, New England Motor Freight, 3600
Georgetown Road, Baltimore, MD 21227
James H. Thompson, Code Enforcement
Mark Gawel, Code Enforcement
Virginia Barnhart, County Attorney, MS #2209
Lawrence Schmidt, Zoning Commissioner, MS #2112
People's Counsel of Baltimore County, MS #2010
Arnold Jablon, Director of PDM
Zoning Enforcement Case Number 00-7138
Zoning Hearing Case Number 98-260-SPHX
Trucking Facility File Number 139





Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdinspect@co.ba.md.us

September 25, 2000

3600 Georgetown Corporation
1-71 North Avenue
Elizabeth, NJ 07201

Gentlemen:

RE: Case Number 00-7138, 3600 Georgetown Road

As a result of conversations between your company, George W. Stephens and Associates, and Whiteford, Taylor and Preston, L.L.P. on September 18, 2000, the correspondence issued by the Baltimore County Bureau of Code Enforcement is not totally accurate. In our letter, we referenced a violation of the approved June 16, 1981 truck facility plan. What the enforcement division failed to verify was that an amended site plan had been prepared and accepted for filing in case number 98-260-SPHX, with Zoning Commissioner Lawrence E. Schmidt granting both the Petition for Special Hearing and Special Exception requests on February 25, 1998. This amended plan, in conjunction with the required approved landscape plan, would regulate the proposed changes to 3600 Georgetown Road. However, in this instance, while expansion of the truck facility did occur in areas approved by the zoning commissioner, your company failed to fully comply with his order by first obtaining an approved landscape plan as set forth in restriction number two of case number 98-260-SPHX, along with failing to obtain permits for grading/paving and the erection of the fencing.

Therefore, per Director Arnold Jablon, all tractor-trailer rigs currently parked in areas other than those originally designated on the approved June 16, 1981 truck facility plan, must be re-parked on site to conform with the 1981 plan within 24 hours. Failure to take this action will result in the immediate issuance of a citation imposing a fine of \$200.00 per day. In addition, a \$2,000.00 fine will be levied for both grading/paving without a permit and the fence erection. Further, by December 1, 2000, the entire facility must be returned to its original condition (1981 plan) - i.e., removal of all paving in expanded areas, reforestation of same area (per approved landscape plan), replacement of telephone pole wheel stops, and relocation of fencing.

Post-it® Fax Note	7671	9-25-00	# of pages 2
To DAVID		From	
Co./Dept. GILDER		Co. Jim Thompson	
Phone #		Phone #	
Fax # 410-832-2015		Fax #	

Census 2000

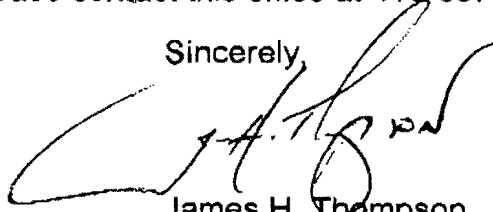
Census 2000

3600 Georgetown Corporation
September 25, 2000
Page 2

In summary, because of actions of your company in failing to comply with the one major restriction in public hearing case number 98-260-SPHX, to wit: failure to submit a landscaping plan for approval, this department has elected to declare the February 25, 1998 decision no longer valid and in effect.

If additional questions do exist, please contact this office at 410-887-3352.

Sincerely,

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

James H. Thompson
Code Inspections and
Enforcement Supervisor

JHT:scj

C: Larry E. Shepherd, Terminal Manager, New England Motor Freight
David K. Gildea, Esquire, Whiteford, Taylor & Preston, LLP
Kathleen A. Lewis, Economic Development
Mark Gawel, Code Enforcement
Zoning Case 98-260-SPHX

WHITEFORD, TAYLOR & PRESTON
L.L.P.

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

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

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

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

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

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

JENNIFER R. BUSSE

DIRECT NUMBER
410 832-2077
jbusse@wtplaw.com

July 24, 2003

Via Facsimile - 410-887-2824 and First Class Mail

Mr. James H. Thompson
Supervisor, Bureau of Code Enforcement
111 W. Chesapeake Ave.
Towson, Maryland 21204

Re: 3600 Georgetown Road
New England Motor Freight Trucking Facility ("NEMF")
Your Reference: Case No. 00-7138
1998 Case No. 98-260-SPHX

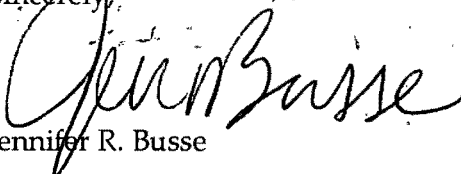
Dear Mr. Thompson:

On behalf of our client, NEMF, we respectfully request the following:

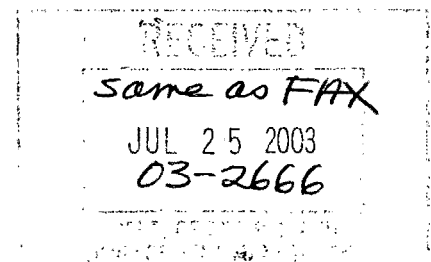
- 1) The release of any necessary permits to proceed with the simultaneous removal of the fence on the Weiner parcel and installation of new fence along the property line between the NEMF and Weiner parcels; and
- 2) The release of any necessary permits to proceed with the restoration of the Weiner parcel.

Please contact me at your earliest convenience so that we may further discuss these requests. Thank you for your attention to this matter.

