IN RE: PETITION FOR SPECIAL EXCEPTION SW/S of Owings Mills Boulevard, 110' NW centerline of Glenlee Court 4th Election District 2nd Councilmanic District **(12360-C Owings Mills Blvd.)** Thomas W. Speed & R. Scott Laudeman Petitioners	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-543-X

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

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, Thomas W. Speed and R. Scott Laudeman and the proposed tenant, S&J Automotive Enterprises LLC. The property, which is the subject of this request, is located at 12360-C Owings Mills Boulevard in the Owings Mills area of Baltimore County and is zoned ML-IM. The Petitioners are requesting special exception relief for the operation of a automotive and truck service garage on a portion of the subject property, involving short and long distance towing for all cars and trucks, jumpstarts, tire changes, lockout services, automobile repairs, and the sale and installation of auto and truck parts and accessories pursuant to Sections 253.2.B and 259.2.E, 405.A and 502 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on July 2, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 12, 2003 to notify any interested persons of the scheduled hearing date. Notice was taken that the subject of this request consists of 2 acres of land, more or less, zoned ML-IM.

ORDER RECEIVED
Date 7/30/03
By R. Jameson

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

A. Be detrimental to the health, safety or general welfare of the locality involved;
B. Tend to create congestion in roads, streets or alleys therein;
C. Create a potential hazard from fire, panic or other danger;
D. Tend to overcrowd land and cause undue concentration of population;
E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
F. Interfere with adequate light and air; [Bill No. 45-1982]
G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee (ZAC) Comments

There were no ZAC comments opposing this petition. However, the Office of Planning (in their ZAC comments dated June 6, 2003) has requested that the following conditions be implemented: (1) that the hours of operation should be limited to Monday – Saturday, 7:00 a.m.-6:00 p.m. and that the hours of operation should be noted on the plan; (2) that the storage of damaged and/or disabled vehicles shall be within the fenced in area of the subject site only and shall be screened from public view; (3) that no automotive body or fender work or painting shall be performed on the subject site; and (4) that Petitioners submit a landscape plan for review and approval by Avery Harden, Landscape Architect for Baltimore County.

Interested Persons

Joseph D. Goldman and J. Scott Dallas testified for the Petitioners who were represented by David F. Mister, Esquire and Robert L. Frank, Esquire. Sherry L. Goldman appeared but did

7/30/03 R. Jones

not testify at the hearing. People's Counsel entered their appearance in the case but did not participate in the hearing. There were no Protestants at the hearing.

Findings of fact and conclusions of law

This property was the subject of a prior petition for special exception, Case No. 94-404, for essentially the same uses and nearly the same location. In fact, if anything, the present Petitioners propose less intense uses as a automotive and truck service garage having eliminated winching and recovery operations, limousine and fuel delivery from the list of uses proposed. The footprint of the proposed use is somewhat different from the prior use and so the Petitioners request a new special exception.

Mr. Goldman testified regarding the proposed use, hours of operation, surrounding industrial and commercial uses and customers to show that the proposed use would serve primarily the industrial uses and related activities in the surrounding industrial area. See B.C.Z.R. Section 253.2 B. Mr. Dallas opined that the proposed use not only met the requirement of Section 253.2 B but also met the "do no harm" requirements of Section 502.1 of the B.C.Z.R .

In the process of presenting this testimony and evidence, the Petitioner raised three issues:

Hours of Operation The Planning Office requested that the hours of operation of the business be limited to 7 a.m. to 6 p.m., Monday through Saturday. Mr. Goldman agreed that to this schedule, except he requested that he could remain open until 7 p.m. on these days for the pickup of vehicles by his customers. All repair and service will have stopped by 6 p.m. This seems a most reasonable request.

Landscape Plan Another of the Planning Department's comments concerned the owner submitting a Landscape Plan to the proper County agencies for review and approval. Mr. Goldman pointed out that according to the prior order of the Zoning Commissioner's Office a

Date 7/30/03
By RJ Jones

landscape plan had been submitted to and accepted by the County. He suggested that a new plan was not justified but agreed to update the existing plan as the result of changes to the requirements since 1994. Again this is a reasonable request, if in fact, a prior plan had been submitted and was approved by the prior tenant. There is nothing in this record to show a proper valid plan exists on the premises.

Special Exception Terminates if Tenant Leaves The 1994 decision specified that the special exception was granted only so long as the tenant, Good Samaritan Towing and Joseph P. Ryan, occupied the premises. The Petitioner requests that this requirement should not apply to his uses which again are much less intense then the prior tenants' uses.

It is clear that the Baltimore County Zoning Regulations permit the Petitioners' use in a ML-IM zone by special exception. It is equally clear from the testimony and exhibits that the proposed operation of a automotive and truck service garage on a portion of the property will not be detrimental to the primary uses in the vicinity considering each of the factors delineated in Section 502.1.

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.

Furthermore the proposed use was clearly shown to serve the industrial uses and related activities in the surrounding industrial uses as required by the B.C.Z.R. Section 253 B.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the requested relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 30 day of July, 2003, that the Special Exception requested for the operation of a automotive and truck service garage on a portion of the subject property, involving short and long distance towing for all cars and trucks, jumpstarts, tire changes, lockout services, automobile repairs, and the sale and installation of auto and truck parts and accessories pursuant to Sections 253.2.B and 259.2.E, 405.A and 502 of the B.C.Z.R., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

(1) That the hours of operation should be limited to Monday – Saturday, 7:00 a.m.-6:00 p.m. for repair and service operations and 7 p.m. for customer pickup and office operations and that the hours of operation should be noted on the plan;

(2) That the storage of damaged and/or disabled vehicles shall be within the fenced in area of the subject site only and shall be screened from public view;

(3) That no automotive body or fender work or painting shall be performed on the subject site; and

(4) That Petitioners submit a new landscape plan for review and approval by Avery Harden, Landscape Architect for Baltimore County if an existing approved plan is not on file with this office; or if such a plan is on file and approved, to update the existing plan according to the present County landscape requirements

7/30/03

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

7/30/03
R. Jameson

Baltimore County
Zoning Commissioner

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

July 30, 2003

David F. Mister, Esquire
30 E. Padonia Road, Suite 404
Timonium, Maryland 21093

RE: Petition for Special Exception
Case No. 03-543-X
Property: 12360-C Owings Mills Blvd.

Dear Mr. Mister:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Copies to:

Joseph D. Goldman
123606 Owings Mills Blvd.
Reisterstown, MD 21136

Sherry L.Goldman
427 Highmeadow Road
Reisterstown, MD 21136

J. Scott Dallas
13523 Long Green Pike
Baldwin, MD 21013

Robert L. Frank, Esquire
15 Sunny King Drive
Reisterstown, MD 21136

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 12360 C Owings Mills Blvd.

which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

The operation of a automotive and truck service garage on a portion of the subject property, involving short and long distance towing for all cars and trucks, jumpstarts, tire changes, lockout services, automobile repairs, and the sale and installation of auto and truck parts and accessories pursuant to BCZR §253.2 B, 259.2 E, 405 A, and 502.

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:

S & J Automotive Enterprise, LLC
Name - Type or Print

Joseph D. Goldman
Signature

12360 C Owings Mills Blvd. 410-526-4110
Address Telephone No.

Reisterstown, MD 21136
City State Zip Code

Legal Owner(s):

Thomas W. Speed
Name - Type or Print

Thomas W. Speed
Signature

R. Scott Lauderman
Name - Type or Print

Scott Lauderman
Signature

P.O. Box 145 410-833-1577
Address Telephone No.

Glyndon, MD 21071-0145
City State Zip Code

Attorney For Petitioner:

David F. Mister
Name - Type or Print

David F. Mister
Signature

Mister, Winter & Bartlett, LLC
Company

30 E. Padonia Rd., Suite 404 410-561-3000
Address Telephone No.

Timonium, MD 21093
City State Zip Code

Representative to be Contacted:

David F. Mister, Esquire
Name

30 E. Padonia Rd., Suite 404 410-561-3000
Address Telephone No.

Timonium, MD 21093
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JWD Date 05-14-03

Case No. 03-543-X

ORDER RECEIVED FOR FILING
Date 7/30/03
By [illegible]

REV 09/15/98

J. S. DALLAS, INC.
SURVEYING & ENGINEERING

13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION FOR #12360 OWINGS MILLS BOULEVARD

BEGINNING *at a point on the southwest side of Owings Mills Boulevard, ("Glynowings Drive- 70' R/W per record plat) 70 feet wide, at the distance of 110 feet, more or less northwest of the extension of the centerline of Glynlee Court..*

BEING *Lot 3,* ***"RESUBDIVISION OF ST. GEORGE'S INDUSTRIAL PARK"*** *as recorded in Baltimore County Plat Book No.51 Folio 130.*

CONTAINING 87,115 *square feet of land, more or less or* ***2.000*** *acres of land, more or less.*

ALSO *known as* ***# 12360 Owings Mills Boulevard*** *and located in the 4th Election District 2nd Councilmanic District.*

Note: above description is based on existing record plat and is for zoning purposes only.

