

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 NW/S Leeds Avenue, 90' NE *
 centerline of Maiden Choice Lane * DEPUTY ZONING COMMISSIONER
 13th Election District *
 1st Councilmanic District * OF BALTIMORE COUNTY
 (4616 Leeds Avenue) *
 * CASE NO. 01-481-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 in this case involves property located at 4616 Leeds Avenue in the Arbutus area of Baltimore County. The subject property is zoned BL. The special exception request is to permit a service garage use on the subject property.

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, consists of 0.51 acres, more or less, zoned BL. The subject property is located on the northwest corner of the intersection of Maiden Choice Lane and Leeds Avenue in Arbutus. The property is improved with a one-story, brick and block building. The property around the subject building is utilized by the Petitioners for the storage of automobiles awaiting repair. In addition, the Petitioners store limousines on the property which also require a service garage designation. The building itself is used as offices by the Petitioners. In order to continue

FILED
 7/13/01
 By: [Signature]

to use the subject property for the storage of automobiles awaiting repair, as well as the storage of the limousines on the property, the special exception request is necessary.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a BL 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.

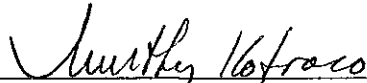
Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief request in the special exception shall be granted.

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

DATE 7/13/01
BY R. J. JAMESON

Baltimore County Zoning Regulations (B.C.Z.R.), to permit a service garage use on the subject 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

RECEIVED FOR FILING
DEC 7/3/01
BY: R. J. Gannon



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. 01-481-X
Property: 4616 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,

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

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

4616 Leeds Avenue
Balto., MD 21229
for the property located at

which is presently zoned BL

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

A service garage pursuant to BALTIMORE County Zoning Regulation 230.13
in a BL Zone.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esq.

Name - Type or Print

Signature

Law Offices of Michael P. Tanczyn, P.A.

Company

666 Baltimore Ave., Ste. 106 410-296-8823

Address

Towson

MD

Telephone No.
21204

State

Zip Code

Legal Owner(s):

Arbutus Auto Painting & Bodyworks, Inc.

Name - Type or Print

Signature

RICHARD L. GREENE JR M&T

Name - Type or Print

Signature

4621 Leeds Ave. 410-242-0036

Address
Baltimore

MD

Telephone No.
21229

City

State

Zip Code

Representative to be Contacted:

Herbert Malmud & Assoc., Inc.

Name

100 Church Lane

410-653-9511

Address

Baltimore

MD

Telephone No.
21208

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CTM Date 5/11/01

Case No. 01-481-X

REV 09/15/98

COPIES REQUIRED FOR FILING
Date 7/13/01

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

TELEPHONE 410 653-9511

ZONING DESCRIPTION 1A
4616 LEEDS AVENUE
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING ON THE NORTHWEST SIDE OF LEEDS AVENUE, 40 FEET WIDE AT A
DISTANCE OF 87 FEET NORTHEASTERLY FROM THE FROM THE CENTER OF MAIDEN CHOICE
LANE, THENCE BINDING ON LEEDS AVENUE:

- (1) NORTH 23 DEGREES 08' 30" EAST 145.34 FEET, THENCE LEAVING LEEDS
AVENUE AND RUNNING THE THREE (3) FOLLOWING COURES AND DISTANCES;
- (2) NORTH 64 DEGREES 56' 59" WEST 180.46 FEET,
- (3) SOUTH 01 DEGREES 43' 40" WEST 162.62 FEET AND,
- (4) SOUTH 66 DEGREES 52' 44" EAST 120.99 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.51 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



481

**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: #01-481-X
4616 Leeds Avenue
NW/S Leeds Avenue, 90' NE
centerline Maiden Choice
Lane

13th Election District
1st Councilmanic District
Legal Owner(s): Richard L.
Green, Jr., Arbutus Auto
Painting & Bodyworks

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/6/780 June 26 C477429

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

FEES

12001 006 6150

AMOUNT

\$ 1000.00

RECEIVED
FROM:

M. TALENT

FOR:

\$ 300 - 201114 ASE 01-480X

300 - 201114 ASE 01-481-X

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID BY

PAID BY

DATE

TIME

6/14/2001 5:11:25

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CASHIER'S VALIDATION

A Night On The Town
410-242-2822
M & L

ZONING NOTICE

CASE # 01-481-X

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

ROOM 407 COUNTY COURTS
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

ZONING NOTICE

CASE # 01-481-X

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

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

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL (410) 336-1100

DO NOT REMOVE THIS SIGN UNTIL DAY OF HEARING
HANDICAPPED ACCESSIBLE



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)



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: 01-481-X

4616 Leeds Avenue

NW/S Leeds Avenue, 90' NE centerline Maiden Choice Lane

13th Election District – 1st Councilmanic District

Legal Owner: Richard L Greene Jr, Arbutus Auto Painting & Bodyworks

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, reading "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Michael P Tanczyn, Esq., 606 Baltimore Avenue, Ste 106, Towson 21204
Richard L Greene Jr, 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.



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

Please forward billing to:

Michael P Tanczyn, Esquire
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: 01-481-X

4616 Leeds Avenue

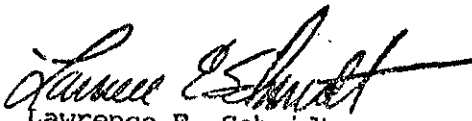
NW/S Leeds Avenue, 90' NE centerline Maiden Choice Lane

13th Election District – 1st Councilmanic District

Legal Owner: Richard L Greene Jr, Arbutus Auto Painting & Bodyworks

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 GDR
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, 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 481

The Bureau of Development Plans Review has reviewed the subject zoning item.

This site is located in a 100-year flood plain area. Any development work shall not increase the extent of the flood plain on neighboring properties.

No new buildings or additions shall be constructed in any riverine flood plain.

Reconstruction or repair of existing buildings shall be governed by Section 103.0, "*Existing Structures*" or 120.0, "*Unsafe Structures*" as applicable.

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

JSP
7/10

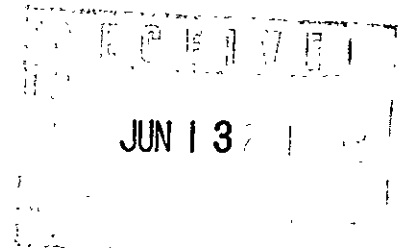
BALTIMORE COUNTY, MARYLAND

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



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. Lory

AFK/JL:MAC

RE: PETITION FOR SPECIAL EXCEPTION
4616 Leeds Avenue, NW/S Leeds Ave,
90' NE of c/l Maiden Choice Ln
13th Election District, 1st Councilmanic

Legal Owner: Arbutus Auto Painting and Bodyworks,
Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-481-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

LTM

Intake Planner

46165/8/01

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? — OK Times
- ☐ **Petition Form Matches Plat in these areas:**
✓ Address
✓ Zoning
Legal Owner(s)
Contract Purchaser(s)
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) — OK
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) NW/SE Leads Ave. 90 ft. NE centerline
Maiden Choice Lane.
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

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-481-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)

LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106 • 606 Baltimore Avenue

Towson, Maryland 21204

Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

May 11, 2001

Baltimore County Department of Permits and
Development Management
Attn: Mr. Lloyd Moxley
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Special Exception Petitions – 4616 Leeds Ave. & 4619 – 4621 Leeds Ave., Balto, MD 21229

Dear Mr. Moxley:

Following our conversation, the purpose of this letter is to confirm that 4616 Leeds Avenue is subject to Code Enforcement Citation No. 01-0682 now pending for 4616 Leeds Avenue charging operation of a service garage without a Special Exception Hearing. That matter has been continued at our request by the Code Enforcement Officer for a period of time to allow the filing and hearing of a Special Exception Petition.

There are no other Code Enforcement Citations affecting these properties of which I am aware at the present time. I understand that upon receipt of this information and the supplemental information on the Petition which I have provided, that this matter will now be set for hearing. Please advise us of any hearing dates.

Thank you for your courtesy in this matter.

Very truly yours,


Michael P. Tanczyn, Esquire

MPT/gr

cc: Arbutus Auto Painting and Body Works, Inc.

481

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.: 481 (01-481-X)
Legal Owner/Petitioner: Arbutus Aut Painting & Bodyworks & Richard L. Greene, Jr.
Property Address: 4616 Leeds Avenue
Location Description: NW/S Leeds Avenue, 90' NE of centerline Maiden Choice Lane

VIOLATION INFORMATION: **Case No.: 01-0682**
Defendants: Arbutus Auto Painting & Body Works, Inc.

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 Intake Form/Code Enforcement Officer's report and notes
- State Tax Assessment printout
- Correction Notice
- Citation and Proof of Service
- Site Plan
- Letter from Michael Tanczyn, Esquire (dated 3/7/01)
- Letter from Herbert Malmud (dated 3/13/01)
- Letter from Michael Tanczyn, Esquire (dated 4/30/01)
- Letter from Michael Tanczyn, Esquire (dated 5/8/01)
- Letter from Kitty Popelarski (dated 5/15/01)

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

CODE ENFORCEMENT REPORT

VCF

DATE: 02/12/01 INTAKE BY: TH CASE #: 01-0682 INSPEC: TH 9

COMPLAINT

LOCATION: 4616 LEEDS AVE

ZIP CODE: 21229 DIST: _____

COMPLAINANT

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

ADDRESS: DUE TO DRC REQUEST (021201A) ZIP CODE: _____

PROBLEM: SERVICE GARAGE - NO SPECIAL EXCEPTION

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 1323000450 ZONING: B.L.

INSPECTION: 2/12/01 - building being used for Limos business (right on the town (410-242-2929) numerous limos parked + K+J T's (410-242-5158) (tee shirts). Approx 10 damaged + disabled vehicles behind building (behind open fence) - no screening. D. Thompson w/ M. Gavel

REINSPECTION: 2/13/01 - Visited site - spoke w/ owner Richard Greene of Arbutus Painting + Body Works who owns business across street. Uses rear of property for storage of vehicles needing repairs. Also leases site to limo business.

REINSPECTION: 2/15/01 - Met w/ owner Richard Greene - explained violation. Will need a SX for continued use for service garage storage + limo business

2/16/01 - Correction notice mailed - p/u 3/21/01 D. Thompson

REINSPECTION:

3/22/01 - No petition filed or appointment made for SX. Citation issued p/u 4/7/01 for service. D. Thompson
6 Limos @ site w/ damaged + disabled behind building, fencing partially screened w/ slates. No photos taken D. Thompson

UPDATE/MESSAGE FORM

Date: 5/8/01
Time: _____ a.m. p.m.

