

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 SE/S Leeds Avenue, opposite *
 Maiden Choice Lane * DEPUTY ZONING COMMISSIONER
 13th Election District *
 1st Councilmanic District * OF BALTIMORE COUNTY
 (4619-4621 Leeds Avenue) *
 * CASE NO. 01-480-X
 Arbutus Auto Painting & Bodyworks, Inc. *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, the Arbutus Auto Painting & Bodyworks, Inc. The special exception request is to approve a service garage pursuant to Section 230.13 of the Baltimore County Zoning Regulations on BL and BL-AS zoned property. The special exception request involves property located at 4619-4621 Leeds Avenue in the Arbutus area of Baltimore County.

Appearing at the hearing on behalf of the special exception request were Richard Greene, owner of the property, Herbert Malmud, professional engineer who prepared the site plan of the property and Michael Tanczyn, attorney at law, representing the Petitioners. There were no protestants or others in attendance.

Testimony and evidence indicated that the property which is the subject of this special exception request is a long and narrow parcel of property located on the south side of Leeds Avenue, opposite its intersection with Maiden Choice Lane. The subject property is zoned BL and BL-AS. It is improved with an existing one-story, concrete block buildings which have been utilized by the Petitioners for many years as an automobile body and fender and service garage. In addition to the property identified on Petitioner's Exhibit No. 1 filed in this case, the

0700 - RECEIVED FOR FILING
 7/13/01
 R. Johnson

Petitioners also own property on the north side of Leeds Avenue, across from this site. That particular property is the subject of a separate special exception request.

As to the property at hand, the Petitioners wish to continue to utilize the subject property as a service garage. The use of the property in this fashion has existed for many decades. However, Mr. Greene, the current owner, wishes to legitimize the use on the property to allow him to continue to perform auto painting, body and fender work and mechanical repairs to automobiles. In order to continue with this use a special exception request is necessary.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a BL and BL-AS zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

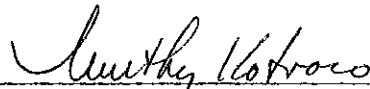
The Petitioners had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief request in the special exception shall be granted.

THEREFORE, IT IS ORDERED this 13th day of July, 2001, by this Deputy Zoning Commissioner, that the Petitioners' Special Exception Request, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a service garage on BL and BL-AS zoned property, be and is hereby APPROVED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER FOR REMOVAL FOR FILING
7/13/01
R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 13, 2001

Michael P. Tanczyn, Esquire
Law Offices of Michael P. Tanczyn, P.A.
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 01-480-X
Property: 4619-4621 Leeds Avenue

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Arbutus Auto Painting & Bodyworks, Inc.
c/o Richard L. Greene, Jr.
4621 Leeds Avenue
Baltimore, MD 21229

Herbert Malmud & Assoc., Inc.
100 Church Lane
Baltimore, MD 21208

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

4619 - 4621 Leeds Ave., Balto. 21229 Zoned
for the property located at _____

which is presently zoned BL-AS and BL MPT

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for _____

As to 1619-4621 Leeds Avenue, for a service garage pursuant to Baltimore County Zoning Regulation 230.13 in a BL-AS district;

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, 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.

As To: 4619 -

Contract Purchaser/Lessee: 4621 Leeds Ave.

Legal Owner(s): As To 4616 Leeds Ave.
Arbutus Auto Painting & Bodyworks, Inc.
4621 Leeds Ave., Balto., MD 21229

The Arbutus Auto Painting & Bodyworks, Inc.

Name - Type or Print
Richard L. Greene Jr MPT
Signature Richard L. Greene Jr MPT
4621 Leeds Avenue 410-242-0036
Address Telephone No.
Baltimore MD 21229
City State Zip Code

Name - Type or Print
Richard L. Greene Jr MPT
Signature As To 4619-4621 Leeds Ave.
Appel Brothers Auto Service Ctr. Inc.
Name - Type or Print
Timothy C. Earle Sr MPT
Signature Timothy C. Earle Sr MPT
4619 Leeds Avenue 410-465-2044
Address Telephone No.
Baltimore MD 21208
City State Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esq.

Name - Type or Print
Michael P. Tanczyn
Signature
Law Offices of Michael P. Tanczyn, P.A.

Company
Ste. 106, 606 Balto. Ave. 410-296-8823
Address Telephone No.
Towson MD 21204
City State Zip Code

Representative to be Contacted:

Herbert Malmud & Assoc., Inc.
Name
100 Church Lane 410-653-9511
Address Telephone No.
Baltimore MD 21208
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date 5/11/01

Case No. 01-480-X

REV 09/15/98

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

TELEPHONE 410 653-9511

ZONING DESCRIPTION 1B
4619-21 LEEDS AVENUE
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING ON THE SOUTHEAST SIDE OF LEEDS AVENUE, 40 FEET WIDE AT A DISTANCE OF 72 FEET SOUTHWESTERLY FROM THE FROM THE CENTER OF MAIDEN CHOICE LANE IF PROJECTED SOUTHEASTERLY TO THE EAST OF LEEDS AVE, THENCE BINDING ON LEEDS AVENUE:

- (1) NORTH 23 DEGREES 08' 30" EAST 325.00 FEET, THENCE LEAVING LEEDS AVENUE AND RUNNING THE FOUR (4) FOLLOWING COURES AND DISTANCES;
- (2) SOUTH 66 DEGREES 51' 30" EAST 61.90 FEET,
- (3) SOUTH 27 DEGREES 37' 08" WEST 175.53 FEET,
- (4) SOUTH 26 DEGREES 27' 40" WEST 150.25 FEET AND
- (5) NORTH 61 DEGREES 51' 30" WEST 39.60 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.37 OF AN ACRE OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558

APRIL 19, 20001

FILE: Arbutus Auto Leeds Ave



480

**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: #01-480-X
4619-4621 Leeds Avenue
SE/S Leeds Avenue, oppo-
site Maiden Choice Lane
13th Election District
1st Councilmanic District
Legal Owner(s): Timothy C.
Earle, Jr., Arbutus Auto
Painting & Bodyworks
Contract Purchaser: Richard
L. Green, Jr., Arbutus Auto
Painting & Bodyworks, Inc
Special Exception: to per-
mit a service garage
Hearing: Tuesday, July 10,
2001 at 2:00 p.m. in Room
407, County Courts Build-
ing, 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.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391

JT/6/779 June 26 C477422

CERTIFICATE OF PUBLICATION

6/28, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 6/26, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 93837

DATE 5/11/01 ACCOUNT 2001 006 6150
2006

AMOUNT \$ 1000.00

RECEIVED
FROM:

M. TALECZYH

FOR:

300 - ZONING CASE 01-480X

300 - ZONING CASE 01-481-X

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

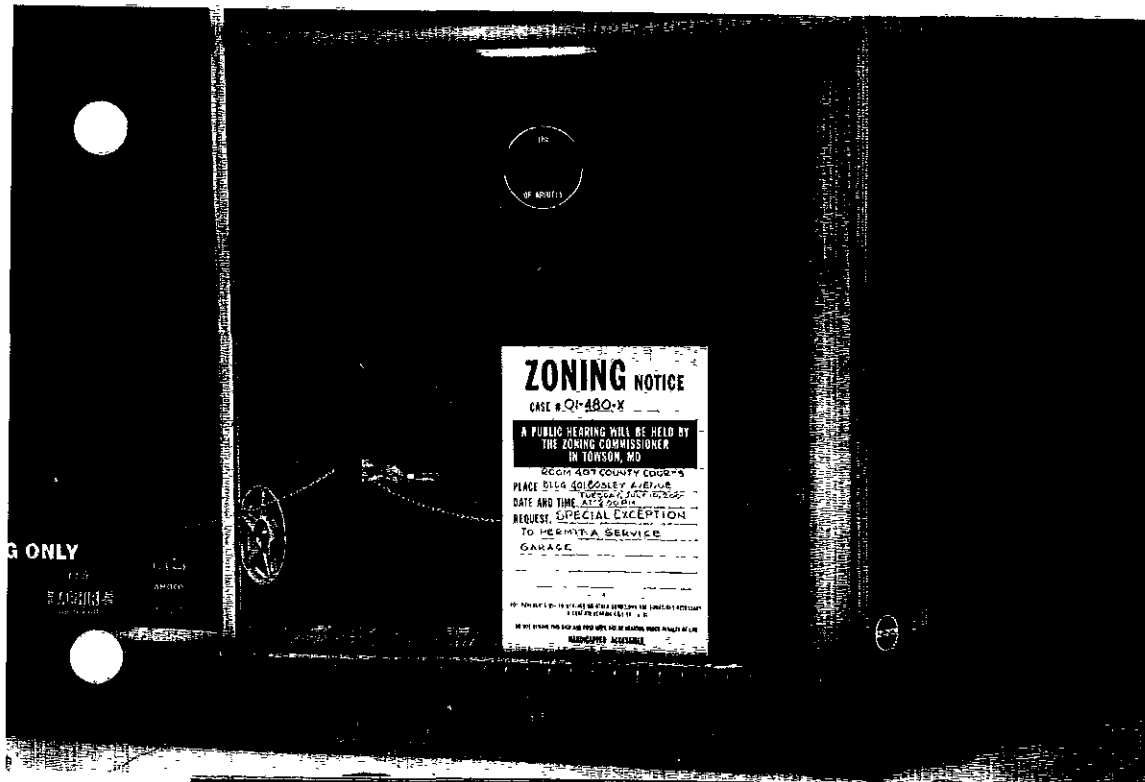
YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
5/16/2001 5/11/2001 11:22:25
REF M005 CASHIER M01L M03 DRAWER 5
CHECK # 212059 DFLH
DEPT 5 520 ZONING VERIFICATION
CR NO. 093037

Receipt Tot. 600.00
100.00 CR .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION



ZONING NOTICE
CASE # QI-480-X

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

ROOM 407 COUNTY COURT'S
PLACE: BLDG. 401 BOSLEY AVENUE
DATE AND TIME: TUESDAY JULY 10, 2001
AT: 2:00 P.M.
REQUEST: SPECIAL EXCEPTION
TO PERMIT A SERVICE
GARAGE

PROVISIONS FOR WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING. CALL (410) 338-1111

DO NOT REMOVE THIS NOTICE UNTIL THE HEARING IS HELD, UNDER PENALTY OF LAW

CERTIFICATE OF POSTING

RE: Case No.: 01-480X & 01-481-X

Petitioner/Developer:
TIMOTHY C. EARLE JR. AND
RICHARD L. GREENE, JR.

Date of Hearing/Closing: JULY 10, 2001

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 _____

4619-4621 AND #4616 LEEDS

The sign(s) were posted on JUNE 23, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

RE: PETITION FOR SPECIAL EXCEPTION
4619-4621 Leeds Avenue, SE/S Leeds Ave,
opp Maiden Choice Ln
13th Election District, 1st Councilmanic

Legal Owner: Arbutus Auto Painting and Bodyworks,
Inc. & Appel Bros. Auto Service Center, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-480-X

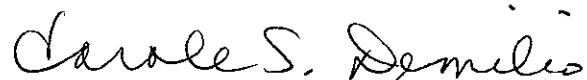
* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



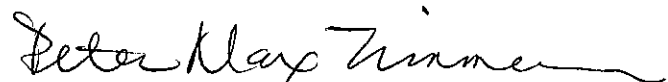
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 26, 2001 Issue – Jeffersonian

Please forward billing to:
Michael P Tanczyn
606 Baltimore Avenue
Suite 106
Towson MD 21204

410 296-8823

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: 01-480-X

4619-4621 Leeds Avenue

SE/S Leeds Avenue, opposite Maiden Choice Lane

13th Election District – 1st Councilmanic District

Legal Owner: Timothy C Earle Jr, Arbutus Auto Painting & Bodyworks

Contract Purchaser: Richard L Greene Jr, Arbutus Auto Painting & Bodyworks Inc

Special Exception to permit a service garage.

HEARING: Tuesday, July 10, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *GES*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.



Baltimore County
Department of Permits and
Development Management

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

June 6, 2001

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: 01-480-X

4619-4621 Leeds Avenue

SE/S Leeds Avenue, opposite Maiden Choice Lane

13th Election District – 1st Councilmanic District

Legal Owner: Timothy C Earle Jr, Arbutus Auto Painting & Bodyworks

Contract Purchaser: Richard L Greene Jr, Arbutus Auto Painting & Bodyworks Inc

Special Exception to permit a service garage.

HEARING: Tuesday, July 10, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon 672
Director

C: Michael P Tanczyn, Esquire, 606 Baltimore Avenue, Ste 106, Towson 21204
Timothy C Earle Jr, Arbutus Auto Painting & Bodyworks, 4616 Leeds Avenue,
Baltimore 21229
Richard L Greene Jr, Arbutus Auto Painting & Bodyworks Inc, 4621 Leeds Avenue,
Baltimore 21229
Herbert Malmud & Assoc Inc, 100 Church Lane, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 25, 2001.**
- (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.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: June 5, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 29, 2001
Item Nos. 461, 463, 464, 465, 466, 467,
469, 470, 472, 473, 474, 475, 478, 480,
483, and 006

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

June 5, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 21, 2001

Item No.: 462, 475, 476, 480, 481, 006

Dear Ms. Stephens:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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



Jim
7/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 12, 2001

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

JUN 13

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-480 & 01-481

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-480-X

Date Completed/Initials

6-1-01

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

6-1-01

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

6-6-01

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

GDZ

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday, verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

CTM

Intake Planner

4619-21

5/8/01

Date Assigned

DROP-OFF PETITIONS PROCESSING CHECK-OFF

☐ **Two Questions Answered on Cover Sheet:**

Any previous reviews in the zoning office?

