IN RE: PETITION FOR SPECIAL HEARING centerline Powers Lane, 1000' W. Nuwood Road 1st Election District 1st Councilmanic District (2219 Powers Lane)

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-482-SPH

Russel Motor Cars, Inc. F. Steven Russel, President *Petitioners*

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Russel Motor Cars, Inc., requesting a special hearing to amend the previously approved site plan in Case No. 96-518-SPH, to permit additional storage and display of automobiles and to permit a landscape buffer of 5 ft. adjacent to a highway widening reservation. The petition involves property located on the south side of Powers Lane, just west of its intersection with Delong Road. The subject property contains 2.309 acres, more or less, and is split-zoned BR and DR 16.

The property was the subject of a prior zoning case wherein Commissioner Schmidt, by Order dated August 7, 1996, gave approval for Russel Motor Cars, Inc. to utilize the area in question for a parking lot for the storage of inventory for the automobile sales business.

Appearing at the hearing on behalf of the special hearing request were Mike Diskin, a representative of Russel Motor Cars, Inc., Bob Rosenfelt, professional engineer with Colbert, Matz, Rosenfelt, Inc., the engineering firm who prepared the site plan of the property and Aaron Margolis and Leslie M. Pittler, attorneys at law, representing the Petitioner. Appearing in opposition to the Petitioner's request were Kim Koelbel, Mary Ann Ehrman and Frank Culotta, all nearby residents. The case was originally scheduled to be heard on July 10, 2001, at which

result of a deficiency in the posting of the property for the hearing, the matter was continued until July 27, 2001, at which time additional testimony and evidence was taken and the hearing was concluded.

The testimony and evidence presented by the Petitioner, Russel Motor Cars, demonstrated that the property, which is the subject of this special hearing request, is used by Russel Motors as a storage lot for automobiles. Russel owns and operates a number of automobile dealerships along Baltimore National Pike at this location. A great deal of their new car inventory is currently being stored on the property which is the subject of this request. The testimony demonstrated that Russel is in need of additional storage area for their new car inventory. Therefore, they request that the existing parking lot, as shown on the site plan, be extended an additional 25 feet towards Powers Lane. The area of the parking lot expansion is clearly depicted on the site plan submitted into evidence at the hearing. After the proposed expansion to the parking lot, there will remain approximately 25 ft. of grassy area between the storage lot for automobiles and Powers Lane. That area, at this time, is currently cut and maintained by Russel Motor Cars.

It should be noted that Powers Lane is a public road that services two residential properties. One of those properties is owned by Rory Humphries and the other is occupied by Ms. Kim Koelbel, one of the protestants herein and her fiancée, Vincent Geppi. The remainder of Powers Lane to the north is bordered by the Westerly Apartments, which take access from another street other than Powers Lane. Therefore, the only persons using Powers Lane are the 2 residential property owners and those people associated with Russel Motor Automotive Dealerships, their employees and customers. Powers Lane is a dead-end street that terminates at the end property

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line of the Russel property. It should also be noted that Powers Lane, given its limited use and the fact that it is a dead-end street, is narrowly paved and at times barely wide enough to allow 2 automobiles to pass one another. This was one of the concerns raised by the protestants which will be dealt with later in this Order.

The Petitioner, Russel Motor Cars is not only interested in providing additional storage area for their new car inventory, but is also desirous of modifying previous Case No. 96-518-SPH. In that case, Commissioner Schmidt ordered that the rear gate to the Russel Automobile Dealership be closed and only utilized for emergency purposes. The Petitioner is seeking a modification of that restriction to allow employees and customers of the Russel Automobile Dealerships to utilize the gate in question for access not only to the storage lot for these automobiles, but also to a small building located on the property where automobiles are washed and cleaned in preparation of delivery to customers who purchase them.

As stated previously, several residents from the surrounding community appeared in opposition to the Petitioner's request. The greatest opposition came from Ms. Kim Koelbel who resides at 2318 Powers Lane. Her home is situated on the north side of Powers Lane at its termination point. It was noted earlier that Powers Lane is, in fact, a dead-end street. Ms. Koelbel objects to the expansion of the Russel Motor Cars facility and is particularly concerned over the additional traffic generated by such expansion, as well as the over utilization of Powers Lane by Russel. Ms. Koelbel testified that Powers Lane is narrow and in certain areas difficult to travel, especially when encountering another automobile. She testified that the small road is excessively used by Russel while transporting automobiles between dealerships. She believes the business traffic associated with the Russel Automobile Dealerships along Powers Lane is too much for the small road to handle.

In addition, Ms. Koelbel testified that Russel has failed to follow through on landscaping requirements imposed upon them in previous hearings, as well as has routinely utilized the gate which Commissioner Schmidt ordered to be locked except for emergency purposes. She also testified that by virtue of the signage posted along Powers Lane, Russel Motor Cars encourages customers to use this small road, as well as tow trucks and other delivery vehicles coming and going to the dealerships.

Ms. Koelbel is also concerned over additional storm water runoff that will be generated by virtue of the expansion of the parking lot in question and raised a concern over the additional lighting proposed for the new parking area. She requests that, in the event the expansion occurs, that all construction vehicles park on the Russel property and not along Powers Lane which, as stated previously, is very narrow.

In addition to her personal testimony, Ms. Koelbel also provided a petition bearing 252 signatures which she obtained by visiting the surrounding community, as well as by sitting at the corner of Powers Lane and Delong Road. The petition was accepted into evidence. However, it should be noted that the language contained on the petition is general, vague and ambiguous. Therefore, the language itself calls into question the veracity of the signatures themselves.

Also testifying in opposition to the Petitioner's request was Mary Ann Ehrman. Ms. Ehrman has resided in the community for the past 24 years. She was unaware of this proposed expansion until notified by Ms. Koelbel. She is opposed to the expansion of the parking area in that it will cause the facility to encroach closer to her residential community. She has objections at this time to the loud speaker system associated with Russel Motor Cars, the noise associated with car carriers coming and going to the property and recently had a bad experience with 4 commercial dump trucks turning around on her residential street while attempting to visit the

Russel property. She personally registered her complaint regarding those dump trucks with the manager of the Russel BMW Dealership.

Also opposing the Petitioner's request was Frank Culotta. Mr. Culotta objects to the manner in which the Russel employees utilize Powers Lane at this time. He indicated that those employees treat Powers Lane as a race track, driving the automobiles they are servicing or cleaning at excessive speeds on this small street. Furthermore, he believes that Russel should have contacted the Westerly Community Association prior to proposing this planned expansion.

In addition to the testimony and evidence offered at the hearing, I made a site visit to Powers Lane and the subject property to observe the operations of the Russel Dealerships in this area. I parked my automobile and walked the area where this expansion is proposed. It should be noted that the property which is the subject of the special hearing before me is one small piece of the overall larger Russel Automobile network. The Russel Automotive Group owns a great deal of property between Baltimore National Pike and Powers Lane. It is an extensive sales and service operation. Because of the topography of the land and the changes in grade between the dealerships themselves, Powers Lane affords the only opportunity for these dealerships to interact with one another. This would involve transporting automobiles between dealerships for purpose of service, as well as cleaning and preparing them for sale. Taking any automobile out onto Baltimore National Pike, which at this location runs in a one-way fashion to the west, would not allow the automobiles to freely move between dealerships. This would involve the employee of Russel having to go in a westerly direction on Baltimore National Pike, making a U-turn at the next intersection and doubling back to Nuwood road, again making a U-turn utilizing Baltimore National Pike to go back into the automobile dealership. This is not a practical method of interaction between the dealerships, and would cause a very dangerous traffic situation to occur.

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Baltimore National Pike is already traveled by thousands of automobiles per day, and forcing Russel to shuffle vehicles between dealerships by using Baltimore National Pike is certainly not appropriate.

Therefore, the only manner in which Russel can effectively operate their automobile dealerships is by utilizing Powers Lane as an access road between them. It should be noted that the Russel Dealerships are zoned commercial, and that commercial zoning does run to Powers Lane. Powers Lane is a public road to which Russel has the legal right to use. Transporting vehicles between dealerships via Powers Lane is not only a reasonable use of that roadway, but the only practical manner in which it can conduct business.

Restricting the access to any of these dealerships to Powers Lane is not warranted. There currently exists approximately 4 access points to Powers Lane from these various Russel Automotive Dealerships. To my knowledge, the access gate to the property, which is the subject of the special hearing before me, is the only gate that currently is restricted. Commissioner Schmidt in his Order dated August 7, 1996 indicated that the gate should be closed and only used in emergency situations. Prior to Commissioner Schmidt's decision, a ruling was made on June 24, 1987 which allowed the gate in question to be used by employees and customers for the automobile dealership. It was obvious during my site inspection and that over the past number of years since Commissioner Schmidt's decision, that Russel has always used the access gate to Powers Lane in a free and open manner. They are requesting that they be allowed to continue with such practice.

I agree with Ms. Koelbel, that allowing the gate to remain open at the subject property on Powers Lane does cause additional automobiles to utilize Powers Lane. However, it is a far better scenario then forcing those automobiles to have to use Baltimore National Pike to be transported between dealerships. Causing these automobiles to travel out onto Baltimore National Pike would be a much more dangerous situation than using a dead-end roadway that services 2 residential properties other than the Russel Dealerships. The Humphries, which were one of the two residential properties utilizing Powers Lane, submitted a letter of support on behalf of Russel's petition. The remaining resident utilizing Powers Lane as access to her home is the protestant, Ms. Koelbel. While I appreciate her objections to the additional traffic on Powers Lane, I find it is the only appropriate manner in which Russel can operate and transport vehicles between dealerships in a manner that is least dangerous to the general public. In addition, Ms. Koelbel and her fiancée, Mr. Geppi, just moved to their property in January of 1999. They were aware at that time, that Russel used Powers Lane in this manner. Nothing has changed since that time until the present as to the manner in which Russel uses Powers Lane. Furthermore, the commercial nature of this area has remained the same since they moved into their home. Therefore, I believe it is appropriate to modify previous Case No. 96-518-SPH, to allow the gated entrance to the subject property to be used by employees and customers coming and going to the Russel Automotive Dealership.

As to the expansion of the storage lot, I find it is appropriate for the Petitioner to expand their storage lot for new car storage in the manner shown on the site plan submitted. The special hearing request is to permit the additional storage lot, as well as to afford a landscape buffer of 5 ft. to a highway widening reservation. The actual paved surface of Powers Lane would be situated approximately 30 ft. from the end of this parking area. That entire 30 ft. area is well maintained and provides a grass buffer to Powers Lane. In addition, it will afford an area behind the proposed parking lot expansion for appropriate landscape buffering and screening to occur. Mr. Avery Harden, Landscape Architect for Baltimore County, was present at the hearing. He

indicated that the area behind the proposed parking lot expansion is more than adequate to provide an appropriate landscape buffer. He indicated that he would review any proposed landscaping to buffer the additional parking lot from adjacent properties and would also review any lighting plan for the subject site. It should also be noted that the parking area in question is for the storage of vehicles and not for customer parking. This lessens its impact on adjacent properties, in that cars will not be coming and going from this area of the storage lot, but rather will be stored on a more permanent basis awaiting sale to customers of the Russel Automotive Dealerships. Therefore, I find the expansion will have no adverse impact on surrounding properties.

After considering the testimony and evidence offered both for and against the Petitioner's request, and in consideration of my site visit to the property, I find that the special hearing to amend the previously approved plan in Case No. 96-518-SPH, to permit additional storage and parking area and to permit a landscape buffer of 5 ft. adjacent to a highway widening reservation, be and is hereby granted. The granting of the special hearing shall be conditioned upon certain restrictions as more clearly stated at the end of this Order.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of August, 2001, that Case No. 96-518-SPH be amended to permit the additional storage and display area to be constructed on the property with a landscape buffer of 5 ft. adjacent to a highway widening reservation.

IT IS FURTHER ORDERED, that the previous restriction imposed by Commissioner Schmidt in Case No. 96-518-SPH, be modified to allow the utilization of the rear gate of the subject property to be used by employees and customers of the Russel Automotive Dealerships which are located along Baltimore National Pike in this area of Powers Lane.

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IT IS FURTHER ORDERED, that the Petitioner shall be required to submit to Mr. Avery Harden, Landscape Architect for Baltimore County, a landscaping plan depicting the landscape buffer proposed to be installed to the rear of this subject property. In addition, the Petitioner shall submit a lighting plan for the property which is the subject of this special hearing request. Mr. Harden shall have full authority to approve any such landscaping and lighting plan. While Mr. Harden shall review the landscaping and lighting associated with the property, the type of fencing to be installed along the rear of the parking lot shall be the final approval of the Office of Planning.

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

IN THE MATTER OF
THE APPLICATION OF
F. STEVEN RUSSEL / RUSSEL MOTOR
CARS, INC. – LEGAL OWNER FOR A
SPECIAL HEARING ON PROPERTY
LOCATED AT THE C/L POWERS LANE,
1000' W NUWOOD ROAD
(2219 POWERS LANE)

1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT * BEFORE THE

* COUNTY BOARD OF APPEALS

* OF

* BALTIMORE COUNTY

CASE NO. 01-482-SPH

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Vincent Geppi and Kimberly Koelbel from a decision of the Deputy Zoning Commissioner dated August 6, 2001 in which the requested Petition for Special Hearing was granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed January 28, 2002 by Kimberly Koelbel and Vincent Geppi, Appellants /Protestants (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellants request that the appeal taken in this matter be withdrawn and dismissed as of January 28, 2002,

IT IS ORDERED this 💆 🗸

lay of Wully, 2002 by the County Board of Appeals of

Baltimore County that the appeal taken in Case No. 01-482-SPH be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence S. Wescott

Margaret Worrall

Richard K. Irish



County Board of Appeals of Baltimore County

to war

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

February 8, 2002

Vincent Geppi and Kimberly Koelbel 2318 Powers Lane Catonsville, MD 21228

RE: In the Matter of: F. Steven Russel, President Russel Motor Cars, Inc. -Petitioner Case No. 01-482 SPH/Order of Dismissal

Dear Mr. Geppi and Ms. Koelbel:

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

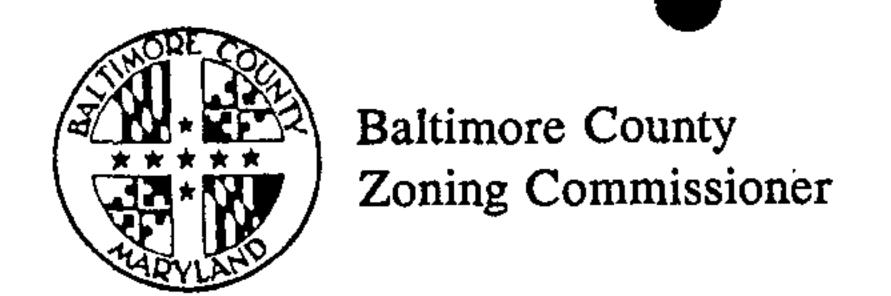
Very truly yours,

Kathleen C. Bianco Administrator

Enclosure

c: Leslie M. Pittler, Esquire
F. Steven Russel /Russel Motor Cars, Inc.
Kenneth J. Colbert /Colbert Matz Rosenfelt, Inc.
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM

FEB 11 2002 02-419



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

Fax: 410-887-3468

August 6, 2001

Leslie M. Pittler, Esquire 29 W. Susquehanna Avenue Towson, Maryland 21204

Re: Petition for Special Hearing

Case No.: 01-482-SPH

Property: 2219 Powers Lane

Dear Mr. Pittler:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing 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 Department 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,

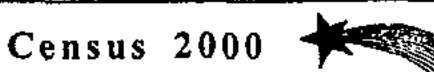
Muthly Motroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure















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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

fo	or the property locate	d at: 2219 Powers Lane		
		h is presently zoned B.R. and D.R1	16	
owner(s) of the property situate in Balt	timore County and which for a Special Hearing u	s and Development Management. The unit is described in the description and plat attainder 500.7 of the Zoning Regulations of Balve	ached here	to an
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Property is to be posted and advertised as p	eser bate on more prescribed by the zoning regoedal Hearing, advertising,	gulations. posting, etc and further agree to and are to be bound to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the	/// / o ! unded by the	
Contract Purchaser/Lessee:		perjury, that I/we are the legal owner(s) of the plant is the subject of this Petition. Legal Owner(s):	property which	ch '
		Russel Motor Çars, Inc., F. Steven Russel	المراجعة المالية	
Name - Type or Print Signature		Name – Type or Print Signature	I ESIGEII	
		F. Steven Russel		•
Address	Telephone No.	Name - Type or Print		
City	State Zip Code	Signature		-
Attorney For Petitioner:		6616 Baltimore National Pike	410-788	-8400
a de la constante de la consta	•	Address.	Telephone	∍ No.
Leslie M. Pittler, Esq. Name – Type or Print	<u></u>	Baltimore City	 	1228 ip Code
Signature Signature	- -	Representative to be Contacted:	Jiaic 4	ip Code
f ;		Kenneth J. Colbert, President		
Company		COLBERT MATZ ROSENFELT, INC	-	-
29 W. Susquehanna Avenue	410-823-4455	2835 Smith Avenue, Suite G	410-653	-3838
Address	Telephone No.	Address	Telephone	No.
Towson City N	Md. 21204 State Zip Code	Baltimore		1209
	State Zip Code	City	State Z	ip Code
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ase No. 01-482-5A	1	ESTIMATED LENGTH OF HEARING_	<u>~</u>	211
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		Reviewed By Date	e 5-11-	7