Inspector: Donna Thompson

Case Number: 01-0682

Address: 4616 Leeds Ave, 51229

Comments: Hearing 5/8/01 - ~~to~~ reset
60 days for continuance. Defendant filing
Special Reception

p/v 7/8/01 to D Thompson

ENTERED INTO AS400 _____

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Dt Rec: 2162001 Intake: THOMPSON, D Act: _____ Case #: 01-0682
Insp: THOMPSON, D Insp Grp: ENF Insp Area: 9 Tax Acct: 1323000450
Address: 4616 LEEDS AVE Apt #: _____ Zip: 21229
Problem Descript.: SERVICE GARAGE, NO SPECIAL EXCEPTION

Complainant Name (Last): BALTO CO (First): _____
Complainant Addr: _____
Complainant City: _____ State: _____ Zip: _____
Complainant Phone (H): _____ (W): _____
Date of Reinspection: 7092001 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), BLDG BEING USED FOR LIMO BUSINESS (NIGHT ON THE TOWN 410 242-2929), NUMEROUS LIMOS PARKED & K&J T'S 410 242-5158 (TEE SHIRTS), APPROX 10 DAMAGED & DISABLED VEHS BEHIND BLDG - BEHIND OPEN FENCE - NO SCREENING, D THOMPSON W/M GAWEL. ***2/13/01, VISITED SITE - SPOKE W/OWNER RICHARD GREENE OF ARBUTUS PAINTING & BODY WORKS WHO OWNS BUSINESS ACROSS STREET, USES REAR OF PROP FOR STORAGE OF VEHS NEEDING REPAIRS, ALSO LEASES SITE TO LIMO BUSINESS. ***2/15/01, MET W/OWNER RICHARD GREEN - EXPAINED VIOLATION, WILL NEED A SX FOR CONTINUED USE FOR SERVICE GARAGE & LIMO BUSINESS. ***2/16/01, CORRECTION NOTICE MAILED, P/U 3/21/01, D THOMPSON. **3/7/01-LETTER FROM MICHAEL TANCZYN ESQUIRE STATING HE HAS BEEN RETAINED BY ARBUTUS AUTO PAINTING AND BODY WORKS. ***** 3/22/01 NO PETITION FIELD AS OF TODAY. ALSO NO APPT. MADE. CITATION ISSUED, P/U ON 4/7/01 FOR SERVICE (D.THOMPSON) 3/26/01 PUT ON DOCKET FOR 5/08/01 K.P. 5/16/01 RESCHEDULED TO 7/12/01. SPOKE WITH MR. TANCZYN AND SENT CHANGE OF DATE LETTER TO TANCZYN AND GREENE, JR. K.P.

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

RA1001B

DATE: 02/12/2001

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:43:07

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
13 23 000450	13	2-3	06-00	N	NO		01/08/01
ARBUTUS AUTO PAINTING &				DESC-1.. IMPSWS LEEDS AV			
BODY WORKS INC				DESC-2.. 50 N MAIDEN CHOICE LA			
4621 LEEDS' AVE				PREMISE. 04616 LEEDS AVE			

00000-0000

BALTIMORE

MD 21229-5409 FORMER OWNER: WARREN EDWARD J

FCV		PHASED IN	
PRIOR	PROPOSED	CURR	CURR
		FCV	ASSESS
LAND: 53,430	53,400		
IMPV: 54,000	54,900	TOTAL.. 108,300	108,300
TOTL: 107,430	108,300	PREF... 0	0
PREF: 0	0	CURT... 0	0
CURT: 0	0	EXEMPT.	0
DATE: 02/95	10/98		

TAXABLE BASIS		FM DATE
01/02 ASSESS:	108,300	12/18/00
00/01 ASSESS:	43,200	06/01/00
99/00 ASSESS:	43,080	06/04/99

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

2/12/01

Res. Agent = Richard J. Greene, Jr.
 1305 Kent Ave.
 Balto. 21207



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351 X7295
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3460

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-0682	Property No. 1323000450	Zoning B.L.
------------------------------	----------------------------	----------------

Name(s): MR. RICHARD L. GREENE JR - RESIDENT AGENT
ARBUTUS AUTO PAINTING + BODY WORKS INC

Address: 4621 LEEDS AVE., BALTO. MD 21229

Violation Location: 4616 LEEDS AVE, BALTO. MD 21229

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCER 101, 102.1, 230.1, 405A "GARAGE SERVICE"

THE USE OF THIS PROPERTY FOR THE STORAGE
OF MOTOR VEHICLES AND/OR PARTS THEREOF
FOR REPAIR, REMUNERATION, HIRE (LIMOUSINES)
OR SALE IS PROHIBITED. REMOVE ALL
MOTOR VEHICLES AND/OR PARTS OR OBTAIN
A SPECIAL ~~EX~~ EXCEPTION.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 03/21/01	Date Issued: 2/16/01
---------------------------	-------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1200 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: DONNA THOMPSON

INSPECTOR: Donna Thompson

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
-----------------	--------------

INSPECTOR: _____

AGENCY



Baltimore County
Department of Permits and
Development Management

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

Code Enforcement: 410-887-3351 X7295
Building Inspection: 410-887-3953

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

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

Citation/Case No. 01-0682	Property No. 1323000450	Zoning: B.L.
------------------------------	----------------------------	-----------------

Name(s): RICHARD L. GREENE, JR. - RESIDENT AGENT
ARBUS AUTO PAINTING & BODY WORKS INC.

Address: 4621 LEEDS AVE., BALTO. MD 21229

Violation Location: 4616 LEEDS AVE., BALTO. MD 21229

Violation Dates: 02/12/01 TO 03/22/01

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

B.C.E.R. 101, 102.1, 230.1, 405A "GARAGE SERVICE"

OPERATION OF A SERVICE GARAGE WITHOUT
A SPECIAL EXCEPTION HEARING.

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

\$ 7800.00

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

Date: 5/8/01

Time: 9:00 A.M.

Citation must be served by:

Date: 4/7/01

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

Print Name: DONNA THOMPSON

Date: 3/23/01 Inspector's Signature: Donna Thompson

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name: Citation/Case No.:

Address:

Date: Defendant's Signature

AGENCY

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. RICHARD L. GREENE, JR - RES. AGENT
ARBUTUS AUTO PAINTING + BODY WORKS INC. Defendant

Hearing Date 5/8/01 Issued Date 3/23/01 Expiration Date 4/7/01

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process no later than the last day following the termination of the validity of the process.

PROOF OF SERVICE

I hereby CERTIFY that:

☐ A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.

☒ A Citation and all other papers filed with it were served by personal delivery to RICHARD L. GREENE, JR.
Name

RES. AGENT Title, on 3/23/01 Date, at 2:30 Time a.m. p.m.

Description of defendant: Race W Sex M Height 5'8"

Weight 150 Age 36? Other _____

☒ The premises at _____ were posted.

☐ I was unable to serve because _____

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief, and do further affirm that I am a competent person over 18 years of age and not a party to the case.

Donna Thompson
Signature

Code 4 Inspector
Title

Address

Telephone No.

Date

Time a.m. p.m.

EX 1924 1/4

CHOICE

EX 8'SAN
EX 6' GAS
EX 8' W (Drwg #11 of 19; Contr #23-9) 2
EX C 4' G 5

2 story
Shingle
Halter
Residence

ZONED: BL

BRAWLEY REALTY
1sty. Brick Office Building

ZONED: BL

ZONED: DR 5-5

AVENUE

2 1/2
Shin
Reside

± 25' Dr'way

Macadam

± 40' Dr'way

Existing Macadam
Paving

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

Concrete Paving

EX C 4' G 5

EX C 4' G 5

Concrete Paving
w/ Light Pole

Driveway

EX 6' W (Drwg #10 of 11 of 19 - Contr #2
EX 10' GAS)

Point of
Beginning

ZONED: BL-C

ZONED: BL-CNS

STORY BRICK

PARTS
SHOW
ROOM

Customer

1 story Formstone

RPS
AUTO PARTS

1 story Formstone

Property of
ALLEN THORPE & ELKINDGE
ELECTRIC RAILWAY

HC 19-21

LAW OFFICES
MICHAEL P. TANCZYN, P.A.

Suite 106 • 606 Baltimore Avenue

Towson, Maryland 21204

Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

March 7, 2001

Baltimore County Code Enforcement
Attn: Ms. Donna Thompson, Inspector
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Arbutus Auto Painting and Body Works, Inc. -- Citation Case No. 01-0682

Dear Ms. Thompson:

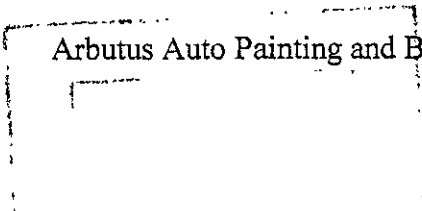
Per your request, following is a letter of representation for your files. We have been retained by Arbutus Auto Painting and Body Works to file a Special Exception in this matter. We have prepared the Petition for Special Exception and as soon as the engineer completes his work, we will file it.

If you have any questions concerning this, please do not hesitate to call me.

Very truly yours,


Michael P. Tanczyn, Esquire

MPT/gr

cc:  Arbutus Auto Painting and Body Works, Inc.

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

TELEPHONE 410 653-9511

March 13, 2001

Mr. Richard Greene
Arbutus Auto Painting & Bodyworks, Inc.
4621 Leeds Avenue
Baltimore, Maryland 21229

Via Fax 410242-0045

Re: Proposal: Special Exception Arbutus Auto Painting & Bodyworks

Dear Mr. Greene:

We are pleased to present this proposal for a zoning variance for the above referenced site.

Our services shall include: research of records in Baltimore County and meetings with Baltimore County representatives, field survey locations of the subject property, Special Exception Plat for the zoning petition and hearing, a zoning description, site photographs, color photo montage, displays for the zoning hearing and testimony at the zoning hearing.

The cost of these services shall be twenty eight hundred dollars (\$ 2800.00).

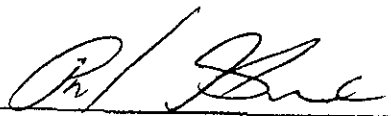
Not included in these services: environmental studies, forest conservation plan, storm water management waiver or plan, water quality plan, landscape or any other type plan or study.

A retainer of nine hundred fifty two dollars (\$ 952.00) is requested with the acceptance of this proposal. If this meets with your acceptance, please return one copy of this proposal with the requested retainer

Thank you.

Sincerely,


Herbert Malmud, President
H. Malmud & Associates, Inc.

ACCEPTED: 

Signature

DATE: 3/15/01

file: Proposal Arbutus Auto Zoning Variance

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

April 30, 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: 3616, 4619 - 21 Leeds Avenue

Dear Mr. Commissioner:

Enclosed herewith for drop off filing for Special Exception you will find the following:

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.