Any current building or zoning violations on site?

VIOLATIONS ?

WHICH SITE ?

BOTH SITES ?

☐ **Petition Form Matches Plat in these areas:**

Address

Zoning — ADD BL TO PETITION

Legal Owner(s) — PRINT OWNERS NAME OK PETITION

Contract Purchaser(s) — SEE ABOVE

Request (if listed on plat)

☐ **Petition Form (must be current PDM form) is Complete:**

Request:

Section Numbers

Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.

Hardship/Practical Difficulty Reasons

Legal Owner/Contract Purchaser:

Signatures (originals)

Printed/Typed Name and Title (if company)

✓ Attorney (if incorporated)

✓ Signature/Address/Telephone Number of Attorney

☒ **Correct Number of Petition Forms, Descriptions and Plats**

☒ **200 Scale Zoning Map**

☒ **Check: Amount Correct? Signed?**

☐ **ZAC Plat Information:**

Location (by Carl) SE/5 Leeds Ave. opposite Maiden Choice

LAUC - (4619 To 4621 Leeds Ave)

Zoning: _____

Acreage: _____

Previous Hearing Listed With Decision

Election District _____

Councilmanic District _____

Case # _____

Check to See if the Subject Site or Request is:

CBCA

Floodplain

Elderly

Historical

Pawn Shop

Helicopter

*If Yes, Print Special Handling Category Here

*If No, Print No

Item Number Assigned

Date Accepted for Filing

#01-480-X

HERBERT MALMUD 100 CHURCH LANE
H. MALMUD & ASSO INC BALTIMORE 21202

410 653-9511

Richard Greene

4621 Leads Ave.

410-242-8836

ARBOTUS Auto Painting & Bodyworks Inc

MARHARI TANCZYK Ste 106 606 Balto Md 21204

LAW OFFICES
MICHAEL P. TANCZYN, P.A.
Suite 106 • 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

May 8 , 2001

Hand Delivered

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Room 408, County Courts Building
401 Bosley Avenue
Towson, MD 21204

Re: 4616, 4619 - 21 Leeds Avenue

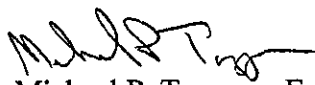
Dear Mr. Commissioner:

Enclosed herewith for drop off filing for Special Exception you will find the following in separate Petitions for 4616 Leeds Ave and 4619-4621 Leeds Ave:

1. Three original signed Petitions for Special Exception.
2. Three sealed surveyor's descriptions.
3. Twelve plats which accompany Petition for Special Exception
4. Please note that the 200 scale Zoning Map with the property outlined incorporated in the vicinity map shown on the plat.
5. Our check for filing costs of \$600 for 2 Petitions which we request be scheduled for hearing together since they represent one common business operation.

Please advise us of all hearing dates and forward us a receipt once you have processed these Petitions. Thank you very much for your assistance in this regard.

Very truly yours,



Michael P. Tanczyn, Esquire

MPT/gr
Enclosures

cc: Richard Greene, Jr.
Herb Malmud & Associates, Inc.
Donna Thompson

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: June 6, 2001

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 480 (01-480-X)
Legal Owner/Petitioner: Arbutus Auto Paining & Bodyworks Ave. & Timothy C. Earle, Jr.
Contract Purchaser: Arbutus Auto Painting & Bodyworks Inc. & Richard L. Greene, Jr.
Property Address: 4619-4621 Leeds Avenue
Location Description: SE/S Leeds Avenue, opposite Maiden Choice Lane

VIOLATION INFORMATION: **Case No.: 01-0612**
Defendants: Appel Brothers Auto Service Center, Inc.
Address: 4621 Leeds Avenue

Please be advised that the aforementioned petition is the subject of an active violation case.

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint letter/memo/e-mail/fax (DRC Request)
Complaint Intake Form/Code Enforcement Officer's report and notes
State Tax Assessment printouts (2)
Petition for Special Hearing and Order (76-133-SPH)
Amended Order (76-133-SPH)
200' Scale Zoning Maps (2)
Plats (3)
Letter from Richard L. Greene, Jr. (dated 5/5/97)
Letter from John Lewis, Planner II (dated 5/15/97)
Letter from Richard L. Greene, Jr. (no date)
Response from John Lewis, Planner II (dated 6/26/97)

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/scj

c: Code Enforcement Officer D. Thompson



DEVELOPMENT REVIEW COMMITTEE

REQUEST FORM

02/20/01

3 Copies of the Plan as Required/ Folded 8 1/2 x 11

FEE: \$400.00

(payable to Baltimore County and is non-refundable)

Fax No(s): 13 074 70171

Applicant & Engineer Name: H. MALMUD & ASSO. INC.

Filing Date: JAN. 29, 2001

Address: 100 CHURCH LANE

Phone #: (410) 653-9511

BALTIMORE, MD 21208

Acreage: 0.38 AC ±

Project Name: ARBUTUS AUTO BODY

PDM File #:

Project Address: 4619-21 LEEDS AVE.

Zip Code: 21227

ADC Map #: 42 A 6

Councilmanic District: 13

Election District: 1

Building Permit #:

Is this an Antenna? ☐ Yes

☒ No

If "Yes" check one of the following:

☐ Cellular (CAC)

☐ Water Tower (WTC)

☐ MonoPole (CFC)

Request:

☐ Refinement

☒ Limited Exemption

☐ Waiver

(Attach letter if necessary)

A-2

DO NOT WRITE BELOW THIS LINE!

TO BE FILLED OUT BY COUNTY

COMMITTEE ACTION:

DRC #: _____

- () Denied
- () Limited Exemption under Section 26-171 () ()
- () Material Amendment to the plan (new CRG or HIOH must be scheduled)
- () Plan Refinement (submit enough plans for the agencies checked off below)
- () Waiver recommendation forwarded to Planning Board for determination
- () Waiver of Standards referred to _____
(Department)
- () Requires a zoning () Special Hearing; () Special Exception; () Variance
- () Other _____

COMMITTEE COMMENTS:

Agencies to Review and Return Comments to Committee:

() PO () Zoning () DEPRM () EIR () SWM () Rec & Parks () Fire () SHA

Coordinator _____

Meeting Date: _____

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208
TELEPHONE 410 653-9511

January 17, 2001

Mr. Donald Rascoe, Manager
Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Addition to 4619-21 Leeds Avenue
Limited Exemption Request

Dear Mr. Rascoe:

We respectfully request a limited exemption to allow the referenced site to go directly to permit application. The reason for this request is that this is a minor addition to the auto body repair shop at 4621 Leeds Avenue. The proposed change is to remove the 18 foot long existing wall which sets back three feet from the front of wall of the existing building and construct a new wall even with the adjacent walls.

