IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION – SE/S Belair Road, 1700' E of Ridge Road (8225 & 8227 Belair Road) 14th Election District 6th Councilmanic District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 99-133-SPHX
Charles F. Schluter, et ux Petitioners	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Charles F. Schluter and his wife, Helen V. Schluter, through their attorney, Donald H. Feige, Esquire. The Petitioners seek approval of an amendment to the Order in prior Case No. 86-124-X to remove Restriction No. 3 thereof, and to confirm the nonconforming use of existing signs on the property, and an amendment to the Order and any restrictions therein as necessary, in prior Case No. 86-399-X. In addition to the special hearing relief sought, the Petitioners request a special exception to approve the continued operation of a used car sales lot on the subject property, as was previously approved in prior Case No. 86-124-X. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the requests were Charles F. Schluter, co-owner of the subject property, Pat O'Keefe, Zoning Consultant retained by the Petitioners, and Donald H. Feige, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

An examination of the site plan shows that the subject property is an irregular shaped parcel consisting of approximately 3.6 acres, split zoned B.R. and M.H., located on Belair Road near its intersection with Ridge Road in Perry Hall. Apparently, Mr. & Mrs. Schluter have

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Date 11/2/99

owned the property for a number of years and Mr. Schluter has operated the Putty Hill Body Shop therefrom for many years. The property is improved with a large building which contains the body shop operation. Moreover, the site plan shows a second building envelope for which construction of that building was never undertaken. As the name suggests, Mr. Schluter is in the business of automotive repair, including the welding, painting and reconstruction of damaged vehicles. The business has operated on the premises since 1981 without significant alteration.

An examination of the zoning history of this property indicates that the first relevant Order issued was in Case No. 86-124-X in which the Petitioners (Mr. Schluter) requested special exception relief for a used car sales operation on the subject property. By Order dated October 1, 1985, the relief requested was granted by then Deputy Zoning Commissioner Jean Jung. Her Order noted the existence of the body shop at that time and that Mr. Schluter proposed an expansion to the business through the used auto sales operation. Although relief was granted, several restrictions were imposed, Restriction No. 3 of which provided that the special exception relief was valid for a period of five (5) years, only. That restriction stated that if any sales of used cars beyond that five-year period were proposed, the Petitioners would be required to file a new Petition to approve the extension.

In a second zoning case for this property, Case No. 86-399-X, the Petitioners requested a special exception for a junk yard on the premises. Again, the case was heard and decided upon by then Deputy Zoning Commissioner Jean Jung. By her Order issued May 14, 1986, the special exception request was denied; however, relief was granted to approve the dismantling of automobiles as accessory to the principal use of the existing body shop. In addition, four restrictions were entered in that Order.

In the matter before me, testimony presented by Mr. Schluter indicated that the used auto sales facility was unaffiliated with the body shop operation and had been previously operated by a Mr. Zipper. That is, Mr. Schluter was the principal of the body shop, and leased area for the used car sales operation to the aforementioned Mr. Zipper. However, that individual is now deceased and Mr. Schluter has filed the instant Petition so that approval of the used car

operation can be continued and a new tenant located. In this regard, it was indicated that vehicles would be stored on racks to maximize available storage space, and photographs of the proposed racks were presented. The racks will apparently not exceed 18 feet in height, and there will be ten racks, each of which can store three cars, for a total capacity of 30 vehicles.

Based upon the testimony and evidence presented, I am persuaded to grant the Petitions. As to the Petition for Special Exception, relief will be granted to approve the used car lot sales operation. This is appropriate, in that approval is granted to continue an operation which has existed on this site for many years. In my judgment, the sale of used cars at this location will not be detrimental to the health, safety or general welfare of the surrounding locale. Thus, I find that the Petitioner has met the requirements for special exception relief, as set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The Petition for Special Hearing will also be granted. I am persuaded that Restriction No. 3 of the Order in Case No. 86-124-X should be removed. By the granting of the special exception provided above, there is no need to require this Petitioner to periodically re-Petition to allow the used car sales operation to continue. As to the balance of the items set out in the Petition for Special Hearing, the nature of the request is somewhat unclear. Obviously, any existing signs can remain, subject to the sign regulations set out in Section 450 of the B.C.Z.R. The existing sign package appears appropriate and renovation of same, not to exceed the existing square footage of the sign area, shall be permitted. The other restrictions set out in previous cases shall continue, except as expressly modified herein.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, and for the reasons set forth herein, the Petitions for Special Hearing and Special Exception shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of January, 1999 that the Petition for Special Hearing to approve an amendment to the Order in prior Case No. 86-124-X to remove Restriction No. 3 thereof, and to confirm the nonconforming use of existing signs on the property, and an amendment to the Order and any

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Date 1/12/99

restrictions therein as necessary, in prior Case No. 86-399-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to approve the continued operation of a used car sales lot on the subject property, as was previously approved in prior Case No. 86-124-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

RE: PETITION FOR SPECIAL HEARING PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
8225 & 8227 Belair Road S/E S Belair Rd, 1700' E of Ridge Rd	*	COUNTY BOARD OF APPEALS
14th Election District, 6th Councilmanic	*	FOR BALTIMORE COUNTY
CHARLES F. AND HELEN V. SCHLUTER Petitioners	*	Case No. 99-133-SPHX

* * * * * * * * * * * * * *

OPINION AND ORDER

Upon consideration of evidence in a *de novo* trial hearing on June 24, 2001, and upon public deliberation September 20, 2001, this Board enters the following Opinion and Order upon the Petition for Special Exception and other relief in this case:

The property is zoned Business Roadside (B.R.) and Manufacturing Heavy (M.H.) and is located at 8225-8227 Belair Road. The area is heavily commercial and industrial, and Belair Road is a major arterial highway. The proposal is to modify relief approved in previous Orders in Case Numbers 86-124-X and 86-399-X. This includes the reinstatement of approval of used car sales, which expired. It also involves the removal from the approved plans of two (2) new buildings previously approved.

Petitioners were represented by Donald Feige, Esq. People's Counsel, Peter Max Zimmerman, Esq., appeared to defend the zoning maps. The Board heard testimony from Petitioner, from Petitioners' site planner Patrick O'Keefe, and from Perry Hall Community Association zoning chairman Dennis Eckard.

Based on the evidence, the Board finds that the proposed land use, as conditioned below, satisfies the special exception standards of BCZR Section 502.1 under Schultz v. Pritts, 291 Md. 1 (1981) and County Comm'rs. v. Holbrook, 314 Md. 210 (1986). The proposal, as

ORIGINAL

conditioned, will not have a particular adverse impact on the neighborhood relative to its business and industrial zoning classification. There are, moreover, no residential areas which will be adversely affected.

The Board ORDERS as follows on this 20th day of September, 2001:

1. SPECIAL EXCEPTION – USED CAR LOT. That the Petition for Special Exception for an outdoor used motor vehicle sales area, separate from a sales agency building, under Baltimore County Zoning Regulations (BCZR) Section 236.4 be and hereby is APPROVED, subject to the following conditions:

A. The front boundary line of each of the two sales areas at the corners of the property shall be set back at least 35 feet from the front property line (no more than 15 feet in front of the front building line setback of 50 feet), consistent with BCZR Section 238.4.

B. The number of vehicles for sale at any one time shall be limited to fourteen (14) vehicles on the 30' x 50' upper sales area and twelve (12) vehicles on the 18' x 99' lower sales area.

C. There shall be no banners, flags, flashing lights or other accessories characteristic of offensive or garish used car lots.

D. There shall be no outdoor storage of disabled or junk vehicles or parts, and the property shall not be used directly or indirectly as a junkyard.

2. SIGNS. The Petition for Variance to permit the large freestanding sign shown on Petitioners' revised site plan has been WITHDRAWN from the requested relief, must not reappear on the property, and is disapproved as inconsistent with efforts to improve the

ORIGINAL

appearance of Belair Road. Any requests for new signs are subject to the Baltimore County Zoning Regulations, Section 450.

3. LANDSCAPING. The landscaping of the site is subject to review and approval by the County Landscape Architect, consistent with the Baltimore County Landscape Manual.

4. SPECIAL EXCEPTION – SERVICE GARAGE. That the Petition for Special Exception for a service garage in the M.H. zone in the existing one-story metal building which was approved in the past is again APPROVED, subject to the following conditions:

A. The outdoor storage racks shall be maintained in good condition.

B. Once again, the property shall not be used for the storage of disabled or junk vehicles or, directly or indirectly, as a junkyard.

C. No more than ten (10) cars shall be permitted on the property at any one time for dismantling/recycling. All dismantling shall be inside of the building, and all parts removed during the dismantling/recycling process shall be stored within a building until sold or utilized.

5. NEW BUILDINGS. The two (2) proposed buildings, one-story and two-story, previously approved in Case No. 86-399-X, and shown on the site plan are hereby WITHDRAWN and deleted from the plan.

LAWRENCE S. WESCOTT, Chairman

RICHARD K. IRISH, Panel Member

LAWRENCE M. STAHL, Panel Member

ORIGINAL

#133

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8227 + 8225 Belair Rd

which is presently zoned BR + MH

This Petition shall be filed with the Department of Permits & 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

the amendment of Zoning Case 86-124-X and removal of restriction No. 3 within that case and confirm Nonconforming ~~the~~ existing signs on the property; and the amendment of Zoning Case 86-399-X and any restrictions within that case. if necessary.

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.

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

Legal Owner(s):

×Charles Fredrick Schluter
(Type or Print Name)

× Charles F Schluter
Signature

×Helen V. Schluter
(Type or Print Name)

× Helen V. Schluter
Signature

×7303 Gilbar Rd 410-592-9331
Address Phone No

×Kingsville Md 21087
City State Zipcode

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

Charles F. Schluter
Name

8225 Belair Rd 410-668-0660
Address Balto. 21236 Phone No.

Attorney for Petitioner:

×Donald H. Feige
(Type or Print Name)

× Donald Feige
Signature

×9407 Harford Rd 410-882-1030
Address Phone No

Baltimore Md 21234
City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

unavailable for Hearing

the following dates _____ Next Two Months

ALL ✓ OTHER

REVIEWED BY: JWC DATE 10/1/98

ONE HOLE PUNCHED FOR FILING
11/2/99

Revised 9/5/95

99-133-SPHX

County Board of Appeals of Baltimore County

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

September 20, 2001

Peter Max Zimmerman
People's Counsel for
Baltimore County
Room 48, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: *In the Matter of: Charles F. Schluter and Helen V. Schluter*
Case No. 99-133-SPHX

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order 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: Donald H. Feige, Esquire
Mr. and Mrs. Charles F. Schluter
Dennis Eckard /Perry Hall Improvement Assn.
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM

Printed with Soybean Ink
on Recycled Paper

6/14/01 – Hearing held (Wescott, Stahl, Irish). Deliberated Motion of People's Counsel prior to hearing; D –Motion and proceeded with hearing. Deliberation to be scheduled and notice sent. (NOTE: Possible resolution of this matter prior to deliberation. If so, deliberation will be cancelled and appropriate order issued.)

6/15/01 – Notice of Deliberation sent to parties. Scheduled for Thursday, September 20, 2001 at 9:30 a.m.

9/07/01 – Proposed Opinion and Order submitted by PC indicating no objections by D. Eckard; awaiting comment from D. Feige.

9/20/01 – Deliberation concluded (S.L.R.); special exception request – used car sales - approved with conditions /restrictions as agreed; variance request for signs withdrawn by Petitioner per revised plan; landscaping to be approved by County Landscape Architect; special exception request for service garage – approved subject to agreed conditions; two proposed buildings withdrawn and deleted from plan.

#133

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8227 + 8225 Belair Rd

which is presently zoned BR + MH

This Petition shall be filed with the Department of Permits & 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

continue and reapprove the use of a used car lot (sales) granted in Zoning Case 86-124-X

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

Legal Owner(s):

Charles Fredrick Schlutter
(Type or Print Name)

x Charles F Schlutter
Signature

Helen V Schlutter
(Type or Print Name)

x Helen V. Schlutter
Signature

7303 Gilbar Rd 410-592-9331
Address Phone No

Kingsville Md 21087
City State Zipcode

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

Charles F. Schlutter
Name

8225 Belair Rd 410-668-0660
Address Balto. 21236 Phone No

Attorney for Petitioner:

Donald H Feige
(Type or Print Name)

x Donald Hoffman
Signature

9407 Hartford Rd 410-882-1030
Address Phone No.

Baltimore Md 21234
City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr.

unavailable for Hearing

the following dates _____ Next Two Months

ALL ✓ OTHER _____

REVIEWED BY: MJK DATE 10/1/98

Revised 9/5/95

99-133-SPHX

OREDER RECEIVED FOR FILING
Date 9/30/98
By

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF:	Charles F. and Helen V. Schluter – Petitioners /Owners Case No. 99-133-SPHX	
DATE :	Thursday, September 20, 2001	
BOARD /PANEL :	Lawrence S. Wescott Richard K. Irish Lawrence M. Stahl	(LSW) (RKI) (LMS)
RECORDED BY :	Kathleen C Bianco /Administrator	

PURPOSE: To deliberate Case No. 99-133-SPHX / request for special exception (used car sales and service garage) and variance (variance withdrawn; deliberated as to special exception requests; appeal filed by Office of People's Counsel.

- Proposed Opinion /Order submitted by parties - as to conditions /restrictions agreed to by Petitioner, Protestants, and People's Counsel.
- Variance request for sign withdrawn.
- As to special exception request – used car sales area - testimony/evidence met requirements of 502.1 (unanimous agreement by LSW, RKI and LMS); restrictions as agreed to be imposed
- As to special exception request – service garage – testimony /evidence met requirements of 502.1; to be approved with conditions /restrictions as agreed to by parties
- Additional buildings proposed – deleted from plan by Petitioner

- ***Final decision:***

  - LSW – Special Exception request for used car sales area – approved with conditions /restrictions; special exception request for service garage – approved with conditions /restrictions; variance request – per revised site plan – withdrawn from requested relief; landscaping of site is subject to review and approval by County Landscape Architect
  - LMS – Agreed with above; removed sign request and two proposed buildings; agrees with other factors; meets requirements of 502.1
  - RKI – Special exception for used car sales and service – approved with conditions; variance removed; agrees with LSW and LMS.

NOTE: These minutes, which will become part of the case file, are intended only to indicate for the record that a public deliberation took place this date regarding this zoning case. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by this Board.

Respectfully submitted

Kathleen C. Bianco

Kathleen C. Bianco, Administrator
County Board of Appeals

County Board of Appeals of Baltimore County

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

June 15, 2001

NOTICE OF DELIBERATION

IN THE MATTER OF:
CHARLES F. SCHLUTER & HELEN V. SCHLUTER -Owners
Case No. 99-133-SPHX

Having heard this matter on 6/14/01, public deliberation has been assigned as follows:

DATE AND TIME : **THURSDAY, SEPTEMBER 20, 2001 at 9:30 a.m.**

LOCATION : **Hearing Room 48, Basement, Old Courthouse**

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM

FYI copy: S.L.R.

Printed with Soybean Ink
on Recycled Paper

Case No. 99-133-SPHX

SPH -To approve amendment to Order in Case 86-124-X to remove Restriction 3; to confirm nonconforming use of existing signs on property; amendment to Order and any restrictions therein as necessary in Case 86-399-X; SE -to approve continued operation of used car sales lot on subject property as was previously approved in Case 86-124-X.

1/12/99 -Order of the Z.C. in which Petition for Special Hearing and Petition for Special Exception were GRANTED.

4/13/99 -Notice of Assignment for hearing scheduled for Tuesday, June 29, 1999 at 10:00 a.m. sent to following:

Peter Max Zimmerman, People's Counsel
for Baltimore County
Carole S. Demilio, Deputy People's Counsel
Donald H. Feige, Esquire
Mr. and Mrs. Charles F. Schluter
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

6/18/99 -FAX from Donald H. Feige, Esquire - Counsel for Petitioners /Owners - per conversation with kcb this date and conversations with P Zimmerman -- requesting postponement --working toward resolution of matter; requesting 60 days to allow for resolution. No objection to PP from P. Zimmerman.
- PP to be granted and notice sent to parties.

6/21/99 -Original letter requesting postponement received this date; Notice of PP sent to parties; case postponed and reassigned to Wednesday, October 6, 1999 at 10:00 a.m.

9/29/99 -Per PMZ -possible postponement request to be made by Mr. Feige from 10/06/99 hearing date.

10/01/99 -T/C from Mr. Feige - postponement request to be made; awaiting delivery of documents to PMZ by engineer; will FAX PP letter when that has been done (expects letter to be FAXed to CBA by end of this date).

10/05/99 -Letter from Donald Feige requesting postponement; confirmed with People's Counsel -no objection to same. To be reset for hearing upon request (anticipated by Counsel for Petitioner that matter should be resolved in approximately 60 days). CBA panel notified of PP.

10/07/99 -Notice of PP sent to parties; to be reassigned for hearing upon request of either party.

12/14/2000 – Letter from Peter Max Zimmerman, People's Counsel, requesting that matter be scheduled for hearing; no resolution reached to date.

1/30/2001 – Notice of Assignment sent to parties; assigned for hearing on Wednesday, March 28, 2001 at 11:30 a.m.

3/08/01 – FAX from Donald Feige – counsel for Petitioners; Petitioners will be out of town until end of May; requests postponement until June date. Copy to People's Counsel.

3/12/01 – Original postponement request from Mr. Feige; request granted; Notice of PP and Reassignment sent to parties; case reassigned to Tuesday, June 12, 2001 at 10:00 a.m.

4/03/01 – Letter from P. Zimmerman and C. Demilio requesting postponement of 6/12/01 date (Circuit Court hearing assigned that date); confirmed agreement of D. Feige, Counsel for Petitioner, to 6/14/01 reassignment date; notice of PP and Reassignment to be sent.

4/12/01 – Second Notice of PP and Reassignment sent to parties; case reassigned to Thursday, June 14, 2001 at 10 a.m.

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION /Motion of People's Counsel

IN THE MATTER OF:	Charles F. and Helen V. Schluter Case No. 99-133-SPHX	
DATE :	Thursday, June 14, 2001 (prior to hearing on merits; on People's Counsel's Motion)	
BOARD /PANEL :	Lawrence S. Wescott Lawrence M. Stahl Richard K. Irish	(LSW) (LMS) (RKI)
RECORDED BY :	Kathleen C Bianco /Administrator	

PURPOSE: To deliberate People's Counsel Motion / Case No. 99-133-SPHX /Petition for Special Hearing /Special Exception filed Charles and Helen Schluter; deliberation prior to start of case on merits as to plan provided by Counsel for Petitioner /taken as Board Exhibit.

Board went back on the record briefly before this deliberation to accept latest copy of amended site plan as Board Exhibit. This was put on the record with Court Reporter, CP. Panel members then went back off the record and began deliberation:

Deliberation:

- Motion by People's Counsel as to site plan – LSW noted there is nothing requiring current seal
- Amended plan shows what Petitioner is seeking – abandoned position on sign
- Board accepted amended plan and would then proceed on record
- Did everyone see this plan – that's an issue
- Comment /questions by RKI regarding site plan and what is required
- LMS agreed with comments made by LSW – enough conceptually to go ahead; someone died; this did not get extended; once you get into question, is there enough information, etc. – you get away from resolving issues
- Regarding special exception – already had permission to do that which was requested – but no extension
- Is now asking for extension – same use
- Extension has expired—5 years have expired; they must meet 502.1 and answer questions that would or could impact on 502.1

Conclusion as to Motion:

- ✓ Plan is sufficient to get to the merits
- ✓ May not be sufficient for special exception – hearing will determine that
- ✓ Point made by LMS – if two highways were on the plan, how would it affect the special exception requirements?
- ✓ Determined that this is a special exception request – must meet 502.1; plan is sufficient to go ahead with hearing

Decision:

LSW – Motion denied; will proceed on merits
LMS – For reasons cited, concurs that Motion should be DENIED; go forward with case.
RKI – After discussion/deliberation, agrees to go forward with hearing and deny Motion of PC.

Unanimous decision of the Board: People's Counsel's Motion is denied; hearing will proceed on merits.

Board then resumed on record with Court Reporter, CP.

NOTE: These minutes, which will become part of the case file, are intended only to indicate for the record that a public deliberation took place this date regarding a Motion filed with respect to this zoning case. A final written Opinion and Order will be issued by this Board upon conclusion of the case on the merits and after final public deliberation; appellate period to run from date of written final Order.

Respectfully submitted

Kathleen C. Bianco

Kathleen C. Bianco, Administrator
County Board of Appeals

LAW OFFICES
DONALD H. FEIGE
ATTORNEY AT LAW
9407 HARFORD ROAD
(1/4 MILE NORTH OF BELTWAY EXIT 31B)
BALTIMORE, MARYLAND 21234

FAX (410) 882-4521

PHONE (410) 882-1030

October 1, 1999

County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

re: Case # 99-133-SPHX
IN THE MATTER OF
CHARLES F. SCHLUTER AND HELEN SCHLUTER
Owners/Petitioners 8225/8227 Belair Road
14th Election District; 6th Councilmanic District
(Petitions for Special Hearing and Special Exception
granted by Z.C.)