Please advise us of all hearing dates and forward us a receipt once you have processed this Petition. 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

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

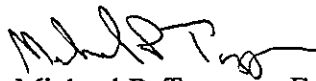
Dear Mr. Commissioner:

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

Reset
60 day
7-12-01
reset

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

Thank you very much for your assistance in this regard.



Mike Tanczyn

296-8823

Very truly yours,

Michael P. Tanczyn
Michael P. Tanczyn, Esquire

nc.

*5-9-01
Spoke with
Mr. Tanczyn & OK
for 7-12-01*

set for 7-12-01 per Mr. Tanczyn



Baltimore County
Department of Permits and
Development Management

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

May 15, 2001

Michael P. Tanczyn, P.A.
Suite 106
606 Baltimore Avenue
Towson, Md. 21204

Re: Case No. 01-0682, 4621 Leeds Avenue

Dear Mr. Tanczyn:

Please be advised that a Code Enforcement Hearing has been scheduled for July 12, 2001 at 9:00 a.m. in Room 116 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204. The Hearing is based on a civil citation issued with respect to certain violations concerning the above property. It is important that you appear for the hearing and state your side of the case.

If you have any questions please contact Inspector Donna Thompson at 410-887-3951, voice mail 7295.

Sincerely,

A handwritten signature in cursive script that reads "Kitty Popelarski".

Kitty Popelarski
Code Enforcement

c: Donna Thompson, Code Enforcement Inspector
Richard L. Greene Jr. Arbutus Auto Painting & Body Works Inc.

01-0682

Census 2000

For You, For Baltimore County

Census 2000

PETITION FOR SPECIAL HEARING

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 Appell 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 enacted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser

Address

Petitioner's Attorney

Joseph L. Friedman

Address 1220 Fidelity Building
Baltimore, Maryland 21201

Vernon Appel

Robert Appel

Legal Owner

Vernon Appel-9300 Avondale Avenue
Baltimore, Md. 21231

Address Robert Appel-10325 E Malcolm Circle
Cockeysville, Md. 21030

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 Baltimore County, on the 5th day of January, 1968.

Pet Ex 2

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

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16th day of January, 1967, 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.

George J. Matlock
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 _____ day of _____, 196____, that the above Special Hearing _____ and the same is hereby DENIED.

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

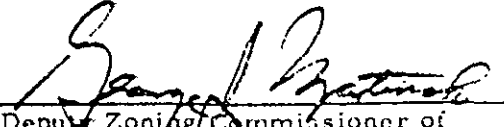
::: :::: :::

::: :::: :::

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

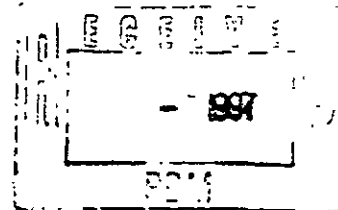
RECEIVED FOR FILING
FEBRUARY 11 1976
J. P. [illegible]
[illegible]

97-2153
To: JCU
5/19/97
5/17/97
3
10/12
CASH-ER 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-SPC, January 16, 1976. Section 104.3, 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

Per Ex 3

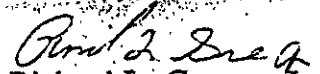
spaces shown on the 1975 plot.

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 L. 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 MAIL
ON FRIDAY, MAY 15, 1997
6/22/97

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:

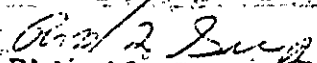
This letter is in response to your request dated May 15, 1997,
concerning adequate parking spaces and setback of the proposed addition.

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 (ECZR), 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.
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,

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.

Speed
Letter

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/scj

John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 76-133-SPH

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,

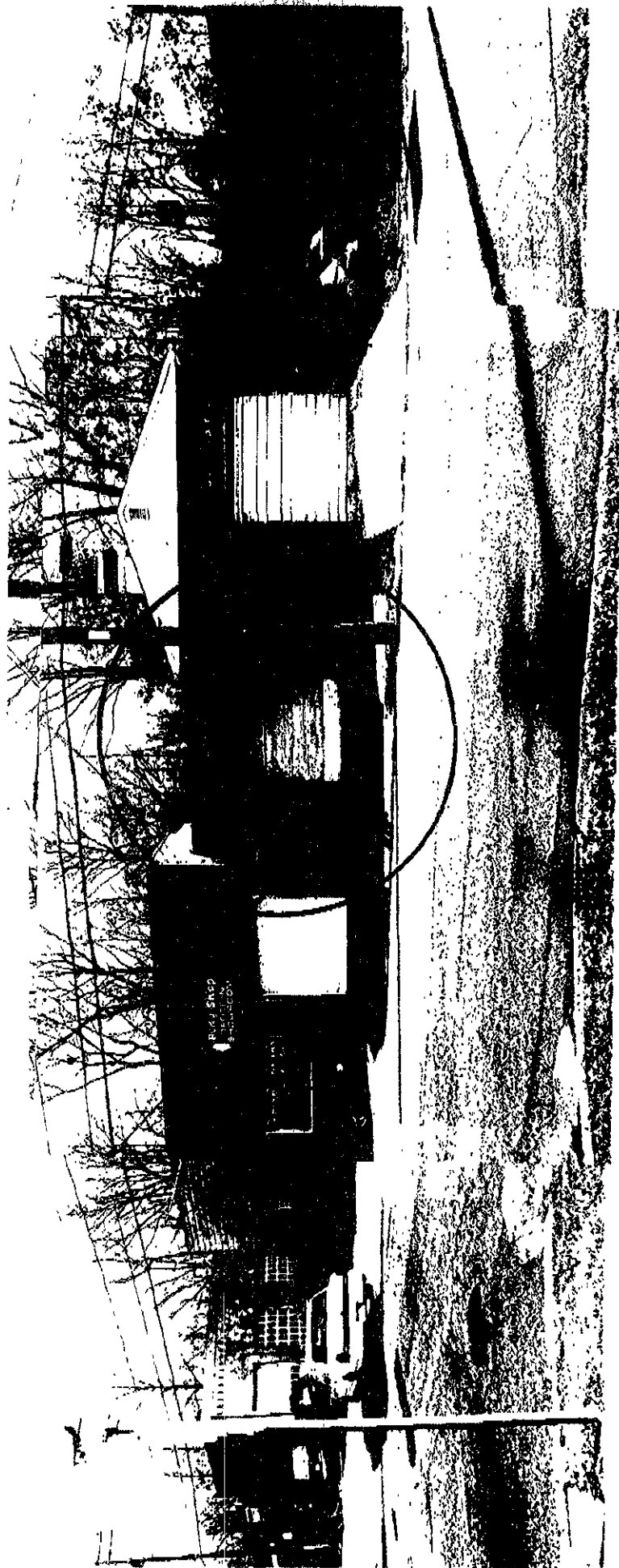
Herbert Malmud

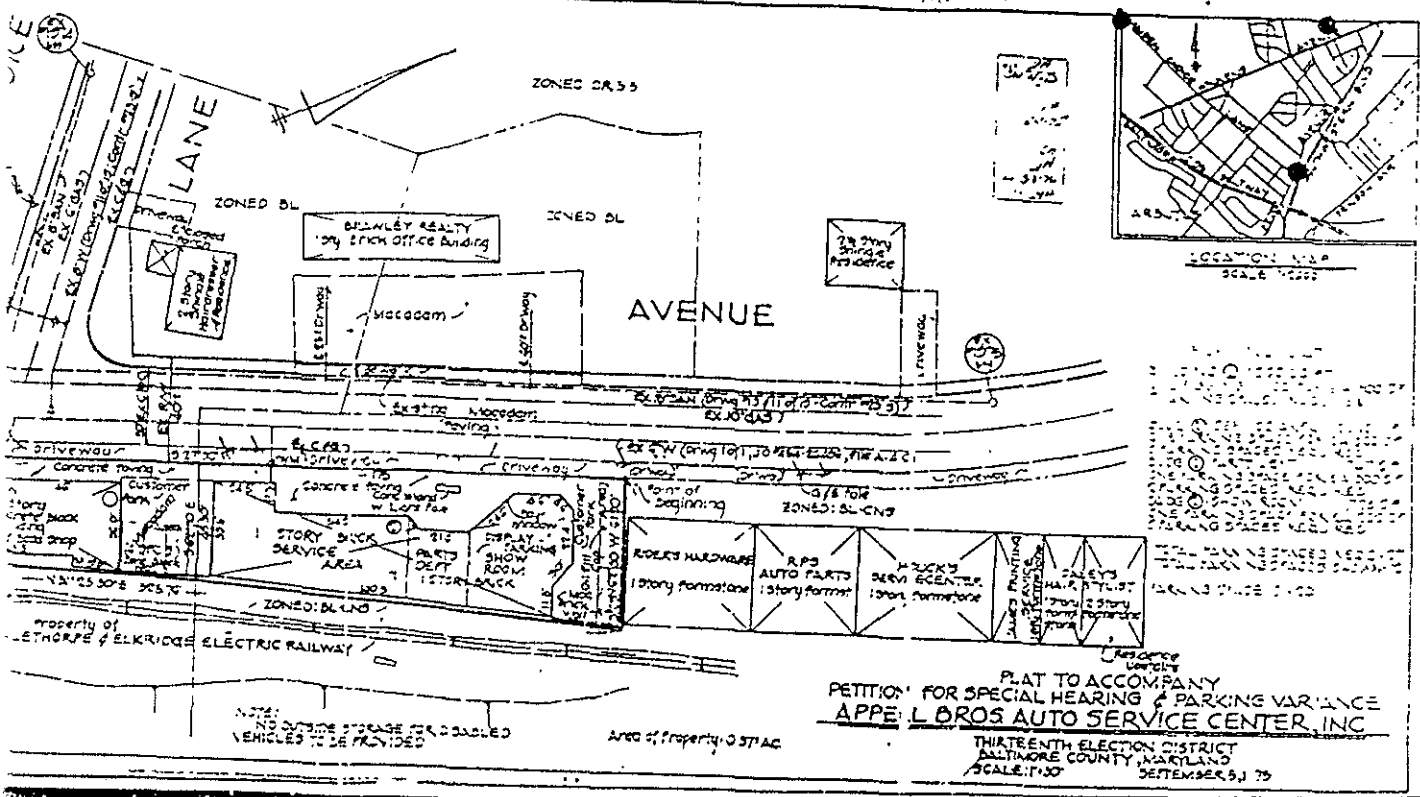
Enclosures: 3 Plans
DRC Request Form
\$ 40.00 Check

Copy: Jack Schatz

file: DRC Leeds Av

Ref Ex #4





PARKING HISTORY AND CURRENT PLAN

PARKING REQUIREMENTS AS OF 1/16/76

PARKING VARIANCE GRANTED

ZONING CASE 76-133-SPH

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)