Sincerely,


Jennifer R. Busse

JRB:j



Mr. James Thompson

July 24, 2003

Page 2

cc: Mr. Myron Shevell
Mr. Robert Walker
Mr. Peter Filipowicz
Bruce Blakeman, Esq.
G. Scott Barhight, Esq.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

ROBERT WALKER
NAME

ADDRESS

[Signature]

N. EMF. 1-71 N AVE E. ELIZABETH NJ 07201

David K. Gilder

[Signature]

~~XXXXXXXXXX~~

2104 Penn. Ave

Towson, MD. 21204

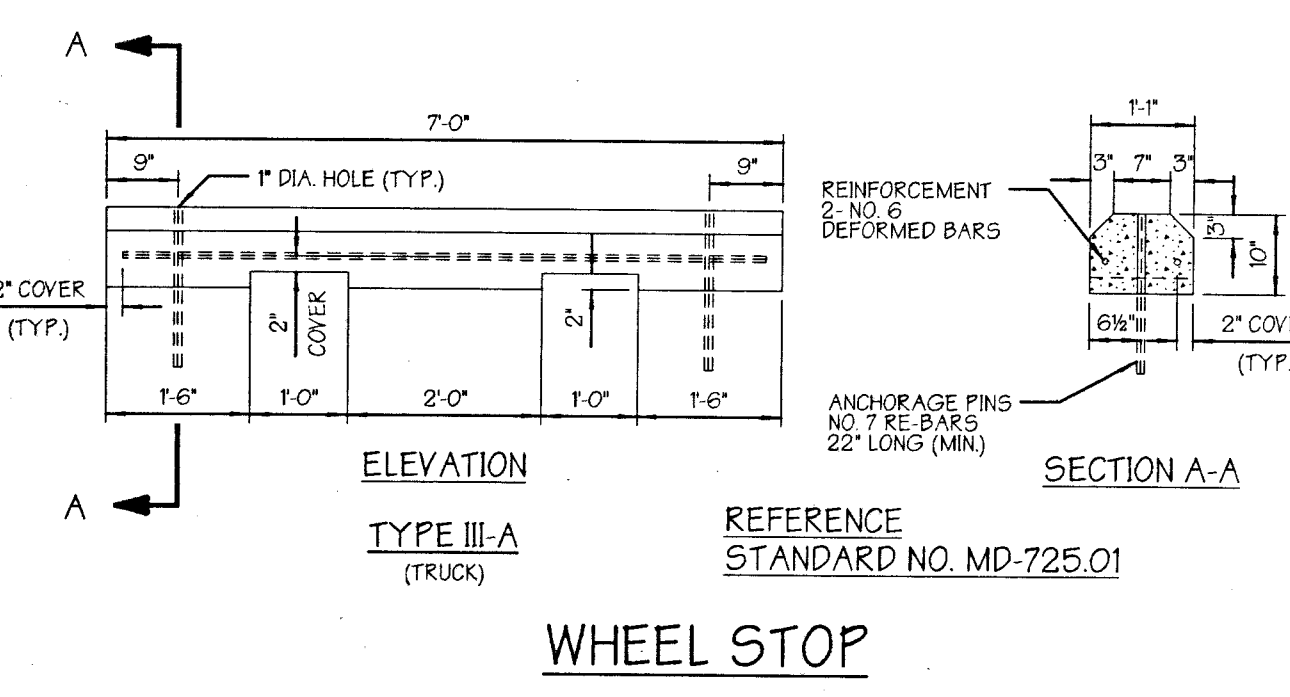
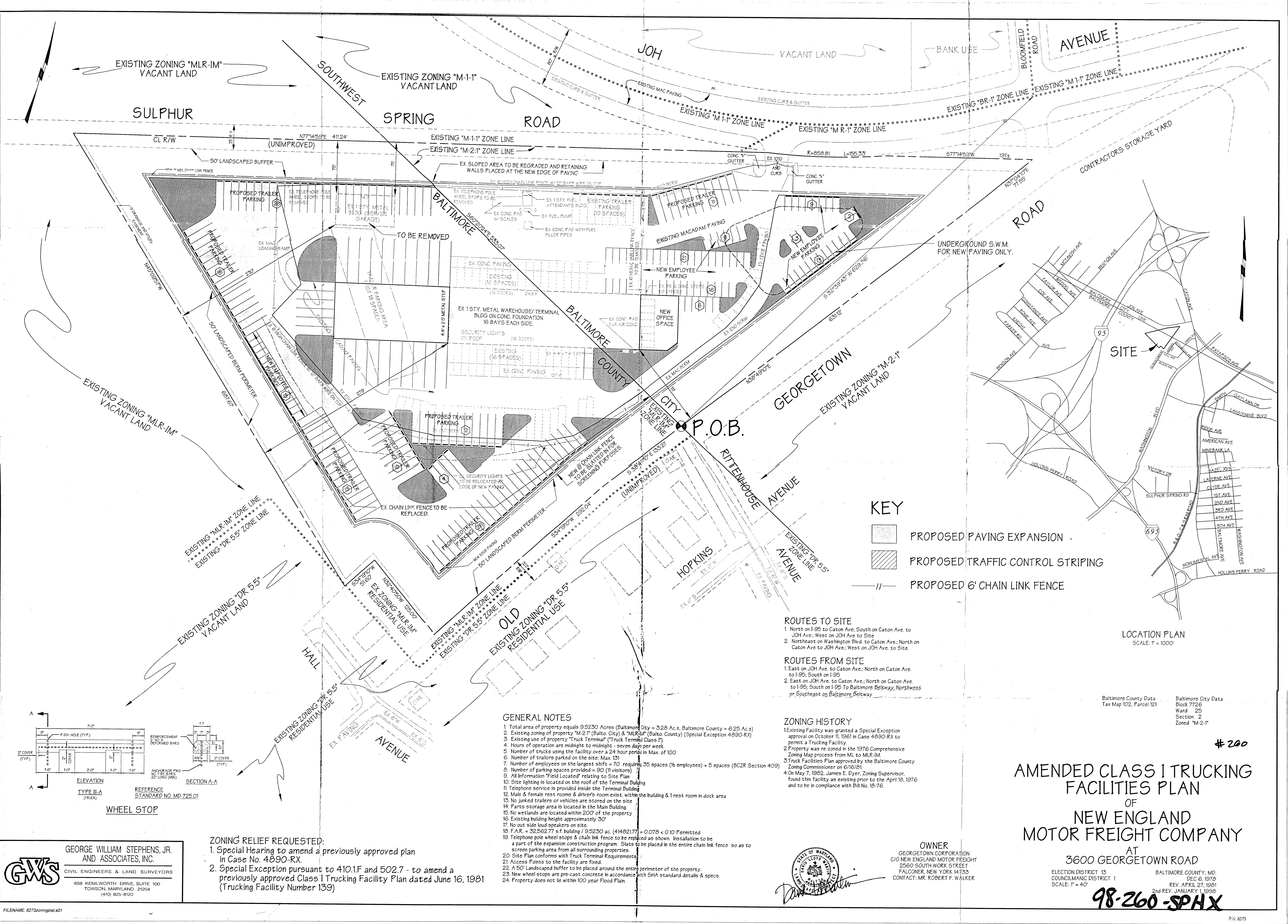
David K. Martin