RECEIVED
COUNTY BOARD OF APPEALS
99 OCT -5 AM 11:57

Attention: Kathleen C. Bianco, Administrator

Dear Ms. Bianco:

In accordance with our conversation of even date, this is to request a postponement of the above matter which is scheduled for hearing for Wednesday, October 6, 1999 at 10:00 a.m.

As counsel for the Petitioner/Owners this is to verify that we have met with Peter Zimmerman, People's Counsel, and other interested persons, and are still working toward a resolution of this matter. To that end, a revised plat has been recently delivered to Mr. Zimmerman. We will need further time, however, to complete this matter. Please postpone this matter to another date. Mr. Zimmerman has advised that he has no objection to the postponement. I would suggest that approximately Sixty (60) more days will allow us to resolve this matter.

Your kind consideration of this request will be greatly appreciated and it would also be appreciated if you would contact counsel prior to re-scheduling so as to avoid any conflicts in the future.

Very truly yours,

Donald H. Feige

c.c.: Peter M. Zimmerman/Carole S. Demilio
Dennis Eckert

CERTIFICATE OF POSTING

RE: Case No.: 99-133 SPHX

Petitioner/Developer: CHARLES, HELEN SCHLUTER

Date of Hearing/Closing: _____

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8225 - 8227 BELAIR RD.

The sign(s) were posted on 3/23/99
(Month, Day, Year)

Sincerely,

Gary C Freund 3/23/99
(Signature of Sign Poster and Date)

GARY C. FREUND
(Printed Name)

_____
(Address)

_____
(City, State, Zip Code)

_____
(Telephone Number)

9/96
cert.doc

NE: PETITION FOR SPECIAL EXCEPTION
N/S of Belair Road, 1700' E of
Ridge Road, 14225 & 8227 Belair
Road - 14th Election District

Charles F. Schluter,
Petitioner

* * * * * * * * * * * *

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-124-X

The Petitioner herein requests a special exception for used car sales on the subject property.

Testimony by the Petitioner indicates that the 3½ acre site is zoned B.M. except for the portion zoned M.H. on which an existing building utilized for the dismantling of motor vehicles as well as general auto, fender and service garage work is located. There is also an extensive fenced car storage area on the site. The Petitioner proposes to construct a 40' x 70' addition to the rear of the present building for the purpose of stocking parts removed from those vehicles being dismantled. Additionally, he proposes to construct a 70' x 100' building for office and retail areas as well as additional vehicle shop areas. He plans to utilize two areas for the sale of used cars: an 18' x 99' area towards the north end of the property near the flood plain area and a 30' x 50' area including a trailer office adjacent to the southern property line. There were no protestants.

The Petitioner stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. A field inspection revealed an extremely attractive site with landscaping and flowers on the front portion.

After consideration of the testimony and evidence presented, as well as the character of the property, and it appearing that the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) have been met and the health, safety and general welfare of the community will not be adversely affected, the Petition for Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of October, 1985, that the request for a special exception for used car sales on the subject property, in accordance with the site plan prepared by Daniel, Dagan & Holdefer, Inc., revised May 31, 1985, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The display of used cars for sale and the sales of used cars shall take place only within the 18' x 99' and 30' x 50' areas designated on the plan.

2. The car storage area shall be utilized for vehicles awaiting repair or dismantling, not for a junk yard. Vehicles and trailers shall be repaired or disposed of within a month and records to so indicate shall be open and available to Baltimore County zoning inspectors. No vehicle shall be double stacked. Metal and trash shall be removed once a week. Dumpsters and scrap areas shall be screened and shown on the approved landscape plan.

3. The special exception may be utilized for five years from the date of this Order. In order to continue the sales of used cars beyond that date, a petition to approve the extension shall be filed prior to that terminal date. The Petitioner shall present testimony relative to the requirements of 502.1, BCZR, and the use, maintenance and appearance of the car storage area.

Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE October 1, 1985
BY Barbara J. Schlaich
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE October 1, 1985
BY Barbara J. Schlaich
ADMINISTRATIVE ASSISTANT

CERTIFICATE OF POSTING

RE Case No 99-133-SPHX

Petitioner/Developer FRED SCHLUTER, ETAL

Date of Hearing/Closing 11/16/98

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #8225-27 BELAIR RD.

The sign(s) were posted on 10/31/98
(Month, Day, Year)

Sincerely,

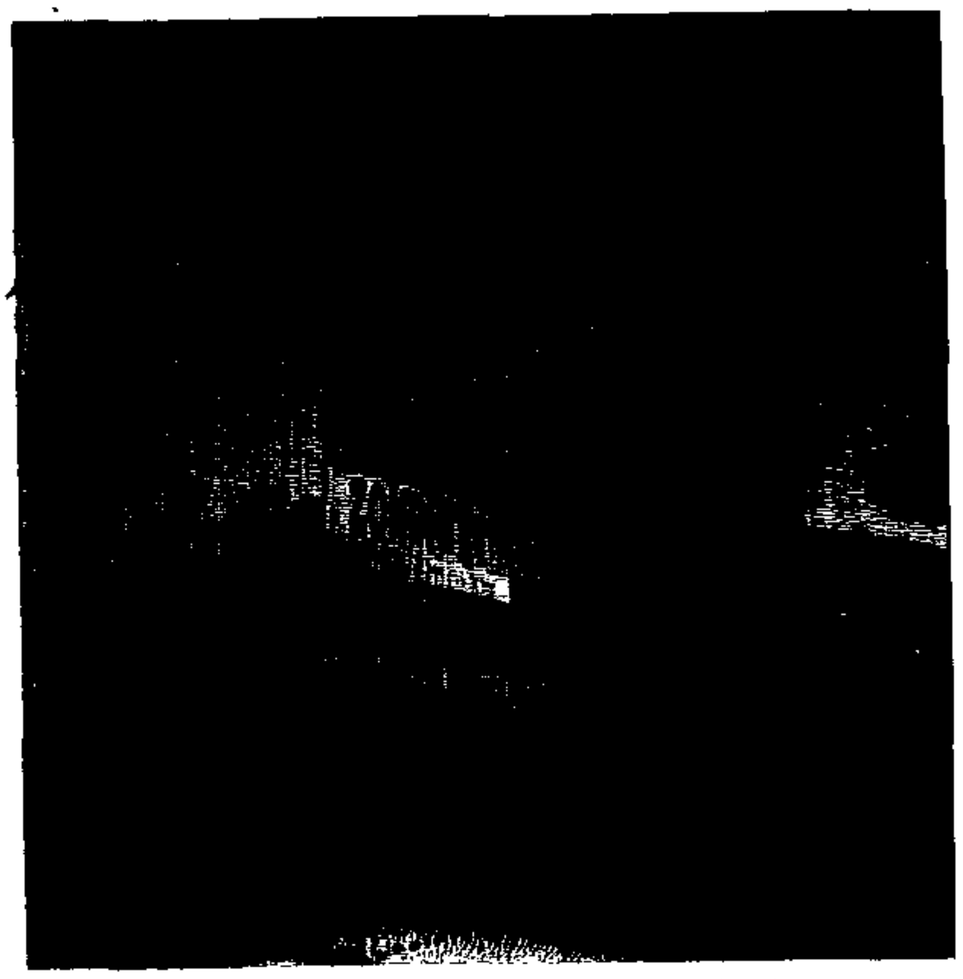
Patrick M O'Keefe 11/12/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

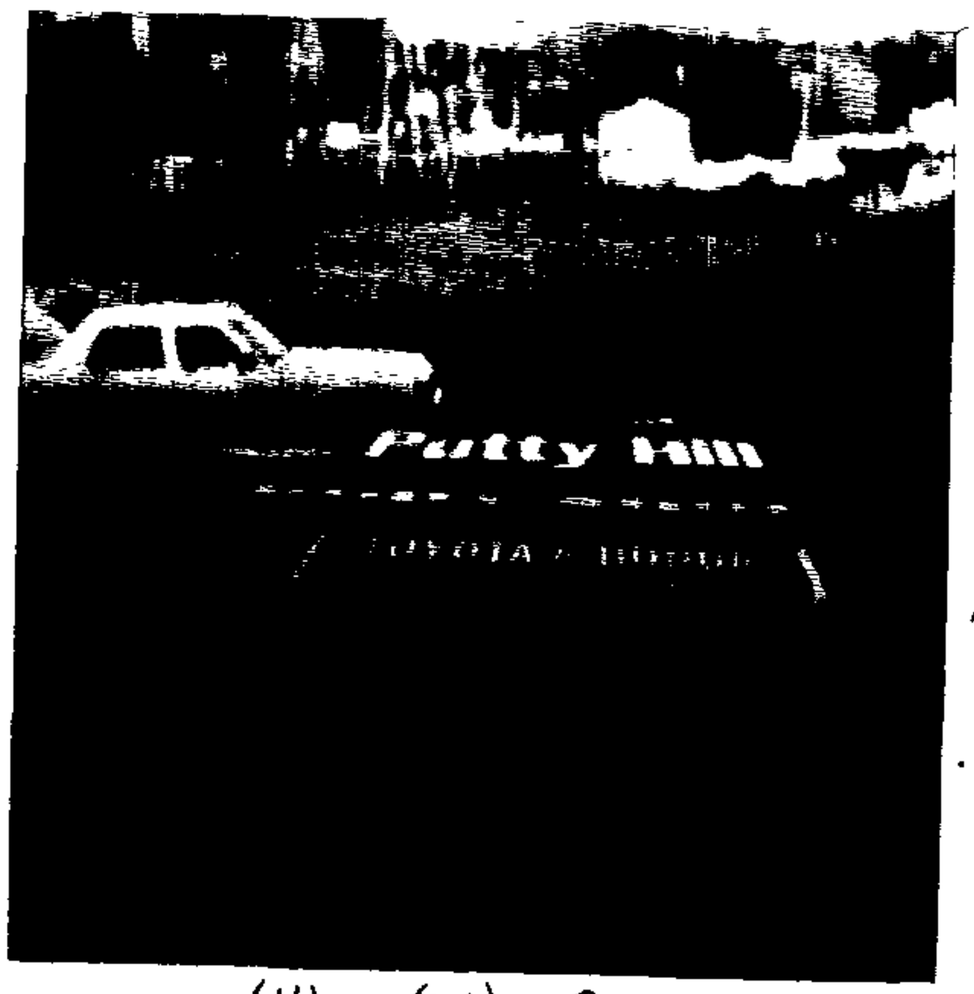
523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



99-133-SPHX
#8225-27 BELAIR RD.
P- 10/31/98 11/16/98



(H), (W), 99-133 SPHX
SIGN FACE: 23½ X 18½ (EXTREME RECTANG.)
#8225-27 - BELAIR RD.
HRG: 11/16/98

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 #99-133-SPHX
8225 & 8227 Belair Road
SE/S Belair Road, 1700' N of centerline Ridge Road
14th Election District
6th Councilmanic District
Legal Owner(s).
Helen V. & Charles Frederick Schluter

Special Hearing: to approve the amendment of zoning case 86-124-X and removal of restriction no. 3; confirm non-conforming existing signs, and amend zoning case 86-399-X, if necessary. **Special Exception** to continue and reapprove the use of a used car lot (sales) granted in zoning case 86-124-X.

Hearing: Monday, November 16, 1998 at 9:00 a.m., in Room 407, County Courts 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

10/531 Oct. 29 C269679

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/29/, 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 10/29/, 1998.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 7, 2001

01 SEP 7 PM 12:57

Mr. Lawrence S. Wescott, Chairman
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

Re: Petition for Special Hearing
Petition for Special Exception
8225 & 8227 Belair Road, SE/S Belair Rd,
1700' N of c/l Ridge Rd,
14th Election District, 6th Councilmanic
Charles F. and Helen V. Schluter, Petitioners
Case No.: 99-133-SPHX

Dear Mr. Wescott:

Enclosed is a proposed Opinion and Order containing findings of fact and conclusions of law in the above case. We sent this proposed Order to Donald Feige, Esq., attorney for Petitioner, and to Dennis Eckard of the Perry Hall Improvement Association, on August 17, 2001. Mr. Eckard has no objections to the proposed Order; Mr. Feige, however, tells us that he has not been able to complete review of the Order with his client. In view of the upcoming September 20, 2001 deliberation date, it seems reasonable to submit the enclosed proposed Order for consideration at this time.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/caf

cc: Donald H. Feige, Esq., Attorney for Petitioners

Dennis Eckard, Perry Hall Improvement Assn.

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: December 24, 2001

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: W. Carl Richard, Jr.

FROM: Theresa R. Shelton trs
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILE(S)**

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

CASE NUMBER	NAME	LOCATION
99-133-SPHX	CHARLES F. SCHLUTER AND HELEN V. SCHULER	SE/S BELAIR ROAD, 1700' E OF RIDGE ROAD 8225 & 8227 BELAIR RD

Attachment: SUBJECT FILE(S) ATTACHED

WCR

County Board of Appeals of Baltimore County

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

*** HEARING ROOM – *Room 48* ***
Basement –Old Courthouse
400 Washington Avenue

APPEAL HEARINGS SCHEDULED FOR THE WEEK OF **SEPTEMBER 17, 2001**

TUESDAY 09/18 **Rosh Hashanah** –(Assign this date by agreed request only)

WEDNESDAY 09/19 (CBA-00-155 /Muriel McGuire W/D by Appellant)

THURSDAY 09/20 **9:30 am** Charles F. Schluter and Helen V. Schluter
SE/s Belair Road, 1700' E of Ridge Road
99-133-SPHX (8225 and 8227 Belair Road) 14th E; 6th C
For public deliberation (heard 6/14/01)

" **10 am** George Petrides, Jr.
1875 Loch Shiel Road
CBA-00-150 Baltimore, MD 21234

RE: Decision of AHB /Case No. 2283
Nuisance Animal (Barking) and Animal
Waste Violations with $200 penalty

" (1 pm case –settled -CBA-00-172 /Triple C Wholesalers, Inc.)

---

c: Executive Office
Law Office
Director /PDM

People's Counsel
Planning Office
Court Info. Desk

County Council
Board Members
Court Reporter

Printed with Soybean Ink

6/20/01
WCR

County Board of Appeals of Baltimore County

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

JUN 18 2001
DEPT OF LAND USE
DEVELOPMENT MANAGEMENT

June 15, 2001

NOTICE OF DELIBERATION

IN THE MATTER OF:
CHARLES F. SCHLUTER & HELEN V. SCHLUTER -Owners
Case No. 99-133-SPHX

Having heard this matter on 6/14/01, public deliberation has been assigned as follows:

DATE AND TIME : **THURSDAY, SEPTEMBER 20, 2001 at 9:30 a.m.**

LOCATION : **Hearing Room 48, Basement, Old Courthouse**

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM

FYI copy: S.L.R.

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on Recycled Paper

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 12, 2001

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 99-133-SPHX

IN THE MATTER OF: CHARLES F. SCHLUTER AND HELEN V. SCHLUTER -
Owners /Petitioners 8225 & 8227 Belair Road 14th Election District; 6th Councilmanic

(Petitions for Special Hearing and Special Exception GRANTED by Z.C.)

which had been reassigned to 6/12/01 has been **POSTPONED** at the request of People's Counsel due to Circuit Court conflict; and with agreement of counsel, has been

REASSIGNED FOR: **THURSDAY, JUNE 14, 2001 at 10:00 a.m..**

NOTICE: This appeal is an evidentiary hearing; *therefore*, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. *IMPORTANT:* No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact *this office* at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

---

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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on Recycled Paper

County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 12, 2001

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 99-133-SPHX

IN THE MATTER OF: CHARLES F. SCHLUTER AND HELEN V. SCHLUTER -
Owners /Petitioners 8225 & 8227 Belair Road 14th Election District; 6th Councilmanic

(Petitions for Special Hearing and Special Exception GRANTED by Z.C.)

which was assigned to be heard on 3/28/01 has been **POSTPONED** at the request of Counsel for Petitioners (Petitioners unavailable /out of town); and has been

REASSIGNED FOR: **TUESDAY, JUNE 12, 2001 at 10:00 a.m..**

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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County Board of Appeals of Baltimore County

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

pp'd to 6/12/01 @ req of Counsel for Petitioner

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 30, 2001

NOTICE OF ASSIGNMENT

CASE #: 99-133-SPHX

IN THE MATTER OF: CHARLES F. SCHLUTER AND HELEN V. SCHLUTER -
Owners /Petitioners 8225 & 8227 Belair Road 14th Election District; 6th Councilmanic

(Petitions for Special Hearing and Special Exception GRANTED by Z.C.)

which was postponed on 10/07/99 /to be reset upon request of either party, has been assigned a hearing date at the request of the Office of People's Counsel; and has been

ASSIGNED FOR: **WEDNESDAY, MARCH 28, 2001 at 11:30 a.m..**

NOTICE: This appeal is an evidentiary hearing; *therefore*, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.
IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a *disability* requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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on Recycled Paper

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

April 3, 2001

Ms. Kathleen C. Bianco
Legal Administrator
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

Re: Petitions for Special Hearing and Special Exception
8225 & 8227 Belair Road, SE/S Belair Rd, 1700' N of c/l Ridge
14th Election District, 6th Councilmanic
Charles F. and Helen V. Schluter, Petitioners
Case No.: 99-133-SPHX

Dear Ms. Bianco:

Due to schedule conflict with In the Matter of Country Ridge Shopping Center, Inc., et al., Case No. 3-C-01-0307, scheduled for hearing in the Circuit Court for Baltimore County on June 12, 2001 at 9:30 a.m., we hereby request a postponement of the hearing set for June 12, 2001. We have spoken with Donald Feige, Esq., counsel for Petitioners, who has stated that he has no objection to our request. Further, Mr. Feige has agreed to rescheduling the hearing on the Board's available date of Thursday, June 14, 2001 at 10:00 a.m.

Accordingly, it would be appreciated if the Board would reset the hearing for that date and time. Thank you.

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caf

cc: Donald H. Feige, Esq., 9407 Harford Road, Baltimore, MD 21234, Attorney for Petitioners

LAW OFFICES
DONALD H. FEIGE
ATTORNEY AT LAW
9407 HARFORD ROAD
(1/4 MILE NORTH OF BELTWAY EXIT 31B)
BALTIMORE, MARYLAND 21234

FAX (410) 882-4521

PHONE (410) 882-1030

March 8, 2001

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland
21204

attn: Kathleen C. Bianco, Administrator

In the Matter of:
Charles F. Schluter and Helen V. Schluter - Owners/Petitioners
8225 & 8227 Belair Road 14th Election District

Case# 99-133-SPHX

Dear Ms. Bianco:

The above matter is set for hearing on March 28, 2001 at 11:30 a.m. Mr. and Mrs. Schluter live in Key West, Florida from the late fall until the end of May of each year. As they are unavailable, it is requested that this matter be postponed to a date beginning in the month of June.

I will be out of the country from March 11 until March 18 but will be back in my office on March 19, 2001.

Your kind consideration of this request will be appreciated.

Very truly yours,

Donald H. Feige

c.c.:
Peter Max Zimmerman, Esquire
Carol Demilio, Esquire

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 14, 2000

Mr. Lawrence Stahl, Chairman
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

00 DEC 14 PM 12:21

Hand-delivered

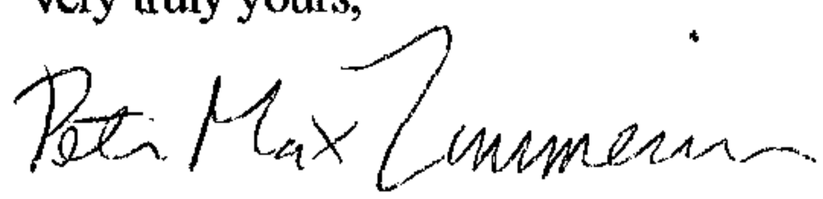
Re: Petition for Special Hearing
Petition for Special Exception
8225 & 8227 Belair Road, SE/S Belair Rd,
1700' N of c/l Ridge Rd,
14th Election District, 6th Councilmanic
Charles F. and Helen V. Schluter, Petitioners
Case No.: 99-133-SPHX

Dear Mr. Stahl:

Our appeal in this case has been pending for some time. There were several postponements to give the parties an opportunity to resolve various issues. We were hopeful that we could arrive at a site plan which would satisfy our concerns. Unfortunately, this has not materialized.

Under these circumstances, we must respectfully request that the CBA set the matter in for a *de novo* hearing.

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/caf

cc: Donald H. Feige, Esq., Attorney for Petitioners
Dennis Eckhard, Perry Hall Improvement Assn.

133

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-133-SPHX

Petitioner: Charles Fredrick Schluter

Address or Location: 8225-8227 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Charles Fredrick Schluter

Address: 8225 Belair Road

Balto. MD., 21236

Telephone Number: 416-668-0660

Revised 2/20/98 - SCJ

Exhibit B

133

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

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

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-133-SPHX

Item # 133

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

PLACE: _____

DATE AND TIME: _____

REQUEST: special exception to continue and reapprove the use of a used car lot (sales) granted in Zoning Case 86-134-X and special hearing to approve the amendment and removal of restriction No. 3 of that case and confirm the existing signs on the property; and the amendment of Zoning Case 86-399-X and any restrictions within that case.