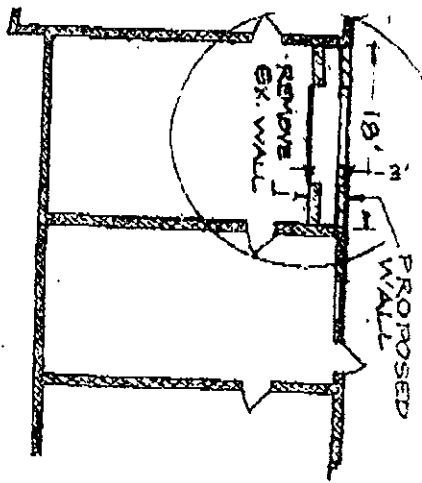
1 PARKING SPACE = 8' 5" X 18'

OR 7' 5" X 21' AS SHOWN

SIDE WALK

40'-0" RIGHT OF

AVE



DETAIL NOT TO SCALE

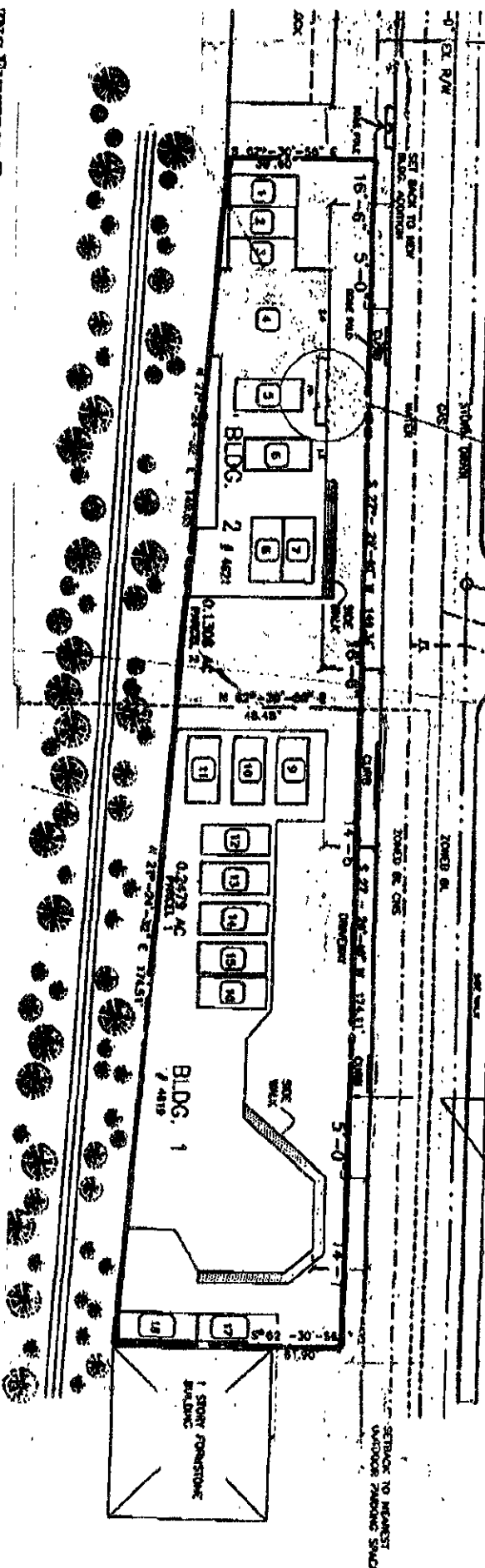
SEE
DETAIL

MAIDEN
CHOICE LA.

LEEDS



AVE. 40'-0" RIGHT OF WAY



ING EXISTING CONDITIONS & PROPOSED FRONT WALL
DETAIL OF PROPOSED FRONT WALL

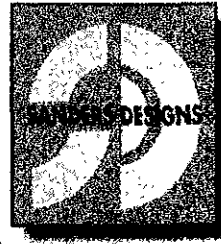
DRC WAIVER REQUEST FOR

4619-21 LEEDS AVENUE

ELECTION DISTRICT NO. 13

COUNCILMANIC DISTRICT NO. 1

BALTIMORE COUNTY, MARYLAND



Streetscape Program

June 12, 2001

Mr. Richard Greene
Arbutus Auto Painting & Bodyworks, Inc.
4621 Leeds Avenue
Baltimore, Md. 21229

Dear Mr. Greene:

Please find attached, as requested, the latest rendering and estimated cost document for labor and materials. These are only estimates composed from rough industry bids and the RS Means catalog, (Estimated construction cost data), actual estimates will involve site visits from contracted suppliers to compile more accurate quotes. If you have any question or concerns please do not hesitate to contact me via phone, fax, or email henry@sandersdesigns.com.

Thank You,

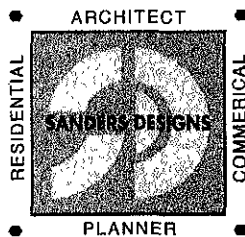
Henry Berger III
Project Manager.

Let Ex #5

Sanders Designs

2331 York Road Baltimore, Md. 21093

MASTER BID FORM



Project Budget Sheet

			QUANTITY	UNIT PRICE	WORK TIME ESTIMATE
DIVISION 1		SUB-TOTAL			
	Move Sign		1	\$250.00	\$250.00
DIVISION 2		SUB-TOTAL			
	Potted Bushes/Trees		10	\$300.00	\$3,000.00
	Miscellaneous Potted Plants/Flowers		6	\$35.00	\$210.00
DIVISION 3		SUB-TOTAL			
DIVISION 4		SUB-TOTAL			
	Brick Face 80' x 16'		1280	\$12.00	\$15,360.00
DIVISION 5		SUB-TOTAL			
DIVISION 6		SUB-TOTAL			
DIVISION 7		SUB-TOTAL			
	Asphalt Shingle Shed Roof 3' x 17'		60	\$25.00	\$1,500.00
	Asphalt Shingle Shed Roof 3' x 60'		180	\$25.00	\$4,500.00
DIVISION 8		SUB-TOTAL			
	Garage Doors w/ Windows		5	\$950.00	\$4,750.00
	Garage Doors w/o Windows		2	\$800.00	\$1,600.00
	Metal Doors		2	\$400.00	\$800.00
DIVISION 9		SUB-TOTAL			
	Painted Bands @ Cornice		200	\$1.00	\$200.00
	Painted - Building Sides 40' x 12'		400	\$0.50	\$200.00
	Painted - Windows		500	\$0.50	\$250.00
DIVISION 10		SUB-TOTAL			
	1-Color Canopy 60'-0" x 2'-6" installed		1	\$4,000.00	\$4,000.00
	1-Color Round Canopy 7' x 5' installed		1	\$1,100.00	\$1,100.00
	Window Tinting	sq/ft	300	\$3.00	\$900.00
DIVISION 11		SUB-TOTAL			
DIVISION 12		SUB-TOTAL			
DIVISION 13		SUB-TOTAL			
DIVISION 14		SUB-TOTAL			
DIVISION 15		SUB-TOTAL			
DIVISION 16		SUB-TOTAL			
JOB		SUBTOTAL			
		GRAND TOTAL			\$38,620.00





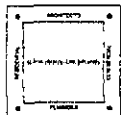




EXISTING



PROPOSED



ARBUTUS Auto Painting & Bodyworks, Inc.

CONCEPTUAL PERSPECTIVE VIEW



BALTIMORE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT

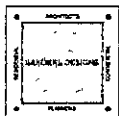
"ARCHITECT -ON-CALL" STREETScape PROGRAM



EXISTING



PROPOSED



ARBUTUS Auto Painting & Bodyworks, Inc.

CONCEPTUAL PERSPECTIVE VIEW



BALTIMORE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT

"ARCHITECT -ON-CALL" STREETScape PROGRAM



EXISTING



PROPOSED



ARBUTUS Auto Painting & Bodyworks, Inc.



BALTIMORE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT

CONCEPTUAL PERSPECTIVE VIEW

"ARCHITECT -ON-CALL" STREETSCAPE PROGRAM



EXISTING



PROPOSED



ARBUTUS Auto Painting & Bodyworks, Inc.

CONCEPTUAL PERSPECTIVE VIEW

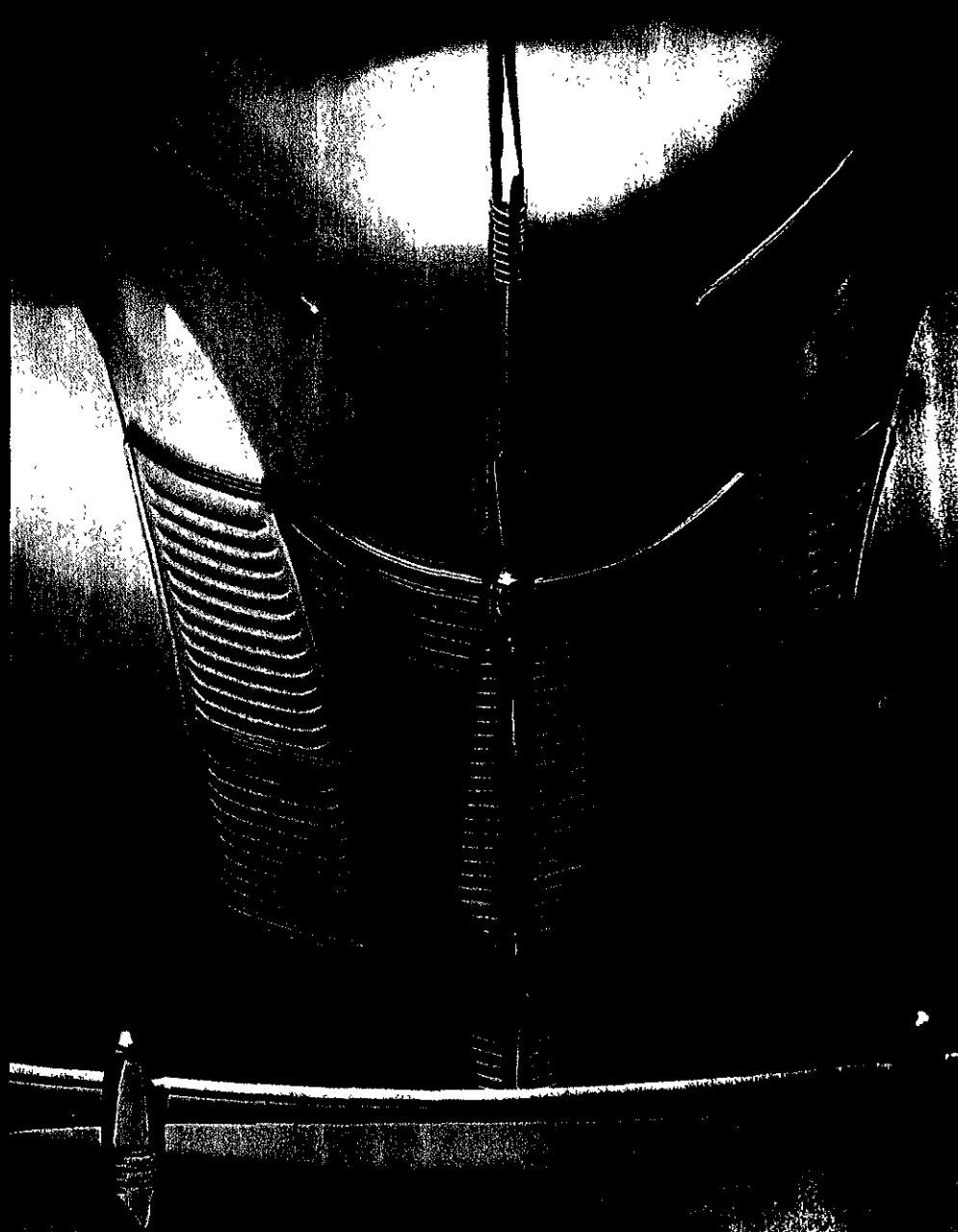


BALTIMORE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT
"ARCHITECT-ON-CALL" STREETScape PROGRAM