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

RUSSEL MOTOR CARS, INC. 2219 POWERS LANE

BEGINNING AT A POINT IN THE CENTER OF POWERS LANE, A 24 FOOT WIDE COMMON-USE RIGHT-OF-WAY, 1000 FEET MORE OR LESS WEST OF NUWOOD ROAD; THENCE LEAVING SAID POINT OF BEGINNING AND RUNNING THE FOLLOWING COURSES AND DISTANCES

- 1) SOUTH 15 DEGREES 50 MINUTES 00 SECONDS WEST, 319.03 FEET; THENCE
- 2) NORTH 74 DEGREES 10 MINUTES 00 SECONDS WEST, 33.31 FEET; THENCE
- 3) NORTH 15 DEGREES 50 MINUTES 00 SECONDS EAST, 31.00 FEET; THENCE
- 4) NORTH 58 DEGREES 08 MINUTES 40 SECONDS WEST, 390.22 FEET; THENCE
- 5) NORTH 18 DEGREES 25 MINUTES 40 SECONDS EAST, 190.00 FEET

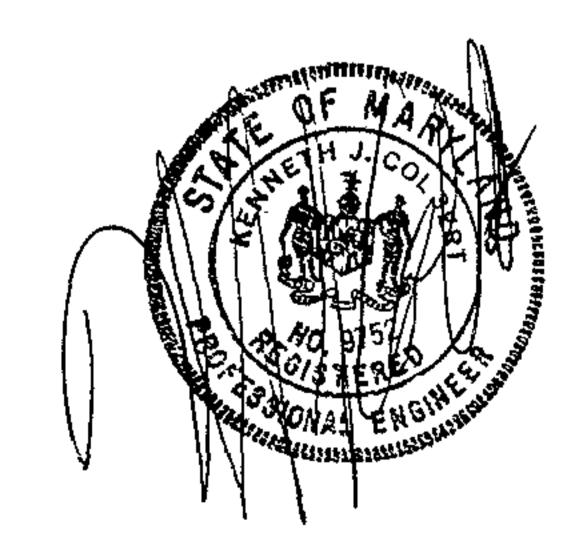
TO A POINT ON THE AFOREMENTIONED CENTERLINE OF POWERS LANE; THENCE BINDING ALONG SAID CENTER LINE

- 6) SOUTH 74 DEGREES 04 MINUTES 20 SECONDS EAST, 214.50 FEET; THENCE
- 7) SOUTH 71 DEGREES 21 MINUTES 00 SECONDS EAST, 185.50 FEET

TO THE POINT OF BEGINNING.

CONTAINING 100,565 SQUARE FEET OR 2.309 ACRES OF LAND MORE OR LESS.

March 30,2001



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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: #01-482-SPH

Case: #01-482-SPH
2219 Powers Lane
2010 W Nuwood Road
21st Election District
21st Councilmanic District
21st Election District
21st Councilmanic District
21st Election District
21st Councilmanic District
22st Council

Zoning Commissioner for Baltimore County
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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 6/781 June 26

CERTIFICATE OF PUBLICATION

628,2001	
THIS IS TO CERTIFY, that the annexed advertisement was public	ished
in the following weekly newspaper published in Baltimore County,	Md.,
once in each ofsuccessive weeks, the first publication appear	ring
on 6 26 ,2001.	
The Jeffersonian	
Arbutus Times	
Catonsville Times	
☐ Towson Times	
☐ Owings Mills Times	
□ NE Booster/Reporter	
☐ North County News	
S. Wilkinga	g ramming S
LEGAL ADVERTISING	

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE 5766 No. MISCELLANEOUS RECEIPT TIME 8/29/2001 8/29/2001 13:13:27 114 USO6 CASHIER KCAS KHO DRAWER -IECEIPT # 047970 AMOUNT \$ 2/0,00 5 529 ZONING VERIFICATION CR 140. 005766 Recet. Tot RECEIVED 210.00 CK FROM: Baltimore County, Maryland: DISTRIBUTION . PINK - AGENCY WHITE - CASHIER YELLOW - CUSTOMER CASHIER'S VALIDATION The state of the s

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT PAYKNI TIME 5/14/2001 5/11/2001 14:43:19 DATE 5-11-01 ACCOUNT R-001-06 6150 KEU WOOT CASHIER LUIT LOW DRAWER! #FEET # 183931 5 520 ZONING CERTIFICATION AMOUNT \$ 2000 **球制。692875** Recept Ted 250,00 200.00 CK FROM: DIFFICE TALL Bultimure Count: Waryland FOR: Lawrence Special Special learning filmy for DISTRIBUTION , WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER CASHIER'S VALIDATION

CERTIFICATE OF OSTING

RE: Case No.: 01-482-5941
Petitioner/Developer: <u>LUSSEL</u> , ETA
40 LES PITTLER
Date of Hearing/Closing: 7/10/0/

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

Attention: Ms. Gwendolyn Stephens

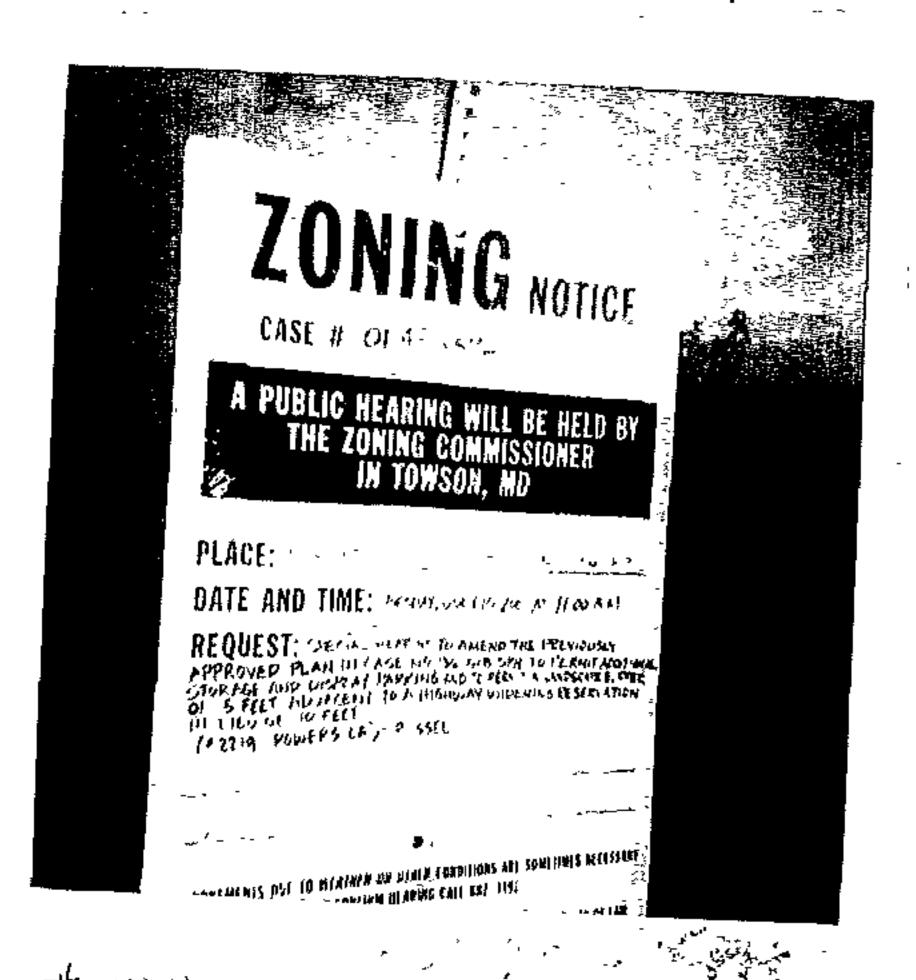
Ladies and Gentlemen:

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 #2219 - Powels LA.

The sign(s) were posted on $\frac{623}{}$

Month, Day, Year)

Since rely,



(Signature of Sign Poster and Pate)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366; CELL-410-905-8571

(Telephone Number)

CERTIFICATE OF POSTING



(105) E.	
RE: Case No: 01-482-5PH	
Petitioner Developer: RUSSELJETA	K
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Date of Hearing/Closing. $\frac{7}{10}/0/$	
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erjury that the necessary sign(s) required by law	

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 p POWERS LANE were posted conspicuously on the property located at

The sign(s) were posted on

KINDS.

(Month, Day, Mar (Signature of Sign Poster and Date) CASE # OI 42 . cog PATRICK M. O'KEEFE PUBLIC HEARING WILL BE HELD BY (Printed Name) THE ZONING COMMISSIONER 523 PENNY LANE IN TOWSON, MD (Address) HUNT VALLEY, MD. 21030 DATE AND TIME: MADAT, WHITE, 2004 AT 11:00 AM REQUEST: SECIAL HEAR AS TO ALLEHO THE PREVIOUSLY APPROVED PLAN IN PAGE 145 DA DIE STY TO PERIODRY STOP AGE PHILD THE PREVIOUSLY STOP AGE PHILD THE PREVIOUSLY STOP AGE PHILD AND TO PERIOD AND (City, State, Zip Code) in the or well CELL-410-905-8571 410-666:5366 (1 22 19 FOWERS LA). PLESEL (Telephone Number)

P. 02

CERTIFICATE OF POSTING

CONTINUED 01-482-SPH RE: Case No.:

Petitioner Developer: <u>EUSSELL_ETAL</u>

LES PITLER

Date of Hearing Closing: 7/27/0/

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

Attention: Ms. Owendolyn Stephens

It's Fax Note Oute 7671 from CO./DOOL FON ING COMMI Phone # Fax #

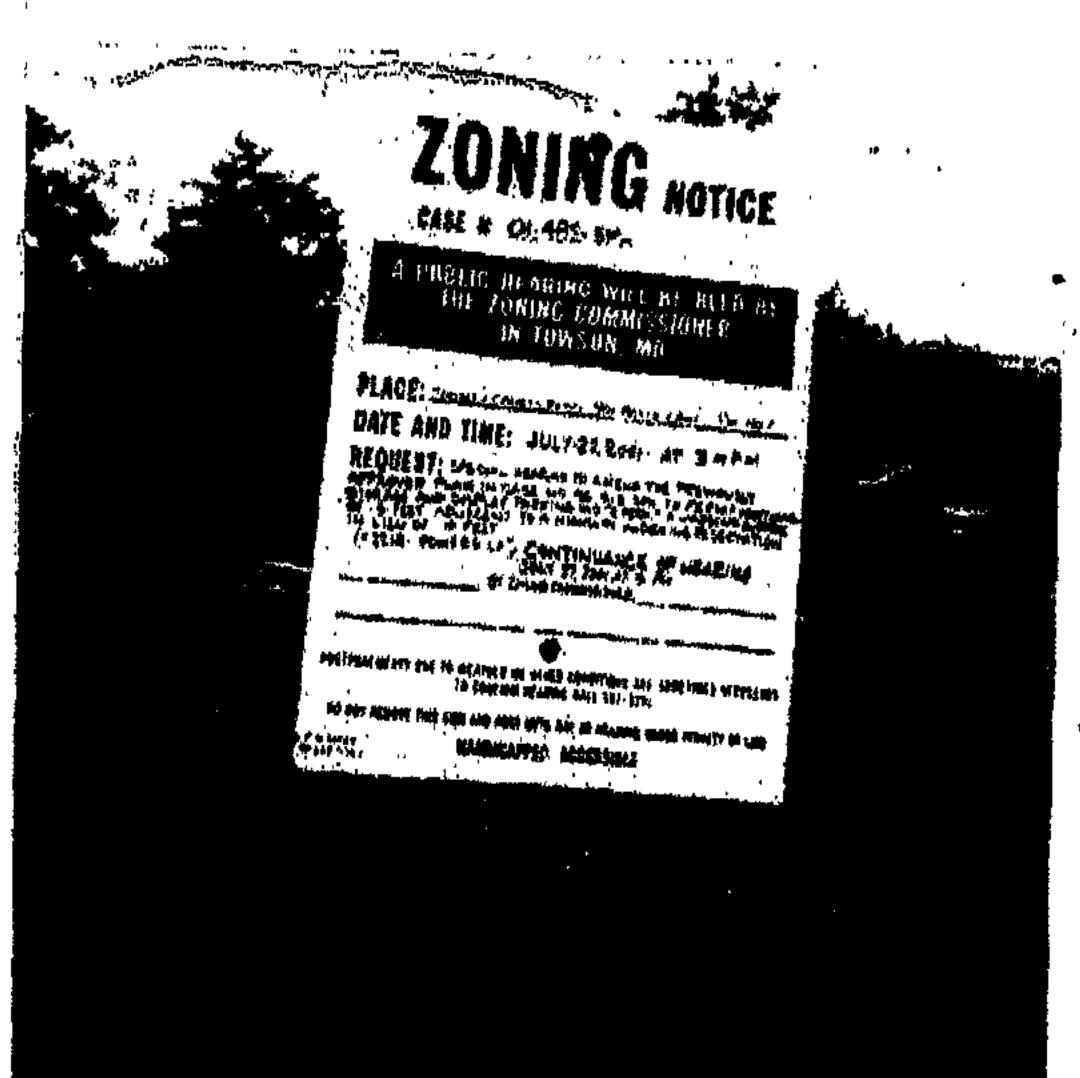
Ladies and Gentlement

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 #22/9 POWERS LA.

RUSSELL MOTORS

The sign(s) were posted on,

(Month, Day, Year)



(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 CELL-410.905.8571

(Telephone Number)



CASE NO. 01-482-SPH

RUSSEL MOTOR CARS, INC. /F. STEVEN RUSSEL - Petitioner

C/L Powers Lane, 1000' W Nuwood Road (2219 Powers Lane)

1st Election District

Appealed: 8/29/01

Attachment – (Plan to accompany Petition - Petitioner's Exhibit No.1)

***********COMPLETE AND RETURN BELOW INFORMATION********

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204

Attention: Charlotte Radcliffe Appeals Clerk

RE: Case No. 01-482-5PH
Petitioner/Developer:

RUSSEL MOTOR CARS

This is to certify that	t the necessary	appeal sign(s) was poste	ed conspicuously o	n
property located at _	2219	Powers	LA.	
The sign(s) was post	ed on 10	2 <u>/</u> , 2001.		
Haux	Jones 1			

(Signature of Sign Poster)

(Printed Name)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:
Item Number or Case Number: 01-482-504
Petitioner: Russell Motor Cars, Inc. (Steven Russell, Pre
Address or Location: 2219 Powers Lone Balto, mi, 212:
PLEASE FORWARD ADVERTISING BILL TO: Name: <u>Leslie M Pittler</u> , ESR, Address: <u>29 W. Susquehanna Ave</u> <u>Jowson</u> , Md., 21204 Telephone Number: <u>(410)</u> 823-4455

TO: PATUXENT PUBLISHING COMPANY

Tuesday, June 26, 2001 Issue - Jeffersonian

Please forward billing to:

Leslie M Pittler, Esquire 29 W Susquehanna Avenue Towson MD 21204

410 823-4455

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: 01-482-SPH

2219 Powers Lane

centerline Powers Lane, 1000' W Nuwood Road 1st Election District – 1st Councilmanic District

Legal Owner: F Steven Russel, President, Russel Motor Cars Inc

Special Hearing to amend to the previously approved plan in Case No. 96-518-SPH to permit additional storage and display parking and to permit a landscape buffer of 5 feet adjacent to a highway widening reservation in lieu of 10 feet.

HEARING:

Tuesday, July 10, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

anul Canua

LAWRENCE E. SCHMIDT GOVER 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: 01-482-SPH

2219 Powers Lane

centerline Powers Lane, 1000' W Nuwood Road 1st Election District – 1st Councilmanic District

Legal Owner: F Steven Russel, President, Russel Motor Cars Inc

Special Hearing to amend to the previously approved plan in Case No. 96-518-SPH to permit additional storage and display parking and to permit a landscape buffer of 5 feet adjacent to a highway widening reservation in lieu of 10 feet.