O.W. Stephens -

658 Kenilworth Dr.

TOWSON, MD 21204





GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

ZONING RELIEF REQUESTED:
1. Special Hearing to amend a previously approved plan in Case No. 4890-RX.
2. Special Exception pursuant to 410.1F and 502.7 - to amend a previously approved Class I Trucking Facility Plan dated June 16, 1981 (Trucking Facility Number 139)

GENERAL NOTES
1. Total area of property equals 9.5230 Acres (Baltimore City = 3.28 Ac.; Baltimore County = 6.25 Ac.)
2. Existing zoning of property "M-2-1" (Baltimore City) & "MLR-IM" (Baltimore County) (Special Exception 4890-RX)
3. Existing use of property "Truck Terminal" ("Truck Terminal Class I")
4. Hours of operation are midnight to midnight - seven days per week
5. Number of trucks using the facility over a 24 hour period is Max. of 100
6. Number of trailers parked on the site: Max. 131
7. Number of employees on the largest shift = 70, requiring 35 spaces (1/2 employees) + 5 spaces (BCZR Section 409)
8. Number of parking spaces provided = 90 (11 visitors)
9. All information "Field Located" relating to Site Plan
10. Site lighting is located on the roof of the Terminal Building
11. Telephone service is provided inside the Terminal Building
12. Male & female rest rooms & driver's room exist, within the building & 1 rest room in dock area
13. No junked trailers or vehicles are stored on the site
14. Parts storage area is located in the Main Building
15. No wetlands are located within 200' of the property
16. Existing building height approximately 30'
17. No out side loud speakers on site
18. F.A.R. = 32,562.77 s.f. building / 9.5230 ac. (41492177) = 0.078 < 0.10 Permitted
19. Telephone pole wheel stops & chain link fence to be replaced as shown. Installation to be a part of the expansion construction program. Slats to be placed in the entire chain link fence so as to screen parking area from all surrounding properties.
20. Site Plan conforms with Truck Terminal Requirements
21. Access Points to the facility are fixed
22. A 50' Landscaped buffer to be placed around the entire perimeter of the property.
23. New wheel stops are pre-cast concrete in accordance with SHA standard details & specs.
24. Property does not lie within 100 year Flood Plain.

KEY
[Pattern] PROPOSED PAVING EXPANSION
[Pattern] PROPOSED TRAFFIC CONTROL STRIPING
[Pattern] PROPOSED 6' CHAIN LINK FENCE

ROUTES TO SITE
1. North on I-95 to Caton Ave. South on Caton Ave. to J.O.H. Ave.; West on J.O.H. Ave. to Site
2. Northeast on Washington Blvd. to Caton Ave.; North on Caton Ave. to J.O.H. Ave.; West on J.O.H. Ave. to Site.
ROUTES FROM SITE
1. East on J.O.H. Ave. to Caton Ave.; North on Caton Ave. to I-95; South on I-95
2. East on J.O.H. Ave. to Caton Ave.; North on Caton Ave. to I-95; South on I-95 To Baltimore Beltway; Northwest or Southeast on Baltimore Beltway

ZONING HISTORY
1. Existing Facility was granted a Special Exception approval on October 11, 1961 in Case 4890-RX to permit a Trucking Facility.
2. Property was re-zoned in the 1976 Comprehensive Zoning Map process from ML to MLR-IM.
3. Truck Facilities Plan approved by the Baltimore County Zoning Commissioner on 6/16/81.
4. On May 7, 1982, James E. Dyer, Zoning Supervisor, found this facility as existing prior to the April 12, 1976 and to be in compliance with Bill No. 18-76.

OWNER
GEORGETOWN CORPORATION
C/O NEW ENGLAND MOTOR FREIGHT
2560 SOUTH WORK STREET
FALCONER, NEW YORK 14733
CONTACT: MR. ROBERT F. WALKER