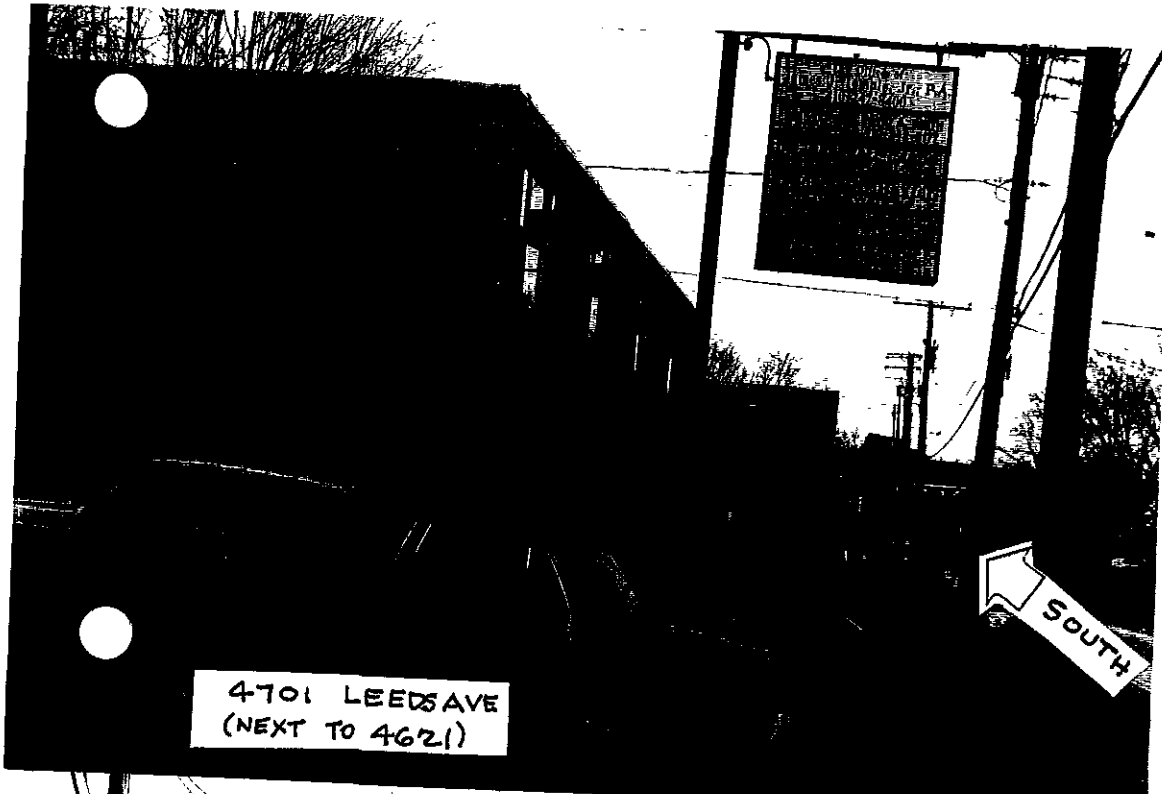
W E L C O M E

Arbutus Auto Painting & Bodyworks Inc.