HEARING:

Tuesday, July 10, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon らりて

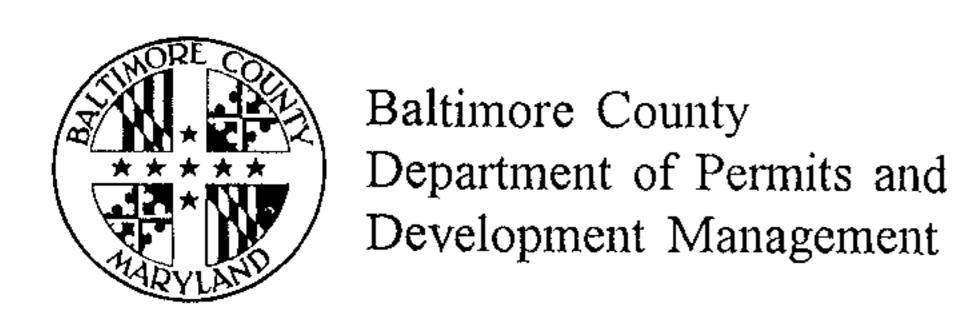
Director

C: Leslie M Pittler, Esquire, 29 W Susquehanna Avenue, Towson 21204 F Steven Russel, Russell Motor Cars Inc, 6616 Baltimore National Pike, Baltimore 21228 Kenneth J Colbert, President, Colbert Matz Rosenfelt Inc, 2835 Smith Ave, Suite G, Baltimore 21209

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.



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

July 20, 2001

F. Steven Russell, President Russel Motor Cars Inc 6616 Baltimore National Pike Baltimore MD 21228

Dear Mr. Russell:

RE: Case Number: 01-482-SPH, 2219 Powers Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. GDZ

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Leslie M. Pittler, Esquire, 29 W Susquehanna Avenue, Towson 21204 Kenneth J Colbert, President, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore 21209 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2219 Powers Lane

INFORMATION:

Item Number:

012482

Petitioner:

Russell Motors Cars, Inc.

Zoning:

BR & DR 16

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that the proposal is an over-development of the subject site and recommends that the request be denied. Additionally, the existing chain link fence with red slats and razor wire is very unattractive and dangerous.

If the request is granted, an acceptable compromise would be to provide a fifteen (15) foot wide landscape buffer with an attractive wood fence along and adjacent to the storage and display parking area. The landscape buffer should be planted with a staggered double row of evergreen trees.

Any proposed change in lighting should be submitted to Baltimore County for review and approval prior to the issuance to any building permits.

Prepared by:

Section Chief:

AFK:MAC:



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.: See Below

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

461, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 477, 478, 479, 482, 483,

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 5, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 29, 2001 Item No. 482

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

The Landscape Manual requires 10 feet, and no particular hardship is created by providing that 10 feet. This office recommends that 10 feet be required.

RWB:HJO:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING 2219 Powers Lane, Powers Lane, 1000' W of Nuwood Rd 1st Election District, 1st Councilmanic

Legal Owner: Russell Motor Cars, Inc. Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* Case No. 01-482-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. 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 Leslie M. Pittler, Esq., 29 W. Susquehanna Avenue, Suite 610, Towson, MD 21204, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

August 29, 2001

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

Re: PETITION FOR SPECIAL HEARING
2219 Powers Lane, Powers Lane, 1000' W of Nuwood
1st Election District, 1st Councilmanic
Russel Motor Cars, Inc., Petitioner
Case No: 01-482-SPH

Dear Mr. Jablon:

Please enter an appeal of Vincent Geppi and Kimberly Koelbel to the County Board of Appeals from the Findings of Fact and Conclusions of Law of the Baltimore County Zoning Commissioner dated August 6, 2001 in the above-entitled case.

Enclosed is our check in the amount of \$210.00 for the filing fee Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Vincent Geppi and Kimberly Koelbel

Vincent A Gegan Limby Choelha

2318 Powers Lane

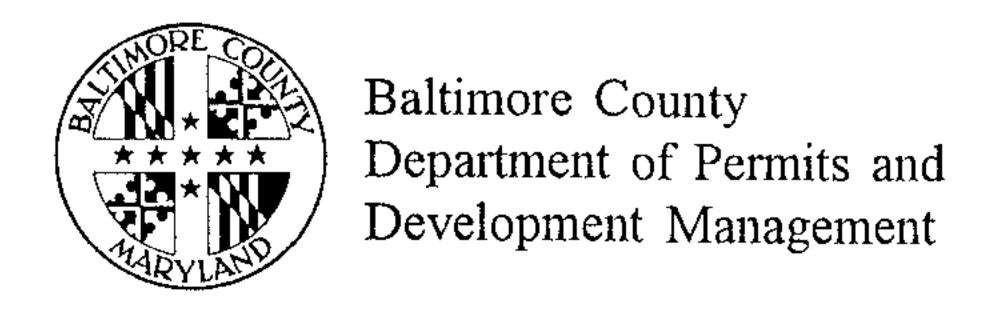
Catonsville, MD 21228

(410) 744-4138

cc: Leslie M. Pittler, Esq., 29 W. Susquehanna Avenue, Suite 610, Towson, MD 21204, Attorney for Petitioner

People's Counsel for Baltimore County, Old Courthouse, Room 47, 400 Washington Avenue, Towson, MD 21204

Received 5/29/0/



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

Fax: 410-887-5708

September 4, 2001

Leslie M. Pittler, Esquire 29 W. Susquehanna Avenue Towson MD 21204

Dear Mr. Pittler:

RE: Case No. 01-482-SPH, 2219 Powers Lane

Please be advised that an appeal of the above-referenced case was filed in this office on August 29, 2001 by Vincent Geppi and Kimberly Koelbel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

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

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

Sincerely,

Arnold Jablon GDZ

Director

AJ: gdz

c: People's Counsel

APPEAL

Petition For Special Hearing
2219 Powers Lane
centerline Powers Lane, 1000' W Nuwood Road
1st Election District — 1st Councilmanic District
F. Steven Russel, President, Russel Motor Cars Inc.- Legal Owner
Case No.: 01-482-SPH

Petition for Special Hearing (dated 05/11/01)

Zoning Description of Property

Notice of Zoning Hearing (dated 06/06/01)

Certification of Publication (The Jeffersonian issue dated 6/26/01)

Certificate of Posting (dated 06/23/01 posted Patrick M. O'Keefe)
Certificate of Posting (continued dated 7/12/01 posted Patrick M. O' Keefe)

Entry of Appearance by People's Counsel (dated 06/04/01)

Petitioner(s) Sign-In Sheet

1. (1 Sheet)

Protestant(s) Sign-In Sheet

1. (1 Sheet)

Citizen(s) Sign-In Sheet

1. (None)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plan to Accompany Petition for Special Hearing

Protestants' Exhibits:

- 1. Photographs (6 pictures)
- 2. List of Opposed (12 pages)
- 3. Photographs (29 pictures)
- 4. Letter to Timothy Kotroco, Deputy Zoning Commissioner from Janet A. Walsek dated 07/26/01
- 5. Fax to Timothy Kotroco, Deputy Zoning Commissioner from Robert L. Sawyer dated 07/26/01

Miscellaneous (Not Marked as Exhibits): (None

Deputy Zoning Commissioner's Order (dated 08/06/01 - AMENDED AND MODIFIED)

Notice of Appeal received on August 29, 2001 from Vincent Geppi and Kimberly Koelbel

c: Leslie M. Pittler, Esquire
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM



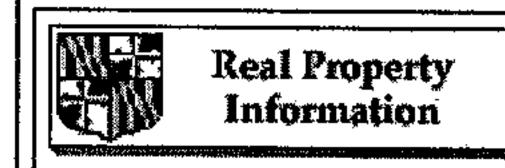


"Where quality and service are never compromised"

I/we have spoken with a representative of Russel automotive regarding the the hearing scheduled for 07/10/01 about the placement of the fence on Powers Lane. I/we have no intentions of disputing the placement of Russel automotive's fence closer to Powers Lane, nor do we have any objections to the proposed change.

466

07/09/01



Maryland Department of Assessments and Taxation **Real Property System**

[Go Back]

BALTIMORE COUNTY

[Start Over]

DISTRICT: 01 ACCT NO: 0102201280

Owner Information

Owner Name:

GEPPI VINCENT A

Use: RESIDENTIAL

Mailing Address:

2318 POWERS LN

Principal Residence: YES.

Transferred

From: BEWLEY ALBERT

Date: 01/27/1999

Price: \$77,000

Deed Reference:

1) /13480/ 55

BALTIMORE MD 21228-3823

Special Tax Recapture:

9

* NONE *

Tax Exempt: NO

Location Information [View Map]

Premises Address:

Zoning:

Legal Description:

2318 POWERS LA

1 AC

2318 POWERS LA WS

1550FT W OF DLONG RD

Map

Grid **Parcel**

Subdiv Sect : Block

Group

80

Plat No:

94

16

Lot

Plat Ref:

Special Tax Areas

Town:

Ad Valorem:

Tax Class:

Primary Structure Data

Year Built:

Enclosed Area:

Property Land Area:

County Use:

1887

1,500 SF

38,080.00 SF

04

	<u>Value Information</u>					
	Base Value	Current Value	Phase-in Value	Phase-in A	ssessments	
		As Of 01/01/2001	As Of* 07/01/2001	As Of 07/01/2000	As Of 07/01/2001	
Land:	51,270	51,270			-	
Impts:	42,650	27,210				
Total:	93,920	78,480	78,480	37,560	78,480	
Pref Land:	0	0	. 0	0	0	

Partial Exempt Assessments

	Code	07/01/2000	07/01/2001
County	000	0	0
State	000	0	0
Municipal	000	0	0

[Go Back]

[Start Over]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

01-482-SP# 7/27/01

NAME	ADDRESS
MIKE DISKINI	2520 BEAR RUN Rel TANKYTOWN
Bob Cosufett	Collect Mat Rose felt 21209
ARRON MARCOUIS, ATTY	405 E TOBBARY. Towson

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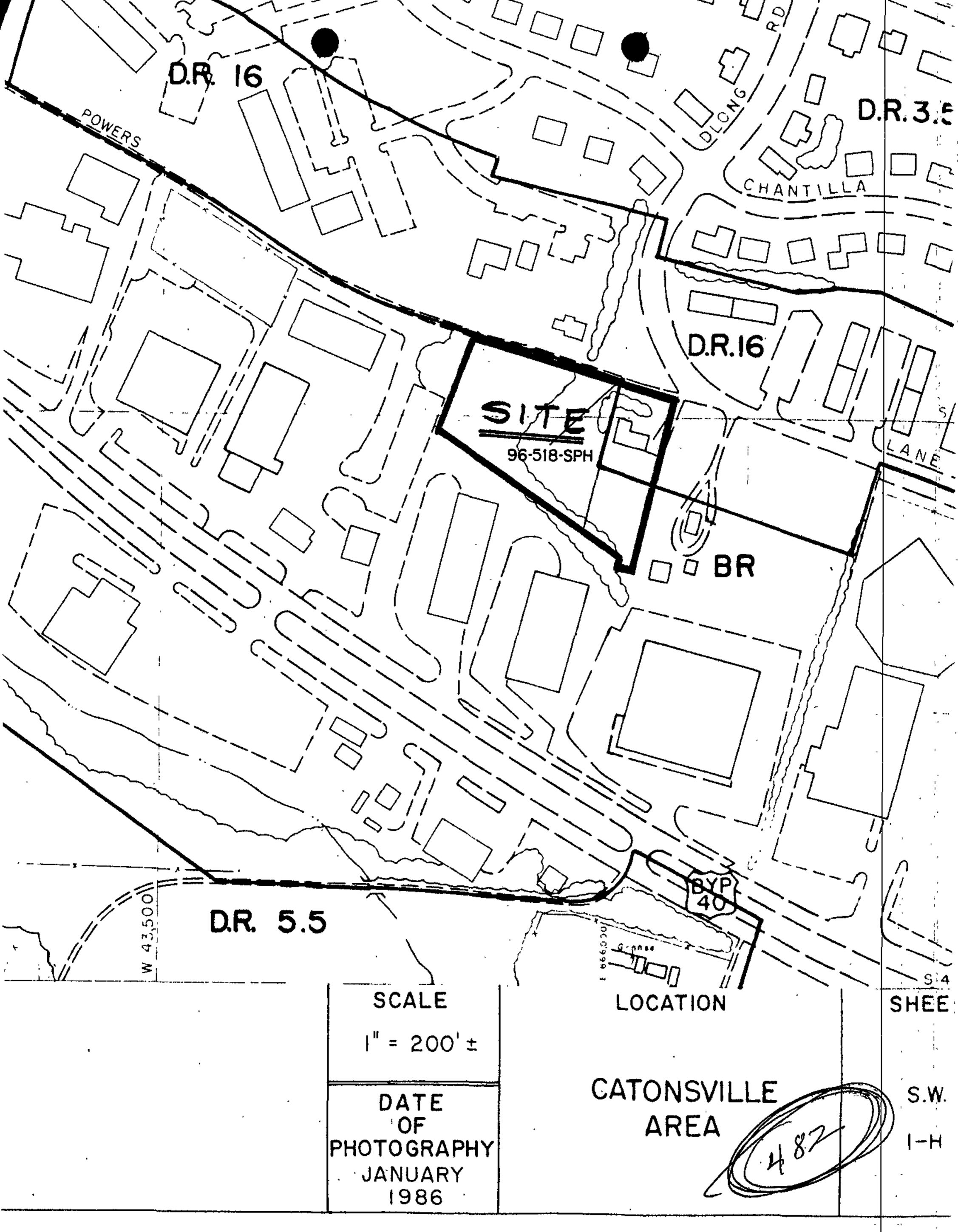
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Case Number  $\frac{401-482-5PH}{7/97/01}$ 

## PLEASE <u>PRINT</u> LEGIBLY

## PROTESTANT'S SIGN-IN SHEET

	 	l l		,
Name	Address	City, State	Zip Coc	<u>le </u>
Kim Koelbel	2318 Fowers Jane	Catowill (MI)	2120	25
Mary Ann Ehrman	2125 Chantilla Rd.	Catonsville Mo	2123	28
	2116 CHANTILLA RD.	ATONSHUE B	3 2/Z	28
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		Revised 4	77/00	, ,



#### Janet A. Walsek

July 26, 2001

Timothy Kotroco, Deputy Zoning Commissioner Suite 405, County Courts Building 401 Bosley Avenue Towson, MD 21204

Dear Mr. Kotroco,

I am writing to explain my opposition to the proposed action in case #01-482-SPH. Many of us who live in the area and have bought property here are concerned that the quality of our life here will be negatively impacted and that our property values will be reduced.

Powers Lane has been encroached upon by Russel Motors with the erection of an unsightly and dangerous eight foot chain link fence with slats and topped with coiled barbed wire. It gives the appearance of having a concentration camp in the neighborhood. Allowing them to expand their border and reduce the landscape buffer would remove the only stretch of relief we have before this fence begins. Just west of the site of the proposed action they have this same type fence immediately at the roadside. A photo depicting this is in the case file. It is not safe to walk along that stretch of road because of it is often impossible to step off the road for vehicular traffic. The area that Russel Motors proposed to enclose would leave insufficient room on the south side of the street for pedestrian traffic and remove a nice grassy buffer that we enjoy. The site of the proposed action is clearly visible from D'Long Road which is just east of the site.

Although I've heard that Russel Motors has stated that it has no intention of using this road for it's customers, (I could not get them to respond to my calls to verify their position. Their receptionist said that their phones were malfunctioning) it is currently directing all traffic wishing to connect with Eastbound Route 40 to exit its property onto Powers Lane by way of a sign posted opposite one of their entrances to Powers Lane. The proposed increased vehicle storage and display parking capacity has the potential to increase vehicular traffic along Powers Lane, leaving it less safe for pedestrian traffic, especially with a reduced landscape buffer. The traffic that comes through this section of Powers Lane often travels too fast and acts oblivious to the fact that this road borders property where we stroll, walk our dogs, and our children play. The community Swim Club is on the opposite side of Powers Lane. This is a residential community. We enjoy the aesthetic beauty of the open spaces in the neighborhood, and wish to keep our community safe and attractive.

One of the neighborhood residents, Ms. Juanita Humphries, 2224 Powers Lane, 21228, told me yesterday that she had been approached by Russel Motors and that she then signed a note stating she had no opposition to their proposed action because she was led to believe that Russel Motors would otherwise attempt to squash her attempts to open a convenience store at the intersection of D'Long and Powers Lane. While I am not supportive of additional commercial activity along these residential roads, I do not feel it appropriate for Russel Motors to intimidate the area residents into compliance with their agenda.

It is uncertain that I will be able to attend the hearing on 27 July 2001 because I have a medical appointment that afternoon. The neighbors that I have spoken about this case share my concerns. We are only just hearing of this by way of a zoning notice I saw posted on the dumpster in the rear of our parking lot on 22 July 2001. I hope that we are not to late to make our concerns known. Thank you for your consideration.