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

9/96
post.4.doc

County Board of Appeals of Baltimore County

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

Reassigned for hearing on 3/08/01 @ 10 am Req. of P.C. 1/30/2001

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

October 7, 1999

NOTICE OF POSTPONEMENT /To Reset on Request

CASE #: 99-133-SPHX **IN THE MATTER OF: CHARLES F. SCHLUTER AND HELEN V. SCHLUTER -Owners /Petitioners 8225 & 8227 Belair Road 14th Election District; 6th Councilmanic**

(Petitions for Special Hearing and Special Exception GRANTED by Z.C.)

which was scheduled to be heard on 10/06/99 has been **POSTPONED** at the request of Counsel for Petitioners /Owners and without objection by People's Counsel; to be reassigned for hearing at request of either party.

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

---

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 12, 1999

NOTICE OF ASSIGNMENT

CASE #: 99-133-SPHX

IN THE MATTER OF: CHARLES F. SCHLUTER AND HELEN V. SCHLUTER -Owners /Petitioners 8225 & 8227 Belair Road 14th Election District; 6th Councilmanic

(Petitions for Special Hearing and Special Exception GRANTED by Z.C.)

ASSIGNED FOR: TUESDAY, JUNE 29, 1999 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

pp'd to 10/06/99 by Counsel for Petitioners w/o obj. P.C.

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel for Baltimore County
Carole S. Demilio, Deputy People's Counsel

Counsel for Petitioners : Donald H. Feige, Esquire
Petitioners : Mr. and Mrs. Charles F. Schluter

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Printed with Soybean Ink
on Recycled Paper

Verified 6/14/01

Exhibits

Case # 99-133-SPHX

Motions Exhibit People's Counsel

1. Site plan w/numbers 99-133-SPHX
2. May 1992, Zoning Hearing Checklist
3. January 2001, Zoning Hearing Checklist
4. Case No. 98-99-A, ORDER OF DISMISSAL
5. Case No. 96-442-SPHX, MINUTES OF DELIBERATION

Petitioner

1. SITE PLAN
2A. View of upper car lot looking North.
2B. view of lower car lot looking North.
2C. view of upper car lot w/signage looking North.
2D. View of BG + E power lines.
2E + 2F + 2G - shows example of car stacking

People's Counsel

1. Zoning Commissioner's Decision 10/1/85
2. Zoning Commissioner's Decision 5/14/86

APPEAL

Petitions for Special Hearing and Special Exception
SE/S Belair Road, 1700' E of Ridge Road
(8225 & 8227 Belair Road)
14th Election District - 6th Councilmanic District
Charles F. Schluter and Helen V. Schluter - Owner
Case Number: 99-133-SPHX

99 FEB -3 PM 12:09

Petitions for Special Hearing, Special Exception

Description of Property

Certificate of Posting

Certification of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioner(s) Sign-In Sheet

One envelope of pictures not marked as exhibits

Two plats to Accompany Special Hearing

Findings of Fact and Conclusions of Law by the Zoning Commissioner's dated January 12, 1999 (Granted)

Notice of Appeal received on February 3, 1999 from Peter Max Zimmerman and Carole S. Demilio on behalf of People's Counsel.

/E

c: Donald H. Feige, Esquire, 9407 Harford Road, Baltimore, MD., 21234
Mr. & Mrs. Charles F. Schluter, 7303 Gilbar Road, Kingsville, MD. 21087
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

Per WCR, site plans are unacceptable — unable to microfilm — must submit clearer plans.

99-133-SPMX

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
3.2 ACRE, MORE OR LESS PARCEL, SOUTHEAST SIDE OF BELAIR ROAD,
1,700 FEET, MORE OR LESS, NORTHEAST OF RIDGE ROAD
BALTIMORE COUNTY, MARYLAND

This description is for a special exception.

BEGINNING at a point on the southeast side of Belair Road, 80 feet wide, said point being at the southwest corner of the land of Charles F. Schluter and distant North 38 degrees 16 minutes 30 seconds East 1,700.0 feet more or less, from the intersection of said Belair Road, and Ridge Road, running thence binding on said Belair Road (1) North 38 degrees 16 minutes 30 seconds East 631.7 feet more or less, thence binding on said land three courses (2) South 42 degrees 15 minutes 30 seconds East 33.6 feet more or less, (3) South 08 degrees 32 minutes 00 seconds West 751.5 feet more or less, and (4) North 48 degrees 00 minutes 40 seconds West 406.8 feet more or less, to the place of beginning.

CONTAINING 3.2 acres of land, more or less.

Job Order No. 01-85198

Work Order No. 7772-C

RWB/aeb

June 7, 1985

STATE OF MARYLAND
RONALD W. BROYLES
No. 3099
REGISTERED
LAND SURVEYOR

MICROFILMED

#133

99-133-SPHX

#133

DESCRIPTION
3.2 ACRE, MORE OR LESS PARCEL, SOUTHEAST SIDE OF BELAIR ROAD,
1,700 FEET, MORE OR LESS, NORTHEAST OF RIDGE ROAD
BALTIMORE COUNTY, MARYLAND DIST. 14 C 6

#8225 & 8227 BELAIR ROAD - C.FRED & HELEN SCHLUTER

This description is for ZONING PURPOSES ONLY

BEGINNING at a point on the southeast side of Belair Road, 80 feet wide, said point being at the southwest corner of the land of Charles F. Schluter and distant North 38 degrees 16 minutes 30 seconds East 1,700.0 feet more or less, from the intersection of center Belair Road, and Ridge Road, running thence binding on said Belair Road (1) North 38 degrees 16 minutes 30 seconds East 635.3 feet more or less, thence binding on said land three courses (2) South 42 degrees 15 minutes 30 seconds East 68.09 feet more or less, (3) South 08 degrees 32 minutes 00 seconds West 751.5 feet more or less, and (4) North 48 degrees 00 minutes 40 seconds West 439.3 feet more or less, to the place of beginning.

CONTAINING 3.2 acres of land, more or less.

99-133-SPHX

Baltimore County
Department of Permits and
Development Management

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

November 12, 1998

Donald H. Feige
9407 Harford Road
Baltimore, MD 21234

RE: Item No.: 133
Case No.: 99-133-SPHX
Location: 8227 and 8225
Belair Road

Dear Mr. Feige:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 1, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 23, 1998

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

SUBJECT: 8227 & 8225 Belair Road

INFORMATION:

Item Number: 133

Petitioner: Schluter Property

Zoning: BR & MH

Requested Action: Special Exception and Special Hearing

SUMMARY OF RECOMMENDATIONS:

There is insufficient information to properly review this request. The office has not been provided with copies of Zoning Cases 86-124-X and 86-399-X, and the petitioner does not indicate which restrictions are requested to be amended. In addition, it is not clear why approval of the used car lot needs to be reaffirmed

Dennis Wertz, the community planner for the area, made an attempt to contact the applicant's attorney on October 19, 1998, and, to date, has received no response.

The Office of Planning requests that the Zoning Commissioner require all signs to be in compliance with the current sign regulations.

Section Chief: Jeffrey W. Long

AFK/JL:

C:\JEFF_1\133.doc

Baltimore County
Fire Department

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

October 29, 1998

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

RE: Property Owner: CHARLES FREDERICK SCHLUTER AND HELEN V. SCHLUTER

Location: DISTRIBUTION MEETING OF October 13, 1998

Item No.: 133 Zoning Agenda:

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887 4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

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: October 21, 1998

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 19, 1998
Item No. 133

The Development Plans Review Division has reviewed the subject zoning item. Belair Road (Maryland Route 1) is a State road. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Site should conform with existing landscape requirements before being granted new request.

RWB:HJO:jrb

cc: File

ZONE1019.133

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

TO: POM

DATE: 10/29/98

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

SUBJECT: Zoning Advisory Committee
Meeting Date: 10/13/98

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

Item #'s: 113

RBS:sp

BRUCE2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 10 · 14 · 99

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

RE: Baltimore County
Item No. 133 MJK

Dear Ms. Stephens:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

Baltimore County
Fire Department

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

October 29, 1998

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

RE: Property Owner: CHARLES FREDERICK SCHLUTER AND
HELEN V. SCHLUTER

Location: DISTRIBUTION MEETING OF October 19, 1998

Item No.: 133 Zoning Agenda:

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

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: October 21, 1998

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 19, 1998
Item No. 133

The Development Plans Review Division has reviewed the subject zoning item. Belair Road (Maryland Route 1) is a State road. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Site should conform with existing landscape requirements before being granted new request.

RWB:HJO:jrb

cc: File

ZONE1019.133

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/27/94

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

SUBJECT: Zoning Advisory Committee
Meeting Date: 10/17/94

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

Additional

Item #'s: 133

RBS:sp

BRUCE2/DEPRM/TXTSBP

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 10 · 14 · 99

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

RE: Baltimore County
Item No. 133 MJK

Dear Ms. Stephens:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

RE: PETITION FOR SPECIAL HEARING PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
8225 & 8227 Belair Road, SE/S Belair Rd, 1700' N of c/l Ridge Rd, 14th Election District, 6th Councilmanic	* *	ZONING COMMISSIONER FOR
Legal Owners: Charles F. and Helen V. Schluter	*	BALTIMORE COUNTY
Petitioner(s)	*	Case Number: 99-133-SPHX

* * * * * * * * * * * * * * *

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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to Donald H. Feige, Esq., 9407 Harford Road, Baltimore, MD 21234, attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Sent 11/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 23, 1998

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

SUBJECT: 8227 & 8225 Belair Road

INFORMATION:

Item Number: 133

Petitioner: Schluter Property

Zoning: BR & MH

Requested Action: Special Exception and Special Hearing

SUMMARY OF RECOMMENDATIONS:

There is insufficient information to properly review this request. The office has not been provided with copies of Zoning Cases 86-124-X and 86-399-X, and the petitioner does not indicate which restrictions are requested to be amended. In addition, it is not clear why approval of the used car lot needs to be reaffirmed

Dennis Wertz, the community planner for the area, made an attempt to contact the applicant's attorney on October 19, 1998, and, to date, has received no response.

The Office of Planning requests that the Zoning Commissioner require all signs to be in compliance with the current sign regulations.

Section Chief: Jeffrey W. Long

AFK/JL:

C:\JEFF_L\133.doc

Baltimore County
Zoning Commissioner
Office of Planning

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

January 12, 1999

Donald H. Feige, Esquire
9407 Harford Road
Baltimore, Maryland 21234

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
SE/S Belair Road, 1700' E of Ridge Road
(8225 & 8227 Belair Road)
14th Election District – 6th Councilmanic District
Charles F. Schluter, et ux - Petitioners
Case No. 99-133-SPHX

Dear Mr. Feige:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Charles F. Schluter
7303 Gilbar Road, Kingsville, Md. 21087

People's Counsel; Case File

Printed with Soybean Ink
on Recycled Paper

LAW OFFICES
DONALD H. FEIGE
ATTORNEY AT LAW
9407 HARFORD ROAD
(1/4 MILE NORTH OF BELTWAY EXIT 31B)
BALTIMORE, MARYLAND 21234

FAX (410) 882-4521 PHONE (410) 882-1030

June 18, 1999

County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

re: Case # 99-133-SPHX
IN THE MATTER OF
CHARLES F. SCHLUTER AND HELEN SCHLUTER
Owners/Petitioners 8225/8227 Belair Road
14th Election District; 6th Councilmanic District
(Petitions for Special Hearing and Special Exception
granted by Z.C.)

Attention: Kathleen C. Bianco, Administrator

Dear Ms. Bianco:

In accordance with our conversation of even date, this is to request a postponement of the above matter which is scheduled for hearing for Tuesday, June 29, 1999 at 10:00 a.m.

As counsel for the Petitioner/Owners this is to verify that we have met with Peter Zimmerman, People's Counsel, and other interested persons, and are working toward a resolution of this matter. We will need addtional time, however, to complete this matter. Please postpone this matter to another date. Mr. Zimmerman has advised that he has no objection to the postponement. I would suggest that aprproximately 60 days will allow us to resolve this matter.

Your kind consideration of this request will be greatly appreciated and it would also be appreciated if you would contact counsel prior to re-scheduling so as to avoid any conflicts in the future.

Very truly yours,

Donald H. Feige

c.c.: Peter M. Zimmerman/Carole S. Demilio
Dennis Eckert

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us
410-887-3391

99 FEB -3 PM 3:09

February 3, 1999

Donald H. Feige, Esquire
9407 Harford Road
Baltimore, Maryland 21234

Dear Mr. Feige:

RE: Petition for Special Hearing and Special Exception, Case No.: 99-133-SPHX, 8225 & 8227 Belair Road, 14th Election District, Charles F. Schluter, et ux-Petitioners

Please be advised that an appeal of the above referenced case was filed in this office on February 2, 1999 by Peter Max Zimmerman and Carole S. Demilio on behalf of People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

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

Sincerely,

Arnold Jablon
Director

AJ:cjs

c: People's Counsel
Mr. & Mrs. Charles F. Schluter, 7303 Gilbar Road, Kingsville, MD., 21087

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on Recycled Paper

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

February 2, 1999

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION
8225 & 8227 Belair Road, SE/S Belair Road,
1700' N of centerline Ridge Road,
14th Election Dist., 6th Councilmanic
Charles F. And Helen V. Schluter, Petitioners
Case No.: 99-133-SPHX

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Finding of Fact and Conclusions of Law dated January 12, 1999 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caf

cc: Donald H. Feige, Esq., 9407 Harford Road, Baltimore, MD 21234,
Attorney for Petitioners

RE: PETITION FOR SPECIAL HEARING PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
8225 & 8227 Belair Road, SE/S Belair Rd, 1700' N of c/l Ridge Rd, 14th Election District,	*	ZONING COMMISSIONER
6th Councilmanic	*	FOR
Legal Owners: Charles F. and Helen V. Schluter	*	BALTIMORE COUNTY
Petitioner(s)	*	Case Number: 99-133-SPHX

* * * * * * * * * * * * * * *

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 of 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

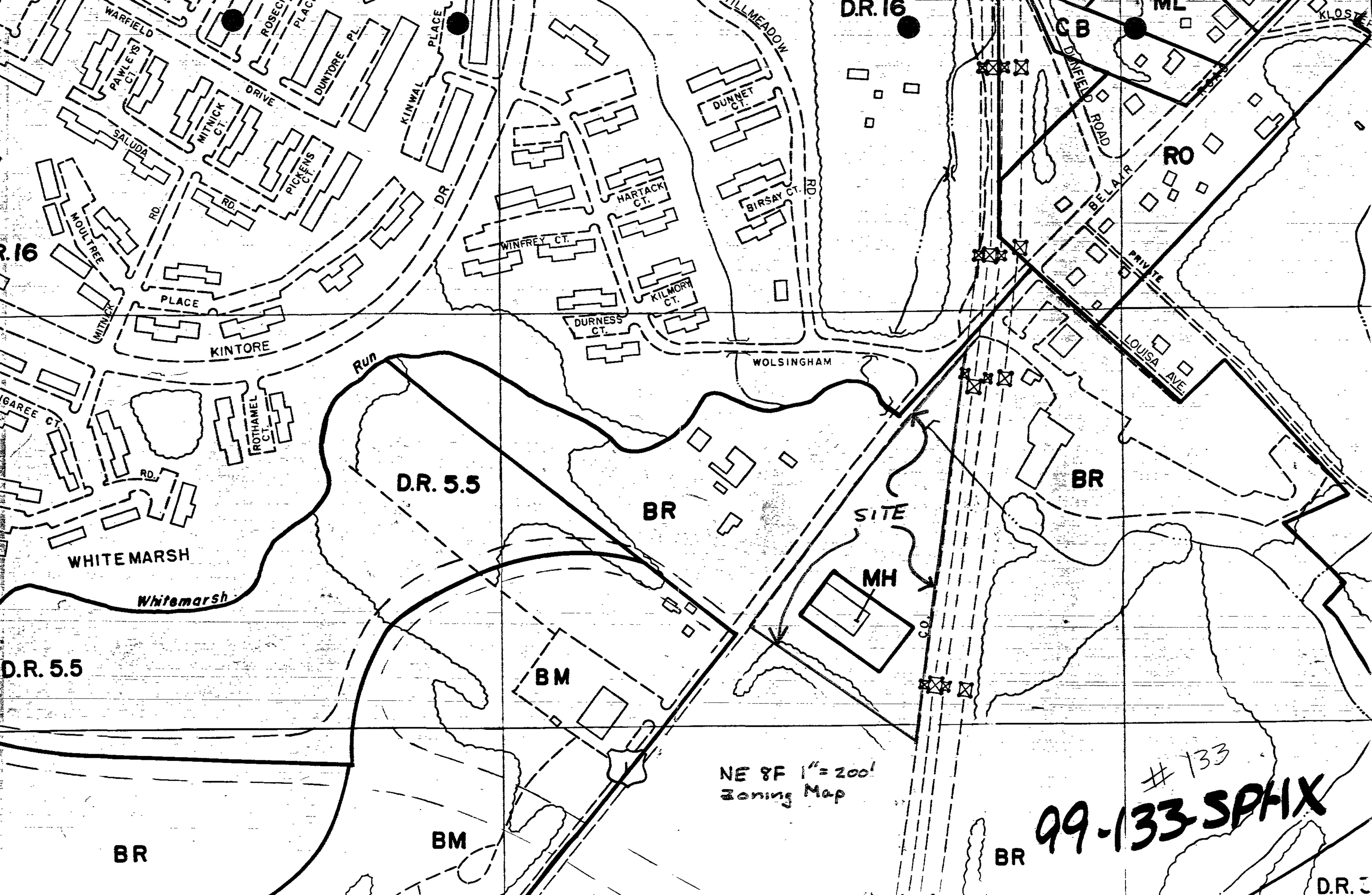
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to Donald H. Feige, Esq., 9407 Harford Road, Baltimore, MD 21234, attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN


WARFIELD
DRIVE
ROSECROFT PLACE
DUNTORE PL.
PAWLEIGH CT.
MITNICK CT.
SALUDA
RD.
PICKENS CT.
KINWAL PLACE
DR.
MOULTREE
MITNICK
PLACE
KINTORE
D.R.16
HILLMEADOW
DUNNET CT.
HARTACK CT.
BIRSAY CT.
RD.
WINFREY CT.
KILMORY CT.
DURNESS CT.
WOLSINGHAM
D.R.16
CB
ML
DANFIELD ROAD
KLOSTER
RO
BELAIR
PRIVATE
LOUISA AVE.
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Whitemarsh
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Zoning Map
BR
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BR
D.R.
#133
99-133 SPHX

XIHGE ६६।-१०

Baltimore County
Department of Permits and
Development Management

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

October 19, 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: 99-133-SPHX
8225 & 8227 Belair Road
SE/S Belair Road, 1700' N of centerline Ridge Road
14th Election District – 6th Councilmanic District
Legal Owner: Helen V. & Charles Frederick Schluter

Special Hearing to approve the amendment of zoning case 86-124-X and removal of restriction no. 3; *confirm non-conforming existing signs; and amend zoning case 86-399-X*, if necessary. Special Exception to continue and reapprove the use of a used car lot (sales) granted in zoning case 86-124-X.

HEARING: Monday, November 16, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Helen & Charles Schluter
Donald H. Feige, Esquire

NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 1, 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.

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on Recycled Paper

BALTIMORE COUNTY, MA .AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 054740

DATE 10/1/98 ACCOUNT 01-615

Taken By. MJK
Item: 133

AMOUNT $ 550.00

RECEIVED FROM: Petty Hill Body Shop Inc. (Schlueter Cars) - 8225-8227 Belair Rd.

FOR: C40 - Special Hearing — $250.00
C50 - Special Exception — $300.00

99-133-SPHX

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
10/01/1998 10/01/1998 11:08:45
REG M305 CASHIER LSMI LXS DRAWER 5
5 MISCELLANEOUS CASH RECEIPT
Receipt # 077078
CR NO. 054740
550.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Abraham Korotki -Petitioner
Case No. 96-442-SPHX

DATE : April 16, 1997 /Motion of People's Counsel

BOARD /PANEL : Robert O. Schuetz, Chairman (ROS)
Kristine K. Howanski (KKH)
Margaret Worrall (MW)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Those present at this deliberation included Charles E. Brooks, Esquire, Counsel for Petitioner; Malcolm F. Spicer, Esquire; and Carole S. Demilio, Deputy People's Counsel for Baltimore County.

ROS: Thank you for your patience. I want to say that what we are going to do now is to deliberate the Motion to deny for failure of Petitioner to meet burden of proof, and on the issue of whether or not their plat satisfies the rules of the zoning regulations. I will state that what is going to occur in this part of the proceeding will not be part of the record per se. At this part of the proceeding is the deliberation in accordance with the open meetings law, and the Board's administrator is going to take minutes. While they will be included in the file, they are not part of the record per se.

