IN RE: PETITION FOR SPECIAL EXCEPTION

NW/Corner of Old North Point

and Pinewood Roads
15th Election District
7th Election District

(2804 Old North Point Road)

Trans Realty, Inc., by Daniel Setzer,

Legal Owners and Ayd Properties, Lessee Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-396-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Trans Realty, Inc., by Daniel Setzer and Ayd Properties, Lessee. The Petitioners are requesting special exception relief for property located at 2804 Old North Point Road in the area of Baltimore County. The special exception request is for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

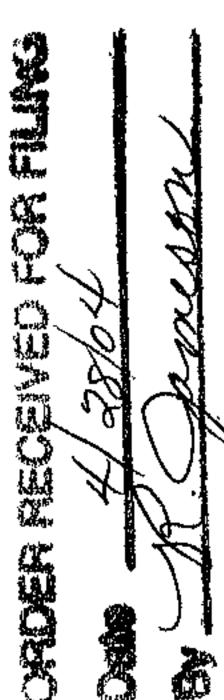
The property was posted with Notice of Hearing on April 6, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 8, 2004 to notify any interested persons of the scheduled hearing date.

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 Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance and special exception requests were Clyde Hinkle, civil engineer, William Ayd, Barbara Ayd Daniel Setzer, Owner/Petitioner. J. Carroll Holzer, Esquire represented the Petitioners. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

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Mr. Holzer proffered that the property, which is the subject of this request for special exception, is zoned primarily as BL-AS with a small portion zoned BR-AS and had been operated as a fuel service station beginning in 1954. Eventually, the fuel service portion of the use was discontinued, the fuel tanks removed and the site was operated as the North Point Cab headquarters for approximately 20 years. Likely, the wireless tower, which is shown on the zoning history, was used in conjunction with the cab operation. The listing of this special exception in the zoning history is the primary change between Petitioner's Exhibit Nos. 1 and 2.

ADER RECEIVED FOR FILMS

Since the time the cab company moved out, the property has been used as a two-bay service garage for auto repair and service.

The property owner, Mr. Setzer, indicated that a prior tenant had left much debris, auto parts, and a disabled van and truck on the premises. This triggered a complaint from the Zoning Enforcement Department to cleanup the site. The contract purchaser's principals, William and Barbara Ayd, indicated that they had cleaned up the property to such an extent that the Zoning Enforcement inspector had cancelled the scheduled hearing previously set for the zoning violation. All that remains is to remove the van and truck, which the owner is in the process of doing once he finds the proper title for each. Mr. Ayd agreed that if he uses the back lot (northern section) of the site to store vehicles, he would pave the area as required by zoning enforcement.

Mr. Holzer proffered that no construction was planned for the site, that the use proposed is a service garage, and that the site is surrounded by commercial uses except for a small church to the west. The Petitioner's indicated that they had contacted the pastor of the church who was not opposed to the requested relief. Consequently, he indicated the use of the property as a service garage would not be a detriment to the surrounding community and would not create any of the problems listed in Section 502.1 of the B.C.Z.R.

Findings of Fact and Conclusions of Law

I find that the special exception for a service garage as shown on Petitioners' Exhibit No.

2 will not endanger the health safety and welfare of the community, that there will be no detriment to the area considering each of the criteria listed under Section 502.1 of the B.C.Z.R. Consequently, I will grant the special exception provided the Petitioners complete the cleanup of the site according to the direction of the Zoning Enforcement Office.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request and request for special exception should be granted.

THEREFORE, IT IS ORDERED, this Aday of April, 2004, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein.

1. The Petitioners shall complete the cleanup of the site as required by Zoning Enforcement including but not limited to removing the van and truck from the premises.

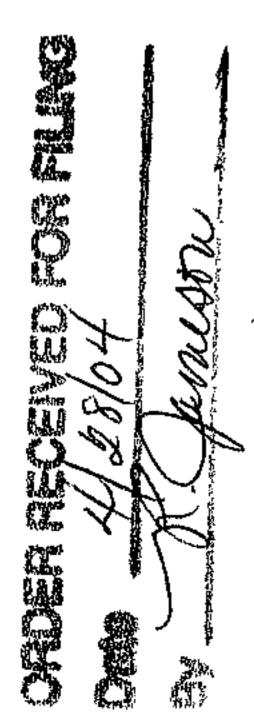
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

April 28, 2004

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmont Avenue Towson, Maryland 21286

Re: Petition for Special Exception
Case No. 04-396-X
Property: 2804 Old North Point Road

Dear Mr. Holzer:

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 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Barbara & William Ayd 12915 Kanes Road Glen Arm, MD 21057