AMENDED CLASS I TRUCKING FACILITIES PLAN OF NEW ENGLAND MOTOR FREIGHT COMPANY AT 3600 GEORGETOWN ROAD

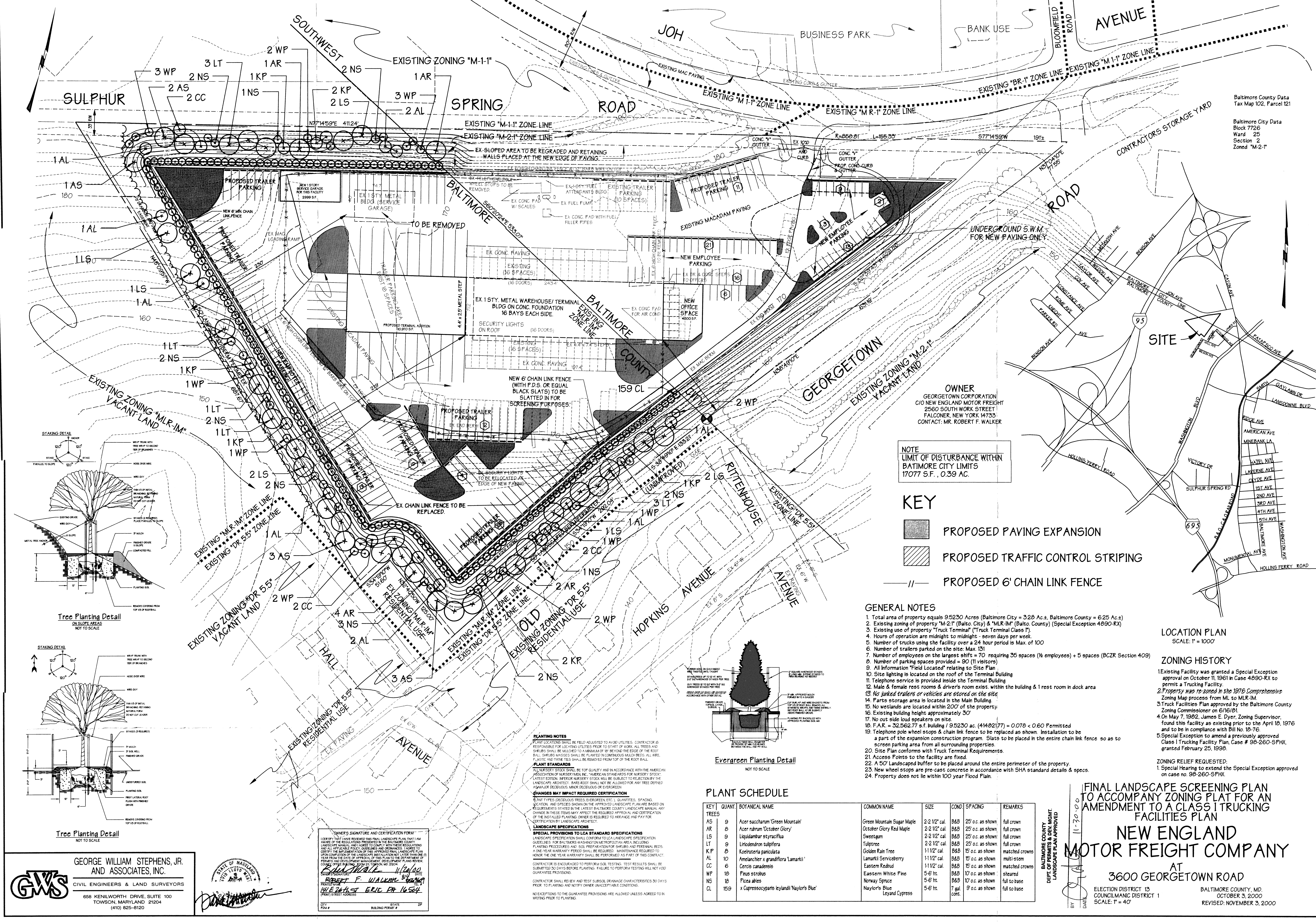
ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1
SCALE: 1" = 40'
BALTIMORE COUNTY, MD.
DEC 6, 1978
REV. APRIL 27, 1981
2nd REV. JANUARY 1, 1998

LOCATION PLAN
SCALE: 1" = 1000'

Baltimore County Data
Tax Map 102, Parcel 121
Baltimore City Data
Block 7726
Ward 25
Section 2
Zoned "M-2-1"

#260

98-260-SPHX



Baltimore County Data
Tax Map 102, Parcel 121

Baltimore City Data
Block 7726
Ward 25
Section 2
Zoned "M-2-1"

OWNER
GEORGETOWN CORPORATION
C/O NEW ENGLAND MOTOR FREIGHT
2560 SOUTH WORK STREET
FALCONER, NEW YORK 14733
CONTACT: MR. ROBERT F. WALKER

NOTE
LIMIT OF DISTURBANCE WITHIN
BALTIMORE CITY LIMITS
17077 S.F., 0.39 AC.

- KEY**
- PROPOSED PAVING EXPANSION
 - PROPOSED TRAFFIC CONTROL STRIPING
 - PROPOSED 6' CHAIN LINK FENCE

- GENERAL NOTES**
- Total area of property equals 95230 Acres (Baltimore City = 3.28 Ac.; Baltimore County = 6.25 Ac.)
 - Existing zoning of property "M-2-1" (Baltimore City) & "MLR-IM" (Baltimore County) (Special Exception 4890-RX)
 - Existing use of property "Truck Terminal" (Truck Terminal Class I)
 - Hours of operation are midnight to midnight - seven days per week
 - Number of trucks using the facility over a 24 hour period is Max. of 100
 - Number of trailers parked on the site: Max. 131
 - Number of employees on the largest shift = 70 requiring 35 spaces (1/2 employees) + 5 spaces (BCZR Section 409)
 - Number of parking spaces provided = 90 (11 visitors)
 - All information "Field Located" relating to Site Plan
 - Site lighting is located on the roof of the Terminal Building
 - Telephone service is provided inside the Terminal Building
 - Male & female rest rooms & driver's room exist within the building & 1 rest room in dock area
 - No junked trailers or vehicles are stored on the site
 - Parts storage area is located in the Main Building
 - No westlands are located within 200' of the property
 - Existing building heights approximately 30'
 - No out side loud speakers on site
 - F.A.R. = 32,562.77 s.f. building / 9,5230 ac. (41482/177) = 0.078 < 0.60 Permitted
 - Telephone pole wheel stops & chain link fence to be replaced as shown. Installation to be a part of the expansion construction program. Slats to be placed in the entire chain link fence so as to screen parking area from all surrounding properties.
 - Site Plan conforms with Truck Terminal Requirements.
 - Access Points to the facility are fixed.
 - A 50' Landscaped buffer to be placed around the entire perimeter of the property.
 - New wheel stops are pre-cast concrete in accordance with SHA standard details & specs.
 - Property does not lie within 100 year Flood Plain.