Basically, this boils down to item 5 found on page A20 of appendix to the BCZR. The last sentence of the first paragraph reads: "must be shown" on surveyor's plat; "a" through "u" under that item 5, some of which apply and some of which do not apply. The long and short of it is it's nothing which is a gray area. It either exists on the plat or it does not.

It's a simple finding for the Board one way or another. When you get down into it, the rather lengthy list -- the list is not complete in what is shown on the plat. Metes and bounds are not on there; we have the name of adjoining street but not the width; no distances; we do not have topography; we do not have -- "k" does not apply but the location and width of proposed entrance on the side of the parcel is not on there. The uses and dimensions and locations are not indicated with the use and any dimensions indicated on here; what we have is

MPC #5

a picture we would presume to be correct, but still deficient; it does not indicate use.

Proposed building or addition at this point -- I would say "n" does not apply. We do not have a case where either setbacks or areas to be determined. Height does not apply; "q" -- I would indicate -- frankly, I don't see that this applies; "r" certainly is not met; "s" is not met; "t" is not met; "u" is not met.

What we have is an overwhelmingly deficient piece of evidence for our consideration. And that being the plat, the one piece of evidence to indicate what is expected from this case; I would therefore have no choice but to grant the Motion for denial of the Petition for Special Exception.

KKH: Looking at this, I must say I have some frustration with having to examine it from this perspective insofar as I like to hear cases on the merits, and I don't like to dismiss on technicalities. But here the deficiencies are so great as to actually infect the merits of the matter. When I look at 5, and I do agree with Mr. Schuetz that 5 is the applicable provision, I also read it must be shown on the surveyor's plat. Both sides are represented by counsel and have experts and so forth; there's no argument that people did not know better. When I go through the checklist, I do find "a" through "d" in existence, and partial compliance with "e" -- it's technically deficient, but I, again, would have a lot of discomfort if that was the only problem. There's partial compliance with "f"; probably not fatal, but "g" is missing; "h" is in compliance; "i" -no compliance; "j" -I concur with Mr. Schuetz that it's inapplicable; "k" -is inapplicable; "l" -there's no evidence and, again, it's entirely deficient; "m" -no evidence of that information either; "n" -I share Mr. Schuetz' opinion that this is inapplicable; "o" -he thought inapplicable, and I agree; as for "p" -not an addition; "q" - he thought was inapplicable. I'm not so sure but I found partial compliance and not totally fatal; "r" - "s" - "t" - and "u" are missing in their entirety. Again, I have to confess as a Board member it's very difficult to make a substantive decision when so much is missing; we really don't know. Reluctantly I would be constrained to agree.

MW: I don't think I need to go through each of those again. I have been through them, and I absolutely agree with my colleagues. Maybe one of these things missing may not be totally fatal, but the overwhelming evidence in this case is that this site plan does not come near meeting what is required, and I would therefore have to agree that we don't know enough.

Case No. 96-442-SPHX Abraham Korotki Minutes of Deliberation

ROS: We are unanimous. The Board will issue a written Opinion and Order subsequent to these proceedings. Any Petition for Judicial Review should be from that Order and not today's date.

Thank you very kindly.

****

Respectfully submitted,

Kathleen C. Bianco

IN THE MATTER OF THE APPLICATION OF ABRAHAM KOROTKI /PETITIONER FOR A SPECIAL HEARING AND SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE NORTH SIDE OF W. ALLEGHENY AVENUE, 500' WEST OF THE C/L HIGHLAND AVENUE (516 W. ALLEGHENY AVENUE) 9TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT	* * * * * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 96-442-SPHX

* * * * * * * * *

O P I N I O N

This case comes on appeal of the decisions of the Deputy Zoning Commissioner in which a Petition for Special Hearing was granted and a Petition for Special Exception was denied on the instant site. Before the Deputy Zoning Commissioner, the Petition for Special Hearing was to determine that an economist is a "professional person" as contemplated by Section 1B01.C.9.b of the Baltimore County Zoning Regulations. On appeal the then-subject economist did not appear before this Board; therefore, at the conclusion of Petitioner's case-in-chief, and on Motion to deny the special hearing brought by People's Counsel, the Board ruled from the bench that the Petition for Special Hearing shall be denied, and will so order.

On the issue of special exception, the Petitioner, following open deliberation of this matter, brings "Notice of Withdrawal of Petition for Special Exception," wherein Petitioner withdraws without prejudice the Petition for Special Exception. Having received said notice of withdrawal, this Board does not have subject matter jurisdiction in the instant special exception. Therefore, the instant appeal brought by Abraham Korotki shall be

dismissed as moot.

O R D E R

THEREFORE, IT IS THIS 25th day of April, 1997 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing to determine that an economist is a "professional person" as contemplated by Section 1B01.C.9.b of the Baltimore County Zoning Regulations be and the same is hereby DENIED; and it is further

ORDERED that the Petition for Special Exception, having been withdrawn without prejudice by Petitioner, be and the same is DISMISSED as moot.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert O. Schuetz, Chairman

Kristine K. Howanski

Margaret Worrall

IN THE MATTER OF
THE APPLICATION OF
ALBERT J. BIERMAN, JR. -PETITIONER
FOR A VARIANCE ON PROPERTY LOCATED
ON THE SOUTHEAST CORNER PULASKI
HIGHWAY AND CHESACO AVENUE (7941
PULASKI HIGHWAY)
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 98-99-A

1 3 1998

* * * * * * * * * *

ORDER OF DISMISSAL

This case comes before the Board on appeal from the March 9, 1998 Order of the Deputy Zoning Commissioner in which a Petition for Variance to permit storage bin setbacks of as close as 2 feet, 6 inches in lieu of the required 15 feet in front of the building setback line was granted with restrictions.

The Board convened for hearing on October 27, 1998 as scheduled. As a preliminary matter to hearing the case on the merits, People's Counsel, joined by Protestants, raised the matter of Petitioner's failure to prepare a plat in conformance with the rules. Argument on the issue was heard from Carole S. Demilio, Deputy People's Counsel for Baltimore County; J. Carroll Holzer, Esquire, Counsel for Protestants /Appellants; and Lee Jacobson, Esquire, Counsel for Petitioner. The Board openly deliberated the matter after open discussion with all counsel involved pertaining to whether the failure should be handled by dismissal or continuance.

People's Counsel cited the Rules of Procedure of the Zoning Commissioner which stipulate that certain Petition requirements be fulfilled before moving forward. People's Counsel indicated, and

6/14/01 MPC #4

proper plat.

ACCORDINGLY, the Petition for Variance be and is hereby DISMISSED without prejudice, and the Order of the Deputy Zoning Commissioner dated March 9, 1998 is declared null and void.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Kristine K. Howanski, Chairman

Donna M. Felling

Charles L. Marks

Date: November 13, 1998

Petitioner's Counsel concurred, that no plat exists in accordance with the Zoning Commissioner's Rules.

People's Counsel further observed that, because no plat was available for review, the County agencies, although having provided comments in this matter, did not have adequate opportunity for review of the Petition, nor did the concerned citizens and attorneys in this matter. Protestants and People's Counsel also noted that the lack of a plat unfairly placed them in the posture of not being able to cross-examine witnesses.

While there was some discussion that the Deputy Zoning Commissioner overlooked the plat deficiency in his written Opinion and Order, Petitioner conceded that the information in the file does not comply with the Zoning Commissioner's Rules. Petitioner requested a continuance to afford time in which he could produce the requisite plat.

The Board notes that the burden of compliance with filing requirements rests with the Petitioner at the time of filing. This Board finds that the initial filing requirements before the Deputy Zoning Commissioner were overlooked. Therefore, the Board finds that it cannot proceed in allowing the Petitioner to maintain his case without a plat.

The Board considered itself obliged to dismiss rather than to continue or remand the case, insofar as the present infirmities mean that the Deputy Zoning Commissioner and County agencies have not truly been afforded the initial opportunity to evaluate a

IN THE MATTER OF THE APPLICATION OF ERNEST PHILIP DEIGERT –LEGAL OWNER /ELLER MEDIA COMPANY –CONTRACT PURCHASER /PETITIONERS FOR SPECIAL EXCEPTION AND VARIANCE ON PROPERTY LOCATED ON THE E/S BELAIR ROAD, 20' SW OF R/W FOR WHITE MARSH BOULEVARD 8131 BELAIR ROAD 14TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT	* * * * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Case No. 99-242-XA

* * * * * * * * *

OPINION

This case comes before the Board of Appeals pursuant to an appeal by People's Counsel of the Zoning Commissioner's Order of June 15, 1999 granting a Petition for Special Exception and Variance filed by the Petitioners for the construction of an outdoor advertising sign at 8131 Belair Road. An appeal was filed on July 2, 1999 by the Office of the People's Counsel. Petitioners were represented by Stanley S. Fine, Esquire, and Kirk J. Halpin, Esquire, of ROSENBERG PROUTT FUNK & GREENBERG, LLP, Counsel for Eller Media Company ("Eller"). People's Counsel was represented by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel.

The Petitioners seek approval of a special exception to locate one 12 foot by 25 foot double-faced illuminated outdoor advertising sign of 300 square feet per face at 8131 Belair Road pursuant to Section 405.4(11) of the *Baltimore County Zoning Regulations* ("BCZR") and a variance from Section 450.7.C.1(f) of the BCZR to permit an outdoor advertising sign to be located 25 feet from the right-of-way line of a dual highway (Belair Road) in lieu of the required 100 feet, if Belair Road is found to be a dual highway. Otherwise, if Belair Road is found not to be a dual highway, the variance is not necessary.

While the Zoning Commissioner found that Belair Road is a dual highway, therefore requiring a variance from the 100-foot setback requirement, the Commissioner found that the site was unique and that the Petitioners would suffer practical difficulty if the variance relief were denied. He therefore granted the variance.

Case # 86-399-X

RE: PETITION SPECIAL EXCEPTION SE/S of Belair Road, 1776' NE of Ridge Road (8225 and 8227 Belair Road) - 14th Elec. Dist. Charles F. Schluter, Petitioner	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-399-X

* * * * * * * * * * *

The Petitioner herein requests a special exception for a junk yard, or in the alternative, approval for dismantling as an accessory use to the principal use, either to be located inside the existing body shop building at 8225 Belair Road, as shown on the plan prepared by Evans, Hagan & Holdefer, Inc., revised December 17, 1985 and marked Petitioner's Exhibit 1.

The Petitioner proposes to obtain a license for auto dismantling from the Maryland Department of Motor Vehicles, to join the Maryland Auto Dismantling Association, and to lease from the latter a teller-type for the location of used parts throughout the region. All dismantling will be within the building identified as 8225 Belair Road. He is willing to comply with the restrictions of Case Number 86-124-X. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) have not been met, and the health, safety and general welfare of the community will be adversely affected, the Petition for Special Exception for a junk yard should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of May, 1986, that the herein Petition for Special Exception for a junk yard is hereby DENIED; and

Furthermore, pursuant to the advertisement, posting of property, and public hearing, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the approval for

ORDER RECEIVED FOR FILING
DATE May 14, 1986
BY Barbara A. Gilliard
ADMINISTRATIVE ASSISTANT

99-133-SPHX

dismantling would be in strict harmony with the spirit and intent of the BCZR and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS FURTHER ORDERED by the Deputy Zoning Commissioner of Baltimore County, that in the instant case, the request to approve the dismantling of automobiles as an accessory use to the principal use, to be located inside the existing body shop building at 8225 Belair Road, as shown on Petitioner's Exhibit 1, is hereby GRANTED, subject, however, to the following restrictions:

1. The car storage area shall be utilized for vehicles awaiting repair or dismantling, not for a junk yard. Vehicles and trailers shall be repaired or disposed of within a month and records to so indicate shall be open and available to Baltimore County Zoning Inspectors. No vehicles shall be double stacked. Metal and trash shall be removed once a week. Dumpsters and scrap areas shall be screened and shown on the approved landscape plan.

2. No more than ten cars shall be permitted on the property at any one time for dismantling/recycling.

3. All dismantling shall be inside of the building within the area indicated on Petitioner's Exhibit 1.

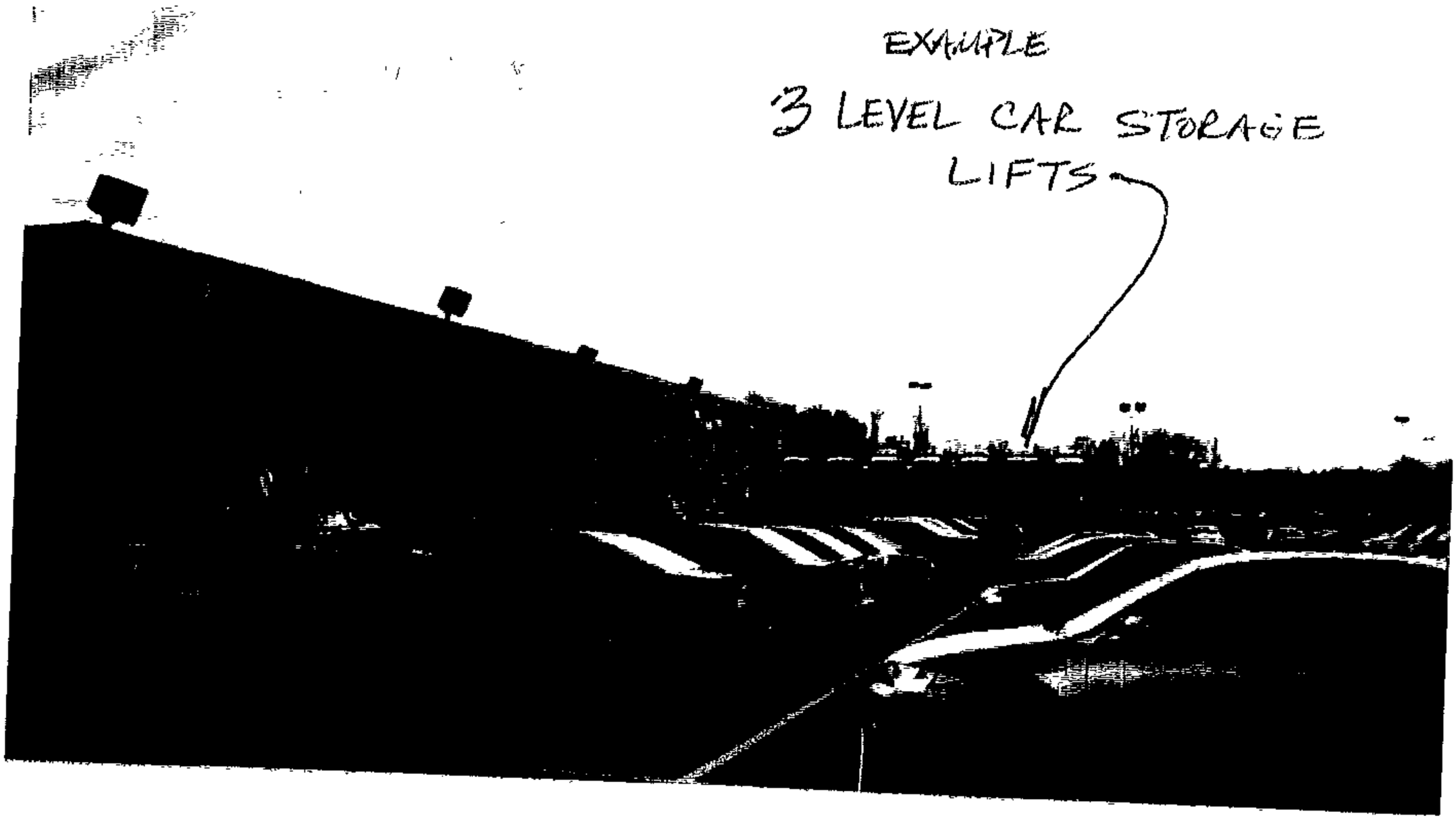
4. Parts removed during the dismantling/recycling process shall be stored within a building until they are sold or utilized.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

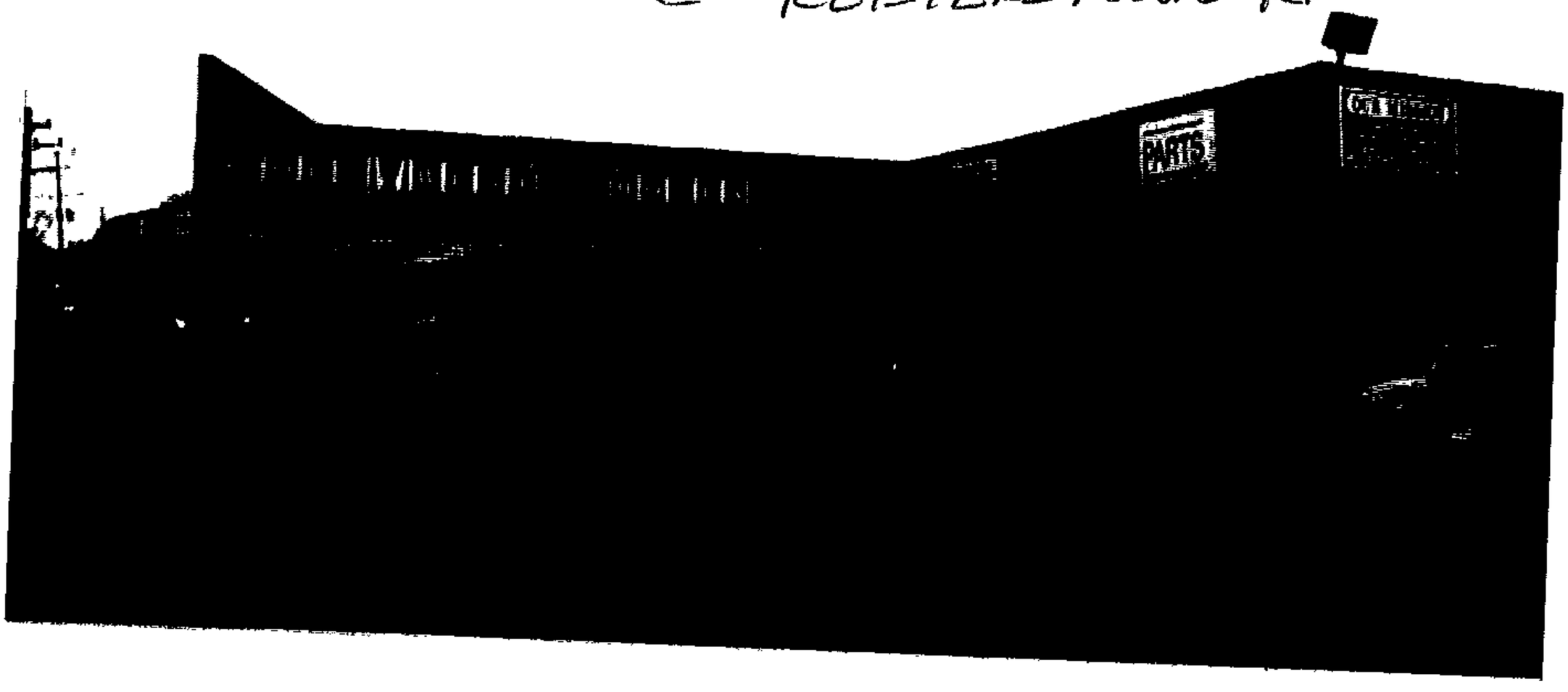
ORDER RECEIVED FOR FILING
DATE May 14, 1986
BY Barbara A. Kallind
JMHJ bg