STATE OF MARYLAND
JONATHAN SCOTT DALLAS
No. 46
REGISTERED PROPERTY LINE SURVEYOR

03-543-X

CP 543 X

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23555

DATE 5-14-05 ACCOUNT [illegible]

AMOUNT $ 380.00

RECEIVED FROM: [illegible]

FOR: C. SPEC. EXCEPTION.
12300 CWINGS MILL BLVD.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE RECEIPT
PAID RECEIPT
BUSINESS ACTUAL TIME
05/15/2005 5/14/2005 15:40:11
REG 0002 WALKIN JOHN DOE
[illegible] 17634 5/14/2005 [illegible]
Dept 5 528 ZONING VERIFICATION
OR NO. 02555
Rcpt Tot $380.00
380.00 CK .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #03-543-X
12360 C Owings Mills Blvd.
S/west side of Owings Mills Blvd., 110 feet northwest of centerline of Glenlee Court
4th Election District-2nd Councilmanic District
Legal Owner(s): Thomas W. Speed and R. Scott Laudeman.
Contract Purchaser(s): S & J Automotive Enterprise, LLC.

Special Exception: to permit the operation for service garage.

Hearing: Tuesday, July 1, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/145 June 12 C608868

CERTIFICATE OF PUBLICATION

6/13/, 2003

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 6/12/, 2003.

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

S. Wilkinson

LEGAL ADVERTISING

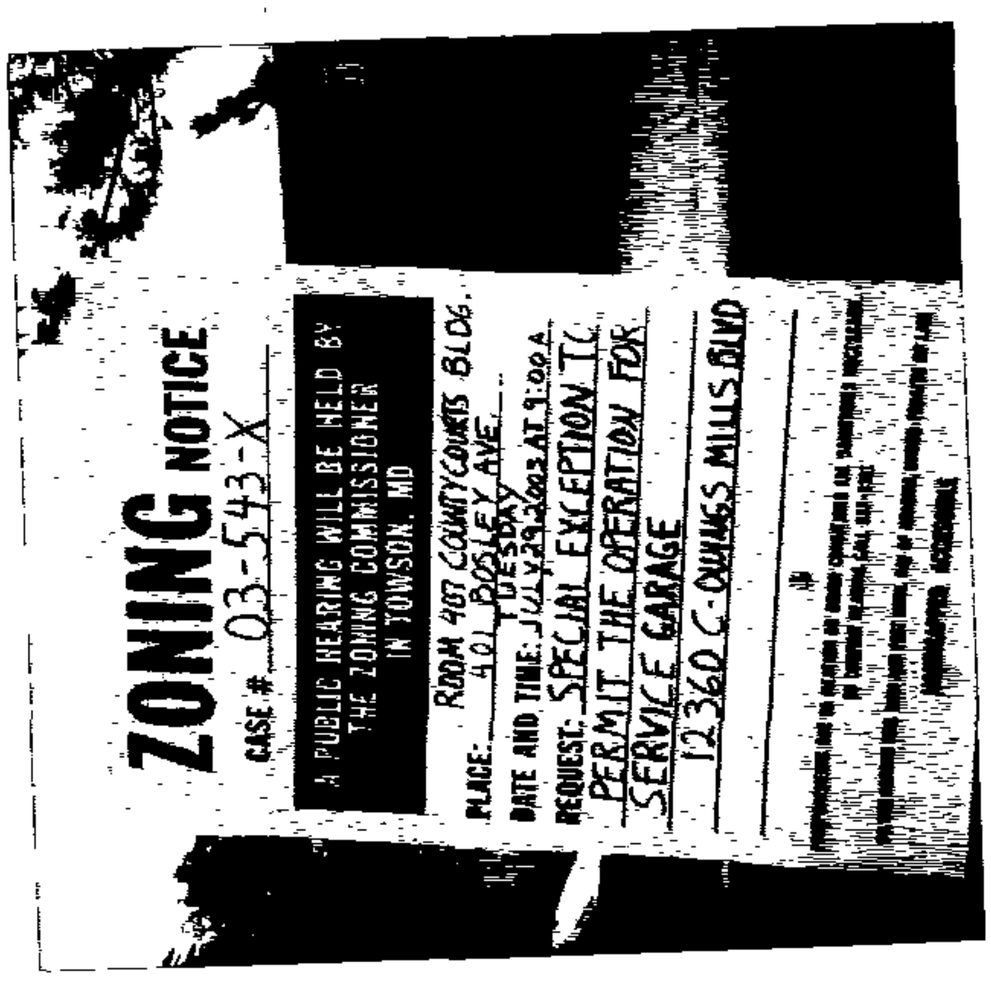
CERTIFICATE OF POSTING

Date: July 3, 2003

RE: Case Number # 03-543-X
Petitioner/Developer: DAVID MISTER/SPEED/LAUDEMAN/ETAL
Date of Hearing/Closing: JULY 29, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 12360 C OWINGS MILLS BLVD.

The sign(s) were posted on JULY 2, 2003
(Month, Day, Year)



12360 C
OWING MILLS BLVD

Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

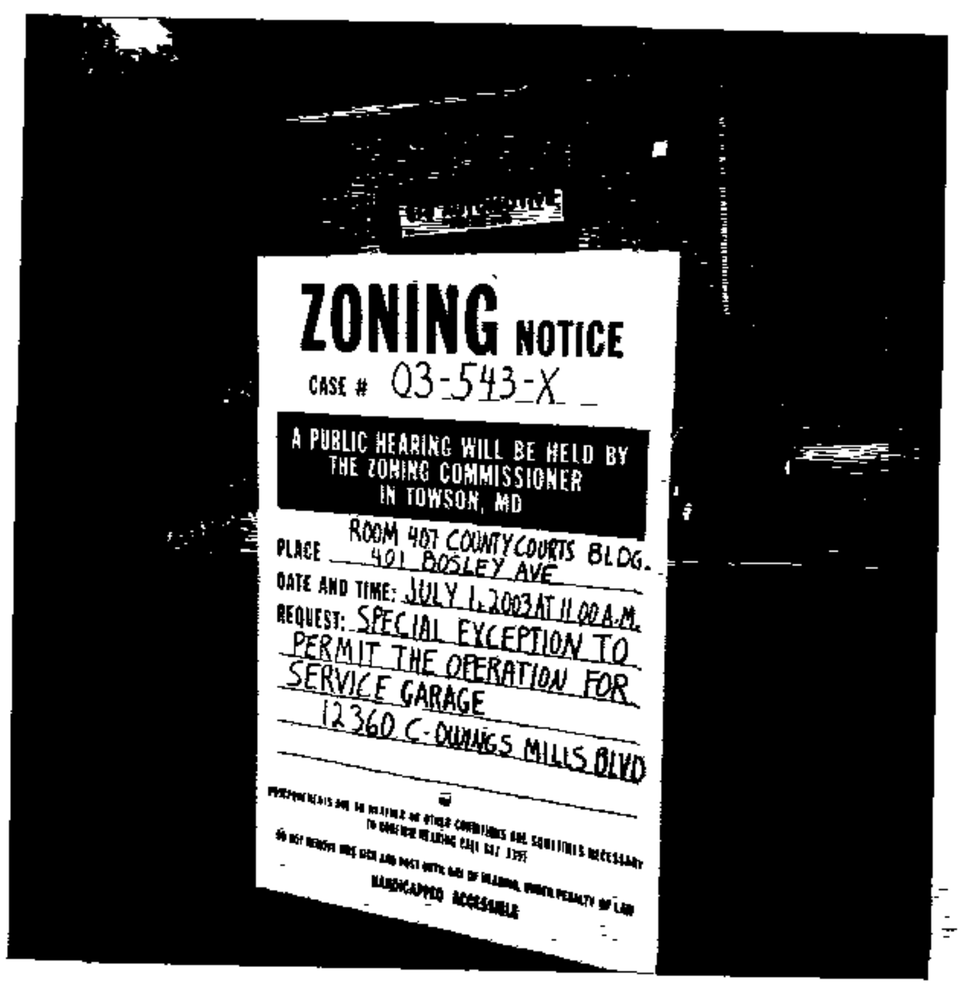
CERTIFICATE OF POSTING

Date: JUNE 17, 2003

RE: Case Number 03-543-X
Petitioner/Developer: DAVID F. MISTER/SPEED/LAUDEMAN/ETAL.
Date of Hearing/Closing: JULY 1, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 12360 C OWINGS MILLS BLVD.