The new addition will increase the building size by approximately 54 square feet and will not effect parking which now complies with county zoning requirements. No new employees will be added. The new front wall will not add storm drain runoff.

Thank you for your consideration, if you have any questions or need any additional information please call me.

Sincerely,



Herbert Malmud

Enclosures: 3 Plans
DRC Request Form
\$ 40.00 Check

Copy: Jack Schatz

file: DRC Leeds Av

DATE: 02/12/01 INTAKE BY: TH CASE #: 01-0612 INSPEC: TH 9

COMPLAINT LOCATION: 4619 - 4621 LEEDS AVE.

ARBUTUS AUTO BODY ZIP CODE: 21229 DIST:

COMPLAINANT NAME: B.C. PHONE #: (H) (W)

ADDRESS: DUE TO DRC REQUEST (021501A) ZIP CODE:

PROBLEM: SERVICE GARAGE - NO SPECIAL EXCEPTION

See Case # 01-0682

IS THIS A RENTAL UNIT? YES NO
IF YES, IS THIS SECTION 8? YES NO
OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 1307470170/1307470171 ZONING: B.L./BL-AS

INSPECTION: 2/12/01 - Arbutus Painting & Body Works Inc. Benefits from 76-133 SPH - NonConforming Use. Expansion in 1997 approved by B.C. Owner using property across street - 4616 Leeds Ave for storage of damaged & disabled - also for Limo Business - VIOLATION

REINSPECTION: therefore, DRC not approved.
2/13/01 - Spoke w/ owner of business Richard Greene, Jr. (410-242-0036)
2/15/01 - Met w/ Mr. Greene at above site - explained violation at 4616 Leeds and need for special exception.

REINSPECTION: Use at this site permitted. Will p/v to D Thompson 3/21/01.

REINSPECTION:

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Dt Rec: 2122001 Intake: THOMPSON, D Act: _____ Case #: 01-0612
Insp: THOMPSON, D Insp Grp: ENF Insp Area: 9 Tax Acct: 1307470170
Address: 4621 LEEDS AVE Apt #: _____ Zip: 21229
Problem Descript.: 2ND TAX ACCT # 13 07 470171; SERVICE GARAGE - NO SPECIAL EX
CEPTION, SEE CASE # 01-0682, B.L./BL-AS

Complainant Name (Last): BALTO CO (First): _____
Complainant Addr: _____
Complainant City: _____ State: _____ Zip: _____
Complainant Phone (H): _____ (W): _____
Date of Reinspection: _____ Date Closed: _____ Delete Code (P): _____

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Notes: 2/12/01, BALTO CO COMPL DUE TO DRC REQUEST (021201A),, ARBUTUS PAINTING
& BODY WORKS INC, BENEFITS FROM 76-133 SPH - NONCONFORMING USE, EXPANSION IN 97'
APPROVED BY BALTO CO, OWNER USING PROP ACROSS STREET- 4616 LEEDS AVE FOR STORAGE
OF DAMAGED & DISABLED - ALSO FOR LIMO BUSINESS - VIOLATION, THEREFORE DRC NOT
APPROVED. ***2/13/01, SPOKE W/OWNER OF BUSINESS RICHARD GREENE, JR 410 242-0036
2/15/01, MET W/MR GREENE AT ABOVE SITE - EXPLAINED VIOLATION AT 4616 LEEDS AVE &
NEED FOR SPECIAL EXCEPTION, USE AT THIS SITE PERMITTED, WILL P/U 3/21/01, D THOM
PSON.

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

RA1001B

DATE: 02/12/2001

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:43:22

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 13 07 470170 13 2-3 06-00 N NO 01/08/01

APPEL BROTHERS AUTO

DESC-1.. IMPS

SERVICE CENTER INC

DESC-2.. OPP MAIDEN CHOICE

6095 ROCK GLEN DR

PREMISE. 04621 LEEDS

AVE

00000-0000

ELKRIDGE

MD 21075-5400 FORMER OWNER: GOSNELL WALDEN J

FCV		PHASED IN			
PRIOR	PROPOSED	CURR	CURR	PRIOR	
		FCV	ASSESS	ASSESS	
LAND:	32,960	32,900			
IMPV:	30,070	50,900	TOTAL.. 83,800	83,800	30,750
TOTI:	63,030	83,800	PREF...	0	0
PREF:	0	0	CURT...	0	0
CURT:	0	0	EXEMPT.	0	0
DATE:	02/95	10/98			

TAXABLE BASIS		FM DATE
01/02 ASSESS:	83,800	12/18/00
00/01 ASSESS:	30,750	06/01/00
99/00 ASSESS:	27,980	06/04/99

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

2/12/01
 Res. Agent: no listing

DATE: 02/14/2001

STANDARD ASSESSMENT INQUIRY (1)

RA1001B

TIME: 10:05:13

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
13 07 470171 13 2-3 06-00 N NO 01/08/01
APPEL BROTHERS AUTO DESC-1... IMPS.22 AC SES LEEDS AV
SERVICE CENTER INC DESC-2.. 158 N OF MAIDEN CHOICE
6095 ROCK GLEN DR PREMISE. 04619 LEEDS AVE

00000-0000

ELKRIDGE

MD 21075-5400 FORMER OWNER: GOSNELL WALDEN J

FCV		PHASED IN			
PRIOR	PROPOSED	CURR	CURR	PRIOR	
		FCV	ASSESS	ASSESS	
LAND:	43,160	43,100			
IMPV:	120,900	122,600	TOTAL..	165,700	165,700
TOTL:	164,060	165,700	PREF...	0	0
PREF:	0	0	CURT...	0	0
CURT:	0	0	EXEMPT.	0	0
DATE:	02/95	10/98			

TAXABLE BASIS		FM DATE
01/02 ASSESS:	165,700	12/18/00
00/01 ASSESS:	66,060	06/01/00
99/00 ASSESS:	65,840	06/04/99

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001C

DATE: 02/14/2001

STANDARD ASSESSMENT INQUIRY (2)