EXAMPLE

3 LEVEL CAR STORAGE LIFTS



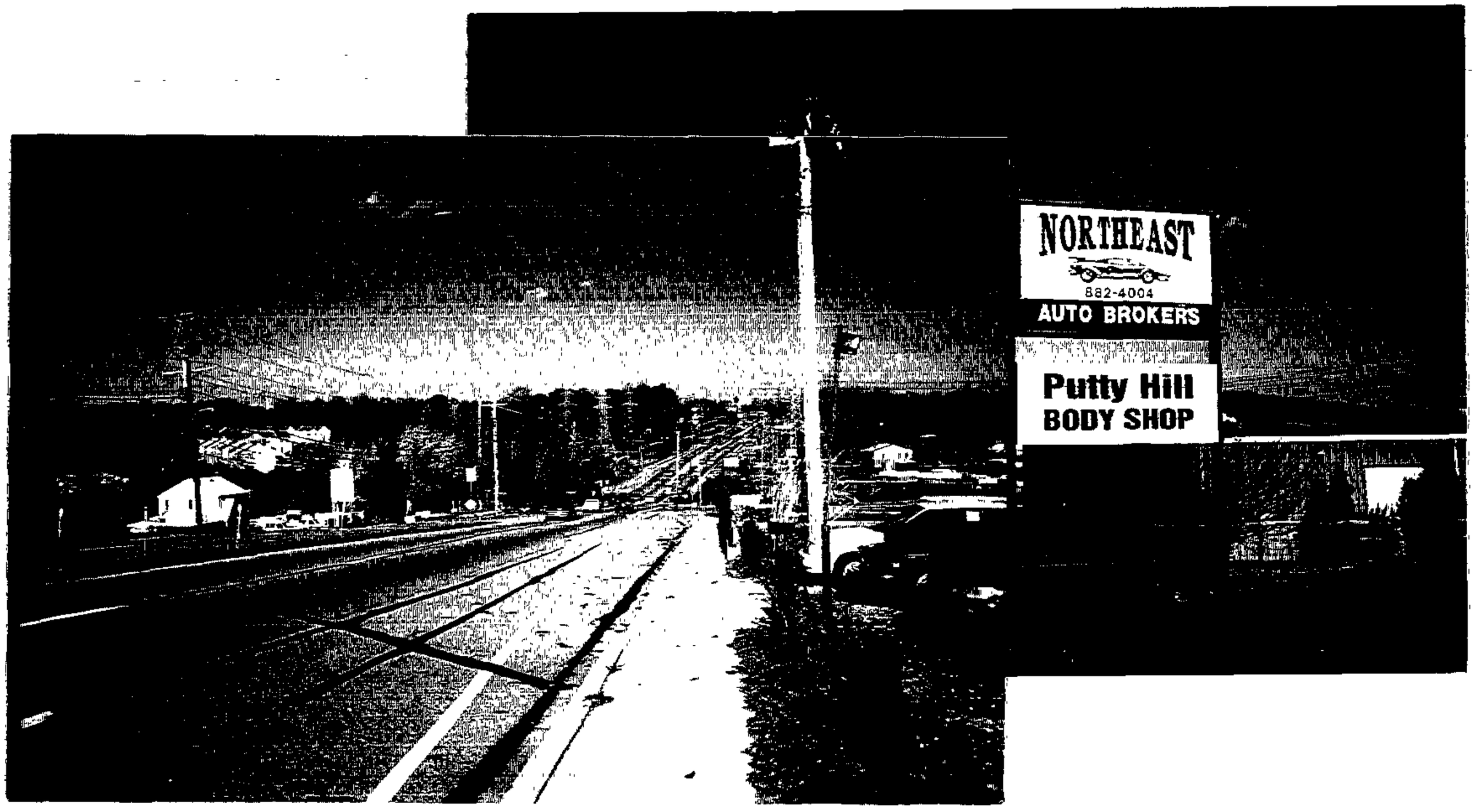
CAR LIFTS USED CURRENTLY AT NORTH WEST HONDA @ REISTERSTOWN RD

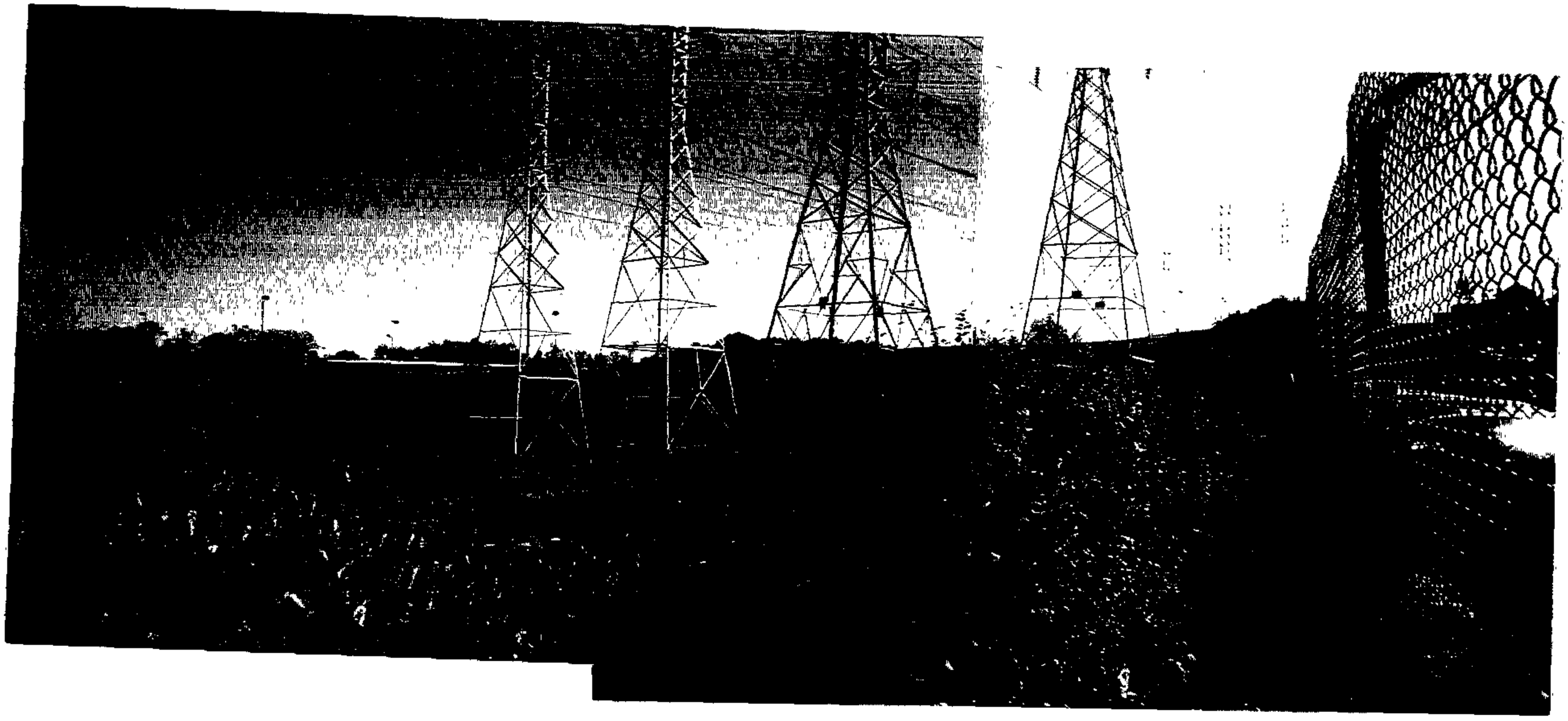


USED CARS

EXAMP. CAR LIFTS

Putty Hi
& Honda
ecialist
Wash & Wax
Special
$59.99


NORTHEAST
882-4004
AUTO BROKERS
Putty Hill
BODY SHOP



99-133-SPHX

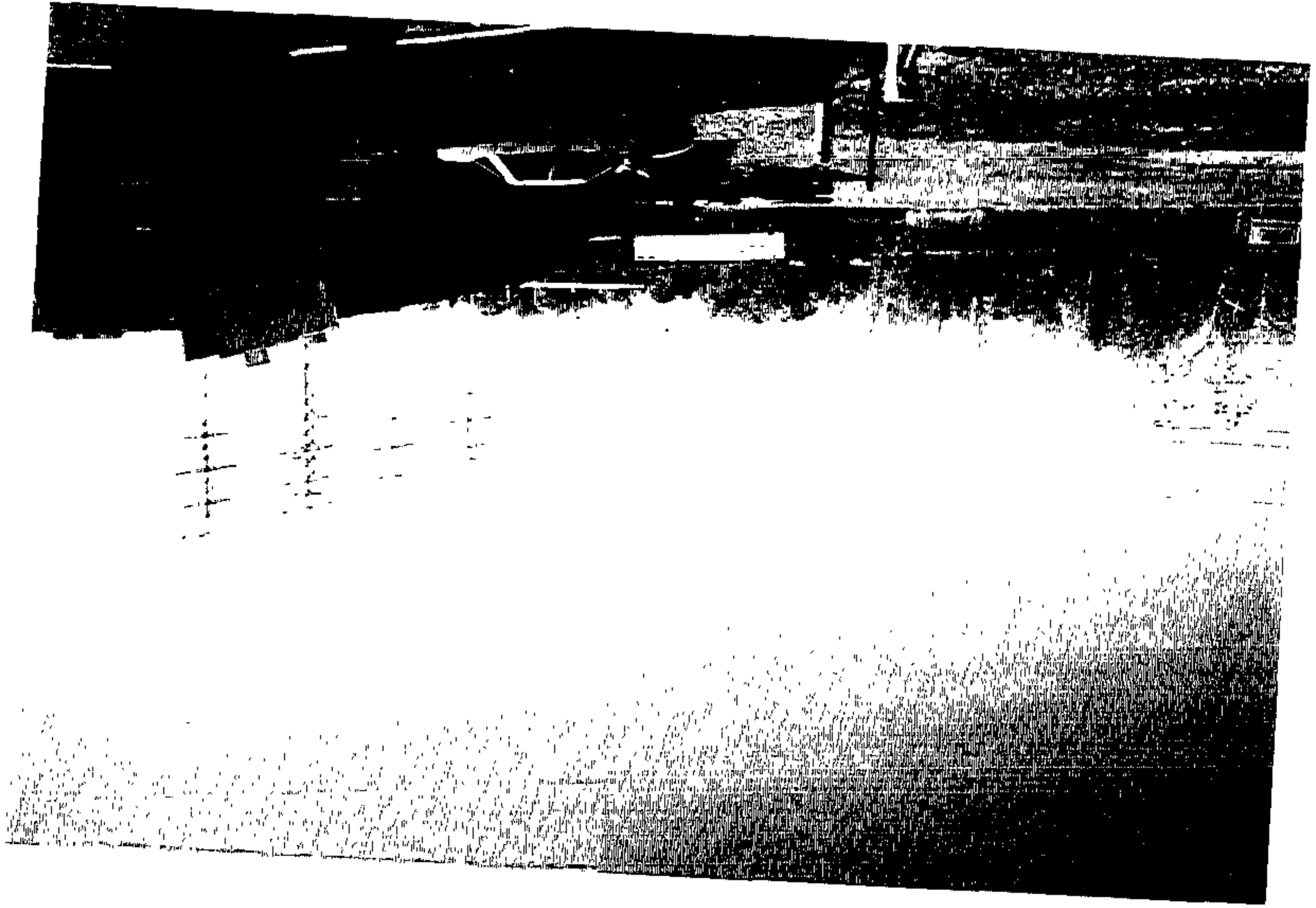
ZONING COMMISSIONER

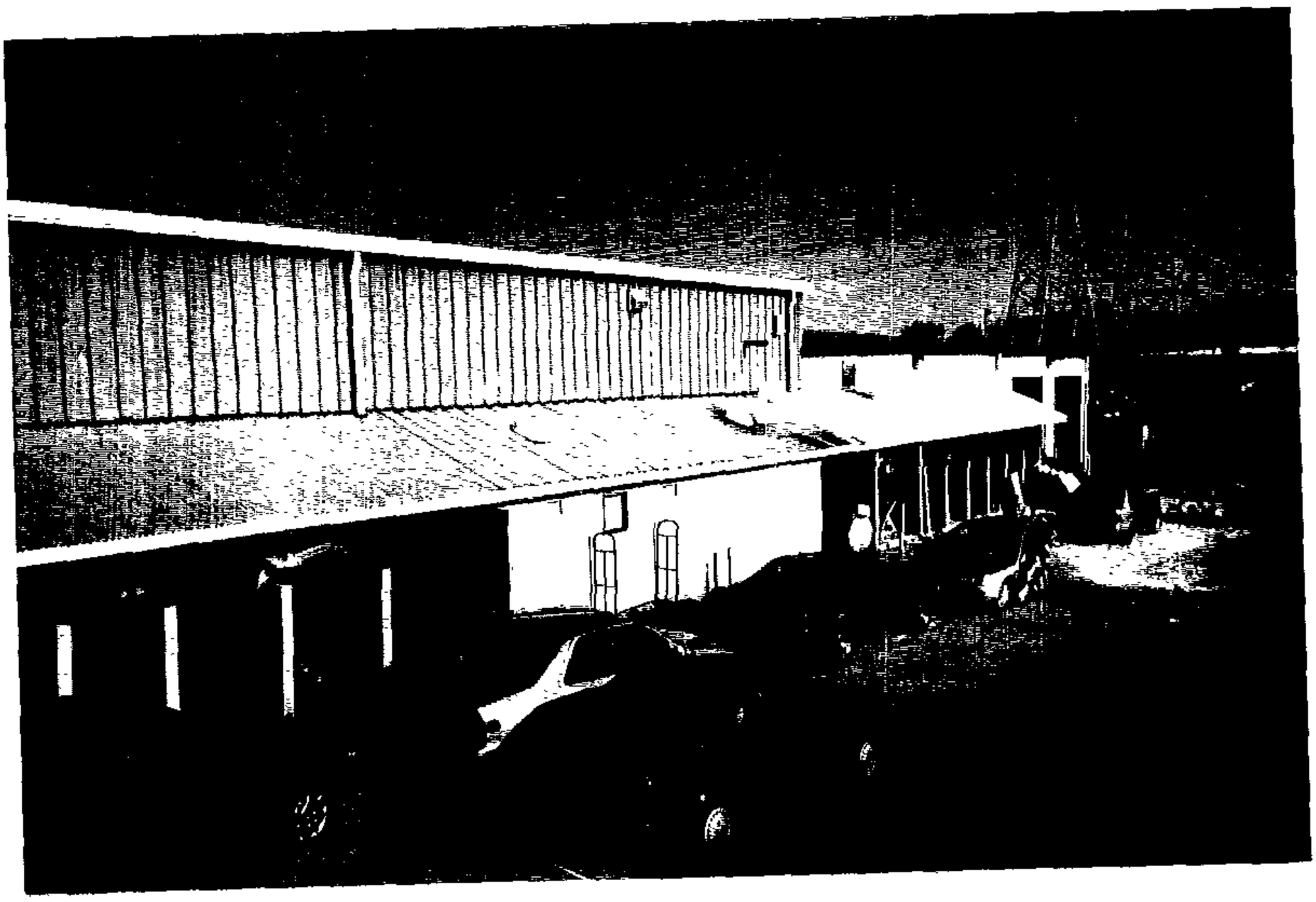
L. SCHMIDT

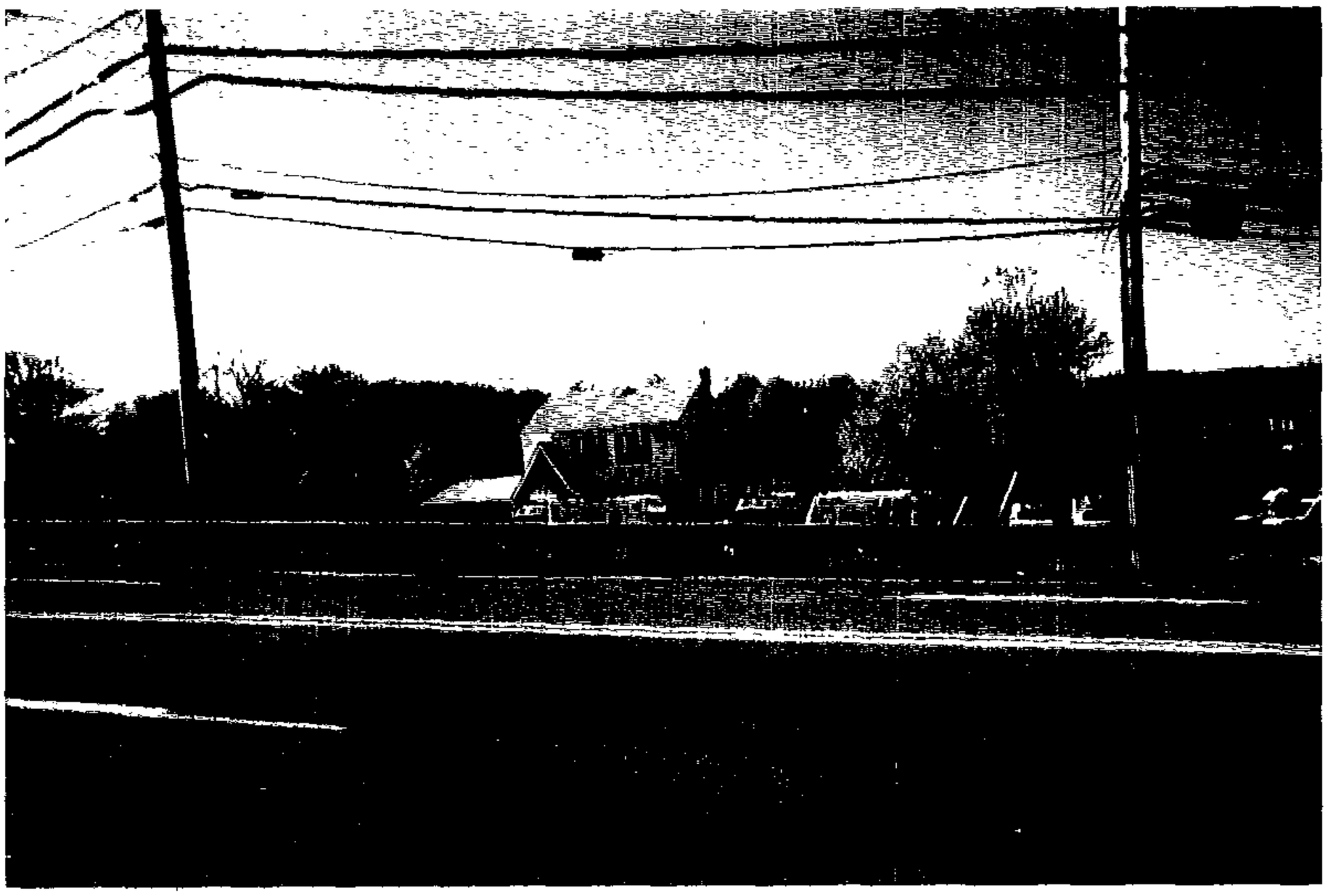
(RE: #8225 & 27 BELAIR RD.
Case for DON FEIGE, ESQ.
owner: FRED SCHLUTER)

PICTURE EXAMPLES OF
3-LEVEL CAR STORAGE TO
BE USED @ PUTTY-HILL-BODYSHOP.
FOR INVENTORY PURPOSES. (RECYCLE)

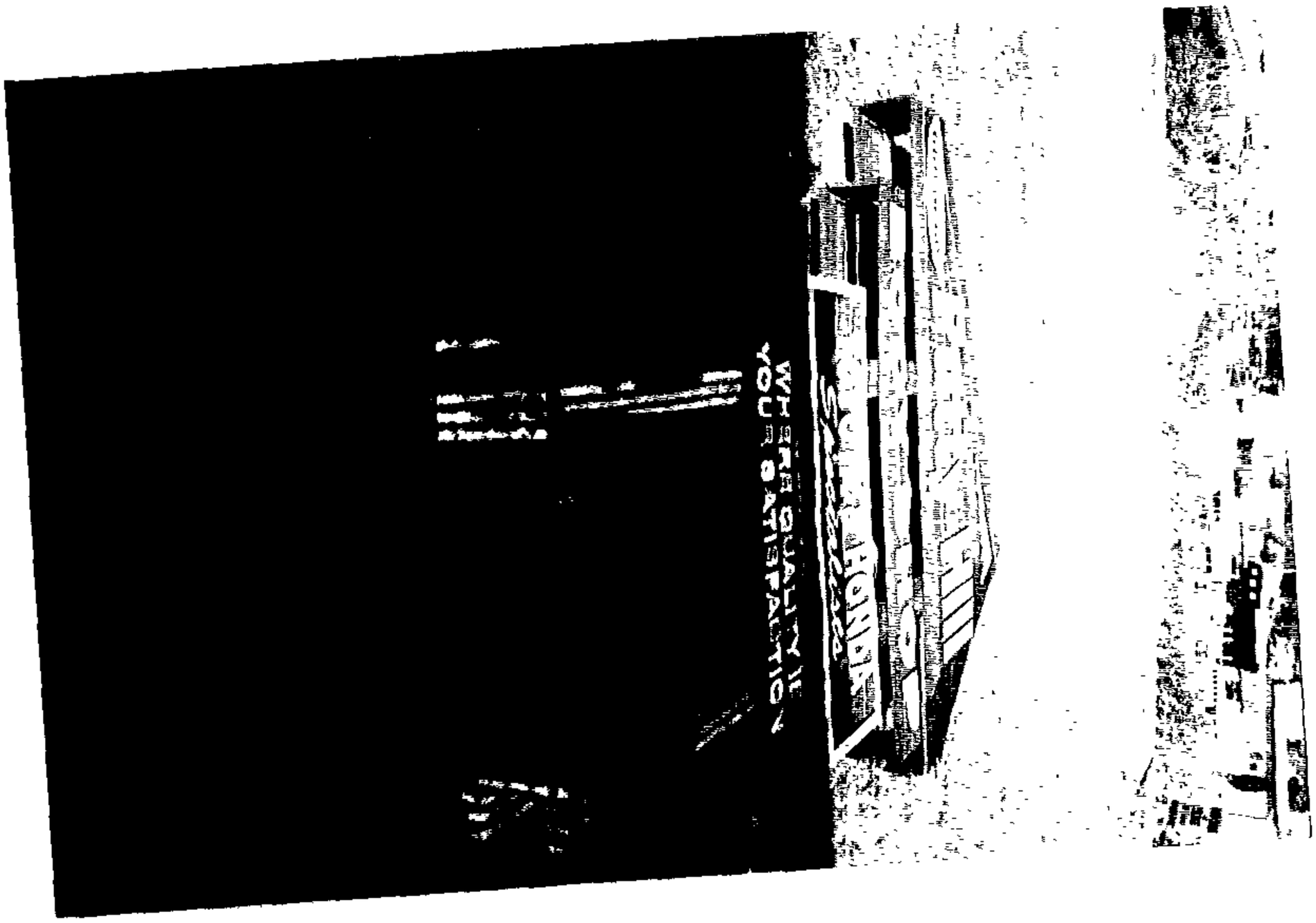
DON-FEIGE OR PAT-O'KEEFE
WILL SEND MEMO EXPLAINING
MORE DETAILS