The sign(s) were posted on JUNE 16, 2003
(Month, Day, Year)



Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

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 19, 2003

Mr. David F. Mister
Mister, Winter & Bartlett, LLC
30 E. Padonia Road, Suite 404
Timonium, MD 21093

Dear Mr. Mister:

RE: Case Number: 03-543-X

The above matter, previously scheduled for July 1, 2003, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

Timothy Kotroco

Timothy Kotroco
Director

KT:rlh

C: S & J Automotive Enterprise, 12360 C Owings Mills Blvd., Reisterstown 21136
Thomas W. Speed, R. Scott Laudeman, P.O. Box 145, Glyndon 21136

Printed with Soybean Ink
on Recycled Paper

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 19, 2003

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: 03-543-X
12360 C Owings Mills Blvd.
S/west side of Owings Mills Blvd., 110 feet northwest of centerline of Glenlee Court
4th Election District – 2nd Councilmanic District
Legal Owners: Thomas W. Speed and R. Scott Laudeman
Contract Purchaser: S & J Automotive Enterprise, LLC

Special Exception to permit the operation for service garage.

Hearings: Tuesday, July 29, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Timothy Kotroco
Director

KT:rlh

C: David F. Mister, Mister, Winter & Bartlett, LLC, 30 E. Padonia Road, Suite 404
Timonium 21093
Thomas W. Speed, R. Scott Laudeman, P.O. Box 145, Glyndon 21071-0145
S & J Automotive Enterprise, LLC, 12360 C Owings Mills Blvd., Reisterstown 21136

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 14, 2003.**
(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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Issue - Jeffersonian

Please forward billing to:
David F. Mister, Esquire 410-561-3000
30 E. Padonia Road, Suite 404
Timonium, MD 21093

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(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

May 20, 2003

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: 03-543-X
12360 C Owings Mills Blvd.
S/west side of Owings Mills Blvd., 110 feet northwest of centerline of Glenlee Court
4th Election District – 2nd Councilmanic District
Legal Owners: Thomas W. Speed and R. Scott Laudeman
Contract Purchaser: S & J Automotive Enterprise, LLC

Special Exception to permit the operation for service garage.

Hearings: Tuesday, July 1, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: David F. Mister, Mister, Winter & Bartlett, LLC, 30 E. Padonia Road, Suite 404
Timonium 21093
Thomas W. Speed, R. Scott Laudeman, P.O. Box 145, Glyndon 21071-0145
S & J Automotive Enterprise, LLC, 12360 C Owings Mills Blvd., Reisterstown 21136

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 16, 2003.**
(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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 12, 2003 Issue - Jeffersonian

Please forward billing to:
David F. Mister, Esquire
30 E. Padonia Road, Suite 404
Timonium, MD 21093

410-561-3000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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Special Exception to permit the operation for service garage.

Hearings: Tuesday, July 1, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 03-543-X

Petitioner: S&J AUTOMOTIVE ENTERPRISES LLC

Address or Location: 12360 C OWINGS MILLS BLVD., REISTERSTOWN MD ~~21136~~ 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID F. MISTER, ESQUIRE

Address: SUITE 404, 30 E. PAGONIA ROAD
TIMONIUM, MD. 21093

Telephone Number: (410) 561-3000

03-543-X

Baltimore County
Department of Permits and
Development Management

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

July 25, 2003

David F. Mister
Mister, Winter & Bartlett, LLC
30 E. Padonia Rd., Ste. 404
Timonium, MD 21093

Dear Mr. Mister:

RE: Case Number: 03-543-X, 12360 C Owings Mills Blvd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 14, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Thomas W. Speed, R Scot Laudeman, P.O. Box 145, Glydon 21071-0145
S & J Automotive, Enterprise, LLC, 12360 C Owings Mills Blvd., Reisterstown 21136

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

June 3, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 19, 2003

Item No.: 543

Dear Ms. Hart:

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 Baltimore County Fire Prevention Code, (2000 edition of NFPA 1 & 101), prior to occupancy or beginning of operation.

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

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.27.03

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

RE: Baltimore County
Item No. 543 JRA

Dear. Ms. Hart:

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

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

Very truly yours,

L. J. Gredlein

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

7/1
7/29
JM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 6, 2003

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

RECEIVED
JUN - 9 2003
ZONING COMMISSIONER

SUBJECT: 12360C Owings Mills Blvd.

INFORMATION:

Item Number: 03-543

Petitioner: Thomas W. Speed

Zoning: ML-IM

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are implemented:

1. The hours of operation should be limited to Monday through Saturday 7am – 6pm. The hours of operation should be noted on the plan.
2. Storage of damaged and/or disabled vehicles shall be within the fenced-in area of the subject site only, and shall be screened from public view.
3. No automotive body or fender work or painting shall be performed on the subject site.
4. Submit a landscape plan for review and approval by Avery Harden, County Landscape Architect.

Prepared by: Martha A Cumpton

Section Chief: Lynn Lanham
AFK/LL:MAC:

RE:	PETITION FOR SPECIAL EXCEPTION 12360 C Owings Mills Rd; SW/side of Owings Mills Blvd, 110' NW c/line Glenlee Court 4th Election & 2nd Councilmanic Districts Legal Owner(s): Thomas W Speed & R Scot Laudeman Contract Purchaser(s): Joseph D. Goldman Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-543-X

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

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to David F. Mister, Esquire, Mister, Winter & Barlett, LLC, 30 E Padonia Rd, Suite 404, Timonium, MD 21093, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

8. Sludge disposal facility – composting (see Section 412A.2.B). **[Bill No. 46-1982]**

9. Sludge disposal facility – handling in general (see Section 412A.2.C). **[Bill No. 46-1982]**

10. Sludge disposal facility – incineration (see Section 412A.2.D). **[Bill No. 46-1982]**

11. Sludge disposal facility – landspreading (see Section 412A.2.E). **[Bill No. 46-1982]**

12. Trucking facilities (see Sections 410 and 410A). **[Bill No. 18-1976]**

13. Truck stops. **[Bill No. 18-1976[18]]**

14. Utilities not permitted under the provisions of Section 253.1.

B. The following auxiliary service uses, provided that any such use shall be located in a planned industrial park at least 25 acres in net area or in an I.M. District; provided, further, that it is shown that any such use will serve primarily the industrial uses and related activities in the surrounding industrial area: **[Bill No. 172-1993][19]**

1. Automotive-service stations, subject, further, to the provisions of Section 405.

2. Car washes, subject, further, to the provisions of Section 419.

3. Garages, service, including establishments for the service or repair of trucks, of truck trailers or of freight-shipping containers designed to be mounted on chassis for part or all of their transport. **[Bill No. 218-1980]**

4. Union halls or other places of assembly for employment-related activities.

C. The following interim uses, provided that it is shown by the petitioner and verified by the Director of Public Works that public sewerage and water supply facilities will not be available to the site of any such use for a period of at least two years after the time the petition is heard, and provided, further, that any such use shall be discontinued and the grant of the special exception shall expire on a date within a year after such time as public sewerage and water supply facilities do become available to the site, as shall be more particularly stipulated in the order granting the special exception. **[Bill No. 21-1996[20]]**

1. Amusement parks.

2. Farms or limited-acreage wholesale flower farms.

---

18 **Editor's Note: This bill also repealed the former entry for truck terminals.**

19 **Editor's Note: All provisions of this subsection are originally from Bill No. 100-1970, except as otherwise noted.**

20 **Editor's Note: This bill reenacted this Subsection C, deleting the following entries and renumbering the rest: "baseball-batting ranges," "golf-driving ranges" and "miniature-golf courses." Original provisions of this subsection were derived from Bill No. 100-1970.**

