IN RE: PETITION FOR SPECIAL HEARING
N/S East Baltimore Street, 75' E of the c/l
Pembrooke Boulevard
(7014 East Baltimore Street)
12<sup>th</sup> Election District
7<sup>th</sup> Councilmanic District

7014 East Baltimore Street Assoc., LLC Petitioners

BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 00-246-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter was scheduled for a public hearing on Tuesday, January 18, 2000 before this Zoning Commissioner to consider a Petition for Special Hearing filed by the owners of the subject property, 7014 East Baltimore Street Associates, LLC, by Paul J. Boeckmann, Officer, through their attorney, Newton A. Williams, Esquire. The Petitioners sought approval of an amendment to the previously approved site plan in prior Case No. 94-294-XA to remove Restriction No. 2 thereof, which limited the service garage use on the subject property to a specific tenant.

By letter dated January 12, 2000, Counsel for the Petitioners filed a written request for withdrawal of the Petition. Apparently, the Petitioners discussed their proposal with their neighbors and decided not to proceed with their plans.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this \_\_\_\_\_\_ day of January, 2000 that the Petition for Special Hearing filed in the above-captioned matter be and the same is hereby DISMISSED WITHOUT PREJUDICE.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bis

cc: 7014 East Baltimore Street Assoc., LLC

c/o Cambridge Hanover, 107 Cherry Street, New Canaan, Connecticut 06840 Newton A. Williams, Esquire

502 Washington Avenue, Suite 700, Towson, Md. 21204

People's Counsel; Case File

E REPENDENCH FLANG



REV 9/15/98

# **Petition for Special Hearing**

to the Zoning Commissioner of Baltimore County

| for the property located at | 7014     | East  | Baltimore | Street |
|-----------------------------|----------|-------|-----------|--------|
| which is p                  | resently | zoned | ML-IM     |        |

This Petition shall be filed with the Department of Permits and 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 modification of Case No. 94-294-XA, (1) specifically Condition Two's Removal, limiting the service garage to Bio-Gro, Inc., and declaring the Special Exception to be personal to Bio-Gro, Inc., and (2) Making the Special Exception for Service Garage general to the Property.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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: Legal Owner(s): 7014 East Baltimore St. Assoc. LLC Name - Type or Print Name - Type or Print Signature Address Telephone No. Zip Code c)Gattambridge Hanover Attorney For Petitioner: 107 Cherry Street 1-203-966-9733 Address Telephone No. Newton A. Williams. New Canaan 06840 Name - Type or Print Representative to be Contacted: Nolan, Plumhoff & Williams Newton A. Williams Name Nolan, Plumhoff & Williams day devening 502 Washington Avenue 410-823-7800 502 Washington Avenue 410-823-7800 Address Telephone No. Telephone No. Towson 21204 MD Towson MD 21204 State Zip Code City State Zíp Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. <u>00-</u> 246-58H UNAVAILABLE FOR HEARING \_

Engineers & Surveyors

P. O. Box 5614 • Baltimore, MD 21210 • (410) 435-0800

## ZONING DESCRIPTION

Beginning at a point on the north side of East Baltimore Street which is 60 feet wide at a distance of 75 feet east of the centerline of Pembrooke Boulevard which is 50 feet wide. Thence the following courses and distances:

Due North 337.79 ft., N. 09\* 30' 23" E. 246.79 ft., N. 54\* 23' 52" E. 273.98 ft., S. 58\* 57' 00" E. 496.63 ft., and S. 54\* 53' W. 842.32 ft. to the place of beginning, containing 5.9617 acres as recorded in Deed Liber 12400, Folio 112. Also known as 7014 East Baltimore Street and located in the 15th Election District.



| OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | -AND No.   | 689920 |
|--|--|--------|
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| . t-   | The state of the s | -      |
| 750 B  | 1900   |        |
| PINK - AGENCY                                    | YALOW - CUSTOMER   |        |

. .

### 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: #00-246-SPH
7014 East Battimore Street
N/S Battimore Street, 75' E
of centerline Pembrooke
Boulevard
12th Election District
7th Councilmanic District
Legal Owner(s): 7014 East
Battimore Street Association, LLC
Special Hearing: to ap-

tion, LLC
Special Hearing: to approve the modification of case number 94-294-XA.
Hearing: Tuesday, January
18, 2000 at 11:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

NOTES (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386

Please Contact the Zoning Commissioner's Office at (410) 887-4386 (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

12/334 Dec. 30 C361502 .

## **CERTIFICATE OF PUBLICATION**

| TOWSON, MD, $12 - 30   999$                                    |
|--|
| 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 ofsuccessive       |
| weeks, the first publication appearing on $12.30$ , $201999$   |
|  |
| THEJEFFERSONIAN,   |
| S. Wuxusa  |
| LEGAL AD PEHING!NG   |

# CERTIFICATE OF POSTING

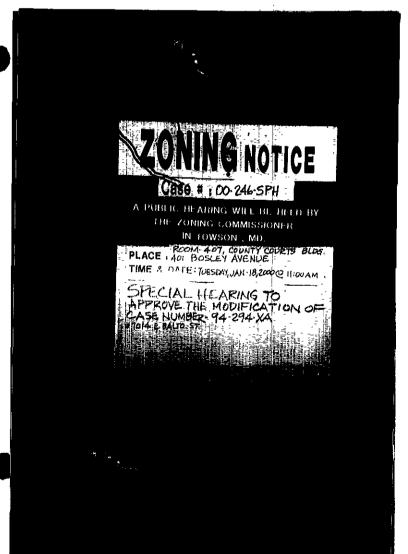
00-246-SPH RE: Case No.