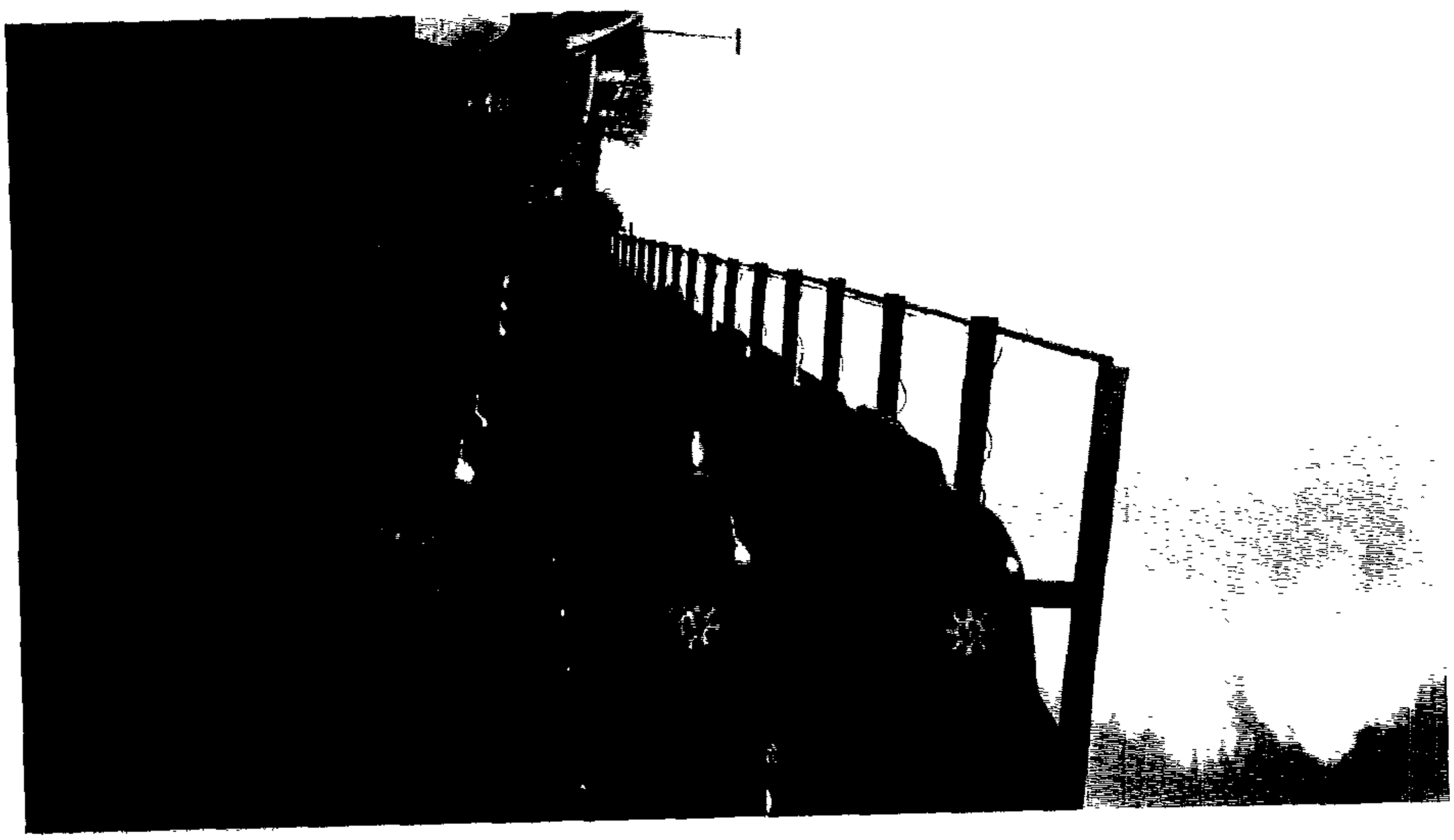


EPF 492

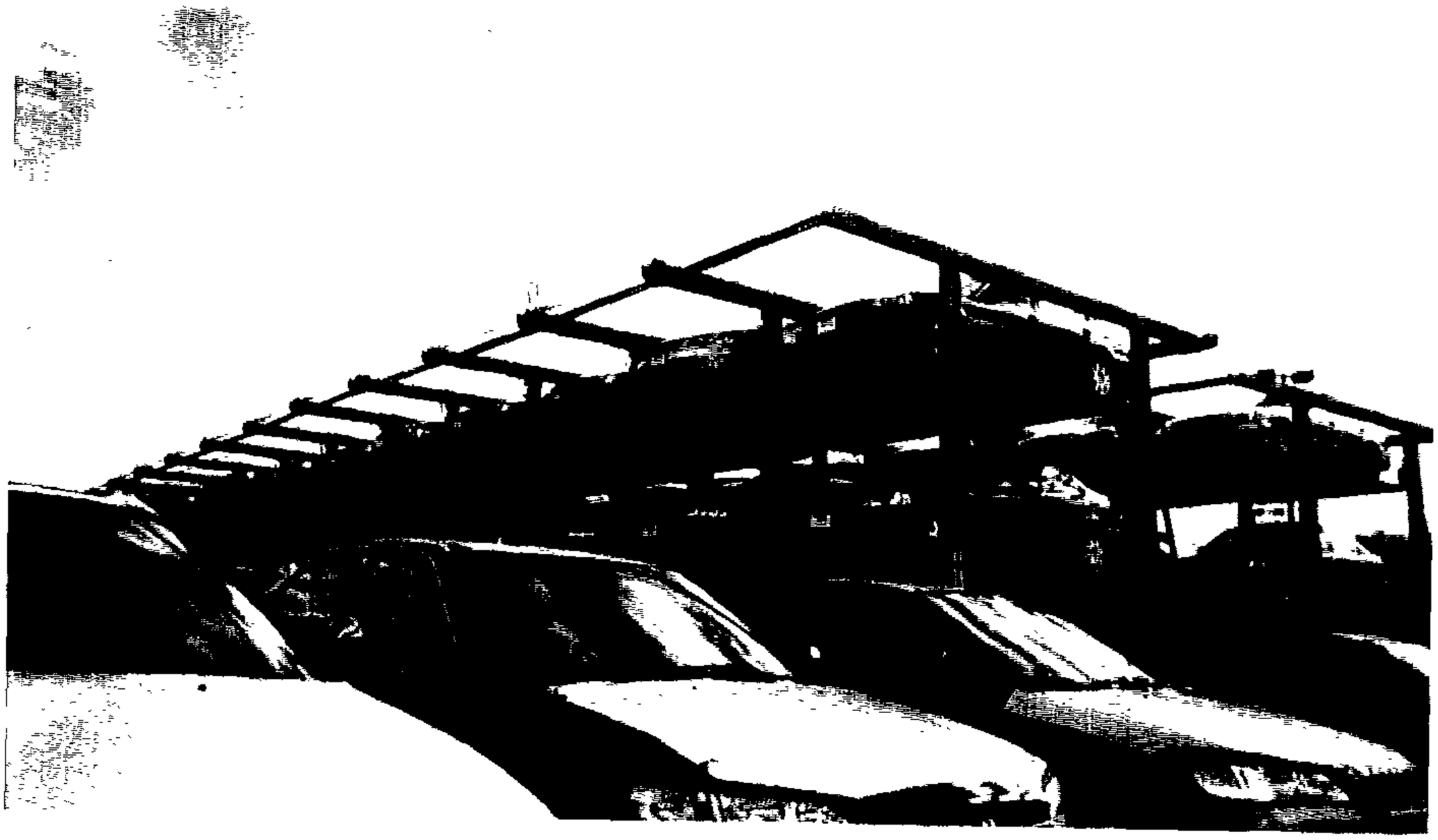

ZONING
NOTICE
YOU ARE ENTERING
A PUBLIC HEARING

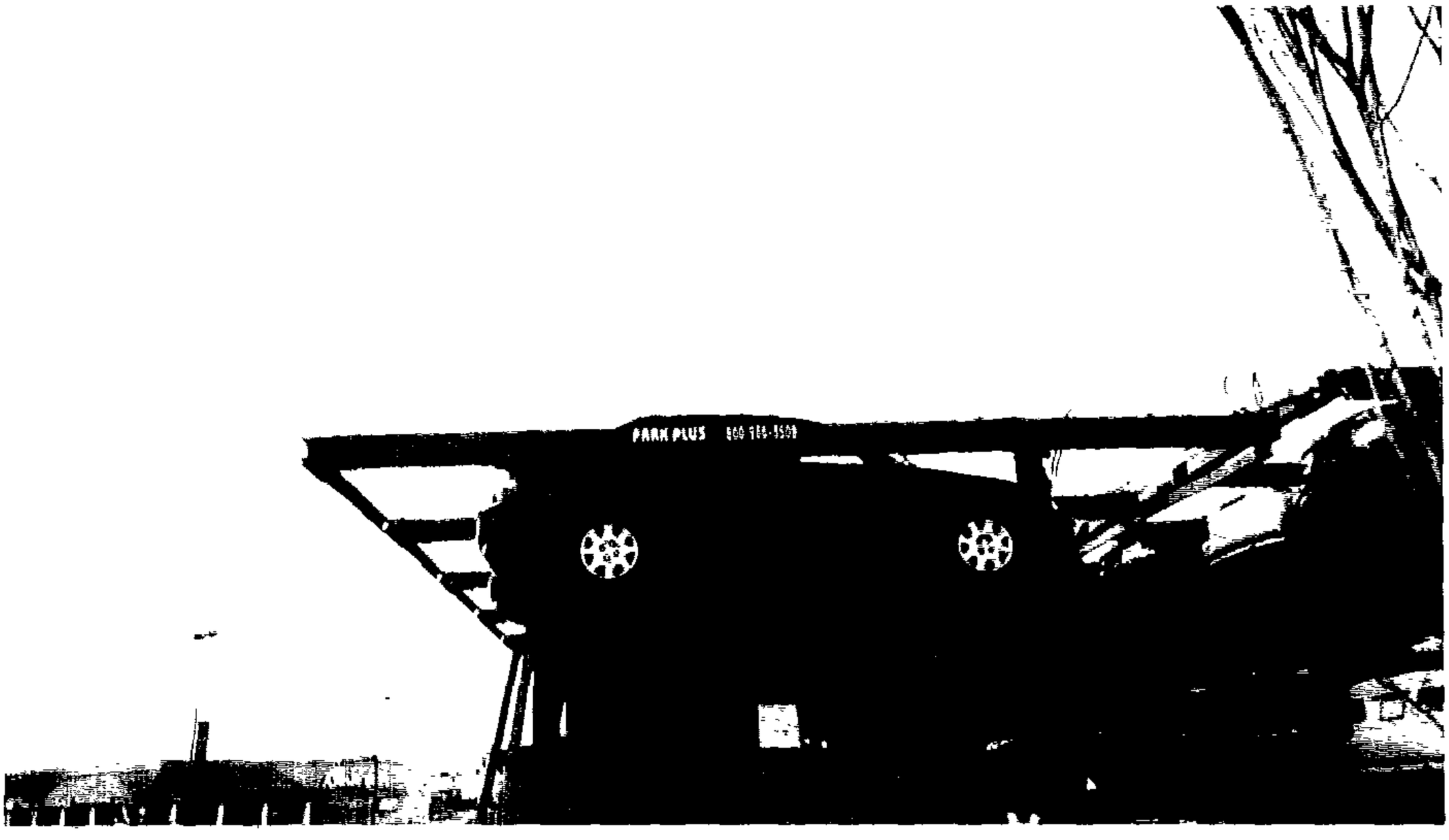
ZONING NOTICE
Case
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