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

May 19, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda 05/27/03 re: case numbers 03-532-X, 03-533-A, 03-534-SPH, 03-535-A, 03-536-SPH, 03-537-XA, 03-538-A, 03-539-A, 03-540-A, 03-541-A, 03-542-A, 03-543-X**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 05/19/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Planning Services

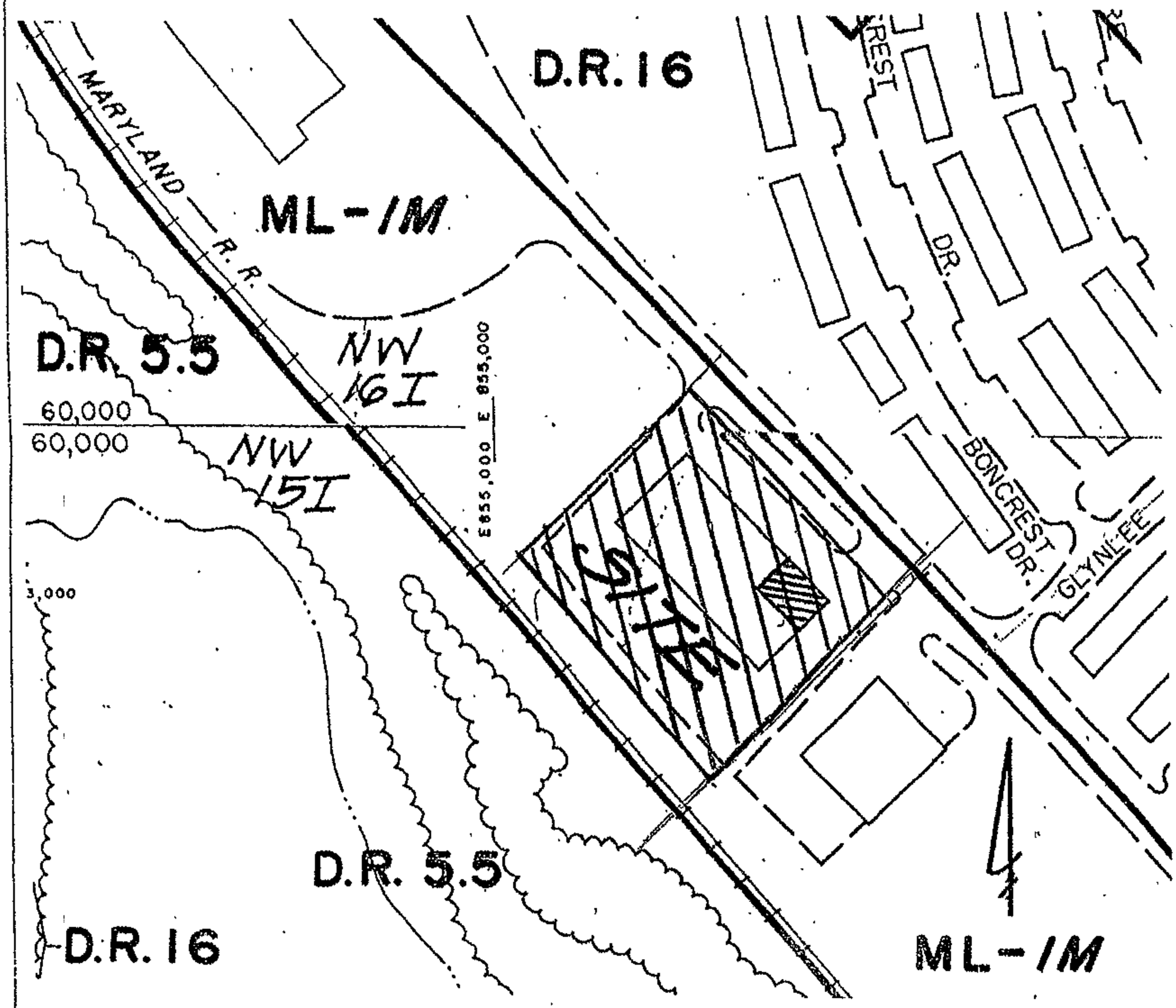
cc: Mike Nortrup

PLEASE PRINT CLEARLY

CASE NAME S&J AUTO 12360 C OWINGS MILLS BLVD
CASE NUMBER 03-543-X
DATE 7/29/03

PETITIONER'S SIGN-IN SHEET

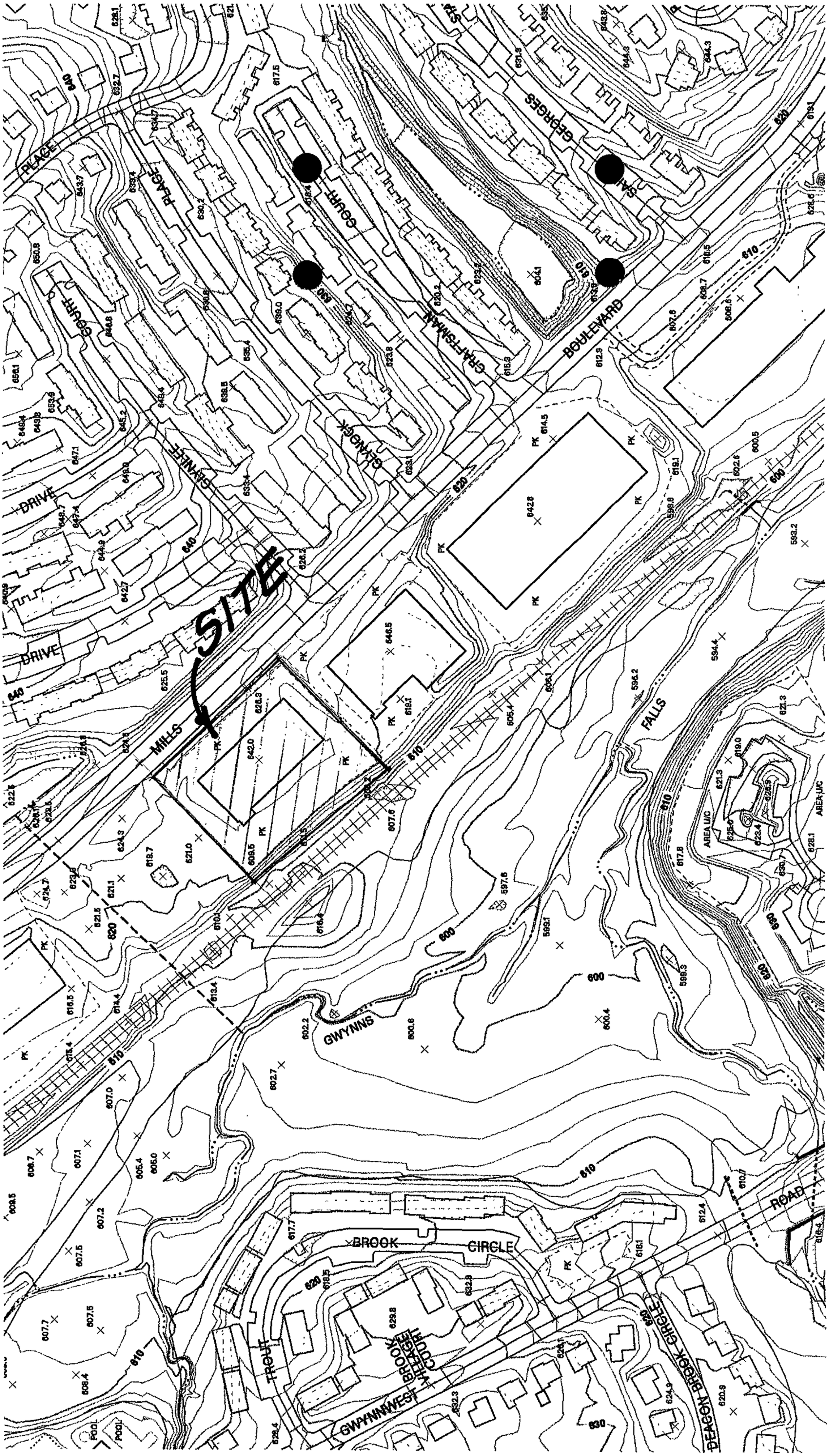
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DAVID F. MISTER	SUITE 404 30 E. PADONIA RD	TIMONIUM, MD. 21093	MWBLAW @ COVAD. NET
Joseph D. Goldman	12360 C Owings Mills Blvd	Reisterstown MD 21136	JJSBI@comcast.net
Robert L. Frank	15 Sunny King Drive	Reisterstown, MD 21136	lawyerfrank@comcast.net
Sherry L. Goldman	427 Highmeadow RD	Reisterstown, MD 21136	
J. Scott Dallas	13523 Long Green Pike	Baldwin MD. 21013	jsdinc@aol.com