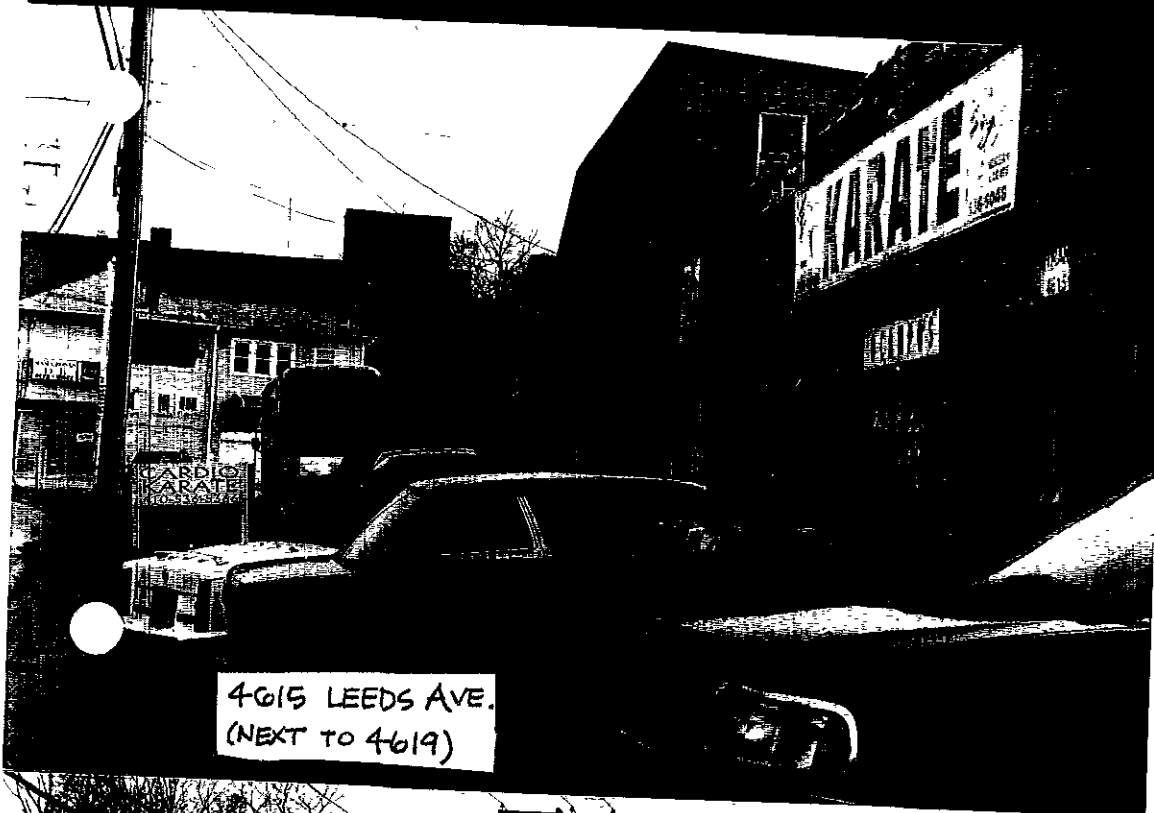


EAST SIDE

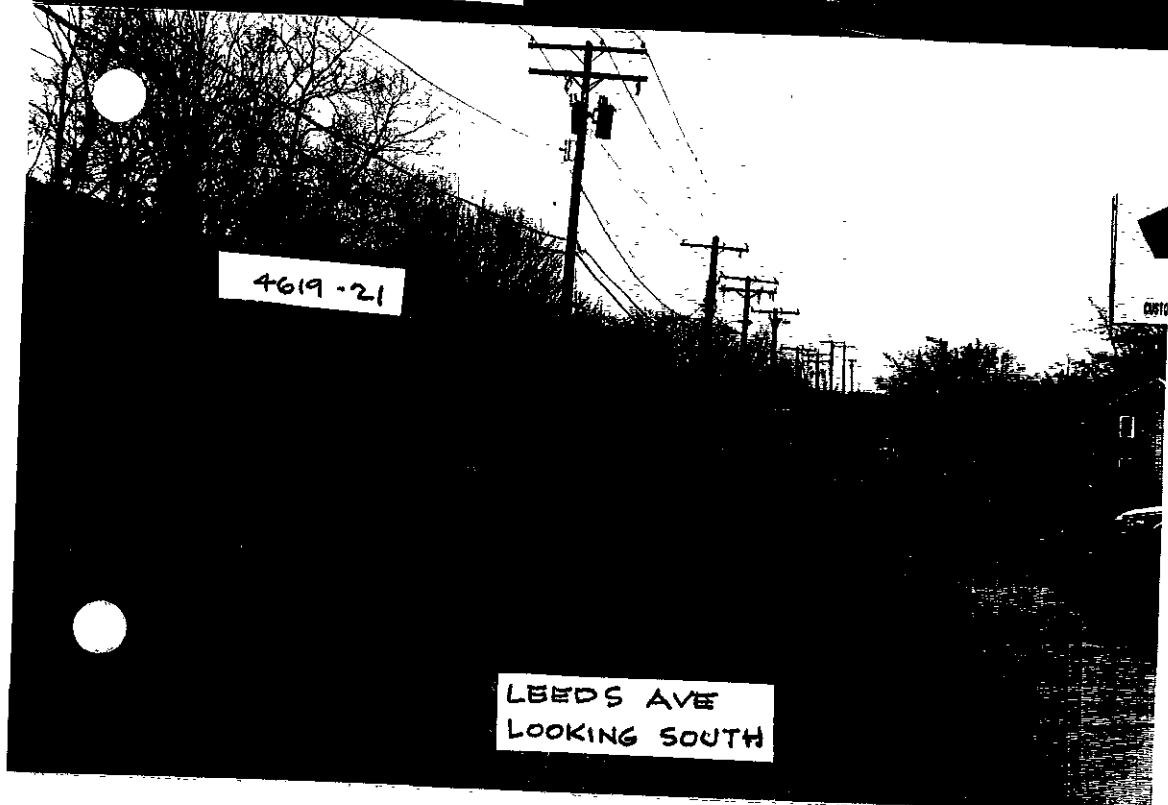
LEEDS



4701 LEEDS AVE
(NEXT TO 4621)

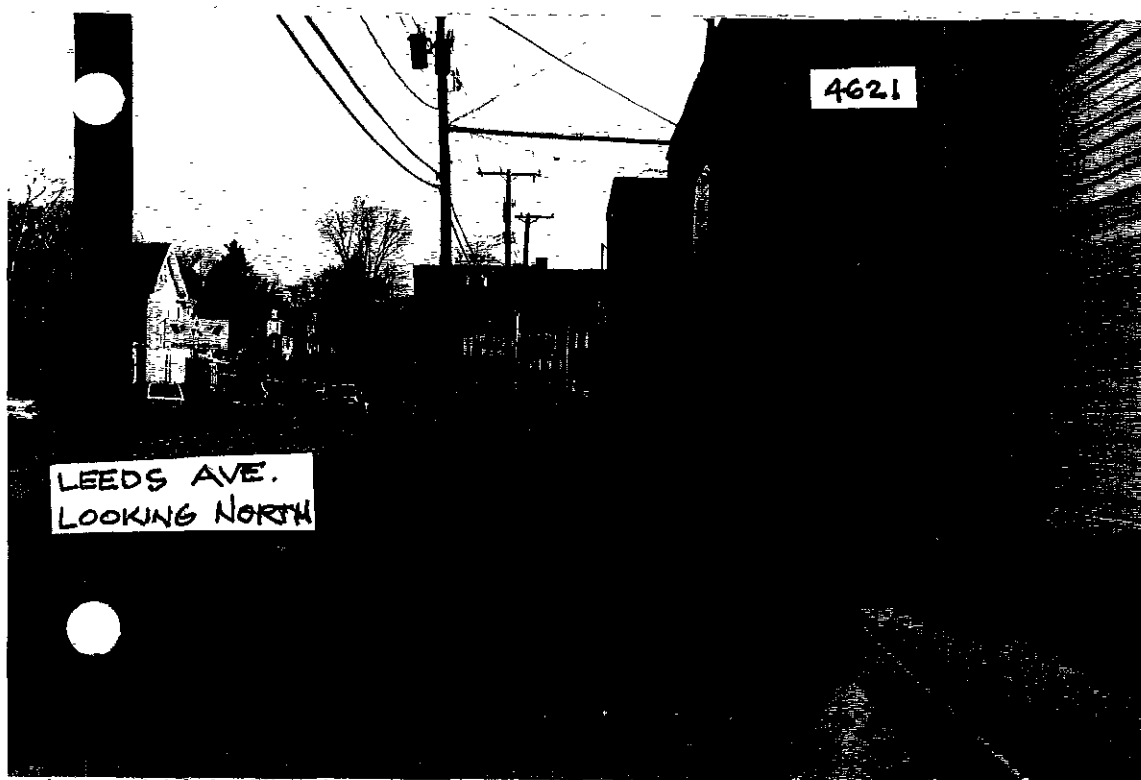
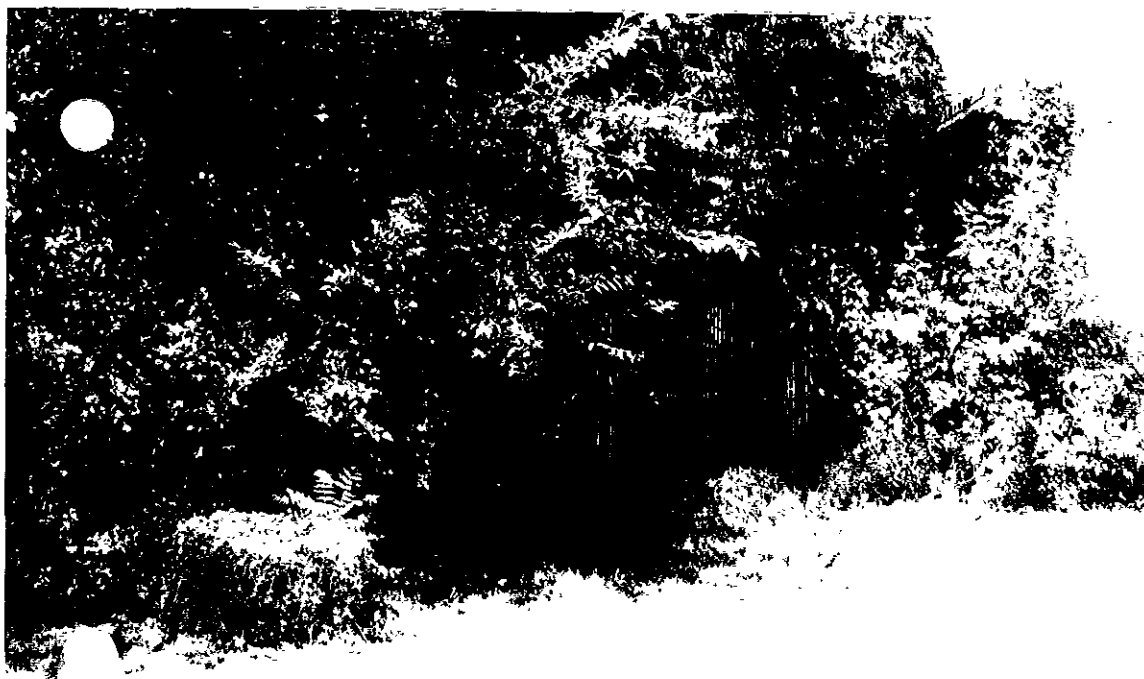