Sincerely,

Janet A. Walsek

Prot Ex

# 4

#### FAX TRANSMISSION COVER SHEET

Date:

July 26, 2001

To:

Timothy Kotroco, Deputy Zoning Commissioner

the transport of the same

Suite 405, County Courts Building

401 Bosley Avenue Towson, MD 21204 410-887-4386

Fax:

410-887-3468

Re:

Case #01-482-SPH

Sender:

Robert L. Saurer

YOU SHOULD RECEIVE I PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL

Dear Mr. Kotroco,

It has come to my attention that Russel Motors wants to expand the storage parking and vehicle display capacity of its lot, resulting in a reduction in the landscape buffer on Powers Lane 1000 feet west of Nuwood Avenue. I am opposed to the proposed action of case #01-482-SPH.

I want to maintain the landscape buffer that exists on Powers Lane and not have it reduced. The existing fence is unattractive and dangerous. Reducing the landscape buffer would be visually undesirable and take away open space we currently enjoy. My name and address is listed below.

Thank you for your consideration.

Prut Ex

Petitions (252)

Petitions (252)

Polymels

1/2/2/2

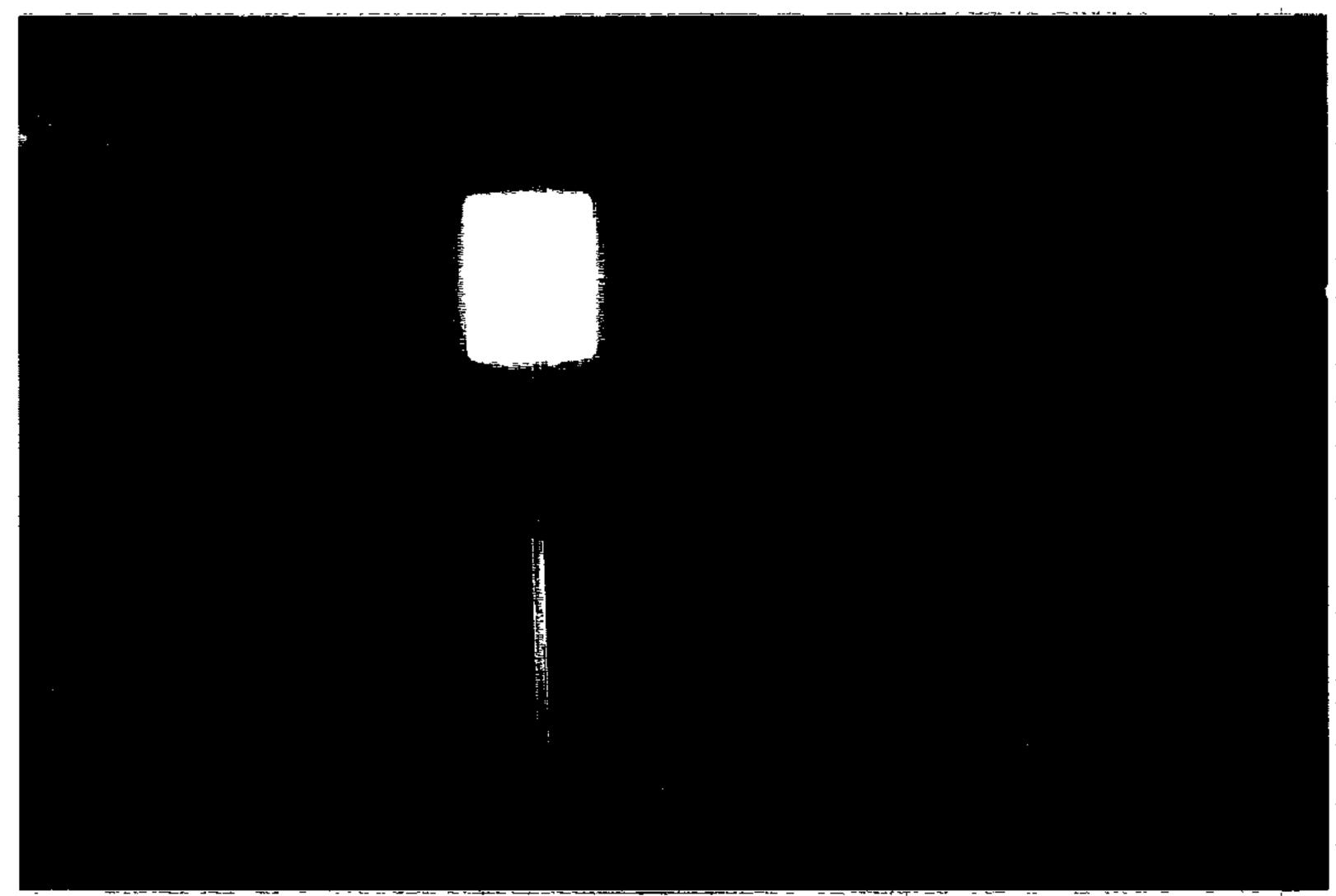
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advance Shu	& Adrienne, Shu	# 314 A Crasby Rd. 21228	
MAURICE G. MAULTSON		1202 D'LONE Rd.	15
Joseph gusholice	Jason Wickdson	1205 DLong	, ' _i
	Kelly thompson	1205 06004	, , , , , , , , ,
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1 Demse Kust	mes P. Denise	Aristopher 12 Drawbridge ct.	21228°
Clarence Wools	Eltrence Wooten	2126 Cedar Circle dr. 2122	8
Janice Wille	<u> </u>		· ;
Welliam Jaha	WILLIAM F. STATTON	3 CEDAR SPAINAS CX 21228-251=	2
Marcy Sounhand	MANCH C. KEINHARI	D6437 CUTFTON FORGE CIRCLE 21228	x: :
Imac -	Fin Inseld	2160 Codar Circle Dr 21228	· ;
Corne Urseld	Connie Unseld	2110 Cedar Cercle De 2/23	<u>*</u>
			; ;-

. Signs directing delivery trucks
entering Powers Ln. from D'long.

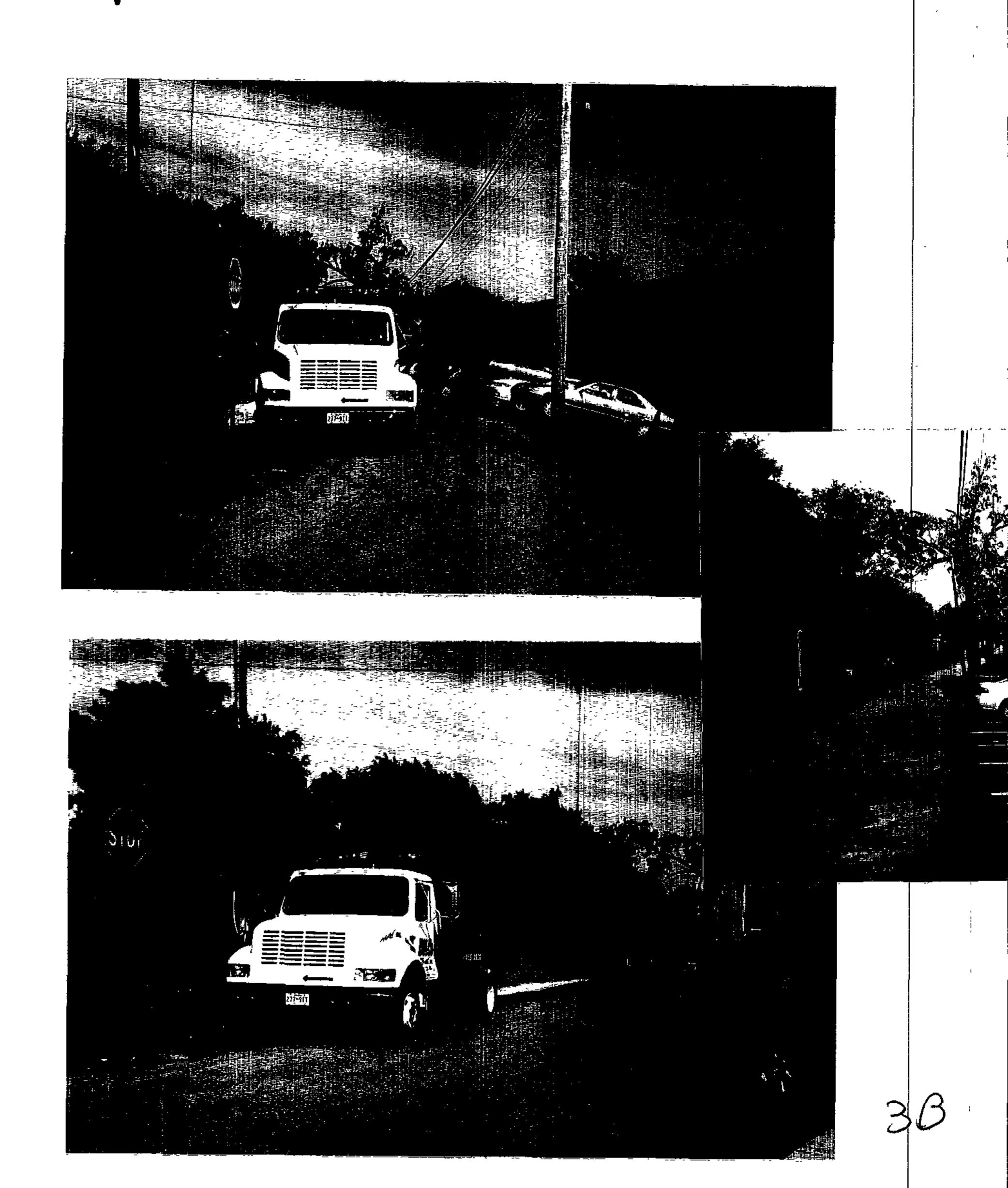
Sign directing traffic to use Powers
Ln. to exit onto D'long.





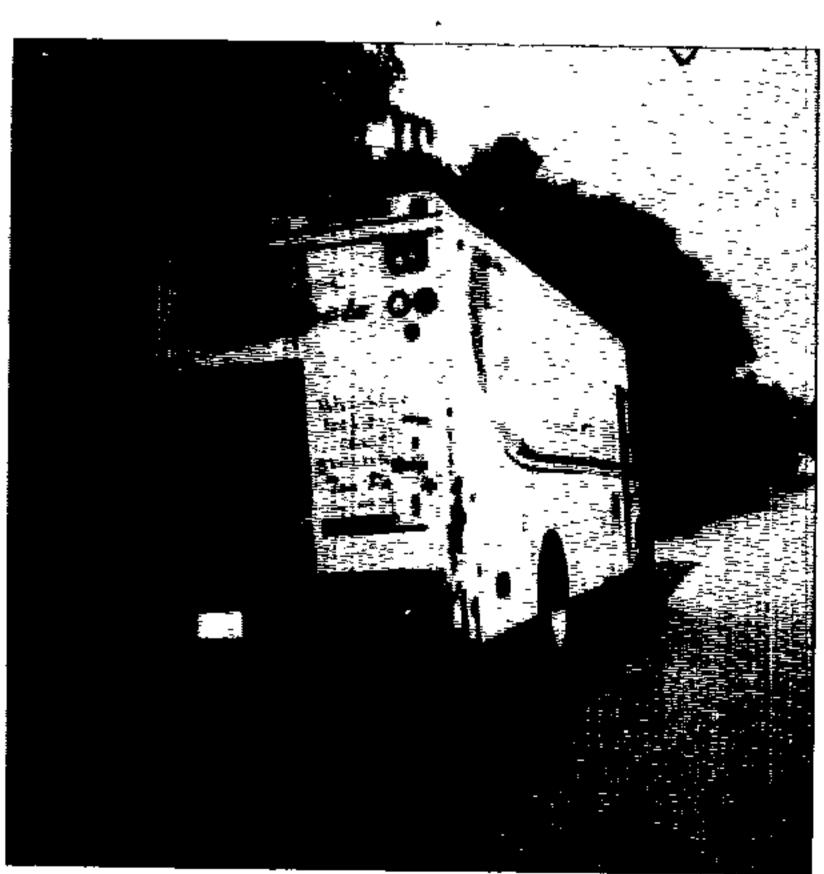
Prot Ex 3 A

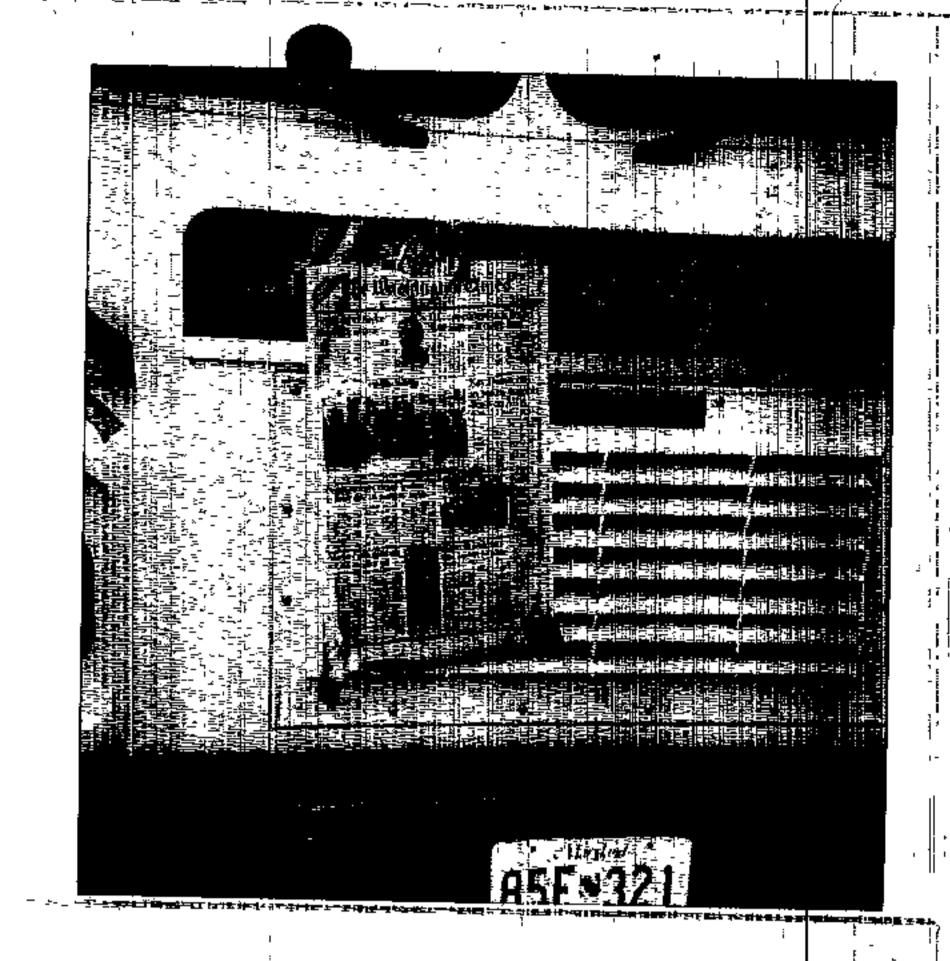
# Delivery Frucks on Powers Lone - parked in "no parking"