LOCATION PLAN
SCALE: 1" = 1000'

- ZONING HISTORY**
- Existing Facility was granted a Special Exception approval on October 11, 1961 in Case 4890-RX to permit a Trucking Facility.
 - Property was re-zoned in the 1976 Comprehensive Zoning Map process from ML to MLR-IM.
 - Truck Facilities Plan approved by the Baltimore County Zoning Commissioner on 6/16/81.
 - On May 7, 1982, James E. Dyer, Zoning Supervisor, found this facility as existing prior to the April 18, 1976 and to be in compliance with Bill No. 18-76.
 - Special Exception to amend a previously approved Class I Trucking Facility Plan, Case # 98-260-SPHX, granted February 25, 1998.

ZONING RELIEF REQUESTED:
1. Special Hearing to extend the Special Exception approved on case no. 98-260-SPHX.

PLANT SCHEDULE

KEY	QUANT.	BOTANICAL NAME	COMMON NAME	SIZE	COND.	SPACING	REMARKS
AS	9	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2 1/2" cal.	B&B	25' o.c. as shown	full crown
AR	8	Acer rubrum 'October Glory'	October Glory Red Maple	2 1/2" cal.	B&B	25' o.c. as shown	full crown
LS	9	Liquidambar styraciflua	Sweetgum	2 1/2" cal.	B&B	25' o.c. as shown	full crown
LT	9	Liriodendron tulipifera	Tuliptree	2 1/2" cal.	B&B	25' o.c. as shown	full crown
KP	8	Koeleria paniculata	Golden Rain Tree	1 1/2" cal.	B&B	15' o.c. as shown	matched crowns
AL	10	Amenia x grandiflora 'Lamarkii'	Lamarkii Serviceberry	1 1/2" cal.	B&B	15' o.c. as shown	matched crowns
CC	6	Cercis canadensis	Eastern Redbud	1 1/2" cal.	B&B	15' o.c. as shown	matched crowns
WP	18	Pinus strobus	Eastern White Pine	5-6 ft.	B&B	10' o.c. as shown	sheared
N5	18	Picea abies	Norway Spruce	5-6 ft.	B&B	10' o.c. as shown	full to base
CL	159	x Cupressocyparis leylandii 'Naylor's Blue'	Naylor's Blue Leyland Cypress	5-6 ft.	7 gal. cont.	9' o.c. as shown	full to base

PLANTING NOTES

PLANT LOCATIONS SHALL BE FIELD ADJUSTED TO AVOID UTILITIES. CONTRACTOR IS RESPONSIBLE FOR LOCATING UTILITIES PRIOR TO START OF WORK. ALL TREES AND SHRUBS SHALL BE MINIMUM 10' TO 12' BEYOND THE EDGE OF THE ROAD. SHRUBS AND TREES SHALL BE PLANTED TO CONTRIBUTE TO THE LANDSCAPE. PLASTIC AND TIMBER TIES SHALL BE REMOVED FROM TOP OF THE ROOT BALL.

PLANT STANDARDS

PLANT TYPES SHALL BE TOP QUALITY AND IN ACCORDANCE WITH THE AMERICAN ASSOCIATION OF NURSERYMEN'S (A.A.N.) "AMERICAN STANDARDS FOR NURSERY STOCK". LATEST EDITION. UNIFORM NURSERY STOCK WILL BE SUBJECT TO SELECTION BY THE LANDSCAPE ARCHITECT. BARE-ROOT SHALL NOT BE ALLOWED FOR ANY TREE DEFINED AS MAJOR OR DECIDUOUS, MINOR DECIDUOUS OR EVERGREEN.

CHANGES MAY IMPACT REQUIRED CERTIFICATION

PLANT TYPES, SPECIES, QUANTITIES, QUANTITIES, SPACING, LOCATION, AND SPECIES SHOWN ON THE APPROVED LANDSCAPE PLAN ARE BASED ON REQUIREMENTS STATED IN THE LATEST BALTIMORE COUNTY LANDSCAPE MANUAL. ANY CHANGE IN THESE ITEMS MAY AFFECT THE REQUIRED APPROVAL AND CERTIFICATION OF THE INSTALLED PLANTING. OWNER IS REQUIRED TO ARRANGE AND PAY FOR CERTIFICATION BY LANDSCAPE ARCHITECT.

LANDSCAPE SPECIFICATIONS

SPECIAL PROVISIONS TO LCA STANDARD SPECIFICATIONS

LANDSCAPE SPECIFICATION SHALL CONFORM TO LCA STANDARD SPECIFICATIONS. GUIDELINES FOR BALTIMORE COUNTY LANDSCAPE ARCHITECTS ARE A INCLUDING PLANTING PROCEDURES AND SOIL PREPARATION FOR SHRUBS AND PERENNIAL BEDS. A ONE-YEAR WARRANTY PERIOD SHALL BE REQUIRED. MAINTENANCE REQUIRED TO MAINTAIN THE ONE-YEAR WARRANTY SHALL BE PERFORMED AS PART OF THIS CONTRACT.

CONTRACTOR IS ENCOURAGED TO PERFORM SOIL TESTING. TEST RESULTS SHALL BE SUBMITTED 30 DAYS BEFORE PLANTING. FAILURE TO PERFORM TESTING WILL VOID WARRANTY PROVISIONS.

CONTRACTOR SHALL REVIEW AND TEST SUBSOIL DRAINAGE CHARACTERISTICS 30 DAYS PRIOR TO PLANTING AND NOTIFY OWNER OF ANY UNDESIRABLE CONDITIONS.