SIGN
Rutty Hill
TOYOTA & HONDA



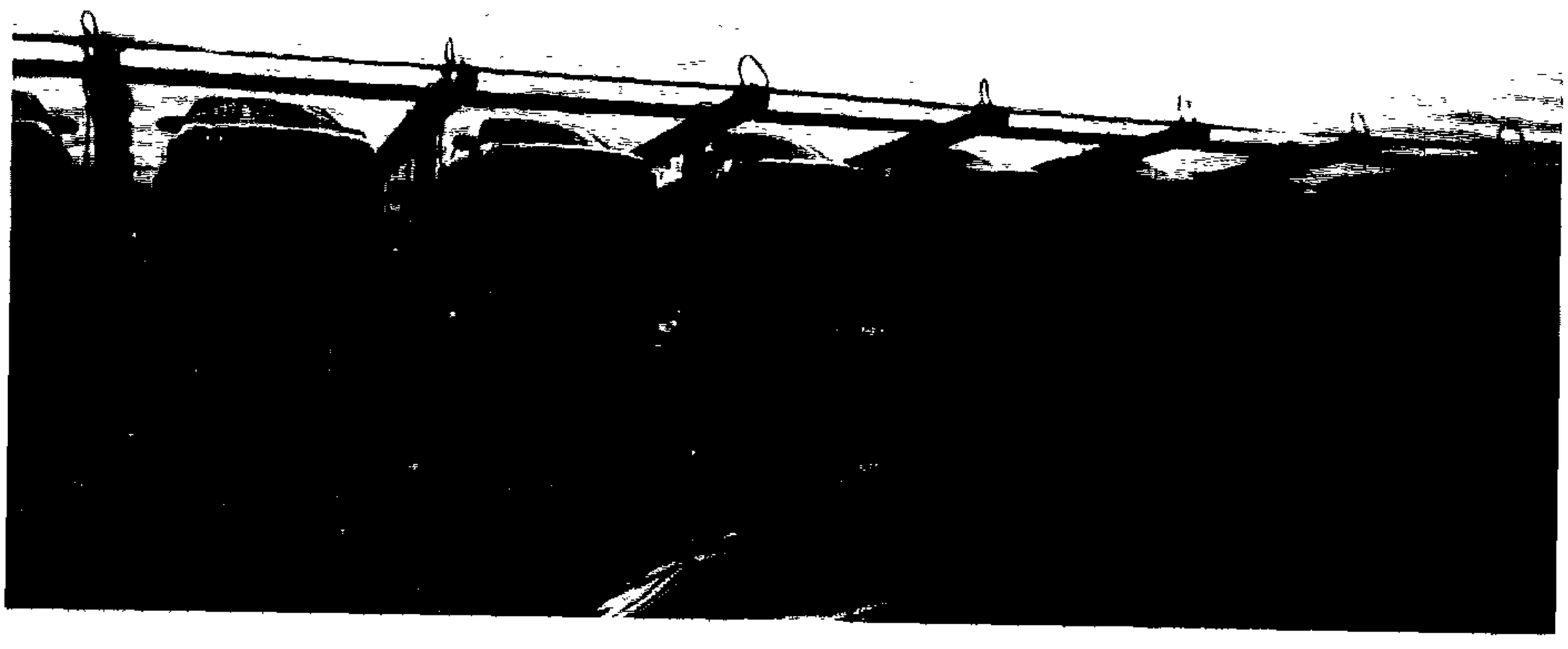
CAR LIFTS



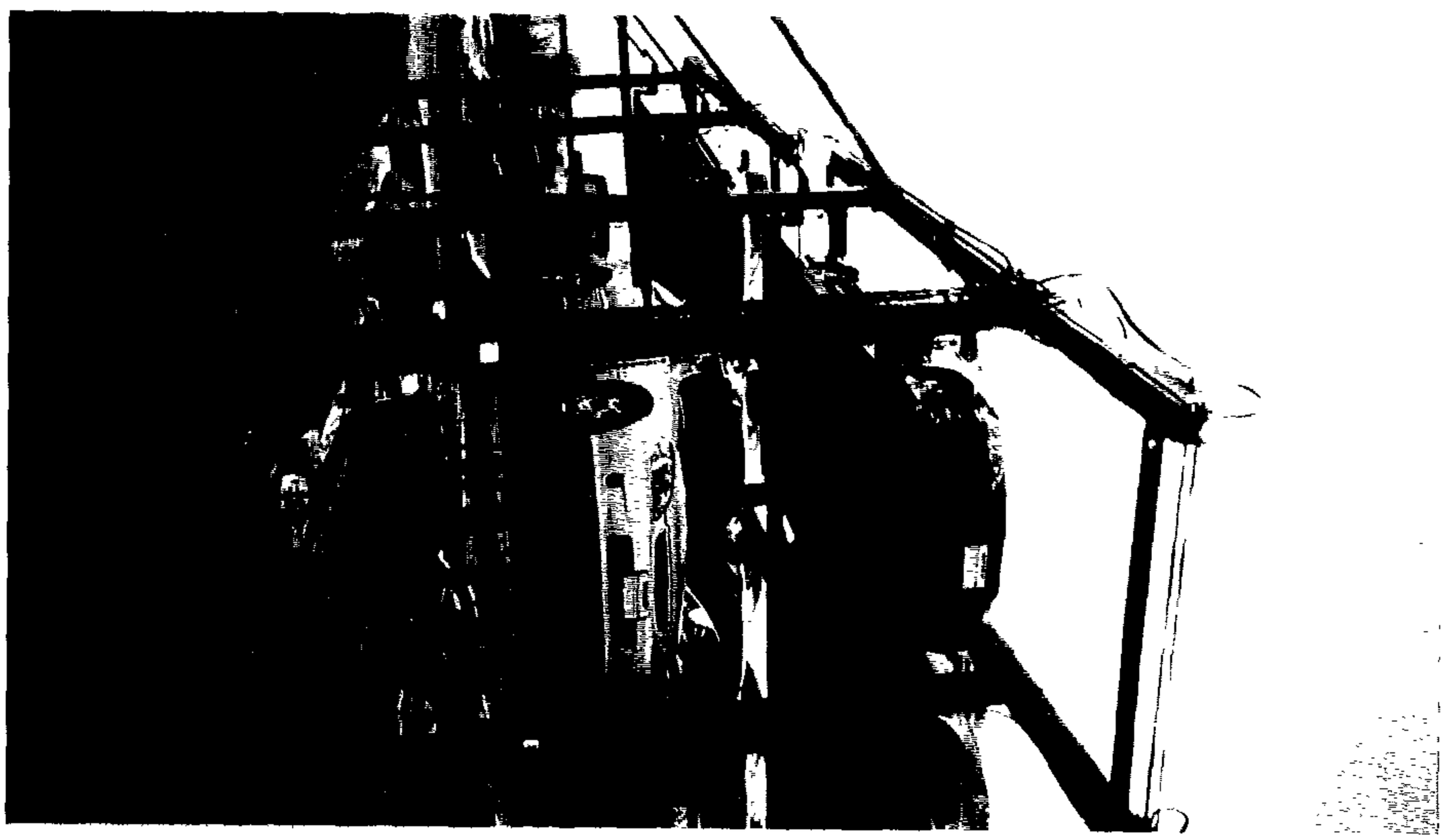


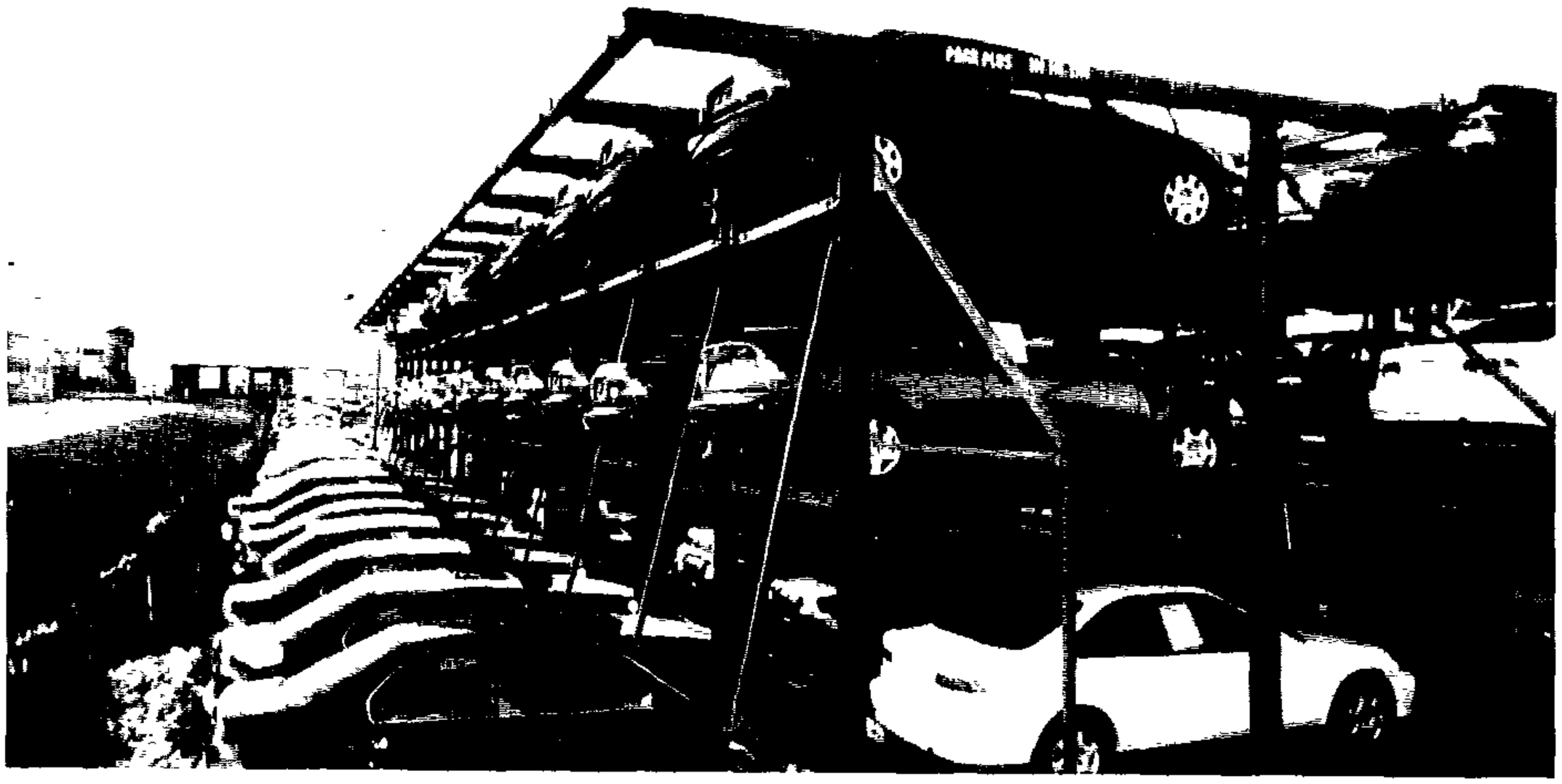
EXAM. CAR LIFTS

CAR LIFTS

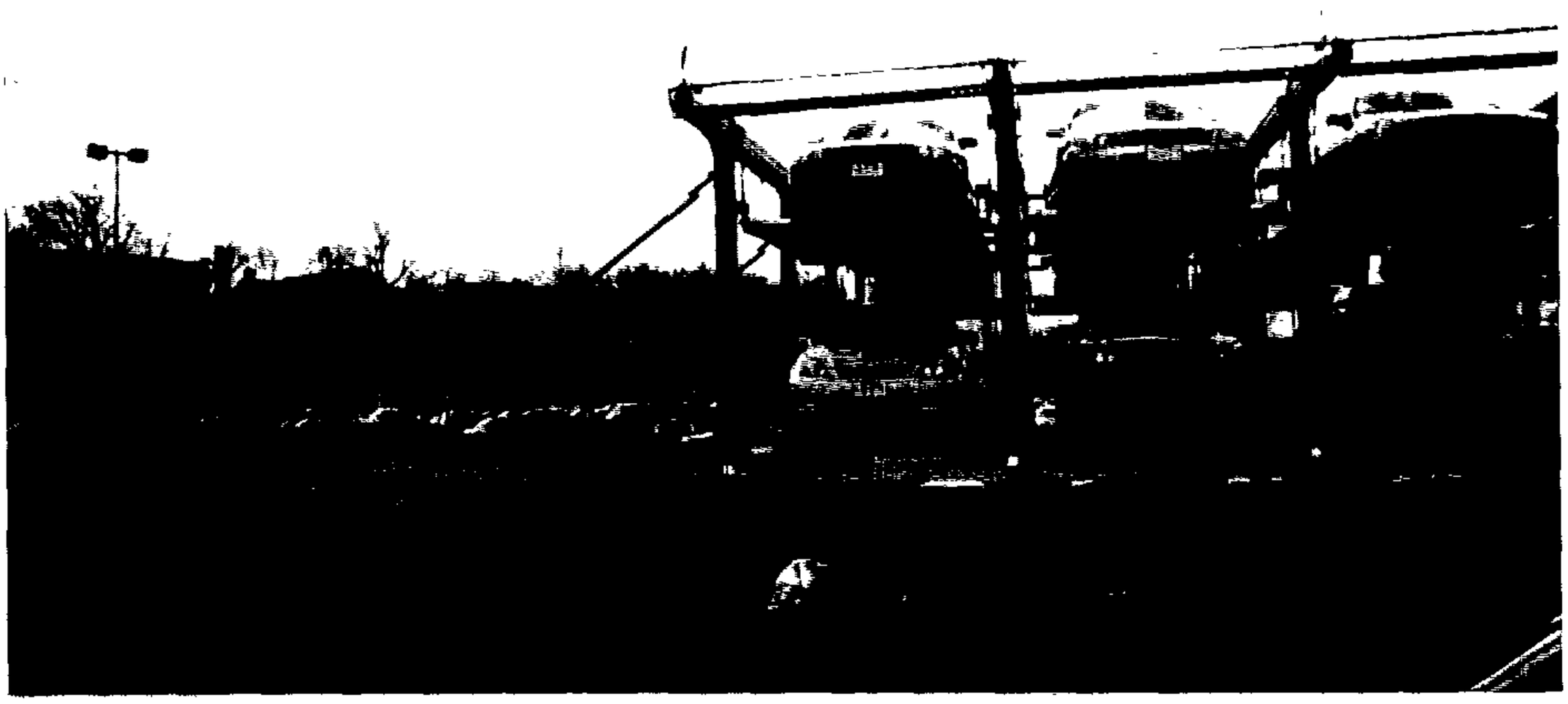


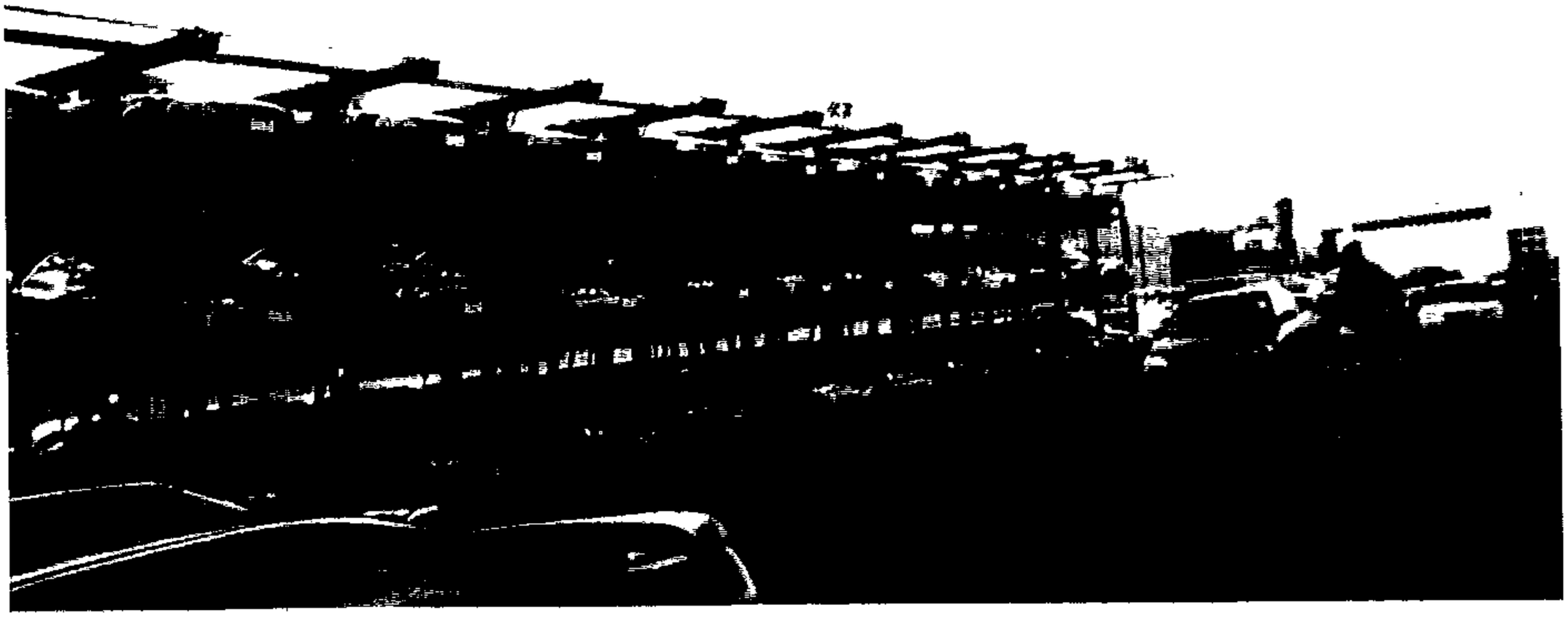
CARLIFTS

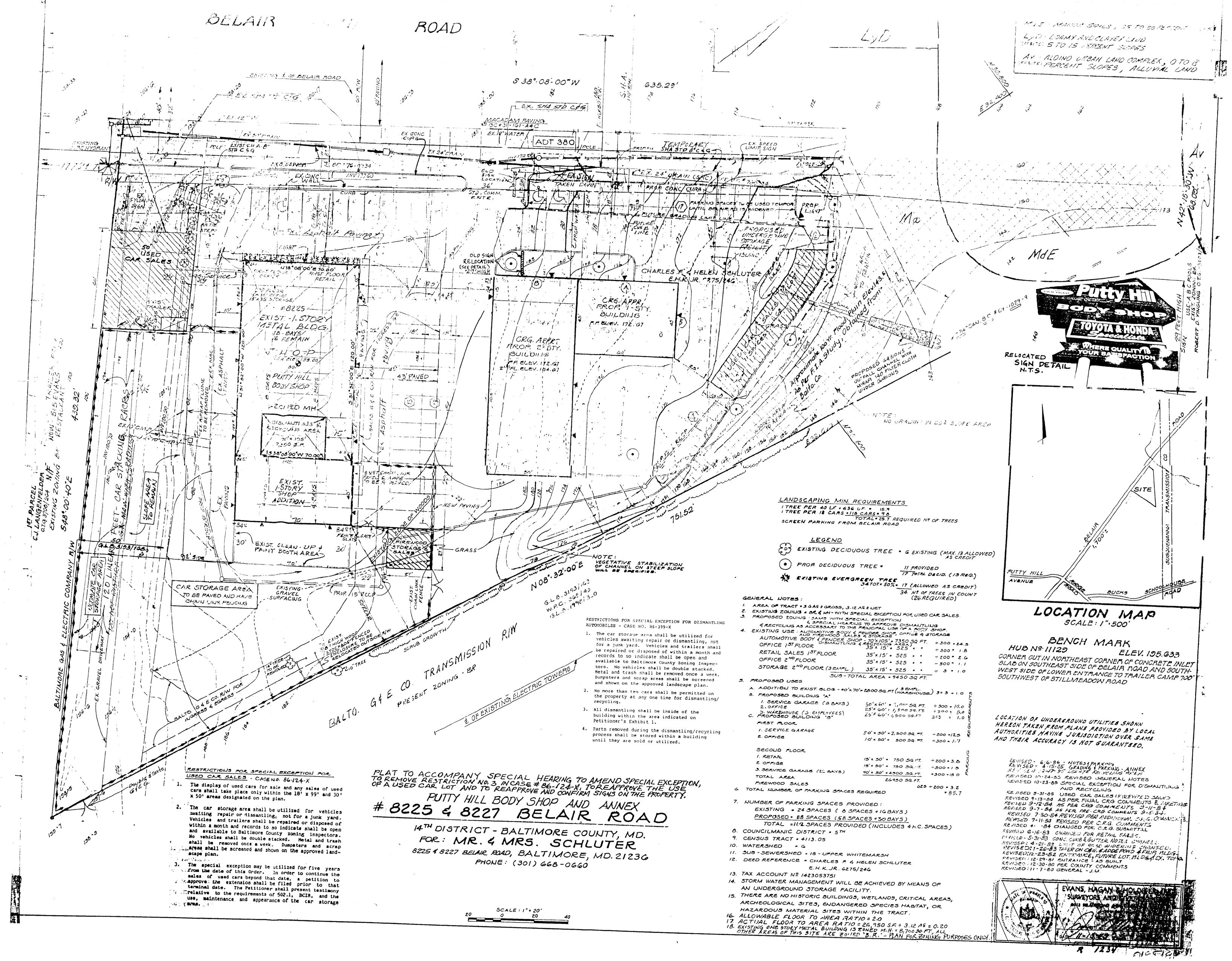




EXAM. CAR LIFTS







LANDSCAPING MIN. REQUIREMENTS

1 TREE PER 40 LF × 636 LF = 15.9
1 TREE PER 12 CARS × 116 CARS = 9.6
TOTAL = 25.7 REQUIRED Nº OF TREES

SCREEN PARKING FROM BELAIR ROAD

LEGEND

EXISTING DECIDUOUS TREE = 6 EXISTING (MAX. 13 ALLOWED) AS CREDIT

PROP. DECIDUOUS TREE = 11 PROVIDED / 17 TOTAL DECID. (13 REQ.)

EXISTING EVERGREEN TREE 34 TOT × 50% = 17 (ALLOWED AS CREDIT) / 34 Nº OF TREES IN COUNT (26 REQUIRED)

GENERAL NOTES:

1. AREA OF TRACT = 3.6 AS ± GROSS, 3.12 AS ± NET
2. EXISTING ZONING = BR & MH - WITH SPECIAL EXCEPTION FOR USED CAR SALES.
3. PROPOSED ZONING: SAME WITH SPECIAL EXCEPTION & SPECIAL HEARING TO APPROVE DISMANTLING & RECYCLING AS ACCESSORY TO THE PRINCIPAL USE OF A BODY SHOP.
4. EXISTING USE: AUTOMOTIVE BODY & FENDER SHOP, OFFICE & STORAGE AND FIREWOOD SALES & STORAGE

AUTOMOTIVE BODY & FENDER SHOP	70'×105' = 7350 SQ. FT. DISMANTLING & RECYCLING	
OFFICE 1ST FLOOR	35'×15' = 525 " "	÷ 300 = 2.5
RETAIL SALES 1ST FLOOR	35'×15' = 525 " "	÷ 300 = 1.8
OFFICE 2ND FLOOR	35'×15' = 525 " "	÷ 200 = 2.6
STORAGE 2ND FLOOR (3 EMPL.)	35'×15' = 525 " "	÷ 500 = 1.1
	SUB-TOTAL AREA = 9450 SQ. FT.	÷ 3 = 1.0

5. PROPOSED USES

A. ADDITION TO EXIST. BLDG. - 40'×70' = 2800 SQ. FT. (3 EMPL. WAREHOUSE)		3÷3 = 1.0
B. PROPOSED BUILDING "A"		
1. SERVICE GARAGE (8 BAYS)	50'×60' = 3,000 SQ. FT.	÷ 300 = 10.0
2. OFFICE	25'×60' = 1,500 SQ. FT.	÷ 300 = 5.0
3. WAREHOUSE (3 EMPLOYEES)	25'×60' = 1,500 SQ. FT.	3÷3 = 1.0
C. PROPOSED BUILDING "B"		
FIRST FLOOR		
1. SERVICE GARAGE	50'×50' = 2,500 SQ. FT.	÷ 200 = 12.5
2. OFFICE	10'×50' = 500 SQ. FT.	÷ 300 = 1.7
SECOND FLOOR		
1. RETAIL	15'×50' = 750 SQ. FT.	÷ 200 = 3.8
2. OFFICE	15'×50' = 750 SQ. FT.	÷ 300 = 1.5
3. SERVICE GARAGE (2½ BAYS)	90'×50' = 4500 SQ. FT.	÷ 300 = 15.0
TOTAL AREA	26,950 SQ. FT.	
FIREWOOD SALES	625	÷ 200 = 3.2
6. TOTAL NUMBER OF PARKING SPACES REQUIRED		= 85.7

REQUIREMENTS / PARKING

7. NUMBER OF PARKING SPACES PROVIDED:
   EXISTING = 24 SPACES (8 SPACES + 16 BAYS)
   PROPOSED = 88 SPACES (58 SPACES + 30 BAYS)
   TOTAL = 112 SPACES PROVIDED (INCLUDES 4 H.C. SPACES)
8. COUNCILMANIC DISTRICT = 5TH
9. CENSUS TRACT = 4113.05
10. WATERSHED = G
11. SUB-SEWERSHED = 18 - UPPER WHITEMARSH
12. DEED REFERENCE = CHARLES F. & HELEN SCHLUTER E.H.K. JR. 6275/246
13. TAX ACCOUNT Nº 1423053751
14. STORM WATER MANAGEMENT WILL BE ACHIEVED BY MEANS OF AN UNDERGROUND STORAGE FACILITY.
15. THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIAL SITES WITHIN THE TRACT.
16. ALLOWABLE FLOOR TO AREA RATIO = 2.0
17. ACTUAL FLOOR TO AREA RATIO = 26,950 S.F. ÷ 3.12 AS = 0.20
18. EXISTING ONE STORY METAL BUILDING IS ZONED M.H. = 8,700.30 FT., ALL OTHER AREAS OF THIS SITE ARE ZONED "B.R." - PLAN FOR ZONING PURPOSES ONLY.

BENCH MARK

HUB Nº 11129 ELEV. 195.633

CORNER CUT IN NORTHEAST CORNER OF CONCRETE INLET SLAB ON SOUTHEAST SIDE OF BELAIR ROAD AND SOUTHWEST SIDE OF LOWER ENTRANCE TO TRAILER CAMP 700' SOUTHWEST OF STILLMEADOW ROAD

LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON TAKEN FROM PLANS PROVIDED BY LOCAL AUTHORITIES HAVING JURISDICTION OVER SAME AND THEIR ACCURACY IS NOT GUARANTEED.

REVISED - 6-6-86 - NOTES & PARKING
REVISED - 4-19-85 GRADING & PARKING - ANNEX
REVISED - 2-12-85 - CRG. PLAN REVISED
REVISED 10-24-83 REVISED GENERAL NOTES
REVISED 10-23-83 SPECIAL EXCEPTION FOR DISMANTLING AND RECYCLING
REVISED 5-31-83 USED CAR SALES (FIREWOOD SALES)
REVISED 9-13-84 AS PER FINAL CRG COMMENTS & MEETING
REVISED 9-12-84 AS PER CRG COMMENTS 9-11-84
REVISED 9-7-84 AS PER PRE-CRG COMMENTS 9-5-84
REVISED 7-30-84 REVISED PER ADDITIONAL S.H.C. COMMENTS
REVISED 7-11-84 REVISED PER C.R.G. COMMENTS
REVISED 4-[illegible]-84 CHANGED FOR C.R.G. SUBMITTAL
REVISED 6-16-83 CHANGES FOR RETAIL SALES.
REVISED - 5-31-83 SONC. CURB & GUTTER NOTES CHANGED
REVISED - 4-21-83 LIMIT OF ROAD WIDENING CHANGED.
REVISED 1-26-83 TAPER ON C.R.G. & ADDE POND & EXIST. BLDG.
REVISED 12-23-82 ENTRANCE, FUTURE LOT, BLDG. & EX. TOPO.
REVISED: 12-29-81 ENTRANCE AS BUILT
REVISED: 12-30-80 PER COUNTY COMMENTS
REVISED: 11-7-80 GENERAL - J.M.

EVANS, HAGAN & HOLDEREAD, INC.
SURVEYORS AND ENGINEERS
8013 BELAIR ROAD

R 1234

RESTRICTIONS FOR SPECIAL EXCEPTION FOR DISMANTLING AUTOMOBILES - CASE NO. 86-399-X

1. The car storage area shall be utilized for vehicles awaiting repair or dismantling, not for a junk yard. Vehicles and trailers shall be repaired or disposed of within a month and records to so indicate shall be open and available to Baltimore County Zoning Inspectors. No vehicles shall be double stacked. Metal and trash shall be removed once a week. Dumpsters and scrap areas shall be screened and shown on the approved landscape plan.
2. No more than ten cars shall be permitted on the property at any one time for dismantling/recycling.
3. All dismantling shall be inside of the building within the area indicated on Petitioner's Exhibit 1.
4. Parts removed during the dismantling/recycling process shall be stored within a building until they are sold or utilized.

RESTRICTIONS FOR SPECIAL EXCEPTION FOR USED CAR SALES - CASE NO. 86-124-X

1. The display of used cars for sale and any sales of used cars shall take place only within the 18' x 99' and 30' x 50' areas designated on the plan.
2. The car storage area shall be utilized for vehicles awaiting repair or dismantling, not for a junk yard. Vehicles and trailers shall be repaired or disposed of within a month and records to so indicate shall be open and available to Baltimore County zoning inspectors. No vehicles shall be double stacked. Metal and trash shall be removed once a week. Dumpsters and scrap areas shall be screened and shown on the approved landscape plan.
3. The special exception may be utilized for five years from the date of this Order. In order to continue the sales of used cars beyond that date, a petition to approve the extension shall be filed prior to that terminal date. The Petitioner shall present testimony relative to the requirements of 502.1, BCZR, and the use, maintenance and appearance of the car storage area.