PART OF OPZ MAPS NO. NW 15-I, NW 16-I
1"-200'

12360 OWINGS MILLS BLVD.

03-543-X



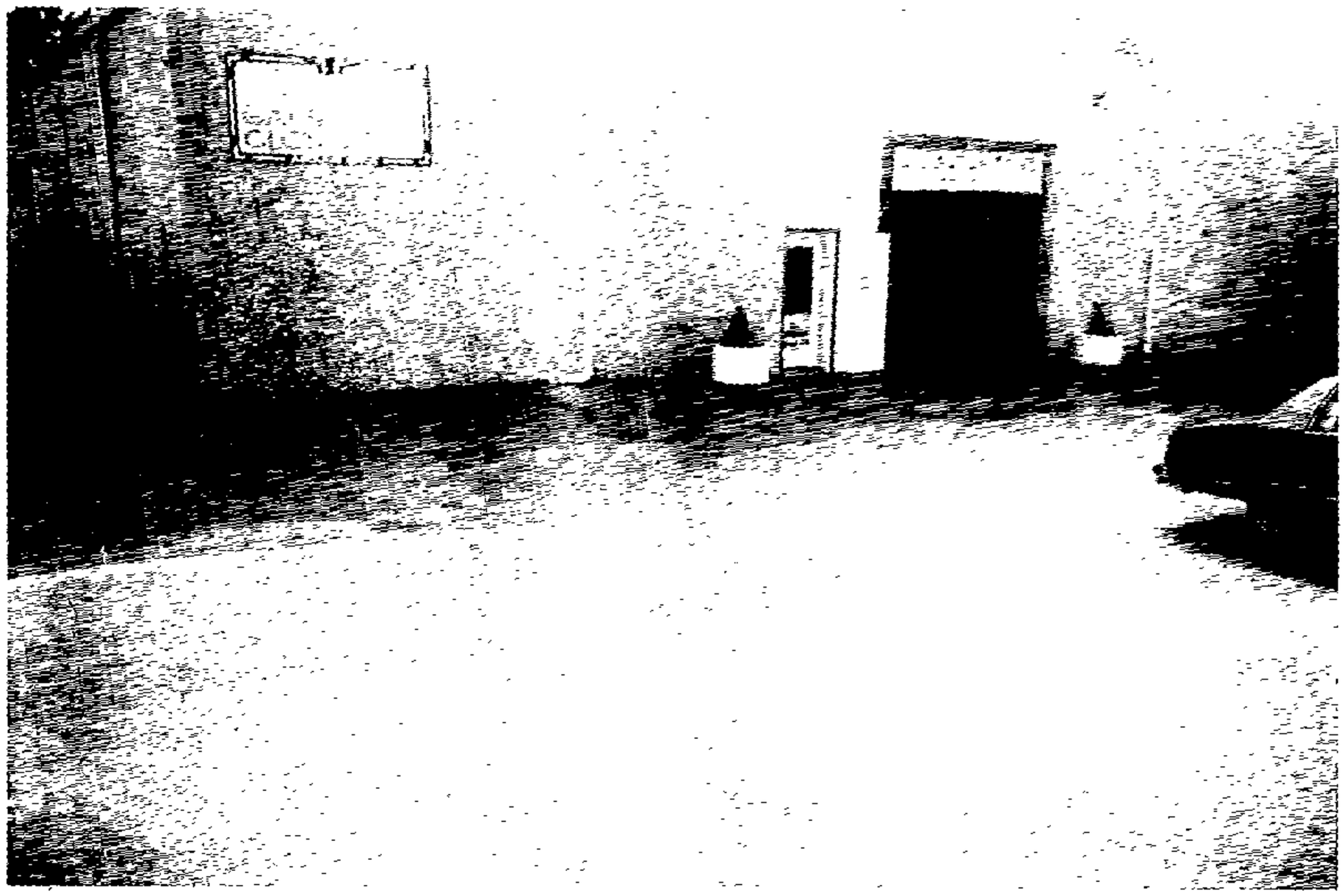
#12360 OWINGS MILLS BLVD.
PART OF GIS. 049a2