4615 LEEDS AVE.
(NEXT TO 4619)



LEEDS AVE
LOOKING SOUTH









WEST SIDE
LEEDS

Body Shop
OFFICE IN
SHOWROOM

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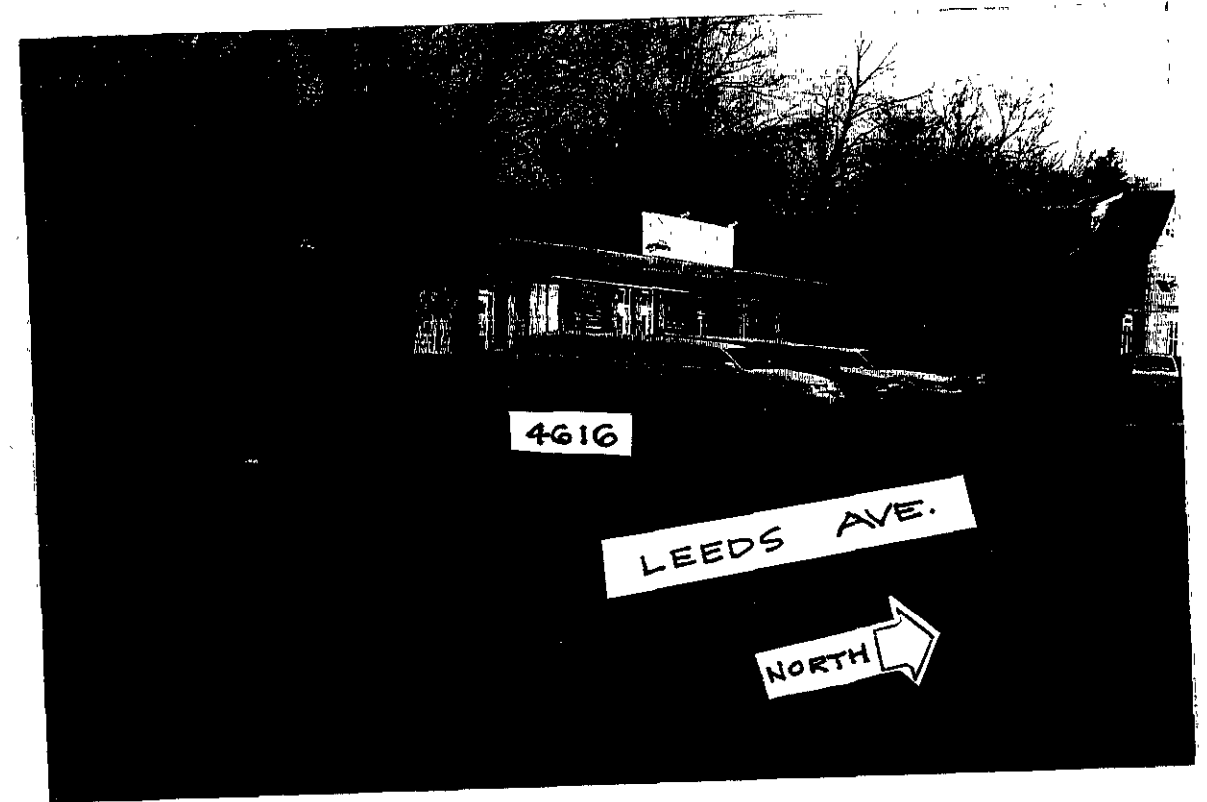
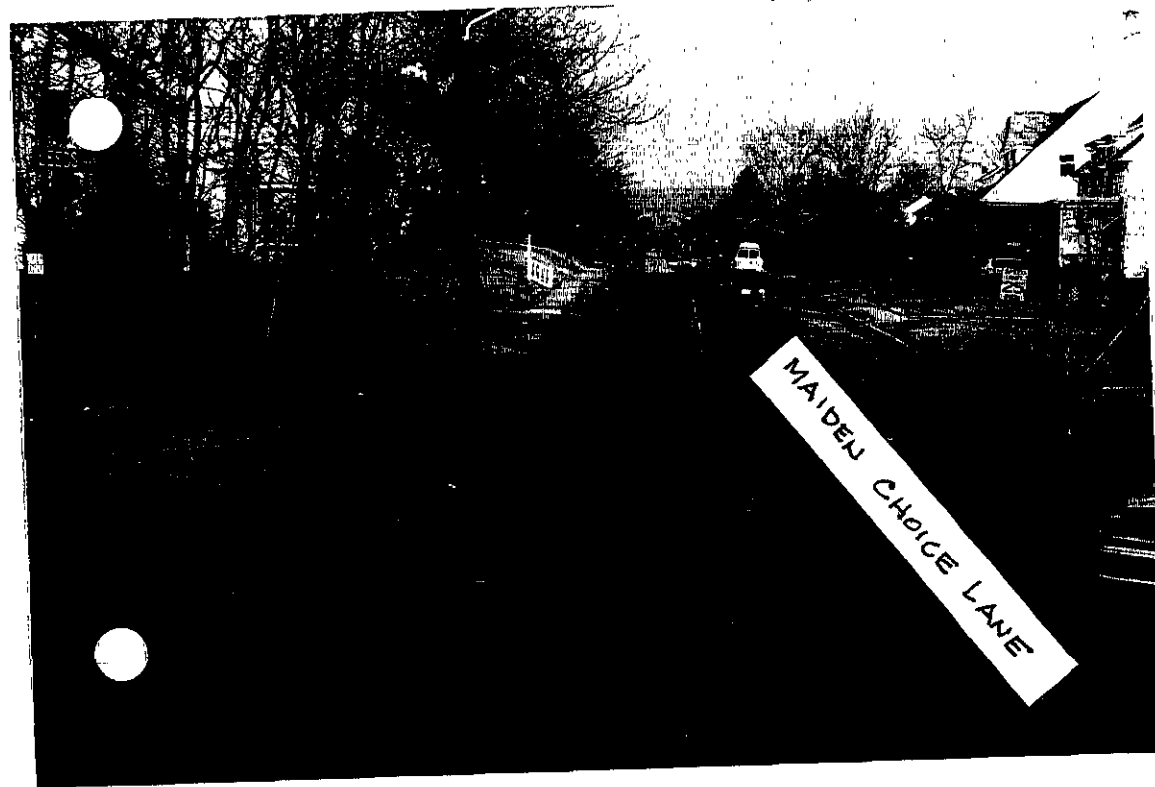
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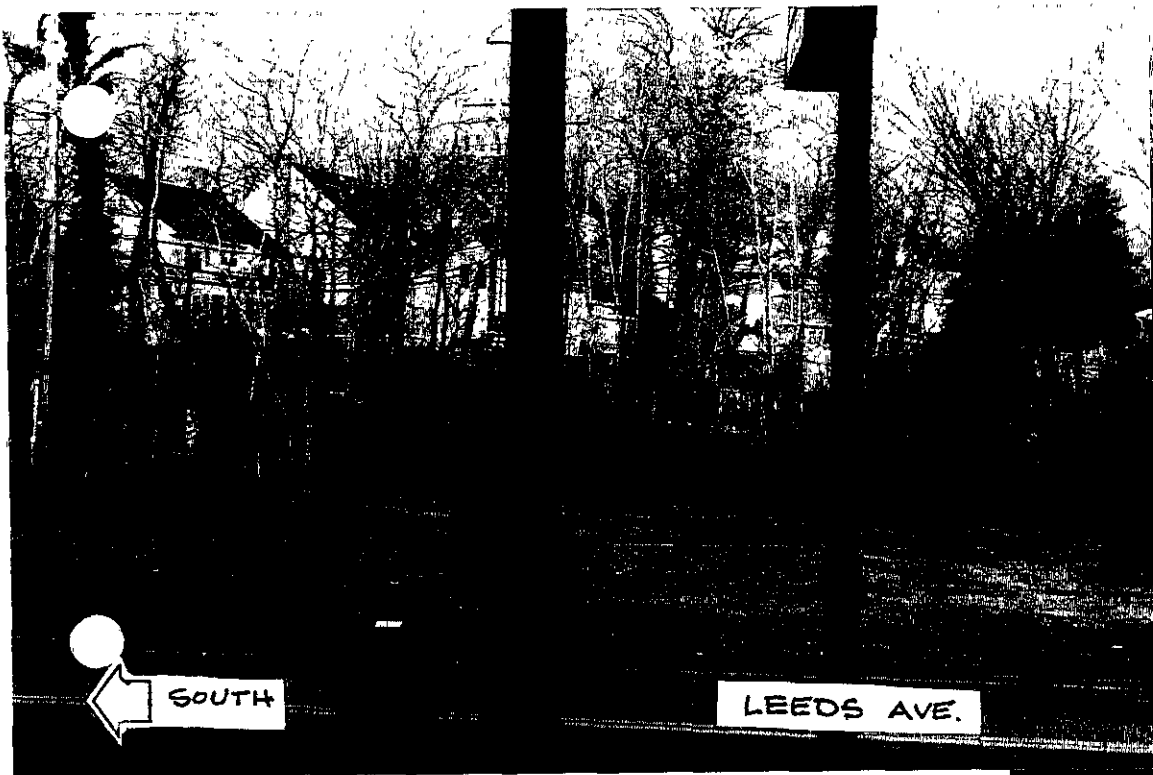
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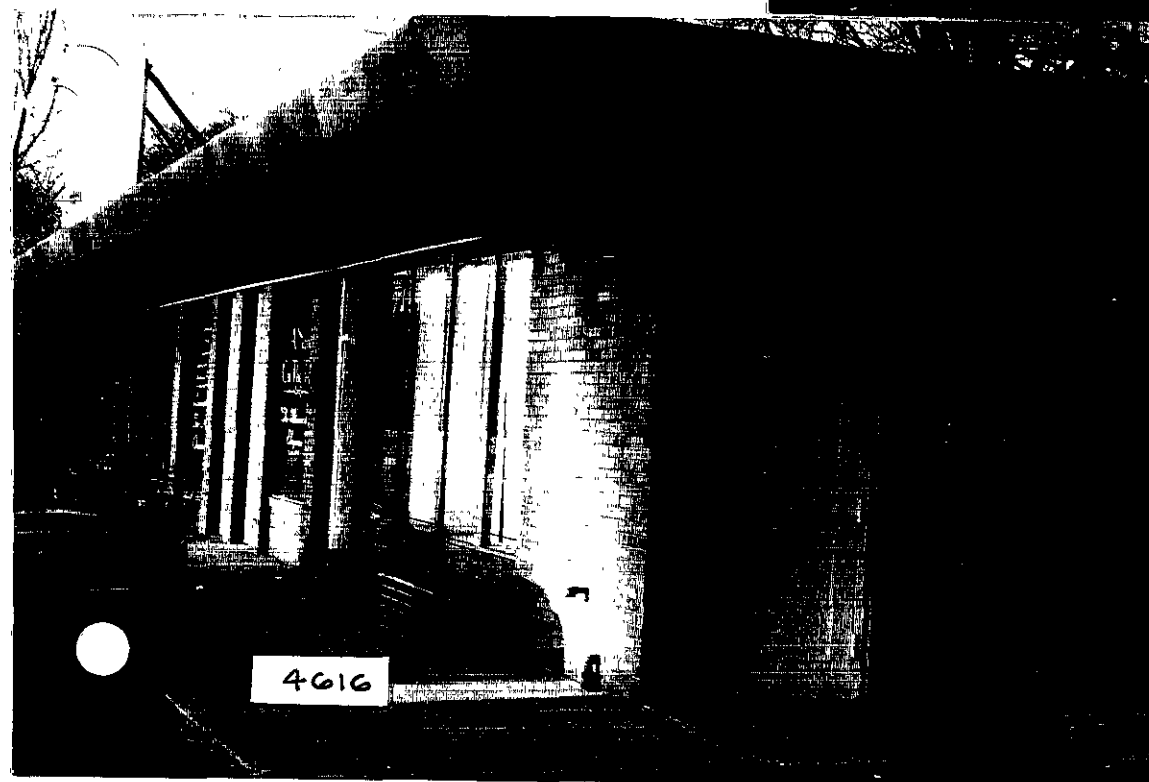
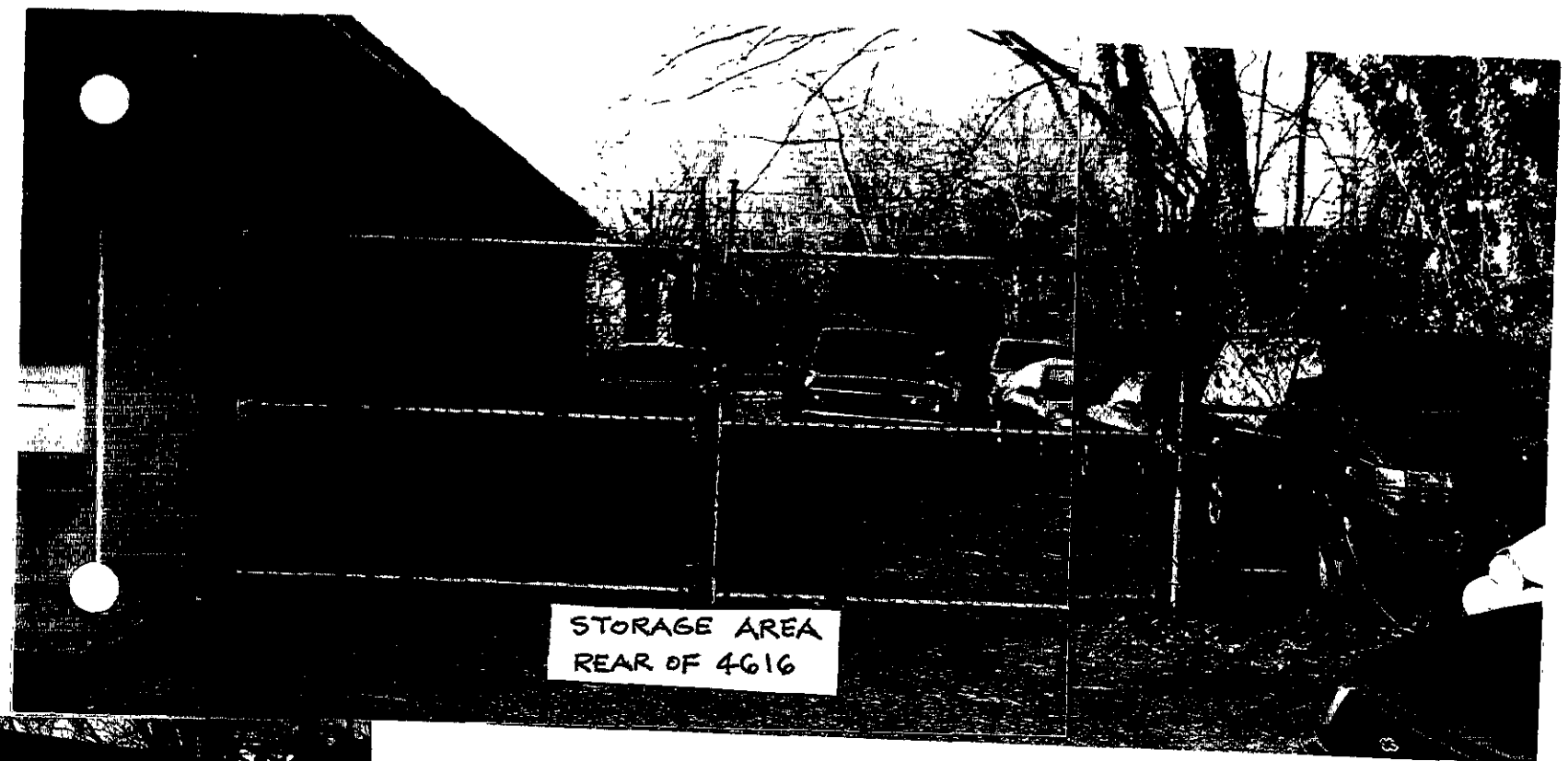
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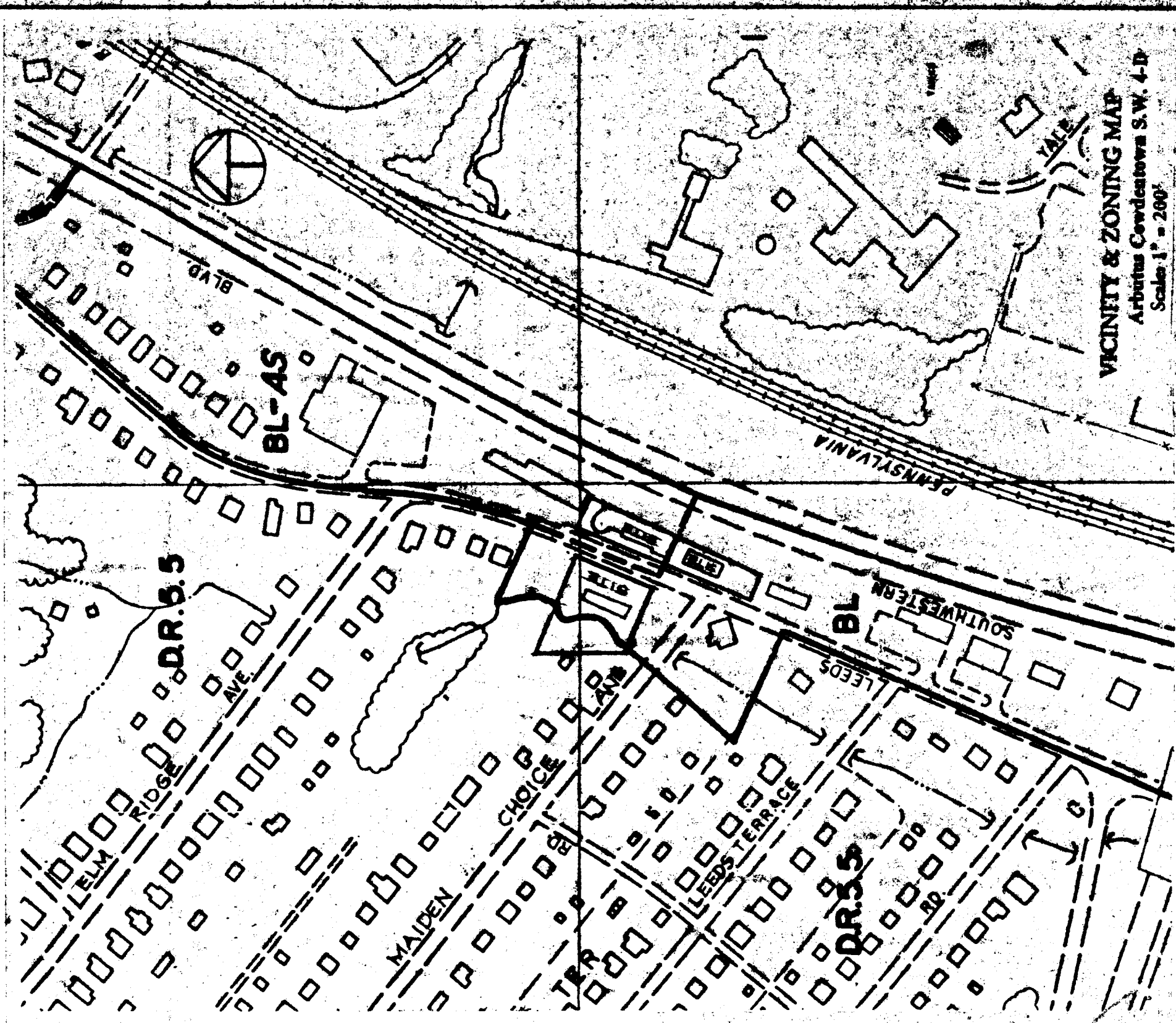
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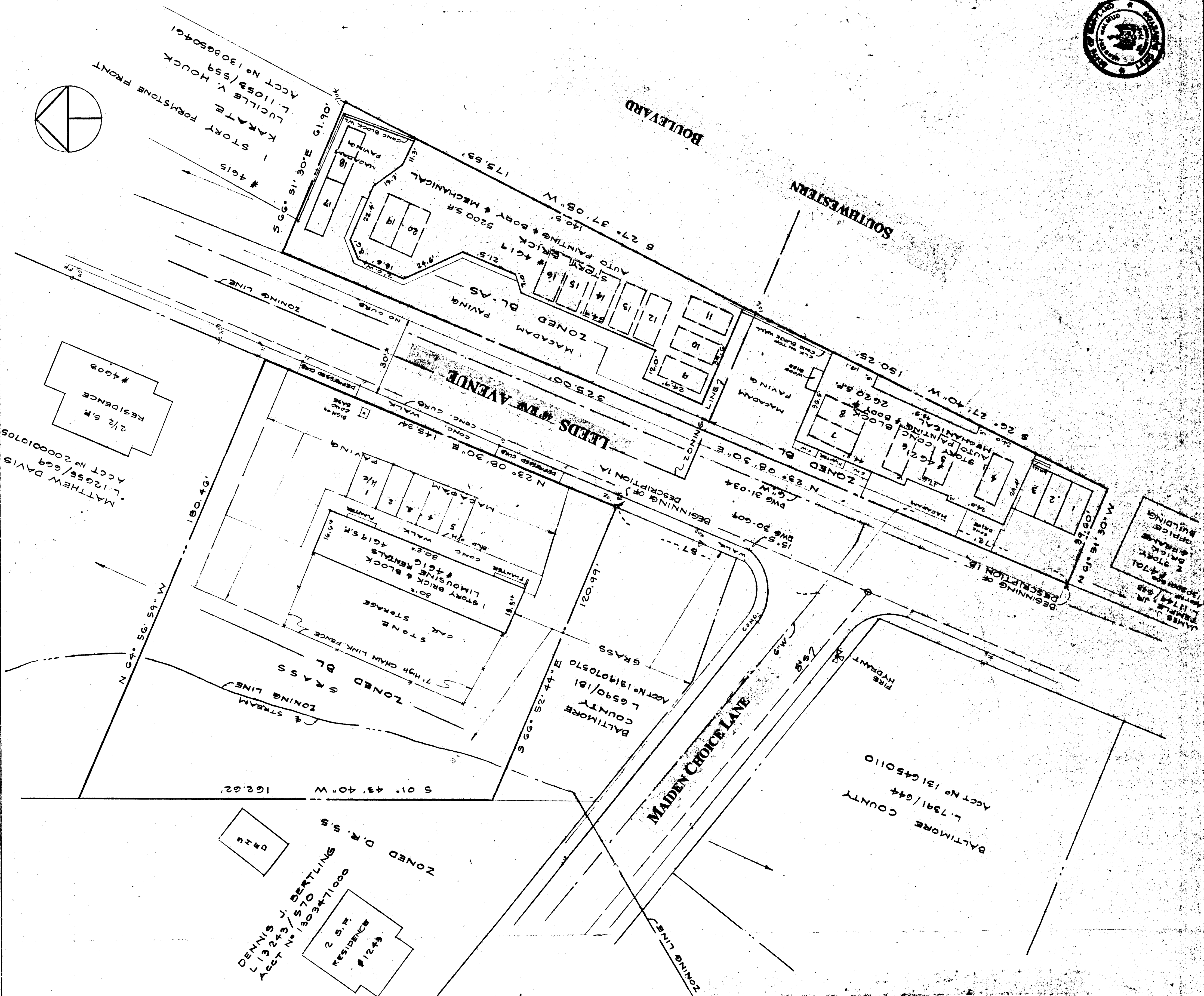
VICINITY & ZONING MAP
Arbiters Commission S.W. 4-D
Scale 1" = 200'