PLAT TO ACCOMPANY SPECIAL HEARING TO AMEND SPECIAL EXCEPTION, TO REMOVE RESTRICTION NO. 3 IN CASE # 86-124-X, TO REAPPROVE THE USE OF A USED CAR LOT AND TO REAPPROVE AND CONFIRM SIGNS ON THE PROPERTY.

PUTTY HILL BODY SHOP AND ANNEX
8225 & 8227 BELAIR ROAD

14TH DISTRICT - BALTIMORE COUNTY, MD.
FOR: MR. & MRS. SCHLUTER
8225 & 8227 BELAIR ROAD, BALTIMORE, MD. 21236
PHONE: (301) 668-0660

SCALE: 1" = 20'
20 0 20 40

99-133-SPHX

ORDER RECEIVED FOR FILING
DATE _____
BY _____
ADMINISTRATIVE ASSISTANT

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Charles Frederick Schluter
Charles Frederick Schluter

8225 Belair Rd 668-5686 (Days)
Address Phone No.
Baltimore Co Maryland 21236
Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
Charles Frederick Schluter
7303 Gilham Rd 592-9331 (Home)
Address Office No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19__, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the _____ day of _____, 19__, at _____ o'clock

Zoning Commissioner of Baltimore County

(over)

District 8 P. Schluter
S/S Belair Rd. 1,700' N/Ridge Rd.
(8225 & 8227 Belair Rd.)
No. 1

86-124-X
Petition for Special Exception
Zoning Posting and Advertising of
Date of Posting 9-6-85
Posted for: Special Exception
Petitioner: Charles Frederick Schluter
Location of property: S/S Belair Rd. 1700' N/Ridge Rd. (8225 & 8227 Belair Rd.)
Location of signs: Facing Belair Rd. approx. 25' from corner of property line
Remarks:
Posted by: [illegible]
Date of return: 9-13-85

ORDER RECEIVED FOR FILING
DATE _____
BY _____

ORDER RECEIVED FOR FILING
DATE October 1, 1985
BY _____
ADMINISTRATIVE ASSISTANT

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
3.2 ACRE, MORE OR LESS PARCEL, SOUTHEAST SIDE OF BELAIR ROAD, 1,700 FEET, MORE OR LESS, NORTHEAST OF RIDGE ROAD
BALTIMORE COUNTY, MARYLAND

This description is for a special exception.

BEGINING at a point on the southeast side of Belair Road, 80 feet wide, said point being at the southwest corner of the land of Charles F. Schluter and distant North 38 degrees 16 minutes 30 seconds East 1,700.0 feet more or less, from the intersection of said Belair Road, and Ridge Road, running thence binding on said Belair Road (1) North 38 degrees 16 minutes 30 seconds East 631.7 feet more or less, thence binding on said land three courses (2) South 42 degrees 15 minutes 30 seconds East 33.6 feet more or less, (3) South 08 degrees 32 minutes 00 seconds West 751.5 feet more or less, and (4) North 46 degrees 00 minutes 40 seconds West 406.8 feet more or less, to the place of beginning.

CONTAINING 3.2 acres of land, more or less.

Job Order No. 01-85198
Work Order No. 7772-C
RWB/aeb

June 7, 1985

STATE OF MARYLAND
LAND SURVEYOR

Charles Frederick Schluter
Charles Frederick Schluter
Charles Frederick Schluter

Petition for Special Exception
Petition for Variance
Date of Hearing: [illegible]
Zoning Commissioner of Baltimore County

Upon the foregoing petition and evidence presented, it appears that the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) have been met and that the proposed use will not be adverse-

ORDER RECEIVED FOR FILING
DATE _____
BY _____

ORDER RECEIVED FOR FILING
DATE _____
BY _____

Petition for Special Exception
Petition for Variance
Date of Hearing: [illegible]
Zoning Commissioner of Baltimore County

Upon the foregoing petition and evidence presented, as well as the plan prepared by Evans, Hazar & Holzefer, Inc., revised May 31, 1985, it is ORDERED and GRANTED, from and after the date of this order, subject, however, to the following restrictions:

1. The display of used cars for sale and any sales of used cars shall take place only within the 8' x 99' and 10' x 10' areas designated on the plan.

2. The car storage area shall be utilized for vehicles awaiting repair or dismantling, not for a junk yard. Vehicles and trailers must be repaired or disposed of within a month and records to so indicate shall be open and available to Baltimore County zoning inspectors. No vehicles shall be double stacked. Metal and trash shall be removed once a week. Dumpsters and scrap areas shall be screened and shown on the approved landscape plan.

3. The special exception may be utilized for five years from the date of this Order. In order to continue the sales of used cars beyond that date, a petition to approve the extension shall be filed prior to that terminal date. The Petitioner shall present testimony relative to the requirements of 502.1, BCZR, and the use, maintenance and appearance of the car storage area.

Deputy Zoning Commissioner
of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION
S/S Belair Rd., 1700' N/Ridge Rd.
(8225 & 8227 Belair Rd.)
14th District
CHARLES FREDRICK SCHLUTER,
Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
:
: Case No. 86-124-X
:

ENTRY OF APPEARANCE

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

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 28th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Charles Fredrick Schluter, 8225 Belair Rd., Baltimore, MD 21236, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 19, 1985

Mr. Charles F. Schluter
8225 Belair Road
Baltimore, Maryland 21236

RE: Petition for Special Exception
S/S Belair Rd., 1700' N. Ridge Road
(8225 & 8227 Belair Road)
14th Election District
Charles Frederick Schluter, Petitioner
Case No. 86-124-X

Dear Mr. Schluter:

This is to advise you that $52.06 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do NOT remove sign until day of hearing.

Please make the [illegible] payable to Baltimore County, Maryland and bring it to the office Building.

[redacted]

Very truly yours,

Zoning Commissioner

BELAIR ROAD

LyD

Ma

MdE

635.29

N 08° 32' 00" E

751.52

CHARLES F. & HELEN SCHLUTER

BALTO. G & E CO TRANSMISSION R/W

℄ OF EXISTING ELECTRIC TOWERS

C/R STORAGE AREA

EXISTING FIRE HYDRANT

LANDSCAPING MIN. REQUIREMENTS

SCREEN PARKING FROM BELAIR ROAD

LEGEND

EXISTING DECIDUOUS TREE

PROP DECIDUOUS TREE

EXISTING EVERGREEN TREE

PUTTY HILL AVENUE

LOCATION MAP

GENERAL NOTES:

PLAT TO ACCOMPANY SPECIAL EXCEPTIONS

FOR

PUTTY HILL BODY SHOP AND ANNEX

8225 & 8227 BELAIR ROAD

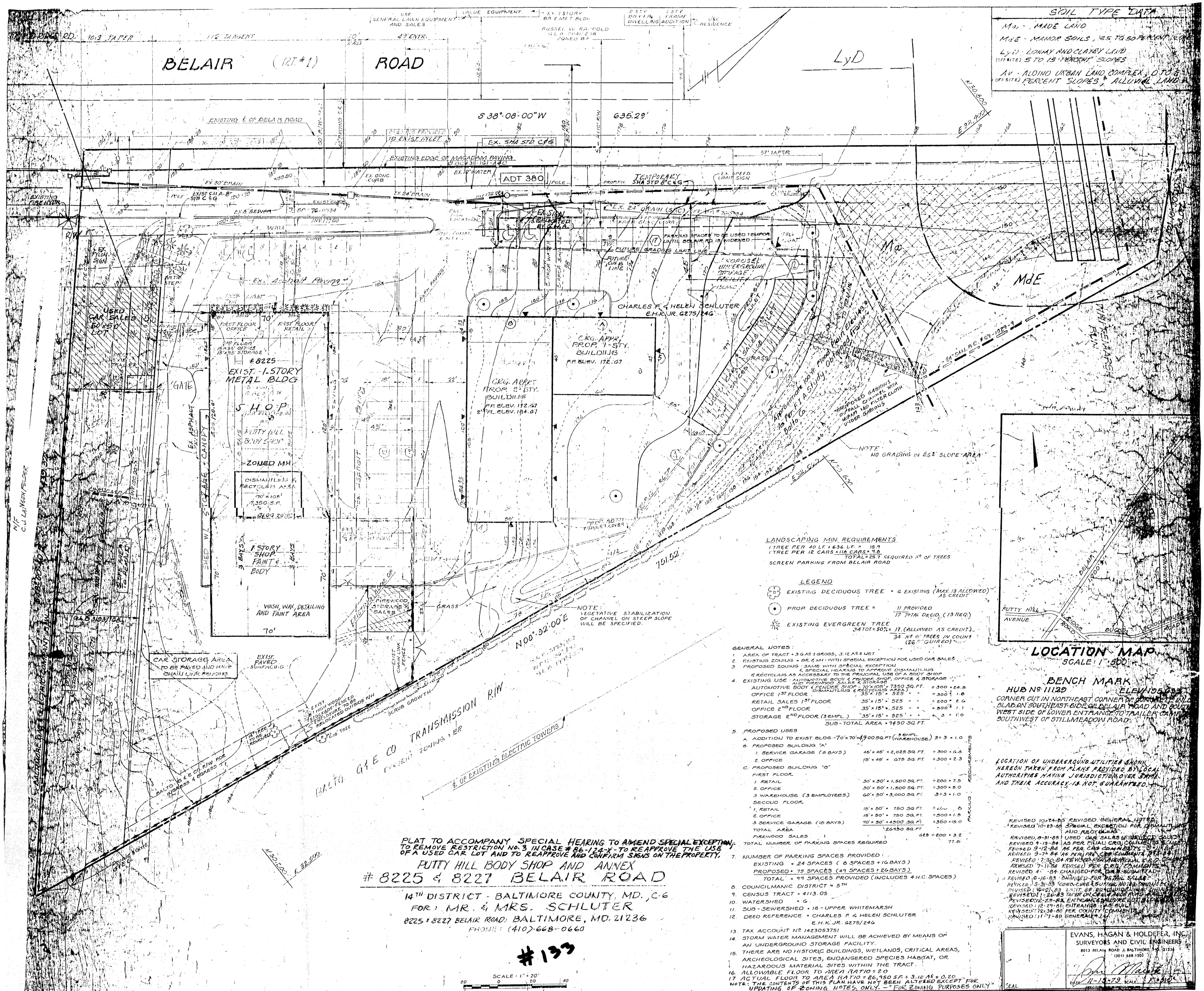
14TH DISTRICT - BALTIMORE COUNTY, MD.

FOR: MR. & MRS. SCHLUTER

BALTIMORE, MD. 21236

PHONE: (301) 668-1060

SCALE 1" = 20'


BELAIR (RT. #1) ROAD
S 38°-08'-00"W 635.29'
EXISTING EDGE OF MACADAM PAVING
ADT 380
TEMPORARY SHA STD 8" C&G
EX. 24" DRAIN (S/C)
EXISTING FIRE HYDRANT
EX. 8" SEWER
EX. ASPHALT PAVING
USED CAR SALES 60'x50' LOT
#8225 EXIST. 1-STORY METAL BLDG
SHOP
PUTTY HILL BODY SHOP
ZONED MH
DISMANTLING & RECYCLING AREA 70'x105' 7,350 S.F.
1 STORY SHOP PAINT & BODY
WASH, WAX, DETAILING AND PAINT AREA
FIREWOOD STORAGE & SALES
CARLES F. & HELEN SCHLUTER E.H.K.JR. 6275/246
CRG. APPR. PROP. 1-STY. BUILDING
CRG. APPR. PROP. 2-STY. BUILDING
PARKING SPACES TO BE USED TEMPORARILY UNTIL BELAIR RD. IS WIDENED
FUTURE GRADING LIMIT LINE
PROPOSED UNDERGROUND STORAGE FACILITY
USED CAR SALES LOT
Approximate 100 Yr. Flood Plain Elevations as per FIA Study, obtained from Balto. Co.
PROPOSED GABIONS OUTFALL CHANNEL WITH NIRAFIL 140 FILTER CLOTH UNDER GABIONS
NOTE: NO GRADING IN 25% SLOPE AREA
NOTE: VEGETATIVE STABILIZATION OF CHANNEL ON STEEP SLOPE WILL BE SPECIFIED.
N00°-32'-00"E 751.52'
CAR STORAGE AREA TO BE PAVED AND HAVE CHAIN LINK FENCING
EXIST. PAVED SURFACING
EXIST. CHAIN LINK FENCE
SCRUB GROWTH
BALTO. G&E CO. TRANSMISSION R/W
PRESENT ZONING = ER
℄ OF EXISTING ELECTRIC TOWERS
BALTO. G&E CO. R/W FOR HIGHWAY & DRAINAGE
LyD
Ma
MdE
SOIL TYPE DATA
Ma - MADE LAND
MdE - MANOR SOILS, 25 TO 50 PERCENT SLOPES
LyD - LOAMY AND CLAYEY LAND (OFFSITE) 5 TO 15 PERCENT SLOPES
AV - ALDINO URBAN LAND COMPLEX, 0 TO 5 (OFFSITE) PERCENT SLOPES, ALLUVIAL LAND
LOCATION MAP
SCALE: 1" = 500'
BENCH MARK
HUB No. 111.29 ELEVATION 203.03
CORNER CUT IN NORTHEAST CORNER OF CONCRETE WALL SLAB ON SOUTHEAST SIDE OF BELAIR ROAD AND SOUTH WEST SIDE OF LOWER ENTRANCE TO TRAILER CAMP SOUTHWEST OF STILLMEADOW ROAD.
LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON TAKEN FROM PLANS PROVIDED BY LOCAL AUTHORITIES HAVING JURISDICTION OVER SAME AND THEIR ACCURACY IS NOT GUARANTEED.
LANDSCAPING MIN. REQUIREMENTS
1 TREE PER 40 LF x 636 LF = 15.9
1 TREE PER 12 CARS x 116 CARS = 9.6
TOTAL = 25.7 REQUIRED No OF TREES
SCREEN PARKING FROM BELAIR ROAD
LEGEND
EXISTING DECIDUOUS TREE = 6 EXISTING (MAX. 13 ALLOWED) AS CREDIT
PROP. DECIDUOUS TREE = 11 PROVIDED
17 TOTAL DECID. (13 REQ.)
EXISTING EVERGREEN TREE
34 TOT x 50% = 17 (ALLOWED AS CREDIT)
34 No. OF TREES IN COUNT (26 REQUIRED)
GENERAL NOTES:
1. AREA OF TRACT = 3.6 AC ± GROSS, 3.12 AC ± NET
2. EXISTING ZONING = BR & MH - WITH SPECIAL EXCEPTION FOR USED CAR SALES
3. PROPOSED ZONING: SAME WITH SPECIAL EXCEPTION & SPECIAL HEARING TO APPROVE DISMANTLING & RECYCLING AS ACCESSORY TO THE PRINCIPAL USE OF A BODY SHOP
4. EXISTING USE: AUTOMOTIVE BODY & FENDER SHOP, OFFICE & STORAGE AND FIREWOOD SALES & STORAGE
AUTOMOTIVE BODY (FENDER SHOP - 70'x105' = 7350 SQ. FT. DISMANTLING & RECYCLING AREA) + 300 = 24.5
OFFICE 1ST FLOOR 35'x15' = 525 " " + 300 = 1.8
RETAIL SALES 1ST FLOOR 35'x15' = 525 " " + 200 = 2.6
OFFICE 2ND FLOOR 35'x15' = 525 " " + 300 = 1.1
STORAGE 2ND FLOOR (3 EMPL.) 35'x15' = 525' " " + 3 = 1.0
SUB-TOTAL AREA = 9450 SQ. FT.
5. PROPOSED USES
A. ADDITION TO EXIST. BLDG. - 70'x70' = 4,900 SQ. FT. (WAREHOUSE) 3 EMPL. 3+3 = 1.0
B. PROPOSED BUILDING "A"
1. SERVICE GARAGE (8 BAYS) 45'x45' = 2,025 SQ. FT. + 300 = 6.8
2. OFFICE 15'x45' = 675 SQ. FT. + 300 = 2.3
C. PROPOSED BUILDING "B"
FIRST FLOOR
1. RETAIL 30'x50' = 1,500 SQ. FT. + 200 = 7.5
2. OFFICE 30'x50' = 1,500 SQ. FT. + 300 = 5.0
3. WAREHOUSE (3 EMPLOYEES) 60'x50' = 3,000 SQ. FT. 3+3 = 1.0
SECOND FLOOR
1. RETAIL 15'x50' = 750 SQ. FT. + 600 = 1.5
2. OFFICE 15'x50' = 750 SQ. FT. + 500 = 1.5
3. SERVICE GARAGE (18 BAYS) 70'x50' = 4500 SQ. FT. + 300 = 15.0
TOTAL AREA 26450 SQ. FT.
FIREWOOD SALES 625 ÷ 200 = 3.2
TOTAL NUMBER OF PARKING SPACES REQUIRED 77.6
PARKING REQUIREMENTS
7. NUMBER OF PARKING SPACES PROVIDED:
EXISTING = 24 SPACES (8 SPACES + 16 BAYS)
PROPOSED = 75 SPACES (49 SPACES + 26 BAYS)
TOTAL = 99 SPACES PROVIDED (INCLUDES 4 H.C. SPACES)
8. COUNCILMANIC DISTRICT = 5TH
9. CENSUS TRACT = 4113.05
10. WATERSHED = G
11. SUB-SEWERSHED = 18 - UPPER WHITEMARSH
12. DEED REFERENCE = CHARLES F. & HELEN SCHLUTER E.H.K. JR. 6275/246
13. TAX ACCOUNT No. 1423053751
14. STORM WATER MANAGEMENT WILL BE ACHIEVED BY MEANS OF AN UNDERGROUND STORAGE FACILITY.
15. THERE ARE NO HISTORIC BUILDINGS, WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIAL SITES WITHIN THE TRACT.
16. ALLOWABLE FLOOR TO AREA RATIO = 2.0
17. ACTUAL FLOOR TO AREA RATIO = 26,950 S.F. ÷ 3.12 AC = 0.20
NOTE: THE CONTENTS OF THIS PLAN HAVE NOT BEEN ALTERED EXCEPT FOR UPDATING OF ZONING NOTES ONLY. - "FOR ZONING PURPOSES ONLY"
REVISED 10-24-85 REVISED GENERAL NOTES
REVISED 10-23-85 SPECIAL EXCEPTION FOR DISMANTLING AND RECYCLING
REVISED 9-13-84 AS PER FINAL CRG. COMMENTS
REVISED 9-12-84 AS PER CRG COMMENTS
REVISED 9-7-84 AS PER PRE CRG COMMENTS
REVISED 7-30-84 REVISED PER ADDITIONAL CRG COMMENTS
REVISED 7-11-84 REVISED PER CRG COMMENTS
REVISED 4-[illegible]-84 CHANGED FOR DMS SUBMITTAL
REVISED 6-16-83 CHANGED FOR REZONING
REVISED 5-31-83 CONC. CURB & GUTTER NO. 1 & 2 CONSTRUCTED
REVISED: 3-21-83 LIN. FT. OF CONCRETE CURB
REVISED: 1-26-83 TAPER ON CENTER AREA PAVED
REVISED: 12-23-82 ENTRANCE & TURNING LANE
REVISED: 12-29-81 ENTRANCE AS BUILT
REVISED: 12-30-80 PER COUNTY COMMENTS
REVISED: 11-7-80 GENERAL
EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8013 BELAIR ROAD • BALTIMORE, MD. 21236
(301) 668-1501
SEAL
DATE 11-15-79 SCALE 1" = 40'
PLAT TO ACCOMPANY SPECIAL HEARING TO AMEND SPECIAL EXCEPTION TO REMOVE RESTRICTION NO. 3 IN CASE # 86-124-X - TO REAPPROVE THE USE OF A USED CAR LOT AND TO REAPPROVE AND CONFIRM SIGNS ON THE PROPERTY.
PUTTY HILL BODY SHOP AND ANNEX
8225 & 8227 BELAIR ROAD
14TH DISTRICT - BALTIMORE COUNTY, MD., C-6
FOR: MR. & MRS. SCHLUTER
8225 & 8227 BELAIR ROAD; BALTIMORE, MD. 21236
PHONE: (410)-668-0660
#133
SCALE: 1" = 20'
99-133-SPHX
6/14/01 MPC #

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Donald H. Feige	9407 Harford Rd
	Balt MD 21234
Chas. F. Schluter	8225 Belair Rd
	Balt MD 21236
Pat O'Keefe	

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
October 29, 1998 Issue - Jeffersonian

Please forward billing to:
Charles Frederick Schluter 410-668-0660
8225 Belair Road
Baltimore, MD 21236

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: 99-133-SPHX
8225 & 8227 Belair Road
SE/S Belair Road, 1700' N of centerline Ridge Road
14th Election District – 6th Councilmanic District
Legal Owner: Helen V. & Charles Frederick Schluter

Special Hearing to approve the amendment of zoning case 86-124-X and removal of restriction no. 3; confirm non-conforming existing signs; and amend zoning case 86-399-X, if necessary. Special Exception to continue and reapprove the use of a used car lot (sales) granted in zoning case 86-124-X.

HEARING: Monday, November 16, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt 59
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.