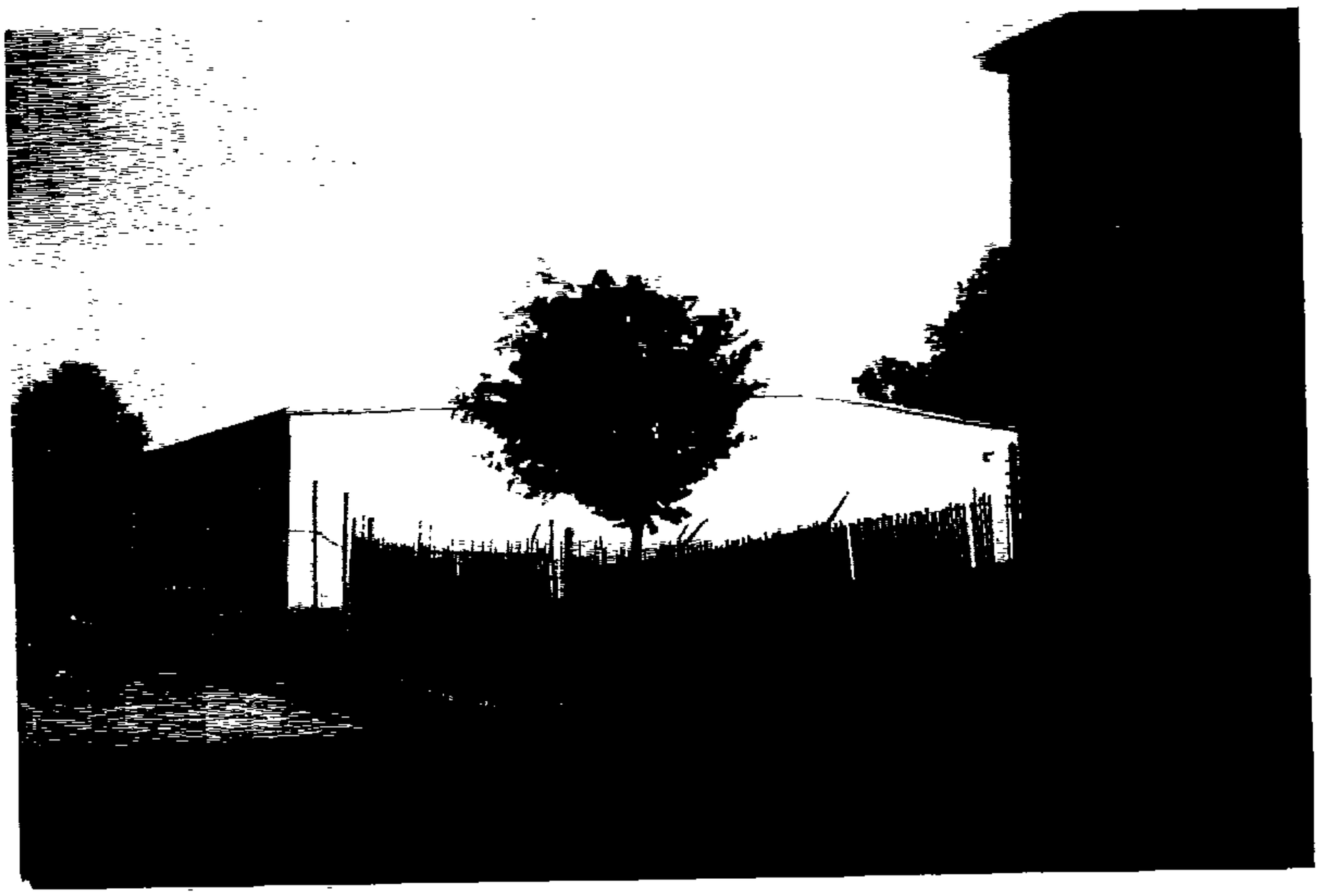
03-543X

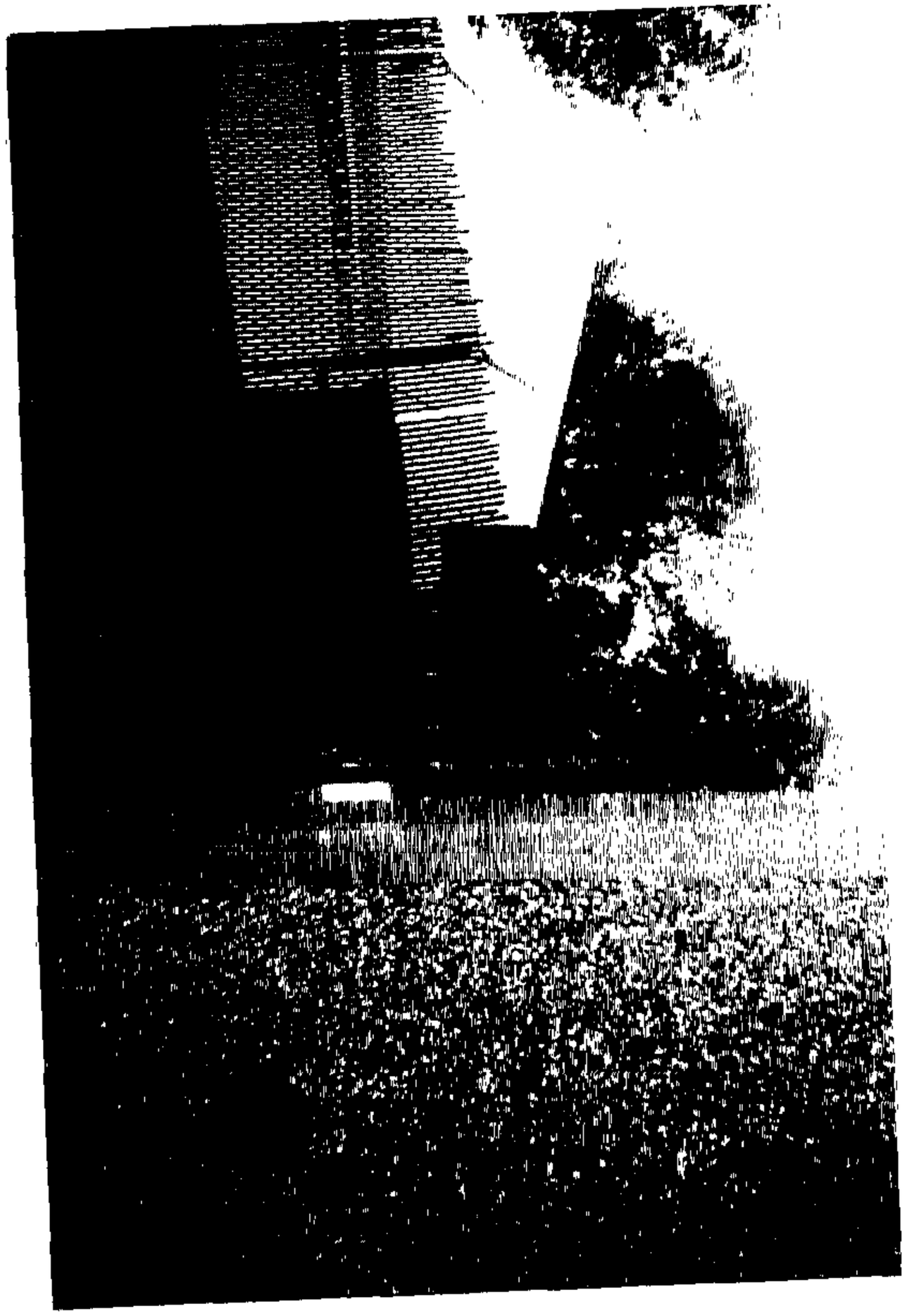
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

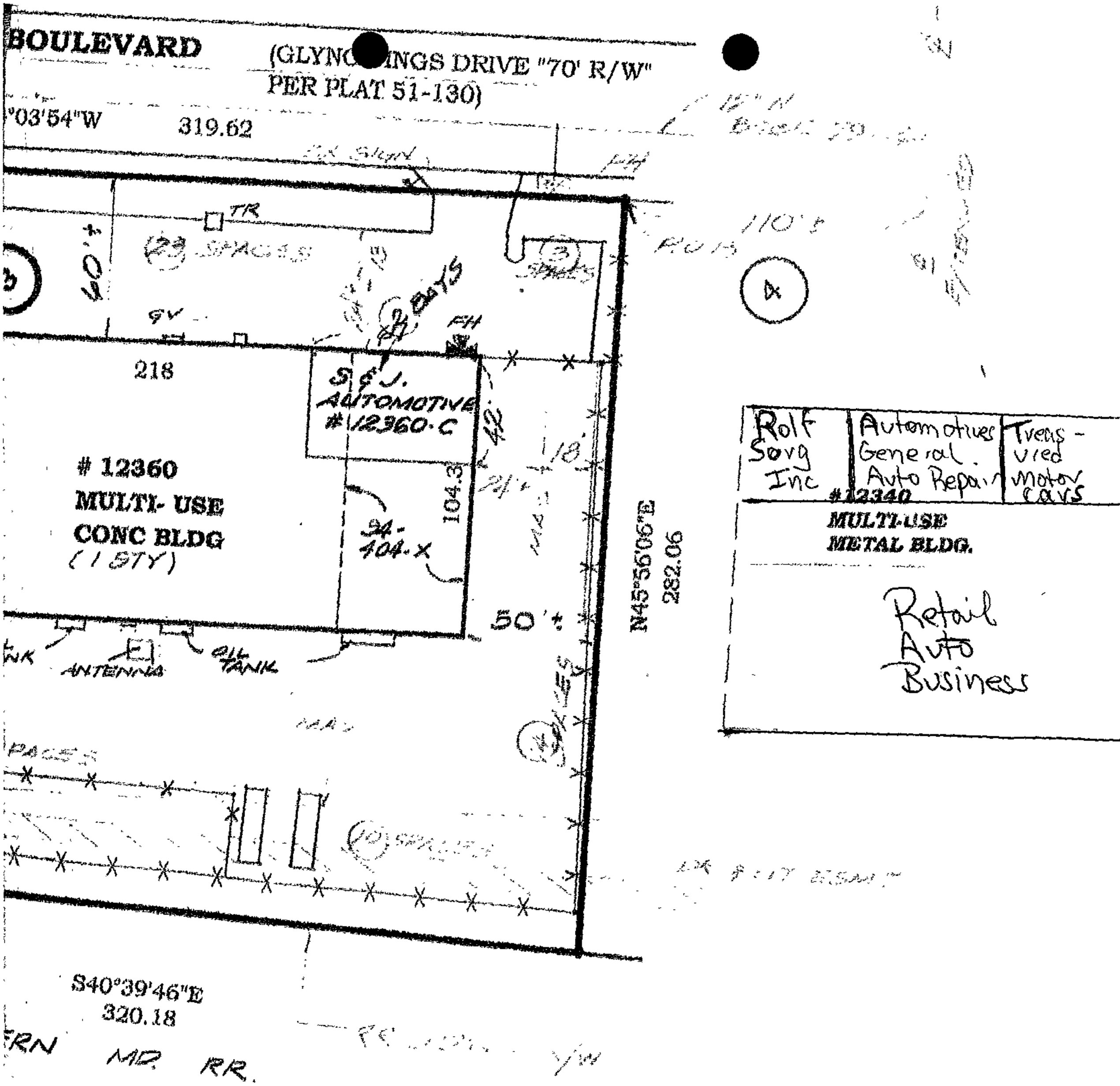
Ret
Ex. #6A-6G
03-543-X

Printed with Soybean Ink








BOULEVARD
(GLYNCOINGS DRIVE "70' R/W"
PER PLAT 51-130)
°03'54"W
319.62
TR
(23) SPACES
(3) SPACES
218
S & J.
AUTOMOTIVE
#12360-C
12360
MULTI- USE
CONC BLDG
(1 STY)
104.3
24-
404.X
50'±
N45°56'06"E
282.06
ANTENNA
OIL TANK
Rolf Sovg Inc
Automotives General Auto Repair
#12340
Trans - vied motor cars
MULTI-USE
METAL BLDG.
Retail
Auto
Business
S40°39'46"E
320.18
MD RR.