TIME: 10:05:21

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
13 07 470171	13	2-3	06-00	N	NO		01/08/01
LOT....	BOOK....	0000	MAP.....	0101	LOT WIDTH.....	150.00	
BLOCK..	FOLIO...	0000	GRID....	0018	LOT DEPTH.....	.00	
SECTION..			PARCEL..	0790	LAND AREA..	9583.000	S
PLAT..					YEAR BUILT.....	00	

-----TRANSFER DATA-----

NUMBER..... 034220
 DATE..... 11/13/72
 PURCHASE PRICE..... 0
 GROUND RENT..... 0
 DEED REF LIBER..... 05314
 DEED REF FOLIO..... 0732
 CONVEYED IND..... 9
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 13-07-470171

CRITICAL NEW CONST CARD

AREAS CODE YEAR NO

05621

-----EXEMPT DATA-----

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

-----STRUCTURE-----

CODE SQ. FEET

5280

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

PETITION FOR SPECIAL HEARING

76-133 SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert Appel and Vernon Appel, legal owners 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 and/or Deputy Zoning Commissioner should approve the continuation of the use of said property for the sale of used automobiles and to determine legal non-conforming use for sale of used automobiles for the premises known as Appel Bros. Auto. Services, Inc. 4619-21 Leeds Avenue, Baltimore, Maryland.

See attached description

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

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

Contract Purchaser

Address

Vernon Appel
Robert Appel

Legal Owner

Vernon Appel-9300 Avondale Avenue

Address

Baltimore, Md. 21231

Robert Appel-10325 H Malcolm Circle

Cockeysville, Md. 21030

Petitioner's Attorney

Joseph L. Friedman

Address

220 Fidelity Building

Baltimore, Maryland 21201

Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 1st

day of December, 1967, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of January, 1968,

at 10:30 o'clock A. M.

Zoning Commissioner of Baltimore County

COPIES RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that in accordance with the power granted unto the Deputy Zoning Commissioner by Section 500.7 of the Baltimore County Zoning Regulations, it is hereby determined that the use as herein requested will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Regulations and, therefore, the Special Hearing to approve the continuation of the use of said property for the sale of used automobiles and to determine legal nonconforming use for sale of used automobiles should be granted.

January 16, 1976
Baltimore County
DEPUTY Zoning Commissioner
IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16th day of January, 1976, that the herein Petition for the Special Hearing to approve the continuation of the use of said property for the sale of used automobiles, and to determine legal nonconforming use for sale of used automobiles should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
DEPUTY Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of , 196, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
E/S of Leeds Avenue, 257' N of
Maiden Choice Lane - 13th Election : DEPUTY ZONING
District :
Robert and Vernon Appell - : COMMISSIONER
Petitioners :
NO. 76-133-SPH (Item No. 94) : OF
BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11TH day of February, 1976, that the Order dated January 16, 1976, passed in this matter should be and the same is hereby Amended on Page 2 by deleting the following:

"....subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning."