# Delivery truck on Powers LaneParked in "no Parked in "no Parking" (7/26/01)







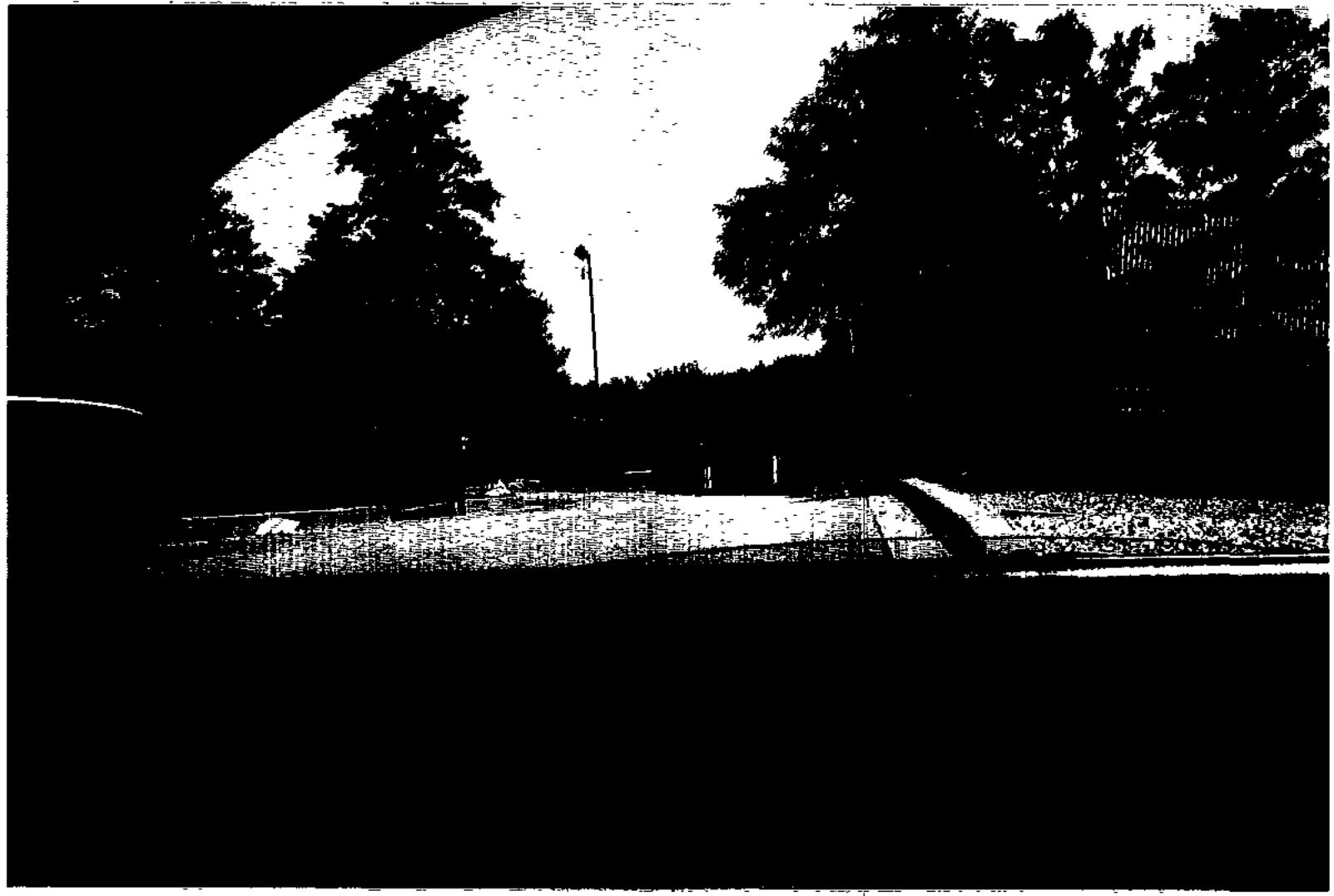




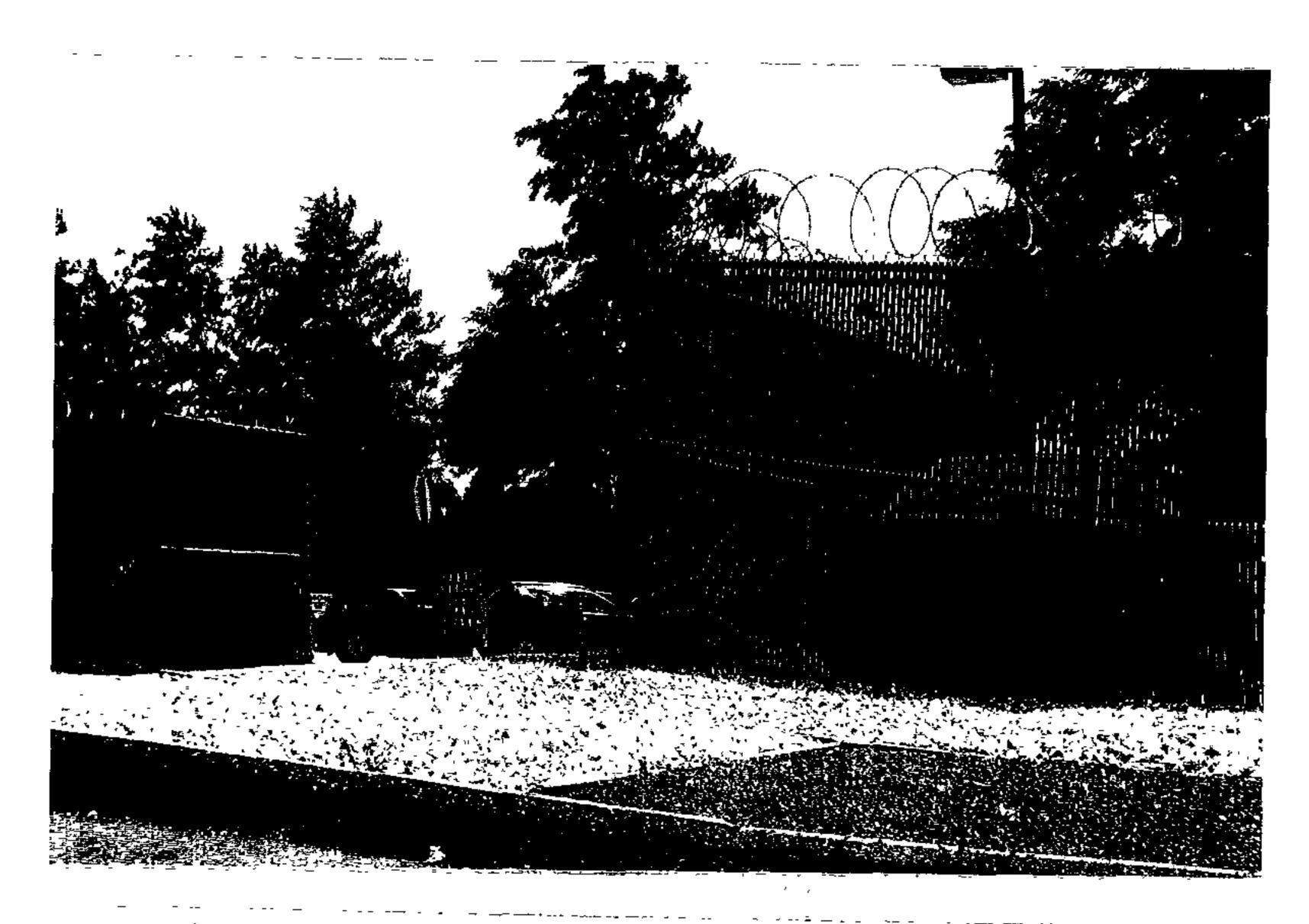
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# Gate open. . Use of crusher run lot





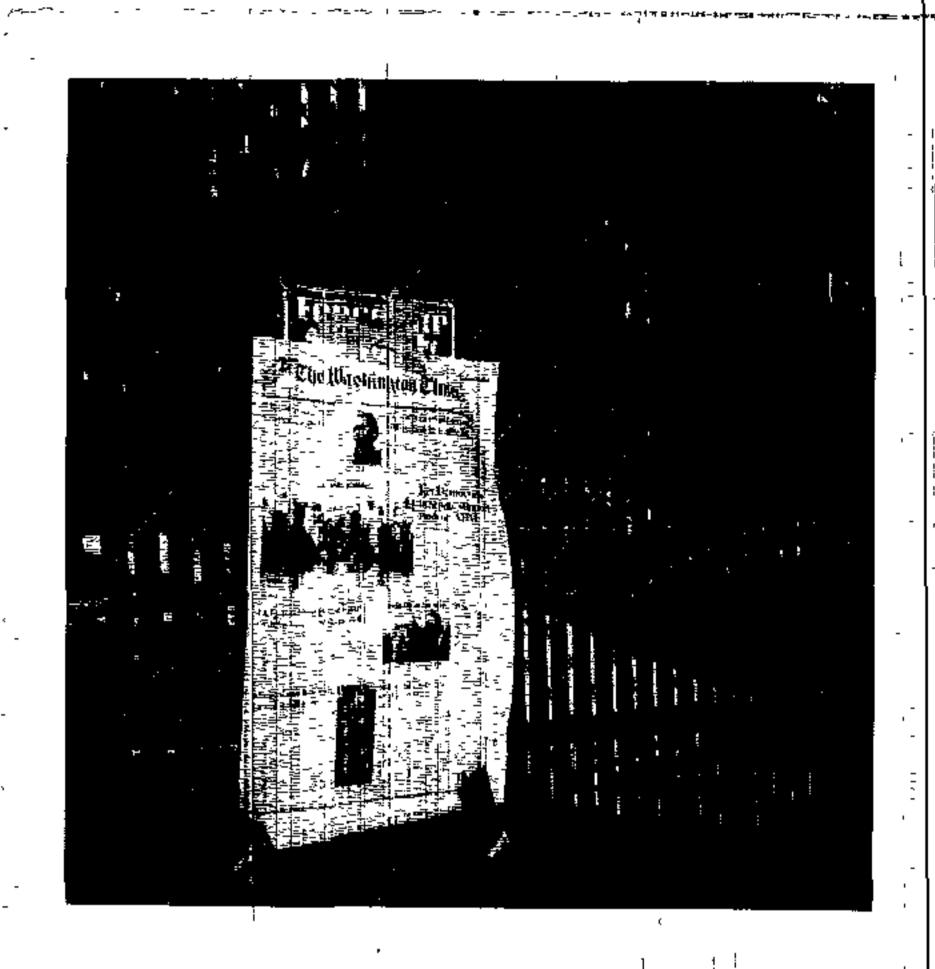
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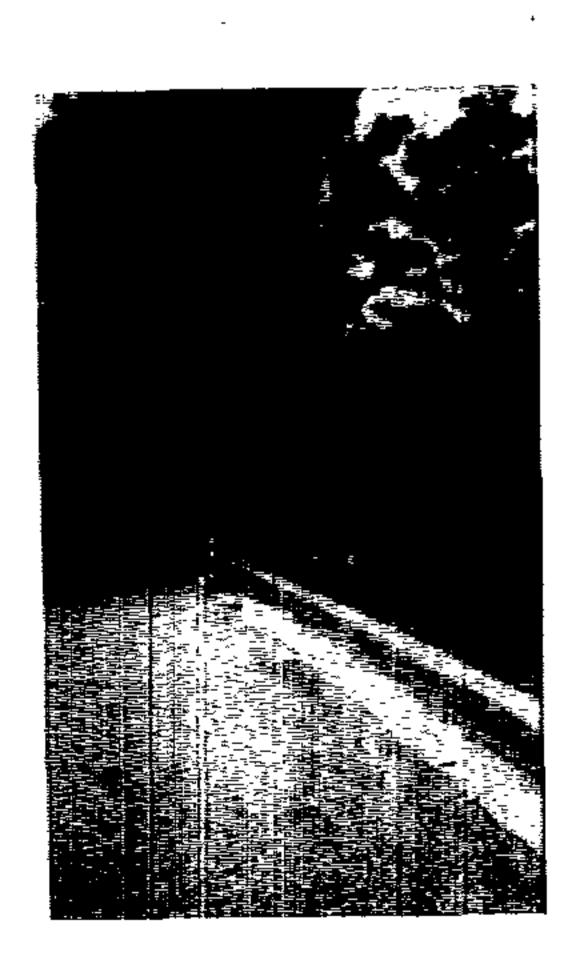


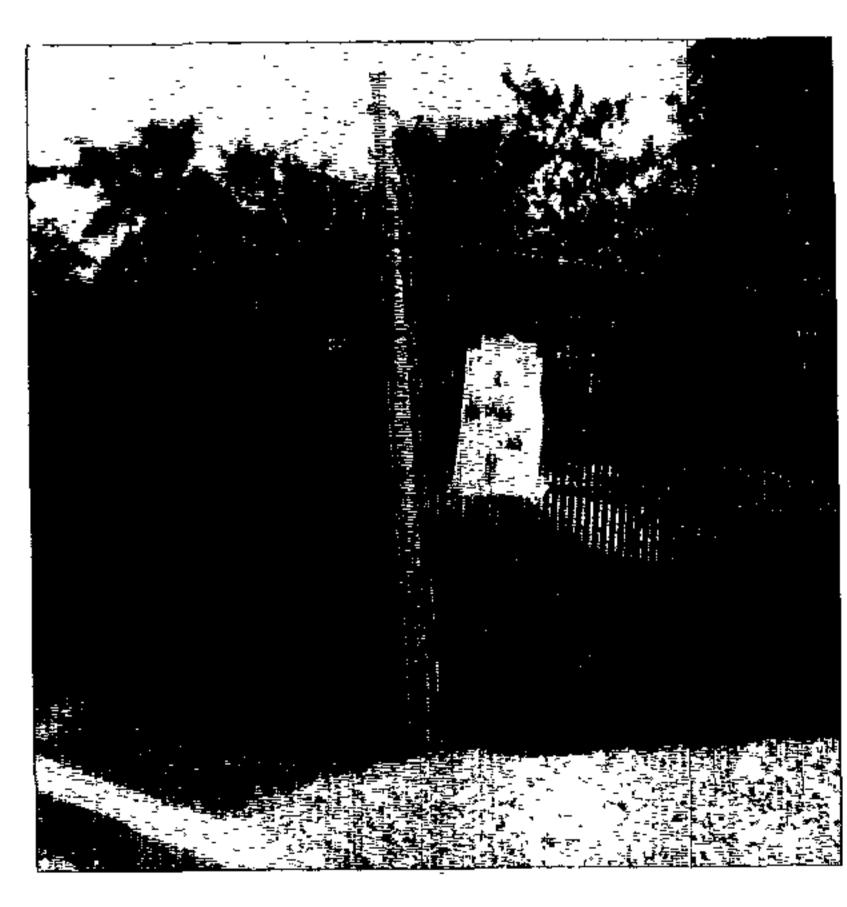


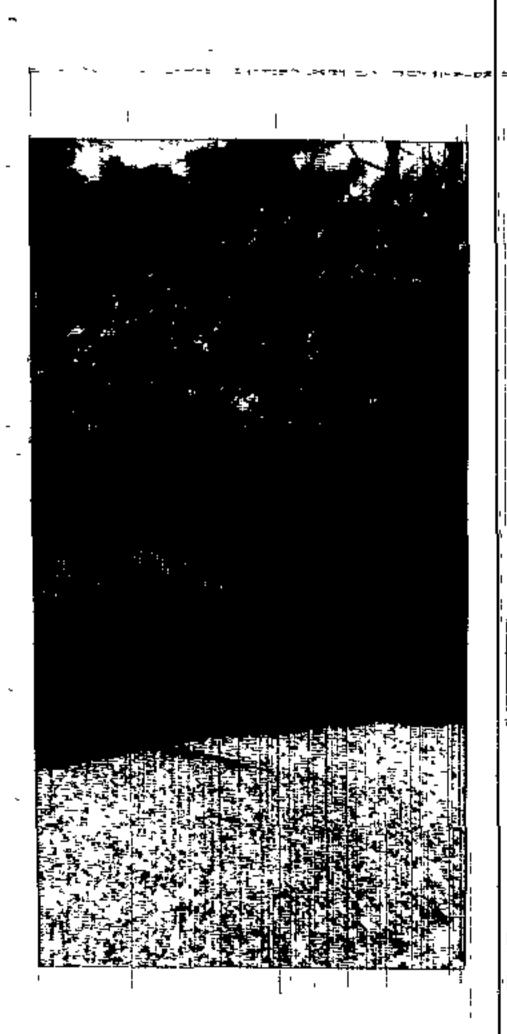
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### . Use of crusher run lot 8n 7/26/01