Det #2

12340

Rolf Sorg Inc	Automotive General Auto Repair *	Treasured Motor Cars *

12320

Contract ors Fleet Service *	Marks Motors *	Ralph's Auto. Repair *	Garland's Garage *	United Gymnastix
Destinctive Detailing *	Wayne's Service Center *	Ed's Motors *		

12300

Knight Precast

* Retail Automotive Business

Pet #3

COMMERCIAL ACCOUNTS OF S&J AUTOMOTIVE

1. ADULT MEDICAL DAYCARE
   218 BUSINESS CENTER DRIVE
   REISTERSTOWN,MD. 21136

2. ADVANTAGE GROUP
   616 MAIN STREET
   REISTERSTOWN,MD. 21136

3. BELT PLUMBING
   12360A OWINGS MILLS BLVD.
   REISTERSTOWN, MD. 21136

4. BIN 604 WINE SELLERS
   604 S. EXETER STREET
   BALTIMORE, MD. 21229

5. BRADY PAINTING
   1721 MARSUE DRIVE
   HAMPSTEAD, MD. 21074

6. CAPTAIN HARVEY'S
   11510 REISTERSTOWN RD.
   OWINGS MILLS, MD. 21117

7. CHARTLEY LIQUORS
   122CHARTLEY DRIVE
   REISTERSTOWN, MD. 21136

8. CHINA MOON
   100B CHARTLEY DRIVE
   REISTERSTOWN, MD. 21136

9. CRITTER SITTERS
   2214 REESE ROAD
   WESTMINSTER, MD. 21157

10. DOLFIELD CONTRACTING
    12360A OWINGS MILLS BLVD.
    REISTERSTOWN, MD. 21136

Pit #4

11. EMKAY, INC.
805 THORNDALE AVE.
ITASCA, N.Y. 60143

12. FANATIC U
31180 5 MILE ROAD
LIVONIA, MICH. 54123

13. FIRST STEP YOUTH SERVICES
725 MAIN STREET
REISTERSTOWN, MD. 21136

14. GREEN VALLEY LANDSCAPING
41 LITTLEKNOLL DR.
HANOVER, PA. 17331

15. HESKA CORPORATION
C/O ENTERPRISE FLEET SERVICES
PO BOX 16540
ST. LOUIS, MO. 63105

16. JASPER ENGINE AND TRANSMISSION
815 WERNSING ROAD
JASPER, INDIANA 47547

17. KATZ INSURANCE
12045 GORES MILLS ROAD
REISTERSTOWN, ND. 21136

18. KENSINGTON FIRE DEPT.
PO BOX 222
KENSINGTON, MD. 20895

19. MARTIN ELECTRIC, INC
246 CHARTLEY DRIVE
REISTERSTOWN, MD. 21136

20. MARVIN ELLIN
13414 LONGNECKER ROAD
GLYNDON, MD. 21071

21. MARYLAND AGENCY
810 GLENEAGLES COURT
TOWSON, MD. 21204

22. NAPA AUTO PARTS
24 WESTMINSTER ROAD
REISTERSTOWN, MD. 21136

23. NEW ENGLAND CARRIAGE HOUSE
216 MAIN STREET
REISTERSTOWN, MD. 21136

24. PAYLESS SHOESOURCE
649 ST GEORGES STATION RD.
REISTERSTOWN, MD. 21136

25. PLEASURE POOLS
905 BERRYMANS LANE
REISTERSTOWN, MD. 21136

26. RANDALLSTOWN PRINTING
9958 LIBERTY ROAD
RANDALLSTOWN, MD. 21133

27. R.H. SNOWMAN AND SON, INC.
PO BOX 88
FINKSBURG, MD. 21048

28. ROSS SMITH CABINET MAKERS INC.
12360 OWINGS MILLS BLVD.
REISTERSTOWN, MD. 21136

29. SCIENTIFIC INSECT CONTROL
12360 OWINGS MILLS BLVD.
REISTERSTOWN MD. 21136

30. SEAN STALEY DRYWALL
119 FIRST AVENUE
REISTERSTOWN, MD. 21136

31. SHANEYBROOK PLUMBIMG
144 WESTMINSTER ROAD
RESITERSTOWN, MD. 21136

32. SIEMENS MEDICAL
17 VIRGINIA AVENUE
REISTERSTOWN, MD. 21136

33. STAYMATES FINANCIAL CONCEPTS
5506 BORTNER ROAD
UPPERCO, MD. 21155

34. STONEWORTH FARMS
3701 BUTLER ROAD
GLYNDON, MD. 21071

35. THE LAW OFFICE OF ROBERT L. FRANK
15 SUNNYKING DRIVE
REISTERSTOWN, MD. 21136

36. THE OPTICAL SOLUTION
102 CHARTLEY DRIVE
REISTERSTOWN, MD. 21136

37. TIPCO TECHNOLOGIES, INC.
11412 CRONHILL DRIVE
OWINGS MILLS, MD. 21117

38. TIRALLA'S INC.
2 WOLF AVENUE
REISTERSTOWN, MD. 21136

39. TRIPLE E ENTERPRISES
144 E CHARTLEY DRIVE
REISTERSTOWN, MD. 21136

40. VIDEO PRODUCTION CONSULTING
9 ARCHERY COURT
REISTERSTOWN, MD. 21136

41. WHITCRAFT TRANMISSION
536 MAIN STREET
REISTERSTOWN, MD. 21136

42. WOLF COMMUNICATIONS
307 WALGROVE ROAD
REISTERSTOWN, MD. 21136

43. ZEPHYR HOLLOW RESTORATIONS
2405 DEER PARK ROAD
FINKSBURG, MD. 21048

44. 7-11 OF REISTERSTOWN
600 MAIN STREET
REISTERSTOWN, MD. 21136

In re:	*	Before the Zoning Commissioner for
12360 C Owings Mills Blvd.	*	Baltimore County
S/west side of Owings Mills Blvd., 110 feet northwest of centerline of Glenlee Court	*	Case No.: 03-543-x
4th Election District-2nd Councilmanic District	*	
Legal Owners: Thomas W. Speed and Scott R. Laudeman	*	
Contract Purchaser: S& J Automotive Enterprise, LLC	*	
	*	
	*	
	*	
	*	

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

PETITION IN SUPPORT OF PETITION OF S&J AUTOMOTIVE ENTERPRISE, LLC FOR SPECIAL EXCEPTION

We the undersigned owners/operators of businesses in this immediate vicinity of S & J Automotive Enterprise, LLC support its petition for a zoning special exception to permit the operation of a service garage at 12360 C Owings Mills Boulevard.

	Name of Supporter	Business Name	Address
1.	Chris DeGasperi	Interstate Batteries	1745 Littlestown Pike 21158
2.	Thomas W Speed	RO Belt & Co.	12360 Owings Mills Blvd Reisterstown
3.	[illegible]	SCI X	12360 Owings Mills Blvd
4.	David D. Hughes	Hughes Piano Svc.	12360 Owings Mills Blvd. 21136
5.	[illegible]	Treasured Motorcars	12340 [illegible]
6.	[illegible]	T-N-T Automotive Inc.	12340 D Owings Mills Blvd. 21136

Pet #5

7.	[illegible]	ROSSSMITH - LUMINETIER	12360 OWINGS MILLS BLVD
8.	Scot Sundelman	DOLField Contracting Co	12360 Glyn Owings Dr.
9.			
10.			
11.			
12.			
13.			

NOTES

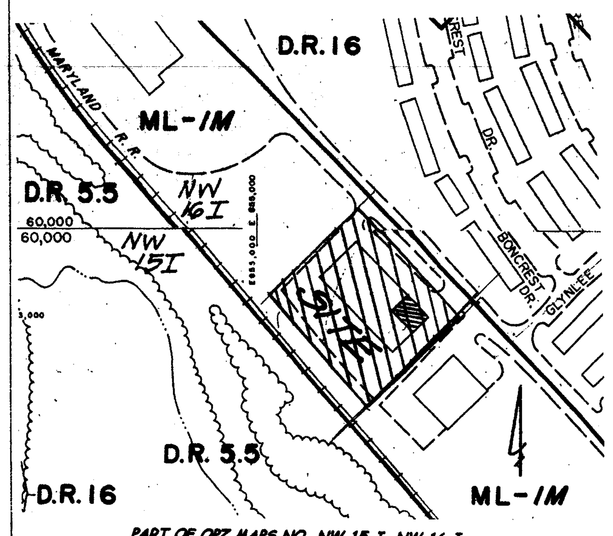
1. PRIOR ZONING SPECIAL EXCEPTION 94-404-X FOR A SERVICE GARAGE. GRANTED 6-6-94. (RESTRICTION 8 TERMINATES IF TENANT CHANGES).
2. OWNERSHIP: LOT 3. THOMAS W. SPEED AND R. SCOT LAUDEMAN DEED REFERENCE: 8968-166 P.O. BOX 145 GLYNDON, MD 21071-0145 PHONE: 410-832-1877
3. PROPERTY INFORMATION: TAX MAP 46 GRID 13 PARCEL 289 LOT 3 (# 12360 OWINGS MILLS BLVD) "ST. GEORGE'S INDUSTRIAL PARK" (61-130) TAX ACCT. NO. 2000000034
4. AREA OF LOT 3: 87,115 SF +- OR 2.00 AC. +- AREA OF #12360-C: 2542 SF+- or 0.056 AC. +-
5. PUBLIC WATER AND SEWER AS REFERENCED HEREON.
6. ZONING OF SITE AND SURROUNDING PROPERTIES ML-IM (D.R. 16 ACROSS STREET)
7. SITE LIES OUTSIDE CBCA.
8. SITE LIES WITHIN FLOOD ZONE C PER F.I.R.M. NO. 240010 0210 B.
9. EXISTING USE OF PROPERTY: MIXED USE EXISTING/PROPOSED USE OF 12360-C: SERVICE GARAGE
10. PARKING AREAS NOT STRIPED- SUFFICIENT PARKING AREA DEMONSTRATED ON 1994 PLAN.
11. ALL PARKING SHALL BE STRIPED