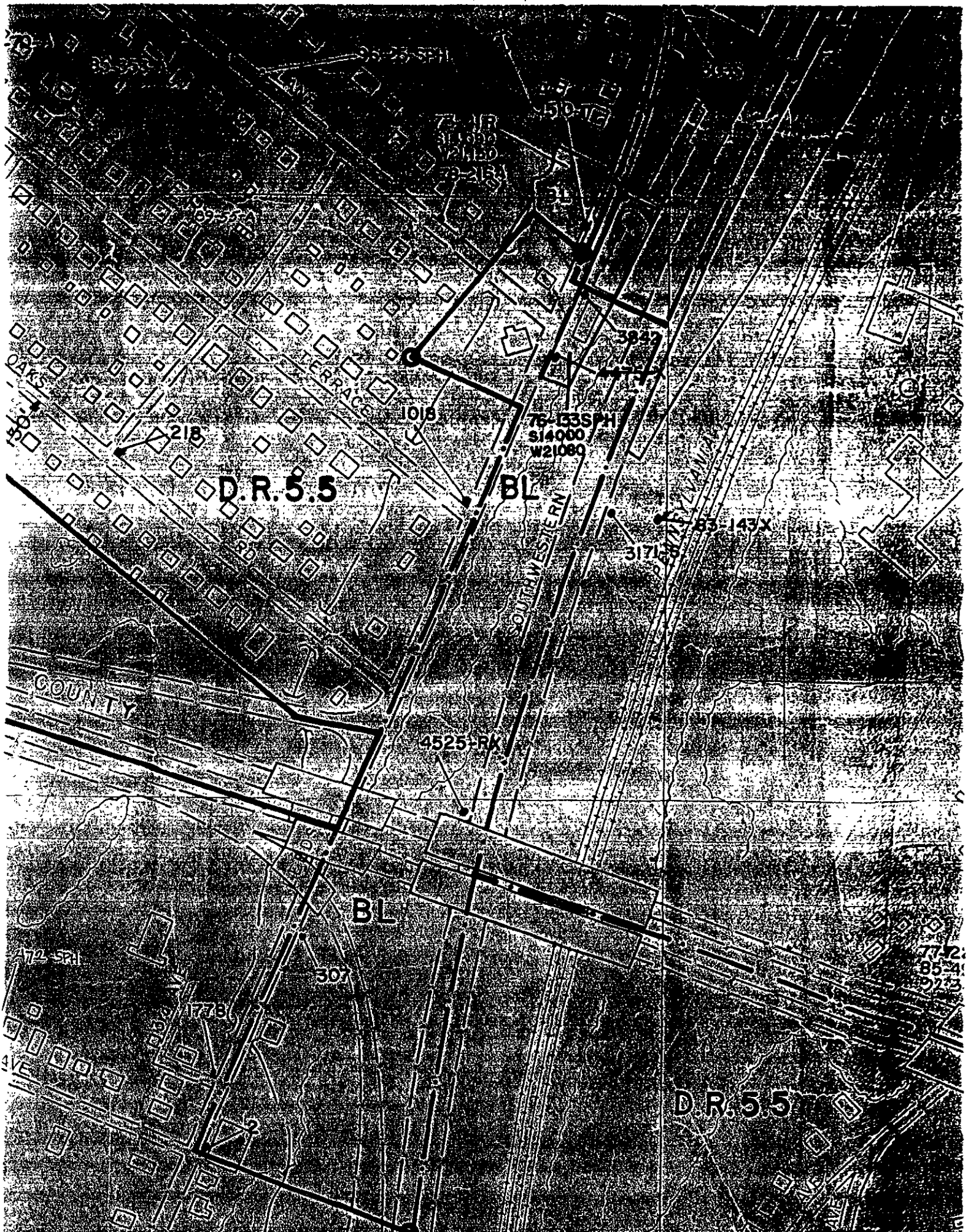

Deputy Zoning Commissioner of
Baltimore County

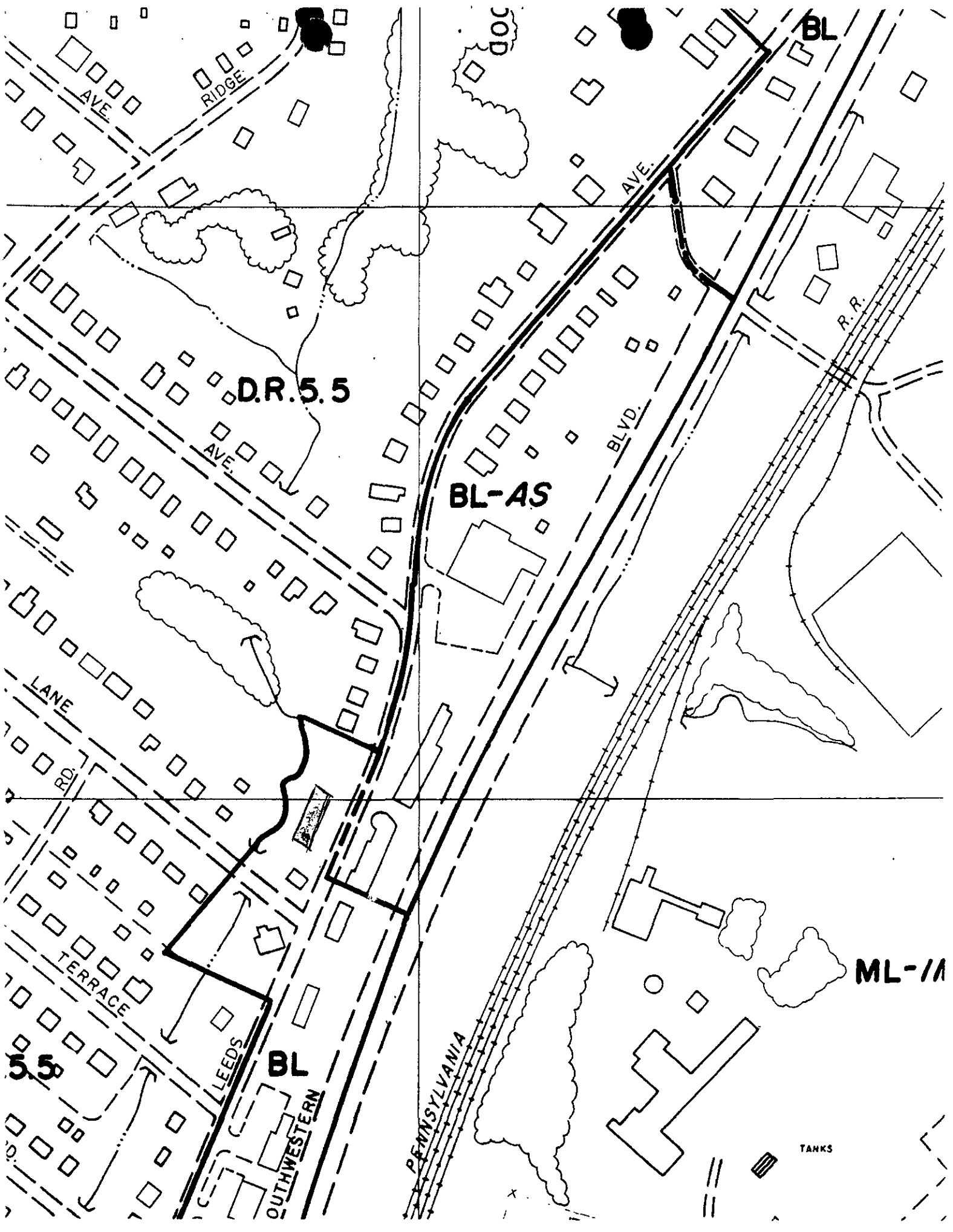
ORDER RECEIVED FOR FILING

DATE February 11, 1976

BY  P. J. Lacey, Clerk

ADMINISTRATIVE SERVICES





CHOICE

EX 1074

ELKHART LANE

ZONED BL

ZONED BL-5

ZONED BL

2 story spinning hall & residence

1 story Erick office building

Macadam

Concrete paving

Existing Macadam paving

Driveway

Concrete paving

Concrete Island w/ Light Pole

2 story brick service area

216 PARTS DEPT 1 story brick

DISPLAY SHOW ROOM

Customer parking

Property of ETHORPE & ELKRIDGE ELECTRIC RAILWAY

NOTE: NO OUTSIDE STORAGE FOR DISABLED VEHICLES TO BE PROVIDED.

Arco Corp.

LANE

ZONED DR 5-5

ZONED BL

ZCNED:BL

BRAWLEY REALTY
1515 Brick Office Building

City Erick Office Building

2 story
Shingle
Hairdresser
A Residence

216

250 Spring
Birding
Reside



Macadam

Existing Macadam

1967

STORY BRICK
SERVICE
AREA

AREA

PARTS
DEPT

DISPLA
AR

SHOW ROOM

NOUM
BRICK

Property of
-ETHORPE & ELKRIDGE

ETHORPE & ELKRIDGE

ELECTRIC RAILWAY

NO OUTSIDE STORAGE FOR DISABLED VEHICLES TO BE PROVIDED

NO OUTSIDE STORAGE FOR DISABLED
VEHICLES TO BE PROVIDED

VEHICLES TO BE PROVIDED FOR OBSABLES

Алс сэр

PARKING HISTORY AND CURRENT PLAN

PARKING REQUIREMENTS AS OF 1/16/76

PARKING VARIANCE GRANTED

ZONING CASE 76-163-SP

13TH ELECTION DISTRICT

27 SPACES REQUIRED

12 SPACES APPROVED

BLDG. 1 BODY SHOP 1,993 SF

1 SPACE PER 300 SF REQUIRED

(7 SPACES REQUIRED)

BLDG. 2 SERVICE AREA 2,462 SF

1 SPACE PER 300 SF REQUIRED

(9 SPACES REQUIRED)

BLDG. 2 PARTS DEPT 747 SF

1 SPACE PER 300 SF REQUIRED

(2 SPACES REQUIRED)

BLDG. 2 SHOW ROOM 1,773 SF

1 SPACE PER 200 SF REQUIRED

(9 SPACES REQUIRED)

1 PARKING SPACE = 9' X 20'

14 SPACES REQUIRED PER PARKING
VARIANCE W/ ALLOWANCE FOR NEW
ADDITION

18 SPACES SHOWN

BLDG. 1 BODY SHOP 1,993 SF

3 3 SPACES PER 1,000 SF

(7 SPACES REQUIRED)

BLDG. 1 NEW ADDITION 700 SF

3 3 SPACES PER 1,000 SF

(2 SPACES REQUIRED)