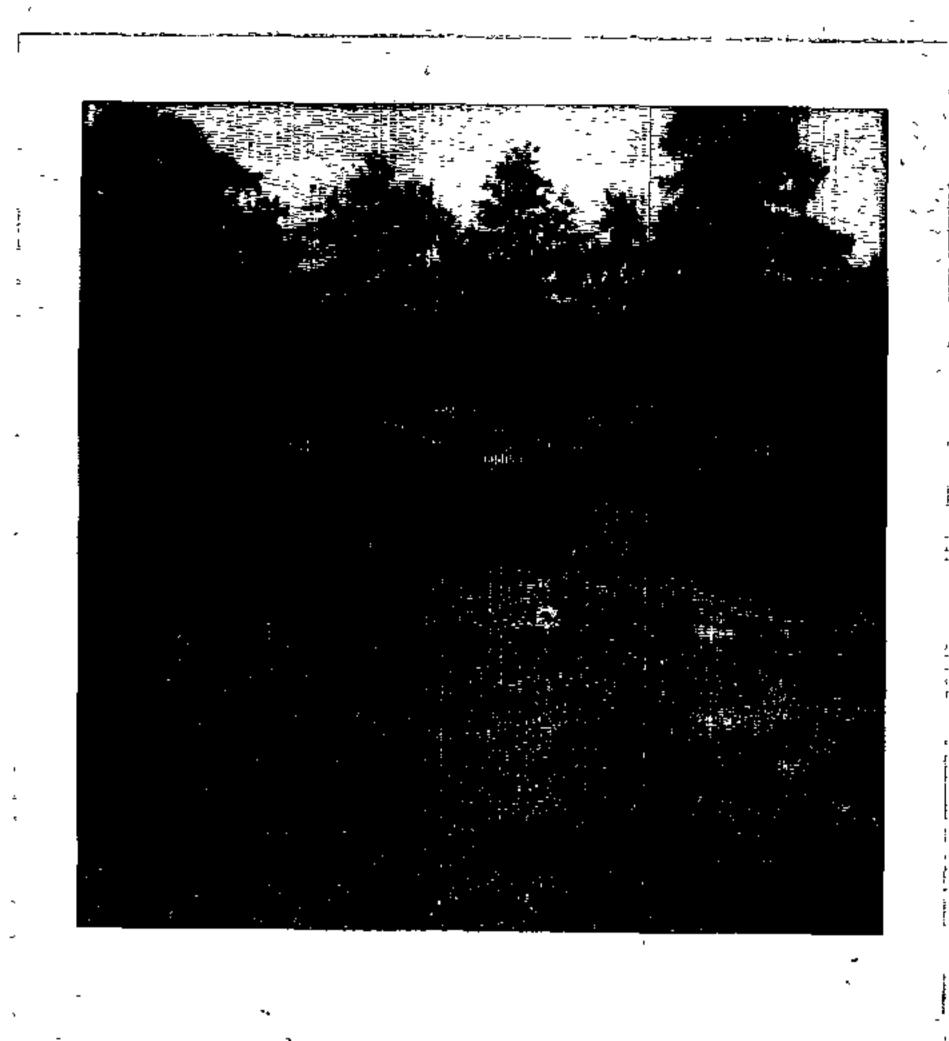








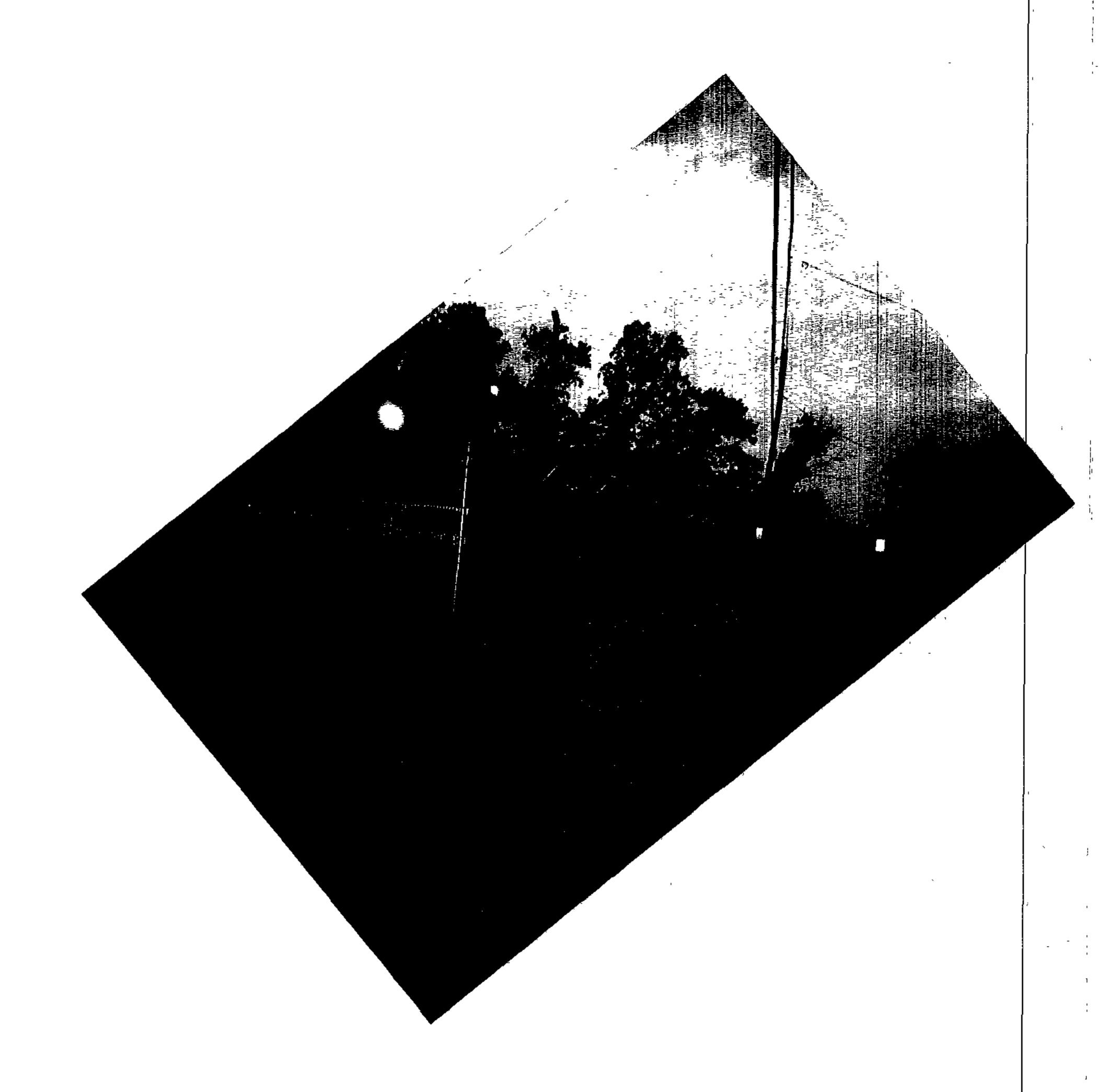
# · Land scape not maintained





## · No landscaping buffer

PotCx #3H

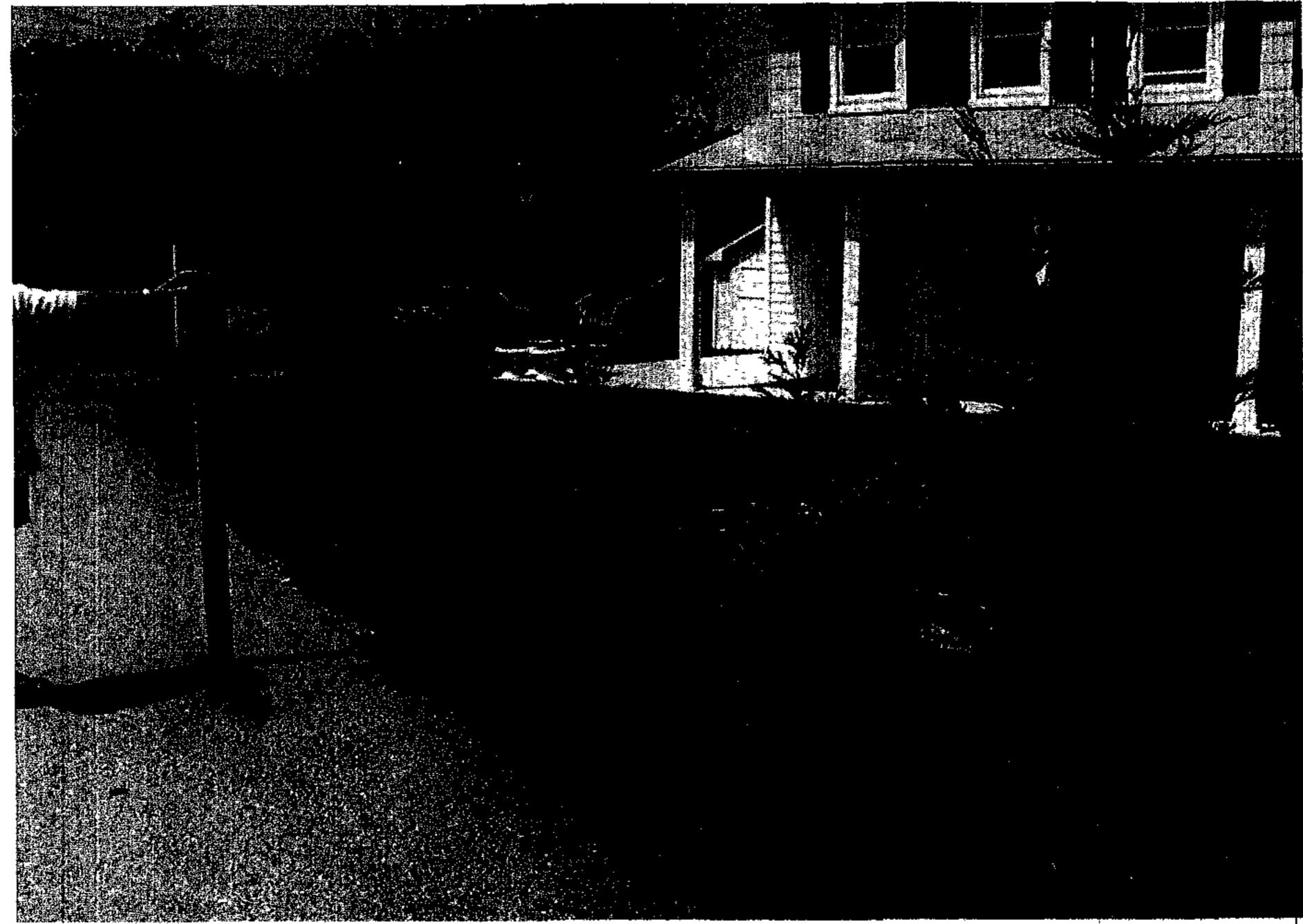


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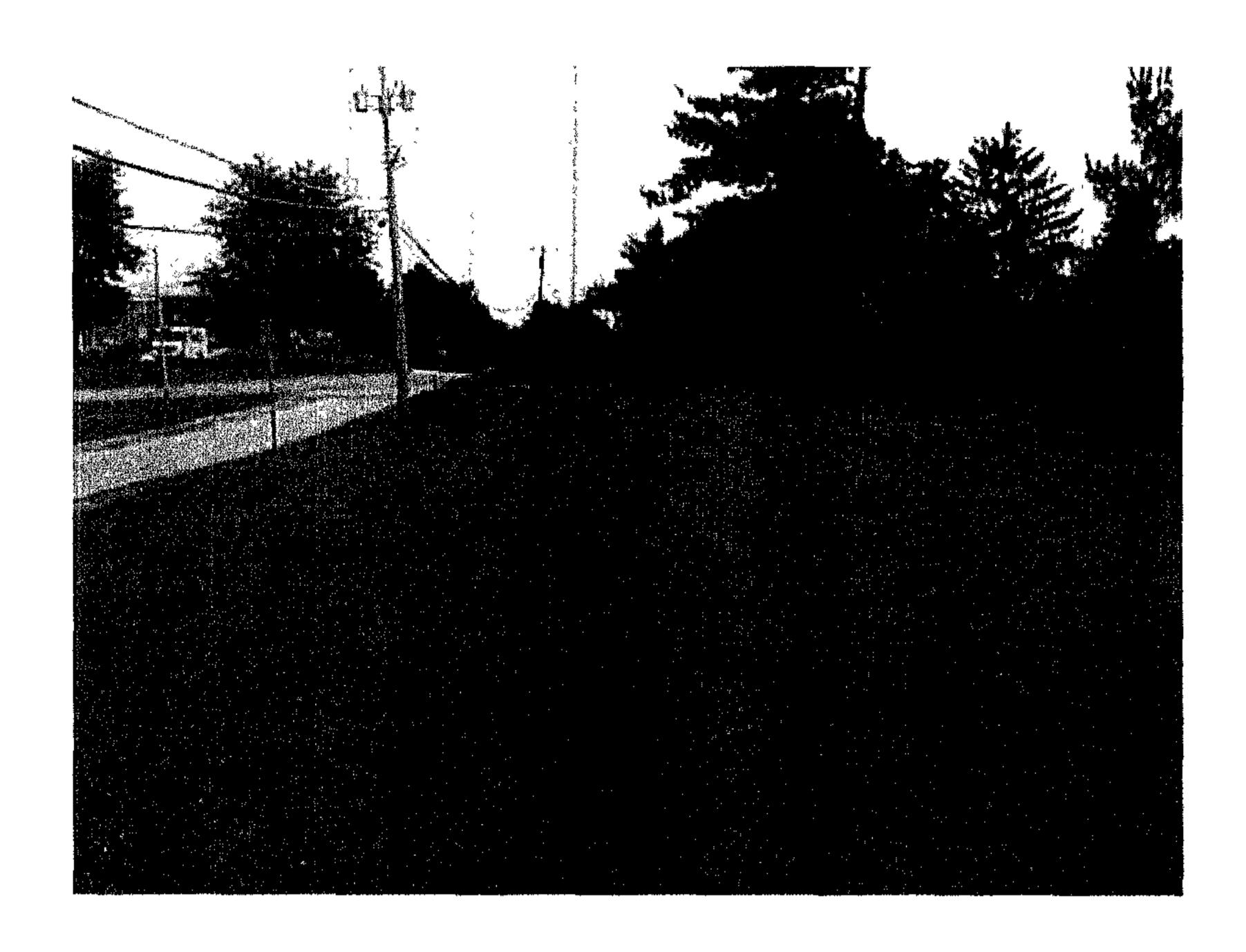