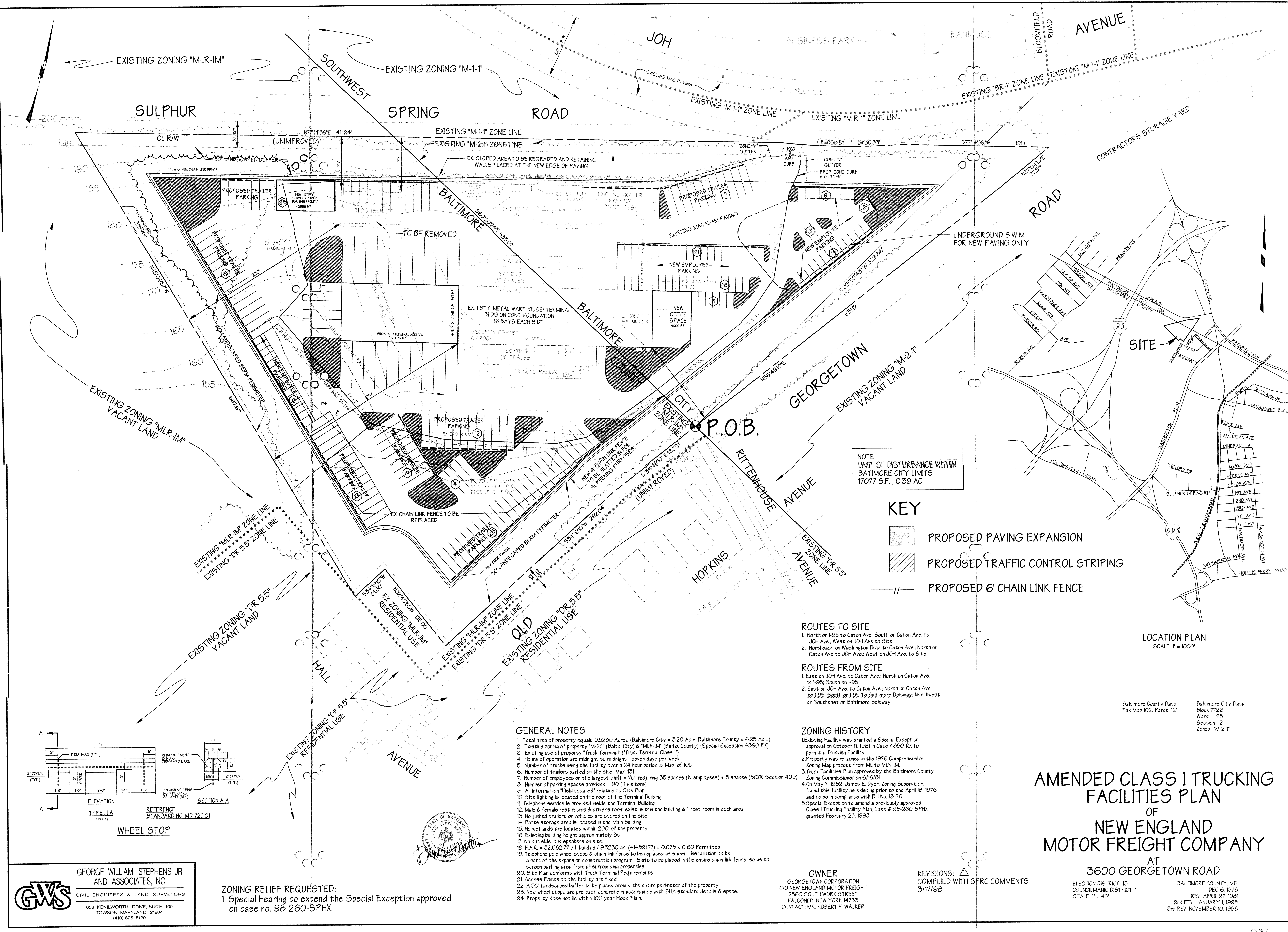
NO EXCEPTIONS TO THE WARRANTY PROVISIONS ARE ALLOWED UNLESS AGREED TO IN WRITING PRIOR TO PLANTING.

OWNER'S SIGNATURE AND CERTIFICATION FORM
I CERTIFY THAT I HAVE REVIEWED THIS FINAL LANDSCAPE PLAN THAT I AM AWARE OF THE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL AND AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE CODES, ORDINANCES AND REQUIREMENTS. I AGREE TO CERTIFY THE IMPLEMENTATION OF THE APPROVED FINAL LANDSCAPE PLAN AND CONFORM TO THE LANDSCAPE ARCHITECT'S LATER TYPED CORRECTIONS FROM THE DATE OF THE FINAL LANDSCAPE PLAN TO THE DATE OF THE FINAL LANDSCAPE PLAN. I AGREE TO PERFORM AND PAY FOR THE REQUIRED CERTIFICATION AND MAINTENANCE PLAN PERIOD. I AGREE TO PERFORM AND PAY FOR THE REQUIRED CERTIFICATION AND MAINTENANCE PLAN PERIOD.

DATE: 11/20/00
OWNER'S SIGNATURE: Robert F. Walker
PRINTED NAME: ROBERT F. WALKER
ADDRESS: 11111 ERIE DR 16504
(PRINT STREET ADDRESS)

CITY: BALTIMORE STATE: MD
BUILDING PERMIT #

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120



AMENDED CLASS I TRUCKING FACILITIES PLAN
OF
NEW ENGLAND
MOTOR FREIGHT COMPANY
AT
3600 GEORGETOWN ROAD

NOTE
LIMIT OF DISTURBANCE WITHIN
BALTIMORE CITY LIMITS
17077 S.F., 0.39 AC.

- KEY
- PROPOSED PAVING EXPANSION
 - PROPOSED TRAFFIC CONTROL STRIPING
 - PROPOSED 6' CHAIN LINK FENCE

- ROUTES TO SITE
- North on I-95 to Caton Ave.; South on Caton Ave. to JOH Ave.; West on JOH Ave. to Site.
 - Northeast on Washington Blvd. to Caton Ave.; North on Caton Ave. to JOH Ave.; West on JOH Ave. to Site.
- ROUTES FROM SITE
- East on JOH Ave. to Caton Ave.; North on Caton Ave. to I-95; South on I-95.
 - East on JOH Ave. to Caton Ave.; North on Caton Ave. to I-95; South on I-95 to Baltimore Beltway; Northwest or Southeast on Baltimore Beltway.