BLDG. 2 SERVICE AREA 2,462 SF

3 3 SPACES PER 1,000 SF

(8 SPACES REQUIRED)

BLDG. 2 PARTS DEPT 747 SF

3 3 SPACES PER 1,000 SF

(2 SPACES REQUIRED)

BLDG. 2 SHOW ROOM 1,773 SF

3 3 SPACES PER 1,000 SF

(6 SPACES REQUIRED)

1 PARKING SPACE = 8' 5" X 18'

OR 7' 5" X 20' AS SHOWN

SPC 11/11/76

40'-0" RIGHT OF WAY

ZONED: DR 5-5

BRAWLEY REALTY
1 sty. Brick Office Building

ZONED: BL

2 1/2 E
Shin:
Reside

AVENUE

Macadam

± 25' Dr Way

± 40' Dr Way

Sidewalk

Existing Macadam
Paving

EX. 15' SAN. (Drwg. #10 & 11 of 19 - Contr. #2
EX. 10' GAS)

EX. C. & G.

W.M. Driveway

Driveway

EX. G.W. (Drwg. 1 of 1; J.O. #454-26486; File

Dr'way

Dr'way

Concrete Paving
Conc. Island
w/ Light Pole

Point of
Beginning

G & E Pole
ZONED: BL-C

STORY BRICK
SERVICE
AREA

216
PARTS
DEPT
1 STORY

18'6" Bay
Window
DISPLAY
PARKING
SHOW
ROOM
1 STORY BRICK

Customer
Park
Oil Fill
Cap
Area
5' x 6' x 2' 30" W 6' 10"

RIDER'S HARDWARE
1 Story Formstone

R.P.S.
AUTO PARTS
1 Story Formst.

ZONED: BL-CNS

RIC RAILWAY

4019-20

D-111

D.R. 5-5

ZONED: BL

LEEDS

MAIDEN CHOICE

LANE

Dwelling
1450 sq. Single

2 story
Hall
Shingle

EX. 16' SAN. (Drwg. 10411 of 19 Contr. #23-5)
EX. 10' GAS

EX. 6' W. (Drwg. 1 of 1; JO #154-26486; File A-41C)
Driveway G&E Pole

6' Building Overhang
Florist Shop
Kitchen
Wide Insurance

Macadam
Parking Area
(6 SPACES)

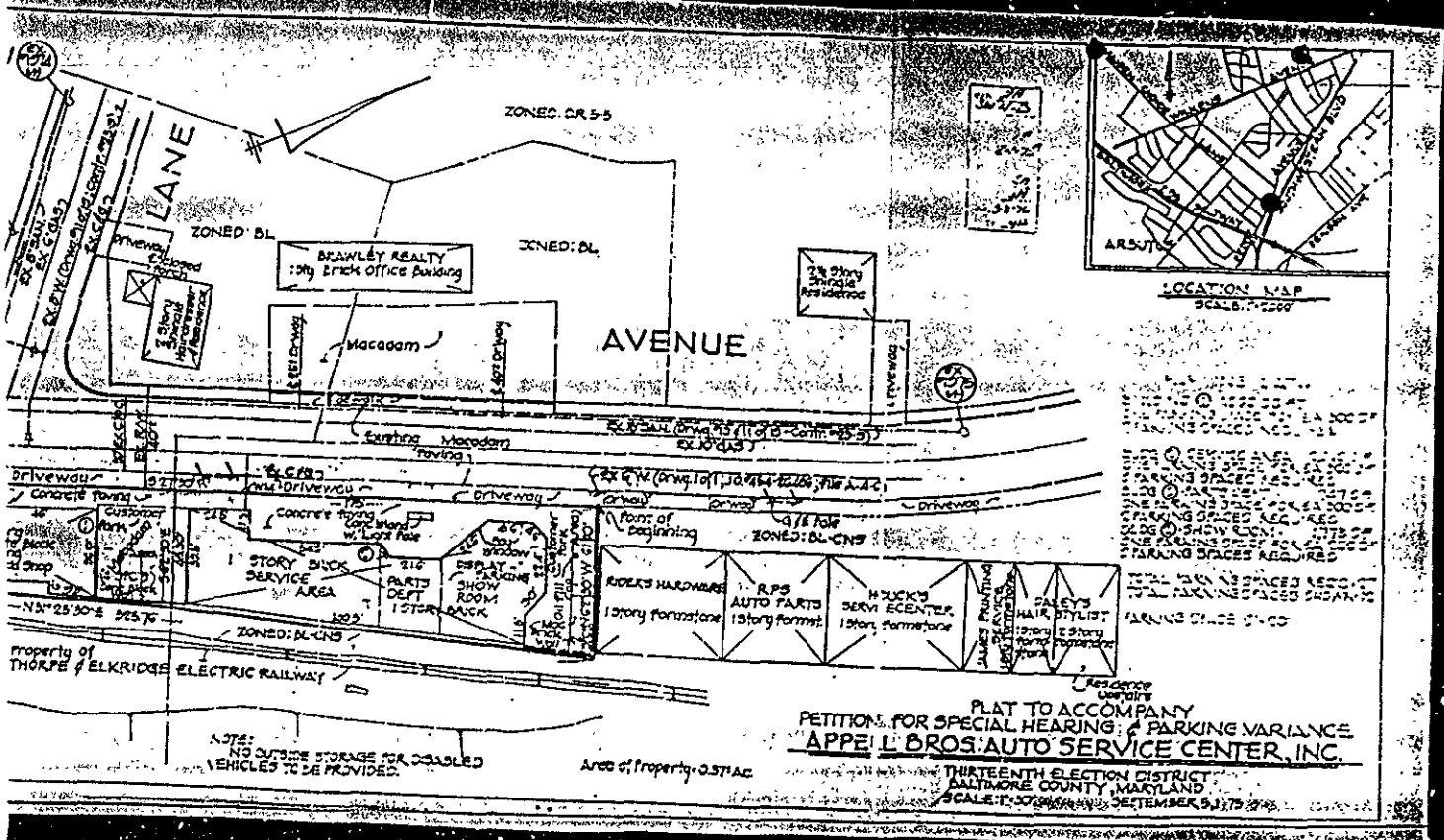
1 story
Concrete block
Building
Paint & Body Shop

Customer
Fork
Macadam

ZONED: BL

Property of
BALTIMORE HALETORPE & EL KRIDGE

NY, INC.