PRIOR ZONING VARIANCE 85-234 A TO PERMIT A 60' SETBACK IN LIEU OF THE REQUIRED 75' GRANTED 3-12-85

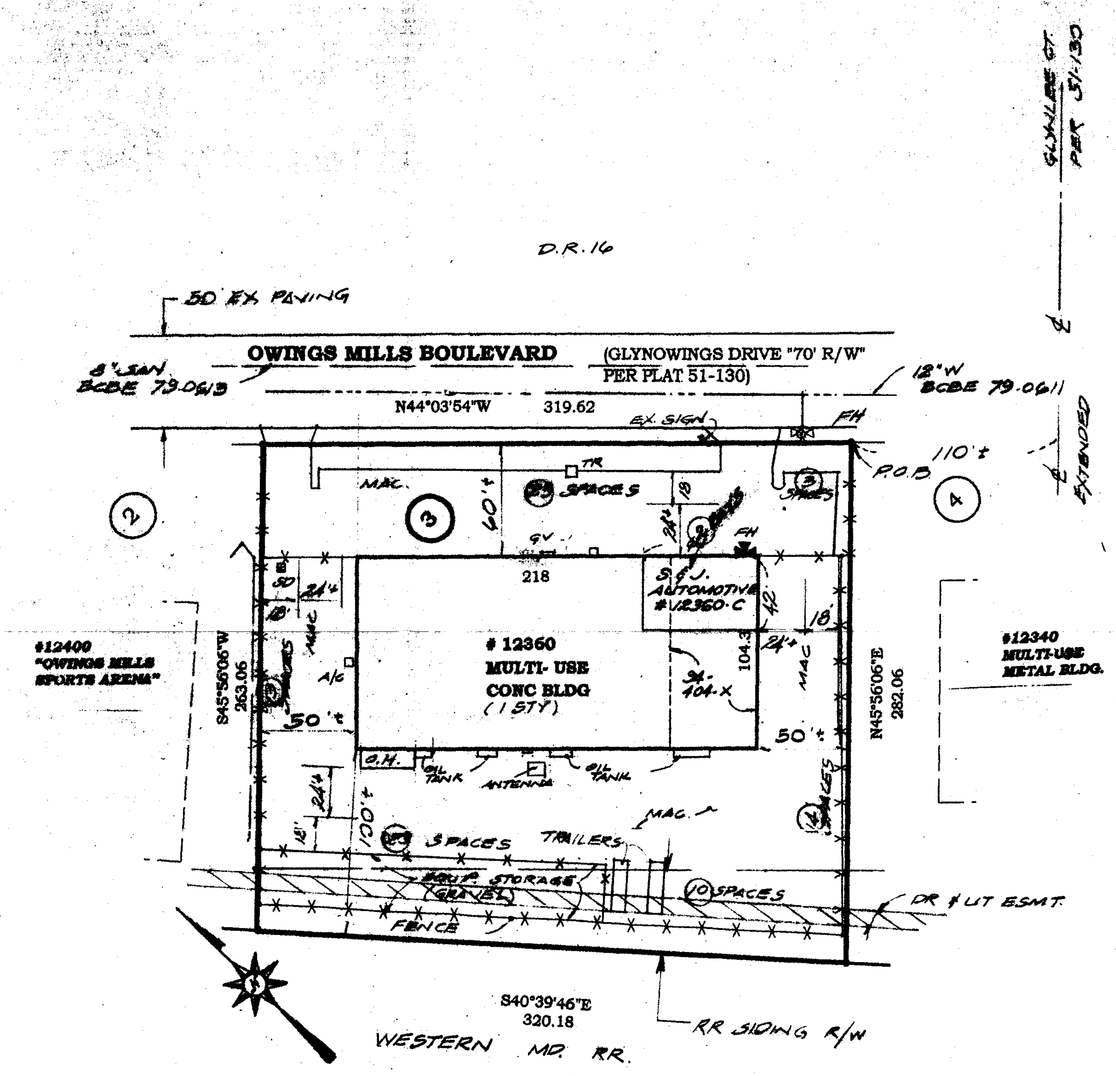
NO VANS TO BE STORED OUTSIDE OF BUILDING WITHIN 100' OF FRONT OR REAR PROPERTY LINE

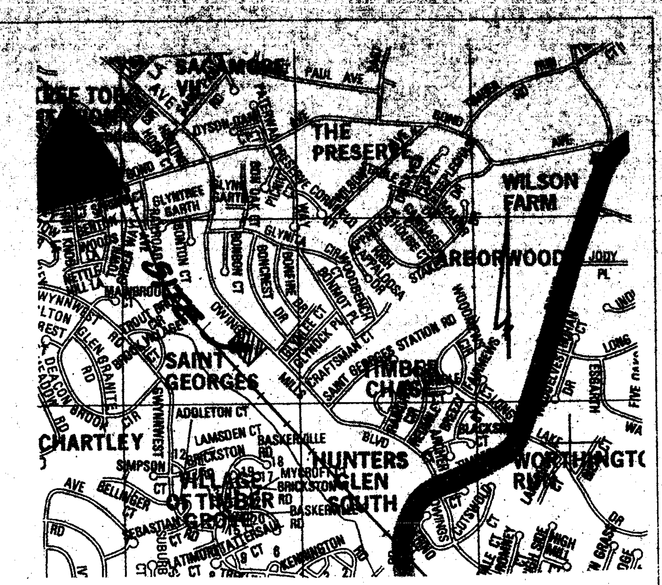
SEE OCCUPANCY PERMIT NO. 62075 C325-84

PRIOR ZONING CASE 94-404-X.



PART OF OPZ MAPS NO. NW 15-I, NW 16-I
1"-200'





VICINITY MAP 1"= 1000'

PARKING CALCULATIONS

BUSINESS	OFFICE PKG.	WHSE PKG.	TOTAL
S&J AUTOMOTIVE	150 SF = 1 SP.	7 EMP = 7 SP	8 SP.
GALA CLOTHES	1000 SF = 4 SP.	14 EMP = 14 SP.	18 SP.
SMITH CABINTMAKER	1500 SF = 5 SP.	5 EMP = 5 SP.	10 SP.
SCIENTIFIC INSECT CONTROL	600 SF = 2 SP.	4 EMP = 4 SP.	6 SP.
BELT PLUMBING/ DOLBERELLO CENTER	1500 SF = 5 SP.	4 EMP = 4 SP	9 SP.
HUGHES PIANO	800 SF = 3 SP.		3 SP.

[illegible] SPACES REQ'D, AND [illegible]

ADDITIONAL UNIT BALTIMORE AMATEUR RADIO CLUB -- PUBLISHED 2 MEETINGS/MONTH. 7:30 PM. (OUTSIDE MOST BUSINESS HOURS IN BLDG) ESTIMATE 20 PEOPLE.

Pet. Ex. #1

J.S. DALLAS, INC.
Surveying & Engineering
13523 Long Green Pike
Baldwin, MD. 21013
(410) 817-9680

SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION

12360-C OWINGS MILLS BOULEVARD

4TH ELEC. DIST. 2ND COUNC. DIST. BALTIMORE COUNTY, MD.
SCALE: 1"= 80' MAY, 2003

03-343-X