**PLAT TO ACCOMPANY A
PETITION FOR SPECIAL EXCEPTION
FOR A SERVICE GARAGE**

**4619-4621 AND 4616 LEIDS AVENUE
13TH ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 1
BALTIMORE COUNTY, MARYLAND**

Scale 1" = 20'
April 18, 2007

Prepared by:
H. Michael & Associates, Inc.
Baltimore, Maryland 21208
Telephone 410 631-6611



NOTES

1. OWNER/PETITIONER: ARBITERS AUTO PAINTING & BODYWORKS, INC. 4631 LEIDS AVENUE, BALTIMORE, MD 21229. TELEPHONE: 410 242-0034.
2. DEED REFERENCE: LINDER 4491, FOLIO 446, ACCT NO. 132000049.
3. TAX MAP 101, GRID 14, PARCEL 177.
4. 4619-4621 LEIDS AVENUE, APPEL BROTHERS AUTO SERVICE CENTER, INC. PARCEL 796, DEED REFERENCE LINDER 5314, FOLIO 732, ACCT NO. 130747081 & PARCEL 817, DEED REFERENCE LINDER 5314, FOLIO 732, ACCT NO. 130747078.
5. TAX MAP 101, GRID 14.
6. EXISTING ZONING: 4616 LEIDS AVENUE & 4619 LEIDS AVE. BL-4619 LEIDS AVENUE.
7. PUBLIC WATER AND SEWER SERVICE: SERVES THIS SITE.
8. EXISTING USE: SERVICE GARAGE.
9. PROPOSED USE: SAME.
10. ZONING HISTORY: CASE NO. 74-159-2PM & DEC 16447C AS PER PARKING REQUIREMENTS FOR 4619-4621 LEIDS AVENUE (16 SPACES REQUIRED) AND 4616 LEIDS AVENUE (16 SPACES REQUIRED). PARKING REQUIRED: 4619 LEIDS AVE. 5 SPACES PROVIDED; 4616 LEIDS AVE. 16 SPACES PROVIDED.
11. AREA OF PROPERTY: 4616 LEIDS AVE 6.52 OF AN ACRE & 4619-4621 LEIDS AVE 0.37 OF AN ACRE.
12. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES OF RECORD.
13. THE PROPERTY LINES SHOWN HEREON ARE FROM AVAILABLE DATA AND NOT A BOUNDARY SURVEY. A TITLE SEARCH WAS NOT FURNISHED FOR THIS SPECIAL EXCEPTION.
14. PARKING DATA: PREVIOUSLY APPROVED BY DEC 6447C FOR 4619-31 LEIDS AVE. 14 SPACES REQUIRED, 16 PROVIDED.
15. BUILDING AREA: 4616 LEIDS AVE 7116 SQUARE FEET & 1000' x 141' x 13' x 5'.
16. PARKING SPACES REQUIRED: 5 PARKING SPACES PROVIDED.
17. TYPICAL SPACE 8.5' x 11'.