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 The sign(s) were posted on



Sincerely, (Signature of Sign Poster and

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)

RECEIVED JAN 1 8 2000

RE: PETITION FOR SPECIAL HEARING 7014 Baltimore Street, N/S Baltimore Street, 75' E of c/l Pembrooke Blvd 12th Election District, 7th Councilmanic

Legal Owner: 7014 East Baltimore Street Assoc. LLC Petitioner(s)

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 00-246-SPH

### **ENTRY OF APPEARANCE**

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

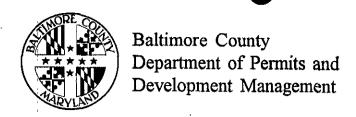
Towson, MD 21204

(410) 887-2188

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30th day of December, 1999 a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN



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

December 22, 1999

### **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:

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7014 East Baltimore Street
N/S Baltimore Street, 75' E of centerline Pembrooke Boulevard
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District
Legal Owner: 7014 East Baltimore Street Association, LLC

Special Hearing to approve the modification of case number 94-294-XA.

HEARING:

Tuesday, January 18, 2000 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

c: Newton Williams, Esquire, 502 Washington Avenue, Towson 21204
7014 E. Baltimore St. Assoc., c/o Cambridge Hanover, 107 Cherry Street, New Canaan, CT 06840

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JANUARY 3, 2000

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, December 30, 1999 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams, Esquire 502 Washington Avenue Towson, MD 21204

410-823-7800

### 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:

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N/S Baltimore Street, 75' E of centerline Pembrooke Boulevard
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District
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Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

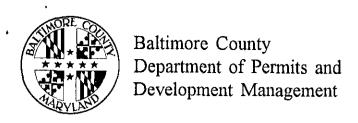
## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 00-246-5PH  Petitioner: 70/4 East Baltimore St., 22 C  Address or Location: 70/4 East Baltimore St. |
| Address or Location: 7014 Cast Baltumie St.   |
| PLEASE FORWARD ADVERTISING BILL TO:   |
| Name: Nutra a Williams  |
| Address: 502 Work. auc.   |
| Address:  |
| Telephone Number: 410-823-7800  |



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

January 13, 2000

Mr. Newton A. Williams Nolan, Plumhoff & Williams 502 Washington Avenue Towson MD 21204

Dear Mr. Williams:

RE: Case Number 00-246-SPH , 7014 E. Baltimore Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 13, 1999.

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, please do not hesitate to contact the commenting agency.

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

**Enclosures** 

C:













#### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: January 6, 2000

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for January 3, 2000 Item Nos. 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256,

257, 259, and 261

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

RWB:HJO:jrb

cc: File

fes 1/18

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

JAN I N

TO:

Arnold Jablon, Director

**DATE:** January 10, 2000

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** 

7014 East Baltimore Street

**INFORMATION:** 

**Item Number:** 

246

Petitioner:

7014 Eat Baltimore St. Assoc. LLC

Zoning:

ML-IM

Requested Action:

Special Hearing

### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the applicant's request provided that the use is similar to that of Bio-Gro, Inc. and that it poses no greater impact to the community than the current use of the site.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.5.00

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

RE: Baltimore County

Item No. 246

**B**2

RECEIVED JAN 0 8 2000

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

f. J. Doelle

Newton A. Williams

### Law Offices

NEWTON A. WILLIAMS, L. L.C. SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528

(410) 823 7856 TELEFAX: (410) 296-2765 Nolan, Plumhoff and Williams, Chartered

Of Counsel

JAN 13

January 12, 2000

## By Fax and Hand Delivery Fax 410 887 4368

Hon Lawrence E. Schmidt, Esq. Baltimore County Zoning Commissioner Courts Building 401 Bosley Ave. Towson, Maryland 21204

Dear Commissioner Schmidt:

RE:7014 East Baltimore Street, LLC., Case No. 00-246-SPH Special hearing, Tuesday, January 18, 2000, 11a.m. Notice of Dismissal Without Prejudice

After conferring with the neighbors, the Owners have decided to dismiss this Case Without Prejudice. Please do so dismiss this matter.

Hence there will be no hearing needed on the 18<sup>th</sup> of January. Thanking you and your staff for your attention to this matter, I am

Respectfully,

Newton A. Williams

CC Fax or Mail
Cambridge Hanover, Fax 1 203 966 2720
James Rubin, Fax 1 212 490 9356

Bio Gro, Sharon Hogan, **410 282 7466** Tom Parr, **Fax 410 573 2200** Norbert Wilson, **Fax 410 574 1497** 

Mr. Jerry Mackowiecki, President Eastwood Civic Association 6903 East Brook Ave. Baltimore, Md 21224