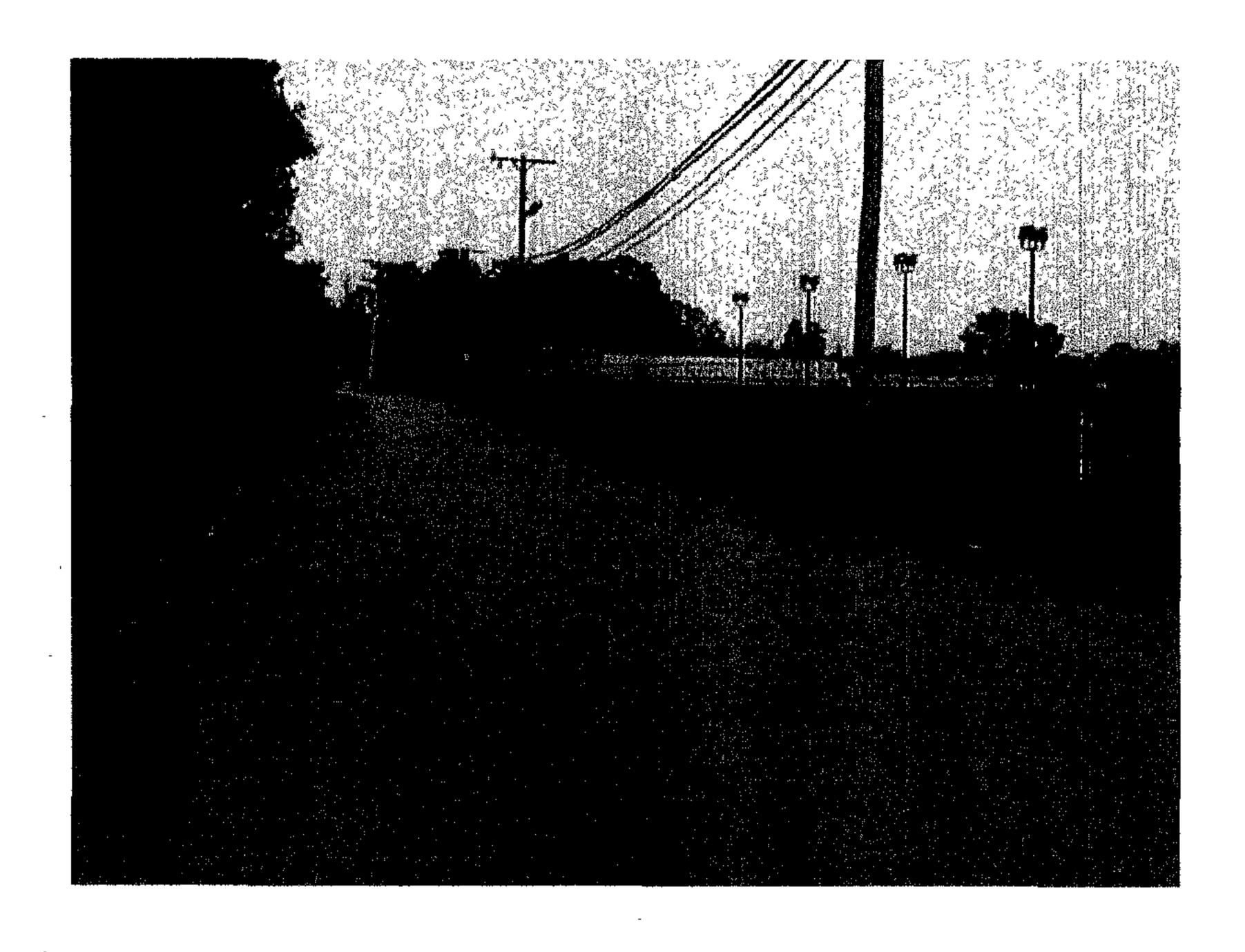


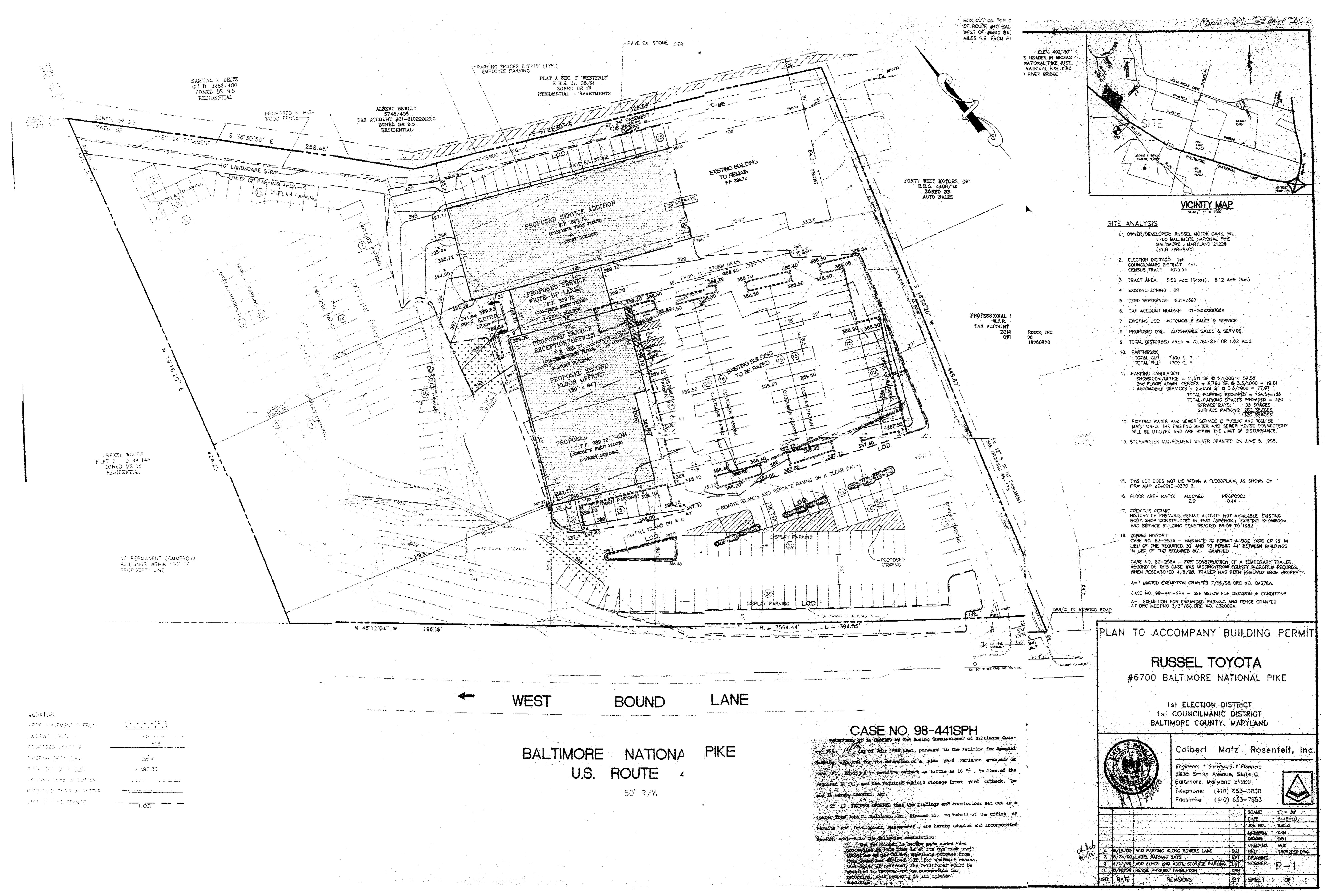


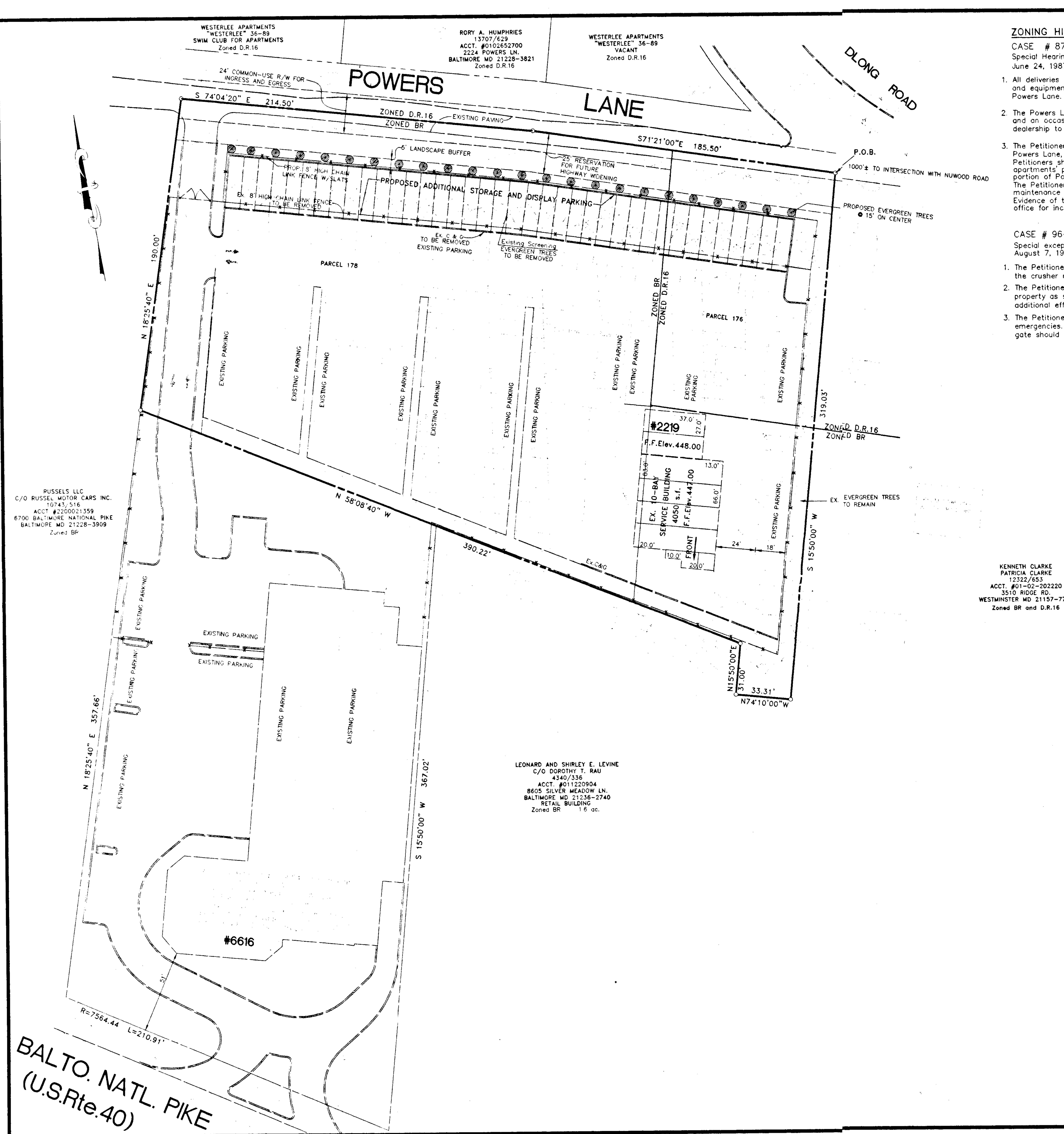












ZONING HISTORY:

CASE # 87-484 SPH

Special Hearing for parking in a residental zone approved June 24, 1987 subject to following conditions.

- . All deliveries of automobiles, their parts, or other supplies and equipment shall be through the Route 40 entrance, not Powers Lane.
- 2. The Powers Lane access shall be utilized only by employees and an occasional customer travelling from the Toyota dealership to the BMW site.
- 3. The Petitioners shall contact the apartment complex across Powers Lane, and if additional screening is requested, the Petitioners shall construct a fence or plant evergreens on the apartments' property along its property line beside that portion of Powers Lane that is adjacent to the subject site. The Petitioners, however, will not be responsible for any maintenance required in connection with such screening. Evidence of the apartments' reply shall be forwarded to this office for inclusion in the case file.

CASE # 96-518 SPH (8-7-96).

Special exception to approve parking in a residential zone approved August 7, 1996 subject to the following conditions.

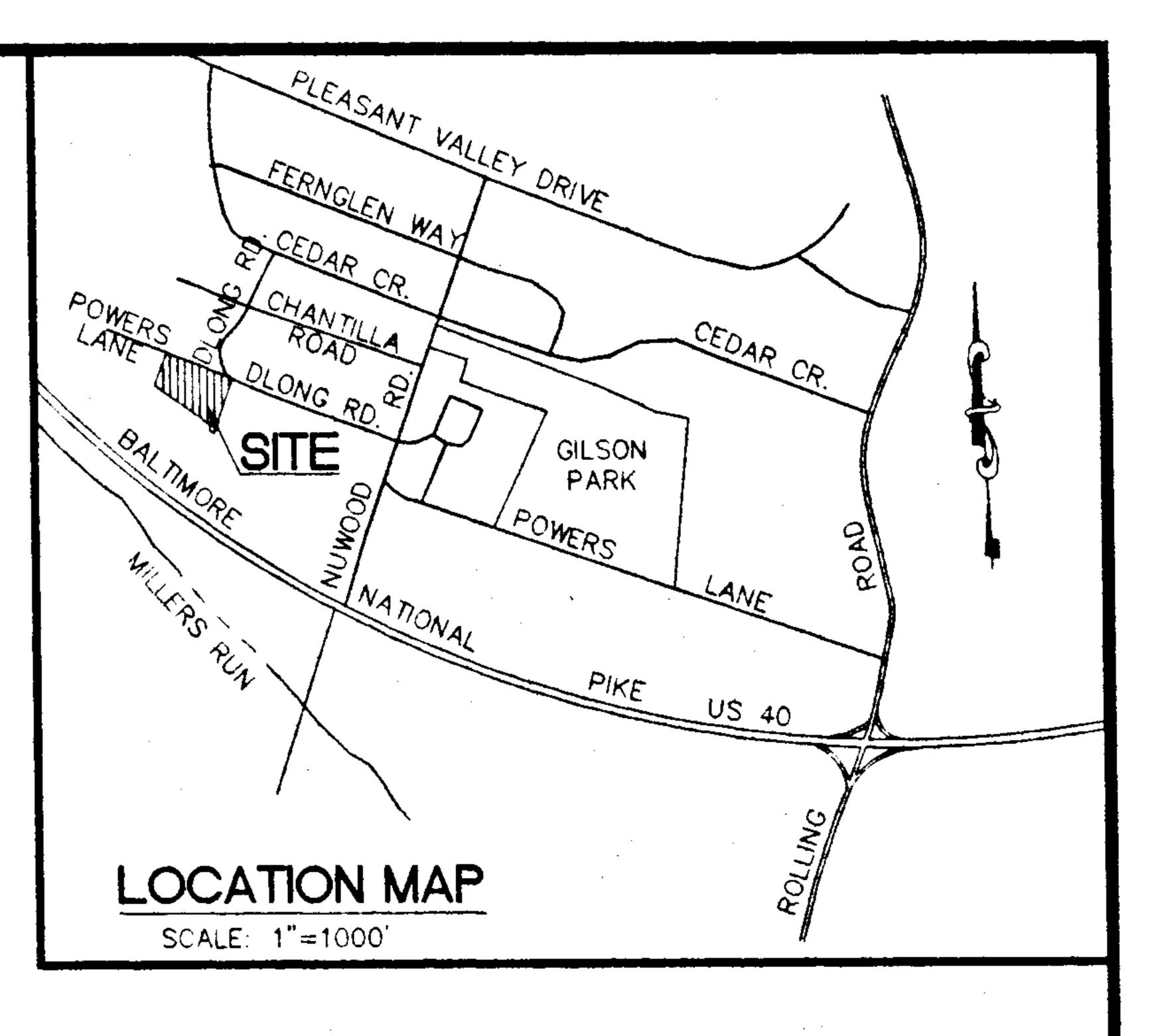
- 1. The Petitioner shall be required to discontinue the use of the crusher run parking lot to the rear of the property.
- 2. The Petitioner shall be required to fence and landscape the subject property as shown on the site plan. The Petitioner shall make additional efforts to screen the entire lot and maintain such screening.
- 3. The Petitioner shall continue to keep the rear gate closed, except in emergencies. Regular use of the rear access is discouraged, and the gate should continue to be kept locked.

Special Hearing to amend the previously approved Plan in

case Number 96-518-SPH to permit additional storage and

display parking, and to permit a landscape buffer of 5 feet adjacent to a highway widening reservation.

KENNETH CLARKE
PATRICIA CLARKE
12322/653
ACCT. #01-02-202220
3510 RIDGE RD.
WESTMINSTER MD 21157-7755



#### GENERAL NOTES:

1. OWNER / APPLICANT:

Russel Motor Cars, Inc. F. Steven Russel, Pres. 6616 Baltimore National Pike Baltimore, Maryland 21228 Tele: 410-788-8400

. PROPERTY ADDRESS:

PARCEL 176 DEED REFERENCE: 11613/592 TAX ACCT. NO. 01-02-202210 PARCEL 178 DEED REFERENCE: 7319/298 TAX ACCT. NO. 01-02-202211

3. SITE AREA: '

Net Area: 100565 Sq.Ft. or 2.309 Ac.

4. ELECTION DISTRICT: COUNCILMANIC DISTRICT:

C-1

5. ZONING: BR (85117 Sq.Ft. or 1.954 Ac. 1"=200' Scale Zoning Map S.W. 1—H D.R.16 (15448 Sq.Ft. or 0.355 Ac.)

- 6. EXISTING LAND USE: Vehicle Parking Lot and Automobile Service Building
- PROPOSED LAND USE: Vehicle Parking Lot and Automobile Service Building
- 8. PARKING REQUIRED: 4050 sf x 3.3 ps per 1000 sf = 14 ps PARKING PROVIDED: 225 ps (including 10 service bays)
- 9. LIGHTING: Lighting shall not be directed toward residential properties or public rights—of—way.
- 10. SIGNS: Any Signs shall comply with BCZR Section 450.
- No new signage is proposed with this plan.
- 11. There are no streams, wetlands, bodies of water, springs, flood plains, critical areas, forest buffers, archaeological sites, endangered species habitats, hazardoùs materials, or historical buildings on this site.
- 12. PREVIOUS COMMERCIAL BUILDING PERMIT:

Permit # B-286195 for Parking Lot. Permit # B-357437 for 1 Story Building

13. DEVELOPMENT REVIEW COMMITTEE: D.R.C.#08318A approved Limited Exemption per B.C.Z.R. Section 26—171(A)(7).

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

RUSSEL MOTOR CARS, Inc. RUSSEL BMW #2219 Powers Lane

(1000 ft. West of Nuwood Road)

ELECTION DISTRICT 1, C-1

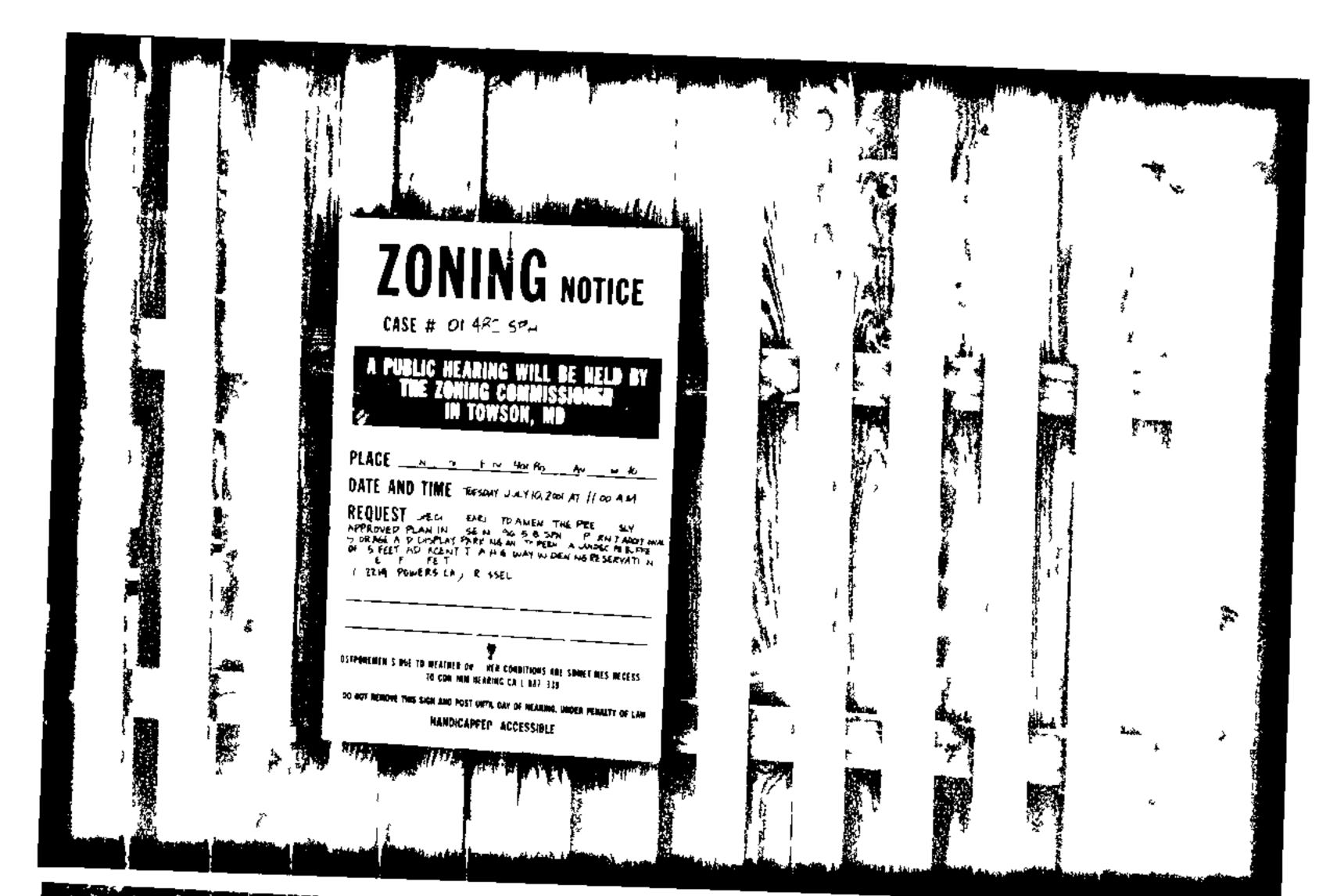
Colbert Matz Rosenfelt,Inc.