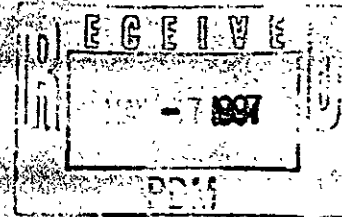
97-2158

To: JLL
5/19/97 uo
8/7/97
WCE
CASHIER 5/12

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4619-21 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036
FAX 410-242-0045

May 5, 1997

Permits & Development Management
111 W. Chesapeake Avenue, Room 109
Towson, Maryland 21286
Attn: Arnold Jablon, Director



Dear Mr. Jablon:

Our intention is to build an addition onto the established complex at 4619-21 Leeds Avenue. The extension will house a new EPA and BOCA compliant spray booth. It will be less than 25% of the building space allowed under the non-conforming use granted by the Special Hearing, 76-133-SPG, January 16, 1976. Section 104.03, for non-conforming uses, allows for additions less than 25% of the building. The original buildings covered by the non-conforming use is 6,975 square feet, and the additional space required is 720 square feet which is 9.7% of the original space.

The initial structure, built in the early twenties was used as a service garage. In the early forties the owners utilized it for body and paint work and added a second building which housed a Chrysler dealership. Ownership changed in the sixties and the complex continued to be used as an auto service center and body shop. In 1975, a special hearing was held for a parking variance and to allow the sale of used cars. In conjunction with the sale of used cars they continued to use the initial building for body and paint work.

Due to the age of the existing building in question, extensive renovations would have to be completed to accommodate a spray booth. Without the addition we want to acquire, this type of renovation would cause a two to three month loss of production which would be detrimental to our business.

The enclosed area plot from 1975 shows the existing body and paint shop. Also enclosed is a copy of the original plot with a red lined sight plan that shows our proposed addition. Parking spaces available have actually increased over the

spaces shown on the 1975 plot.

Parking spaces required in 1975 for this site was 27 spaces with 12 spaces available under the variance. With the new addition, the spaces available will now be 22 with parking inside the building in accordance with current code.

There will be no change in the use of this property located at 4619-21 Leeds Avenue, Baltimore, Maryland.

We trust these facts will demonstrate spirit intent on our part. The addition is the most cost effective method to expand our paint shop and create a healthier environment for our employees and the community. Thank you for your consideration concerning this matter.

Sincerely,


Richard L. Greene, Jr.



Baltimore County
Department of Permits and
Development Management

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

May 15, 1997

Mr. Richard E. Greene, Jr.
Arbutus Auto Painting & Bodyworks, Inc.
4619-21 Leeds Avenue
Baltimore, MD 21229

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

Dear Mr. Greene:

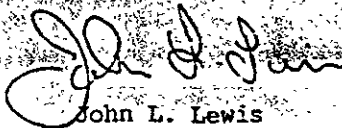
This letter is in response to your request dated May 5, 1997 concerning the above referenced site. The staff has reviewed your building addition proposal and has determined the following: The parking for the paint booth addition is based on service garage requirements of 3.3 parking spaces per 1,000 square feet or 3 spaces for the 720 square foot addition. Parking may be located within the booth or other buildings, if shown and numbered on the plan with minimum 8-1/2 x 18 feet dimensions. The staff is unable to confirm more than 12 parking spaces on this plan, although your letter indicates that 22 spaces will be available with parking in buildings. The plan must show the spaces as stated above. There also appears to be a conflict with the Baltimore County Zoning Regulations (BCZR) concerning the extension of a nonconforming setback.

Section 303.2 of the BCZR requires that a front average setback be maintained with commercial fire resistant structures within 100 feet of the joint side property lines, and does not allow for extension of a nonconforming setback. Based on this requirement, the concrete office building and one story brick service building (both shown on adjacent separate lots) will require that an average of approximately 14 feet be maintained for the front building addition setback. A zoning variance is required for relief from this regulation if plan adjustments cannot be made. If revised plans are submitted showing BCZR compliance, the staff can further consider your request for a spirit and intent determination, otherwise a zoning hearing is necessary for resolution of the above referenced setback conflict. Please provide a copy of this letter with any future correspondence or revised plans.

Mr. Richard L. Greene, Jr.
May 14, 1997
Page 2

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

Very truly yours,



John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 76-133-SPH

Enclosure

DELIVERED PER J.L. ROST
ON PRIOR CORRESPONDENCE
6/24/97 CRIMINAL CODE
97-2158

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4621 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036

Baltimore County Department of Permits
and Development Management, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Attn: John Lewis, Planner II

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

Dear Mr. Lewis:

This letter is in response to your request dated May 15, 1997,
concerning adequate parking spaces and setback of the proposed addition.

The revised parking plan submitted with this letter, shows parking
within the buildings and on the lots, numbered and sized per BCZR, for a new
total of 18 spaces (4 over the minimum requirement).

The setback determination was done by physically measuring the
exact dimensions at the site at all the points indicated on the plan. The average
setback dimension, per Section 303.2 (BCZR), shows that dimension to be 17'9"
to the outside of the front wall. The calculations are shown on the drawing.

I hope that we have provided you with the necessary information so
that your staff can further consider our request for a spirit and intent
determination. Thank you for your consideration concerning this matter.

Sincerely,

Richard L. Greene, Jr.
Richard L. Greene, Jr.
Proprietor

ARBUTUS AUTO PAINTING & BODYWORKS INC.
4621 LEEDS AVENUE
BALTIMORE, MARYLAND 21229
410-242-0036

Baltimore County Department of Permits
and Development Management, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Attn: John Lewis, Planner II

RE: Zoning Spirit and Intent Review
4619-21 Leeds Avenue
Zoning Case 76-133-SPH
13th Election District

Dear Mr. Lewis:

This letter is in response to your request dated May 15, 1997,
concerning adequate parking spaces and setback of the proposed addition.

The revised parking plan submitted with this letter, shows parking
within the buildings and on the lots, numbered and sized per BCZR, for a new
total of 18 spaces (4 over the minimum requirement).

The setback determination was done by physically measuring the
exact dimensions at the site at all the points indicated on the plan. The average
setback dimension, per Section 303.2 (BCZR), shows that dimension to be 17'9"
to the outside of the front wall. The calculations are shown on the drawing.

I hope that we have provided you with the necessary information so
that your staff can further consider our request for a spirit and intent
determination. Thank you for your consideration concerning this matter.

Sincerely,

John L. Lewis
Greene, Jr.



In the interest of speed and
economy, we are replying to your
letter with marginal notes.
If you need more information, do
not hesitate to call or write.
Thank you for your interest.

June 26, 1997

13th Election District

Dear Mr. Greene:

Based on the ongoing correspondence and recent red-lined plan
review, the staff confirms that the proposed new 720 square foot
addition is approved as being within the spirit and intent of
zoning case 76-133-SPH. Document this response on all future plans.

Very truly yours,

John L. Lewis

John L. Lewis
Planner II
Zoning Review

JHL:eye

cc: zoning case 76-133-SPH