- ZONING HISTORY
- Existing Facility was granted a Special Exception approval on October 11, 1961 in Case 4890-RX to permit a Trucking Facility.
 - Property was re-zoned in the 1976 Comprehensive Zoning Map process from ML to MLR-IM.
 - Truck Facilities Plan approved by the Baltimore County Zoning Commissioner on 6/16/81.
 - On May 7, 1982, James E. Dyer, Zoning Supervisor, found this facility as existing prior to the April 18, 1976 and to be in compliance with Bill No. 18-76.
 - Special Exception to amend a previously approved Class I Trucking Facility Plan, Case # 98-260-5PHX, granted February 25, 1998.

- GENERAL NOTES
- Total area of property equals 9.5230 Acres (Baltimore City = 3.28 Ac.; Baltimore County = 6.25 Ac.).
 - Existing zoning of property "M-2-1" (Balto. City) & "MLR-IM" (Balto. County) (Special Exception 4890-RX).
 - Existing use of property "Truck Terminal" ("Truck Terminal Class I").
 - Hours of operation are midnight to midnight - seven days per week.
 - Number of trucks using the facility over a 24 hour period is Max. of 100.
 - Number of trailers parked on the site, Max. 151.
 - Number of employees on the largest shift = 70 requiring 35 spaces (1/2 employees) + 5 spaces (BCZR Section 409).
 - Number of parking spaces provided = 90 (11 visitors).
 - All Information "Field Located" relating to Site Plan.
 - Site lighting is located on the roof of the Terminal Building.
 - Telephone service is provided inside the Terminal Building.
 - Male & female rest rooms & driver's room exist within the building & 1 rest room in dock area.
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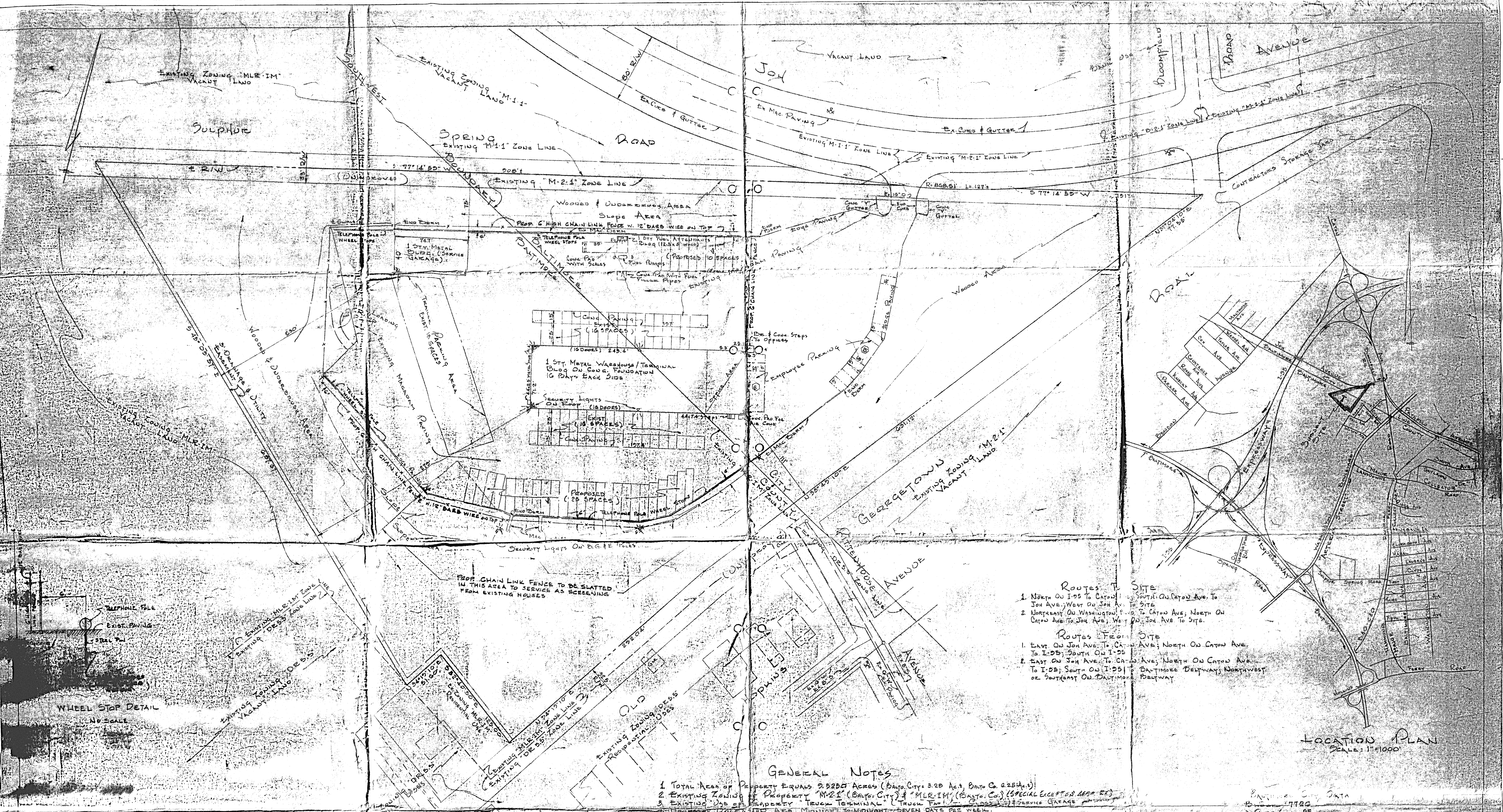
ZONING RELIEF REQUESTED:
1. Special Hearing to extend the Special Exception approved on case no. 98-260-5PHX.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(410) 825-8120