BALTIMORE COUNTY, MARYLAND

Pot 5x#/











#### Copies to:

Aaron Margolis, Esquire 405 E. Joppa Road Towson, MD 21286

F. Steven Russel, President Russel Motor Cars, Inc. 6616 Baltimore National Pike Catonsville, MD 21228

Bob Rosenfelt, P.E.
Colbert, Matz, Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209

Mr. Mike Diskin 2520 Bear Run Road Taneytown, MD 21787

Ms. Kim Koelbel 2813 Powers Lane Catonsville, MD 21228

Ms. Mary Ann Ehrman 2125 Chantilla Road Catonsville, MD 21228

Mr. Frank Culotta 2116 Chantilla Road Catonsville, MD 21228

Ms. Janet A. Walsek 1104 Lisadale Circle Catonsville, MD 21228

SIGNATURE	PRINT NAME	ADDRESS
Loophartacion	Josephine Marsand.	1125 D'Long Rd. Apt. F CAtonsville MD 21220
Nancy Sinkarton	NAWCY PINKERTON	1/27 D'Long Rd. HB, Catonsville, W.d. 2/228 1/21 Olong Rd. H. C. Catonsville MA21228
auxa Wabb	AUYA WEBB	1121 Olong Rd +1 C. Catonsville 11421228
15/2	IShu- J Kangn	1121DLong Rd Caton8villamn
MAN		1117 D'Long Rd. Apt #D Cat pasylen
Track haylor	i i	1113 D'Long Rd Hot Catonenellette!
Margaret Raylor	MAR GARET DAYLOR	113. D'Long M. Apt C Catarando Med
Charle Nous	Christine Naylor	6816 Little wood at, Edersburg mb airst
	1 8	1123 DForb Rd. CALANSVILLEMED 21228
Mary Borbour	1 Page 1 1 Pa	26 IS/AND RUN CT BALTOMD 21228
Ful Jallon	Fred Talbot	30 Elder berry Ct. Cateus Ville, 3173
	John Flister	11 Golden Hill Ct. balt. MD. 21228
MIKE LEVRONEY	DIDAE LEVLONEY	247 CEDRE CIRCLE DR BALTIGMO 2428
Joseph a. Mylling	Jason A. Kerpelman	8 Hickory Ridge Ct. Balt. 21228
Jottleen Belleve	Kathleen Bellone	2 Marathon C+ Batt, MD2/228
Will	William Lee	2 Marathon Ct. Batt MD 2/228
Mancy & Hoffman	NANCY J. HOFFMAN	15 UNION HALL CT, BALT 21228
Jan & Hoffman	JAN S. HOFFMAN	15 UNION HALL CT. BATTIMORE MOJAILAS
Zvers Owers		6 Kinholl Ridge Co Ratio 21228
Rosen Ohens	KAREN OWENS	5 Kinbel Ridge Ct Britis 2628
Marlotte Many	Charlotte CRAN	en 11270 Don Rd. CAToursonla
Ward & Pres	David Byrne	1127 C Dlong Pod (Monsoille MD 21228
Maryl Gempson	MARY E. SIMPSON	13 I SLAND RUN. Ct. Catonsville 21228
Bonay Anigh		46 Crosby Rd Catonsville 21228
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SIGNATURE	PRINT NAME	ADDRESS		
Kay C. Wilson	Kay C. Wilson	1117-A D'Long Road Catononille		
Myzirea Bunge	URSULABURKE	#125 Dong Road, Catomarille 21728		
Jack Fall	Lynn Falle	7906 Maintfalls Civ Cakonsville MD		
Change Kin	ABRAHAM JOSHaul	1108 Measant Valkey Dr. 21228		
Xation Management of the Manag	tatty McFadden	2126 Fernalen Way about		
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James Ekiman	I VOUNTS AT A TIME IN	2125 Chantilla Rd Catousville, Md 7/228		
Duh Sahh	Mike Salkaskus	412 Greenlow Rdi Balto Md D1228		
Saml Jule	Samuel Williams	1309 GOTEFIELD NO POLTO 21228		
		1309 Latefield Ra. 21228		
		7828 MATIN FALLS CIR. CAROUTULE 21228		
the Dunes	Katherine C. Dresser	26 Oak Shadows Et. Cutonsville 21228		
M. Mare Blair	•	1212-T2 Westerlee Place Catonsville 21228		
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Mary Inn Arman	Mary Ann Ehrman	2 and 125 Chantilla Rd. Catoniell 21228		
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Laudia Winterput	Sandra Wintermute	2 Marathon Ct 1-D 21228		
Kalle Wurtunes	sokage Wintermets	22 Marathon Ct 1-D 21228		

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		7006 PINECREST RD. BAUB. MD. 2/228
Harrem Braggs Ingela Sessions		1125 ('D'Long RD 21228
		1204 White Hills Rd. 21228
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Sysan Market	SUSAN HAINES	2021 Cedar Circle Dr. 21228
	1.m 7051	22 KMBall RIdGE COUNT 21228.
Russel Joung Joung	Ryssell Young	7211 Main Falls Circle 21228
Jame Gour	Tacye Young	7211 Main Falls Circle 2/228
( and Winder	Carol A. Murray	23 Island Run Ct 21228
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	TOUR CHIPTICE	6 Glown Hall 2/228
Millelle		1/21 D'LONG PD APT D CHTOKULGETARD
May wolghille	MAQSOODA. KHANI	43 Kimball Ridgect, CutonSvill, MD 21228
Mo Mani	Debbie Marini	16 Carters Roch Et Catonsult Modlade
all then	Albert Hsu	6 IRON BOH Ct.
Rosemary Jan	Rose Hsu	6 Iron Bolt Ct.
Manie Jove	MINNIE LOVE	6609 Hantens Wood Circle
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Mul Redak	- Mark Leduk	92 Six Notches Court
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Jody Windlield	Jodi Wingfield	48 Kinball Ridge C+ 24228
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du Dane	Anne Shehan	11 Island Run Ct 21228
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Marie Jule		6438 Elifton Forge Cir Catons ville Mb 21228 6438 Clifton Forge Circle
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Margar Rep	Margie Ryan	Batto MD 21244
Mermon Callun	SHERMON CALLUH	6433 CHIFTON FORGE CIR 21228
Darryl Callum	DARRYL CALLUM	6433 CLIFTON FORGE CIR 2/228
Brenda Willan	& Brenda Wilkins	6429 Cliffon Forge Cir. 31228
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Thum?	Tracy Butter	1316 GALGREID Rd. 21228
Sun an Bearlas	SUSAN BEASLEY	16-B DUTTON AVE 2/228
Welle McComuch	Vicki McCornek	306 Newburg Ave 21228
Linkly fulkel	Km Koelbel	3318 Powers Lane 21228

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SIGNATURE		ADDRESS
Emplavre Davie	Emily Pane Davies	20 witherwood Ct. Apt 4A Towson MD, 21204
Rive W. Daws	· · · · · · · · · · · · · · · · · · ·	2103 Fernglen Way- Catonsville, ND
ma E. Hamin II		
Maren m Janhore		52 Six Notches Ct Baltimore, Mol 21228
Lelen Monnaire	l	2 Marathon Court 21228
Mary Jordan	Haya drydan	7903 main Falls Cr. 21228
Lea Sulda	Lisa Tordan	1903 Main Falls CV- 21228
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Rochard Mywell	RICHARD MAXWALL	12 /1 1/
Continual de	RANDORPH M. JORDAN	7903 MAIN FALLS CIRCLE 21228
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Margaret Young	MARGARET YOUNG	1214 WESTERLEE PL2D - 21228
R.N. Comple	Padmini Senavayel	2112 Fernglen war 21228
Mancy Walker	NHNCY HACKLEY	7MADISON MILLS 21228
Torrey resourch	NANCY KRASOWSKI	7MADISON MILLS 21228
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1 Mush	Part Murphy	48 Kinball Ridge et 21228
Lean Holas	Brian Korzec	7900 Main Falls Civ. 21228
And Sel	ARNOUD LEBERMAN	1531 ADAMSVIEW RD 21228
PAT LIEBIERMAN	PAT LIEBERMAN	1531 ADAMSVIEWRID 21228
Riseman July	Rosemary Syler	2113 Chantella Rd. 21228
Oly muder	Allaw Snyder	2113 Chantilla Rd 21228
Mulle	Laurence WELLE	2117 CESAN Coule Dr. 21228.
Sindry Bishop	Banka Bushac	Marshs VictoryCt 21228
alle Task	Hope Hasten	1102 Lisa Dale, Rd 21228
fatsy ask	Patsy Hoster	1209 Lisable Pd 71228
mil Lai	MICHAEL C. DAVID	7834 MAIN FALLS CIR- 788-8930
Joseph Joseph	VOSE ESCALANTE	4623 HUNTORS WORD Car 21228
	DANIEC Corley	202 Whate Mills Net 21228 5626
Mary Ilfruan	Morey / lighmon	3 TRotting Harse Ct Balt MD 21228
		2118 Chantilla Rd. BAUT MD 21228
	MARILYN FRANTON	
Menckowshy	Telen Wichokowski	2118 Chantilla Rel Bett Md 21228
Mar Janus	Tean Johanne Co	use 2008 Fernglan Way 21225
Josep Hans	203 Sang Rd	1203 Hong Rd 2/228
Am Amer	Bris Holmes	
Jan Brown		1203 Thong Rd. 21228
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		2118 CHANTILLA RD 21228
Flore Johnson		4203 DLong Rd 21228
Mister I brown racke	1 Jugar Jonahima Kussun	un 2102 Chantilla Rd. 21228

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Judielalens	un Duanita Humphria	5 7224 Powers Lane
Cace Freeze	Leeng CHARLES	2001 Perreglen Eleg
Linda Lee Bown	an LINDA-LEE BOWMAN	FOZZ UPPER MILLS CIR
Les Cerand	Liz Cerand	2114 Chantilla Rt., Catonoville
The Mynn	Steve Phipps	1109 Blong Rd Caronswille Med
Dunt Conston	Gary Lompton	2 Conters Pack Ct. Catorsulle 21228
<del></del>	MELIND B. NEWMAN	
Harry Marley Cr.	HARRY W. MARLEY JR.	1200 WESTERNEE PLAT3 CATONSVILLE
Margarell Bill	n Margaret Rwiley	22 Kimball Ridge et Catonsville
ZWZ WY	EDWINK. WILEY	22 KUNBALKIDGE CT., CATONSVILLE 2428
The the	FRANK S. CULOTTA	2/16 CHANTILLA RD. CATONSVILLE 21228
Dung Cufrax	AND DE CONTA	2116 CHANTILLA RIPATODSWILLE 21225
Alie Walnut	A ME MC INTYRE	34 Kimball RISCO Cf. Catorsoilte 2/2/28 2900 BONZINGOR Rd Apt 220 Balt, MD
Henry Werner 2	Henry Weiner	3900 Benzinger Rd Apt 230 Ban, Mil 2019
ERIC DAVIDES	Fric JAVIZers	11 Brucetown C+ MD. ZIZZ8
1 mag Chi	MATTHEW J RUZZCKA	,
Vally -	Foul Gramm	2104 Chantilla Kd
En Son M	Esic Joseph	1434 Gibsonwood Rts BACTO, MD 21228
Tampa Chilon	Tanya Clifton	16 Kingsley Rd. Owings Mills, MD 2111,7
Path Multi	PATTY HRABAL	25 ISLANO RUN CT. 21208
		2125 FERNGLEN WAY
Truck Kark	FRED KIRK	2125 FERNGLEN WAY
(indicatele	_ <u> </u>	500 Coville auc.
D'Cole Cavall	Dicae Laveage	Cell Friederick Rd

SIGNATURE	PRINT NAME	ADDRESS
Oun & Coops	OWRIY G. COPIA	40 ONN SHADOWS CT, 21228
James D. Dyd	James D. Dixon	40 0/14 SHADOWS CT. 21228
Marlyn Dian	Aprilyin DixoN	42 " Ct 21228
	Johna Kinnigan	27 Oak Shadows Court
Andant	Jim CMITH	25 OAK SPADOWS OR 21UB
Bonnie Close	Bound Close	25
Michal Hullid	VIRGINIA HOLLAND	19 84K ShAdows ct- 21228
Thomas Walden	THOMAS N.WALDEN	170AK SHAdows CT. 21228
HONAS MUALTRON	1 Homas M. WALDRON	170AK SHADOWS CT. 21228
The Hard 1	Jonathan Kundell	34 Ock Shidows Ct. 21228
al Makero	JOHN M. SRORA	31 OAK SHADOWS CT 21228
Alle Mush	Kelly T Ftunt	So oak Shalow Ct Bas MD212
mother	TIMOTHY L. STEELE	
Ton Quelati	TONY QULATI	36 OAK SHADOWS CT. BAL. 21228
Same.	SIMMI GULATI	
ANN HAUGHEY	ANN HANGHEY	440AK SHADOWS COORT BH21228
Caul Stale	Carol Steele	38 OAK SHADOWS CT. 21228
Unnous Hann	VERNONA HANN	48 OAK ShAdows CJ 21238
		HOak Statow Ct 2/228
Jacolyn appar	Jacalyn Apgar	21 Oak Shadows Ct 21228
Mull Tyn	Mchael Finniqua	27 OAK Shadows C+ 2/228
Sorothy Skora	DOROTHY SKORA	31 OAK SHADOWS CT 21228
Cary Joycett	GARY Doucett	3 DAK Shabaus Ct. ZIZZS
Millingalet	Felecia Ducett	3 OAK Shadows Ct. 21228
Tony Gazze	10my GSDPi	0318 Porters Land 21228

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Chail H. bulle	Elizabeth A. Avile	5 11 Brucetown	
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	Nancy M. Carer	l a	Bulto Mario 28
James -	Tracey Ebersberger	- 10 marsh's Vatory Of	Balb. 31228
mula	awrence Vent	u li	L
Jany J. Dew comb	GARY L. NEWCOMB	6621 HUNTERS WOOD CIECLE	CATONSVILLE, MD. 21228
November a. Newsomb	Noreen Newcomb	6621 Hunters Wood Circle	Catonsville, Md. a1228
		46 OAK Shadows C	
Jan Glady	FRANK WATERS	1412 6985014 WOOD K	1), BALT. 1000 21228
Luann filley	Piana Tolley	3 Country Mill Ct., 1	Batto, MD 21228
Samond (well)	RAYMING JOLLEY		
Mario Vitale		2106 CHANTILLA ROL BALT	· · · · · · · · · · · · · · · · · · ·
The Webs	- T	1330 Middle flored RD 3	
Januce Watson	Janue Watson	1330 Middleford Rd	21228
Thousa onus	Theres L. JoNes	2102 FERNGLEN/By 2	/118
Chrochelfmorell	ARSCHEL MORELL	95/X-Notches	
Mary Eusini	MARY P. EUSINI		
Clar Ph	Che Hich	1212 westerbe P/1B	2/228
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July 25, 2001

Timothy Kotroco, Deputy Zoning Commissioner Suite 405, County Courts Building 401 Bosley Avenue Towson, MD 21204

Dear Mr. Kotroco,

I have seen the plans for the proposed action of case #01-482-SPH and am opposed to this action.

I want to maintain the landscape buffer that exists on Powers Lane and not have it reduced. The existing fence is unattractive and dangerous. Reducing the landscape buffer would be visually undesirable and take away open space we currently enjoy. My name and address is listed below.

Thank you for your consideration.

ŞIGNATURE	NAME	ADDRESS		
many then	MARY WISZ	10012-8	SPRING GAZ	E R) CATENSVILLE
Welen Mhalo	me HELEN MIX	HALOVICI 1001	-20 SPRNG6	SATERD 212:
Theresa Br	dus Theresa	·	>-Longro A	24D Catonsvil
alwand	1 ACCA)	1121 / / md	Red Copt	alowwill.
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