BALTIMORE COUNTY, MD.
ELECTION DISTRICT 13
COUNCILMANIC DISTRICT 1
SCALE: 1" = 40'

BALTIMORE CITY DATA
Block 7726
Ward 25
Section 2
Zoned "M-2-1"

DEC 6, 1978
REV. APRIL 27, 1981
2nd REV. JANUARY 1, 1988
3rd REV. NOVEMBER 10, 1998



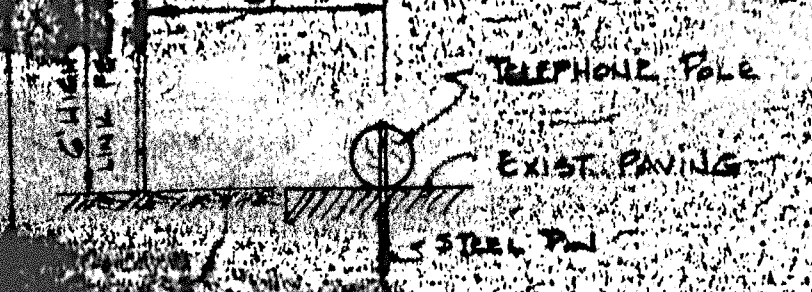
- Routes To Site**
1. North On I-95 To Caton Ave. To Jon Ave. West On Jon Ave. To Site.
 2. Northeast On Washington Blvd. To Caton Ave. North On Caton Ave. To Jon Ave. West On Jon Ave. To Site.
- Routes From Site**
1. East On Jon Ave. To Caton Ave. North On Caton Ave. To I-95; South On I-95 To Site.
 2. East On Jon Ave. To Caton Ave. North On Caton Ave. To I-95; South On I-95 To Baltimore Beltway; Northwest or Southeast On Baltimore Beltway.

LOCATION PLAN
SCALE: 1"=1000'

GENERAL NOTES

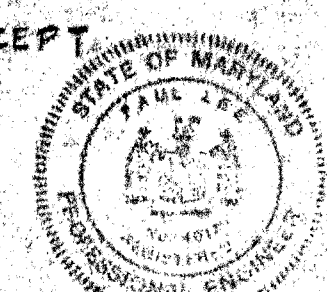
1. TOTAL AREA OF PROPERTY EQUALS 2.5250 ACRES (BASTO CITY 3.25 AC. BASTO CO. 0.25 AC.)
2. EXISTING ZONING OF PROPERTY "M-2" (BASTO CITY) & "MLR-1M" (BASTO CO.) (SPECIAL EXCEPTION 1980 EX)
3. EXISTING "ON" PROPERTY TRUCK TERMINAL, TRUCK TRAILER STORAGE, SERVICE GARAGE
4. PROPERTY OPEN 120 A.C. MONTHLY, ENOUGH SEVEN DAYS PER WEEK
5. NUMBER OF TRUCKS ON THE FACILITY OVER A 24 HOUR PERIOD IS MAX. OF 60
6. NUMBER OF TRUCKS PARKED ON THE SITE: MAX. 55
7. NUMBER OF EMPLOYEES ON THE LARGEST SHIFT = 20. REQUIRING 10 SPACES (1/2 EMPLOYEES)
8. NUMBER OF PARKING SPACES PROVIDED = 106 (11 VISITORS)
9. ALL INFORMATION FIELD LOCATED RELATIVE TO SITE PLAN
10. SITE LIGHTING IS LOCATED ON THE ROOF OF THE TERMINAL BUILDING
11. TELEPHONE SERVICE IS PROVIDED TO THE TERMINAL BUILDING
12. MALE & FEMALE REST ROOMS (DRIVER'S ROOM) EXIST WITHIN THE BUILDING
13. NO JUNKED TRUCKS OR VEHICLES ARE STORED ON THE SITE
14. PARTS STORAGE AREA IS LOCATED IN THE SERVICE GARAGE
15. NO WETLANDS ARE LOCATED WITHIN 200' OF THE PROPERTY
16. EXISTING BUILDING HEIGHT APPROXIMATELY 30'
17. NO OUTSIDE LOUD SPEAKERS ON SITE
18. F.A.R. = 20.3185 / 0.045 = 452.00 REQUIRED
19. TELEPHONE POLE, WHEEL STOPS & CHAIN LINK FENCE TO BE PLACED AS SHOWN. INSTALLATION TO BE NO LATER THAN 6 MONTHS AFTER ZONING COMMISSIONER'S APPROVAL PER ZONING COMMISSIONER'S LETTER OF MAR. 21, 1981. SLATS TO BE PLACED IN CHAIN LINK FENCE IN AREA SHOWN SO AS TO SCREEN PARKING AREA FROM EXISTING HOUSES.
20. SITE PLAN TO BE WITH TRUCK TERMINAL REQUIREMENTS EXCEPT FOR INSTALLATION OF FENCE & WHEEL STOPS.

SITE PLAN
OF
WILSON FREIGHT COMPANY
AT
3600 GEORGETOWN ROAD
ELECTION DISTRICT 12 BALTIMORE COUNTY, MD.
SCALE: 1"=40'
REV. APRIL 27, 1981



PAVING SPECIFICATION
The Specifications for the Paving of the Roadway, including the Subgrade and the Soil Conditions, shall be in accordance with the Standard Specifications for Highway Construction, 1978 Edition, published by the American Association of Highway Engineers and Technicians, or its successor, or any other published code of maximum quality of 2000 Paving.

APPROVED	DATE
Zoning Commission	6/15/81
COUNTY TRUCKING FACILITIES DEVELOPMENT	
Approved: <i>M. J. [Signature]</i>	DATE
CHAIRMAN	6/15/81



Paul L. [Name]
308 W. [Address]
Towson, Maryland 21204

OWNER
AETNA CARTAGE COMPANY
% WILSON FREIGHT COMPANY
11353 REED HARTMAN HIGHWAY
CINCINNATI, OHIO 45241