> Clyde F. Hinkle 1249 Engleberth Road Baltimore, MD 21221

Daniel Setzer 9714 Morningview Circle Perry Hall, MD 21128





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

2804 Old North Point Road

I/We do sciemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

which is presently zoned BL-AS & BR-AS 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 hereor, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Service Garage (Section 230.13 BCZR)

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.

			is the subject of this Petiti	ion.	
Contract Purchaser/L	<u>essee;</u>		Legal Owner(s):		
Ayd Properties, LLC			Trans Realty, Inc.		
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Signature Barbara Ayd, Mao	aging Member		Signature		
12915 Kanes Road		(410) 593-9799	DANIEL SE	TZER	i
Address Glen Arm,	MD	Telephone No. 21057	Name - Type or Print		
City	Stale	Zip Code	Signature		
Attorney For Petitione	ar'	·	c/o Royal Coach, 2600 S	isson Street	410-248-2289
CHANTAL ALL MINOUS	91 ,		Address		Telephone No.
J. Carroll Holzer	1		Baltimore	MD	21211-3118
Name - Type of Print			City	State	Zip Code
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Signature			Representative to b	e Contacted:	i
			Bafitis & Associates, Inc.	Clyde Hinkle	
26mpany		 	Name	Olydo i mikio	
508 Fairmont Avenue	(4 ⁻	10) 825-6961	1249 Engleberth Road	(4	410) 391-23 <u>3</u> 6
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FOR 2804 OLD NORTH POINT ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the North side of Old North Point Road which is 40 feet wide and the West side of Pinewood Road, which is 60 feet wide thence binding on Old North Point Road North 66°-32'-30" West119.21', thence leaving Old North Point Road and running the following courses and distances:

North 56°-26'-33" East 214.59;

South 33°-33'-27" East 100.00 to the West side of Pinewood Road, thence binding on Pinewood Road South 56°-26'-33" West 149.69' to the point of beginning. Containing 18,214 S.F. (0.418 Acres) of land more or less.

Being recorded among the land records of Baltimore County in Liber 11704, Folio 794. Also known as 2804 Old North Point Road.

William N. Bafitis, P.E. Md Reg. No. 11641

Seal & Date

Civil Engineers / Land Planners / Surveyors - 1249 Engleberth Road / Baltimore, Maryland 21221 / 410-391-2336

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NOTICE OF ZOMING 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: #04-396-X
2804 Old North Point Road
N/west corner of Old North Point and Pinewood Roads
15th Election District 7th Councilmanic District
Legal Owner(s): Trans Realty, Inc., Daniel Setzer, V.P.
Contract Purchaser. Ayd Properties, Barbara Ayd, Managing Member
Special Exception: to permit a service garage.
Hearing: Monday, April 26, 2004 at 10:00 a.m. in Room
407, County Courts Building, 461 Bosiey 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 (419) 887-4386.

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

OF PUBLICATION 囟

1.2001-

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

M The Jeffersonian

Arbutus Times

Catonsville Times Towson Times

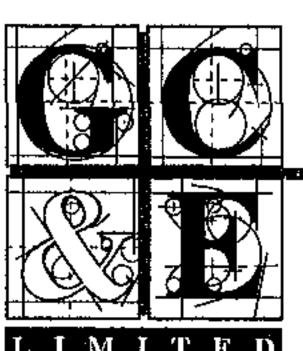
NE Booster/Reporter Times Owings Mills

News North County

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EGAL ADVERTISING

- —



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE NO. 04-396-X
OWNER: Trans Realty, Inc., Daniel
Setzer, V.P.
CONTRACTPURCHASER:
Ayd Properties,
Barbara Ayd, Managing Member
DATE OF HEARING: April 26, 2004

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

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

CASE # .04-39B-X
A PUBLIC HEARING WILL BE HELD BY
HELT ZONING COMMISSIONER
IN TOWSON MU
PLACE: Room 10t Courly Drites Building
111 W Chesapean Averius, Towards MD.
Time 8 10:00 am Monday April 28, 2003

Shacial Exception: to permit a service
garage.

LOCATION:

2804 Old North Point Road

April 7, 2004

DATE:

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: April 6, 2004

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

March 8, 2004

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: 04-396-X 2804 Old North Point Road N/west corner of Old North Point and Pinewood Roads 15th Election District – 7th Councilmanic District Legal Owners: Trans Realty, Inc., Daniel Setzer, V.P.

Contract Purchaser: Ayd Properties, Barbara Ayd, Managing Member

Special Exception to permit a service garage.

Hearing: Monday, April 26, 2004, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21204 Trans Realty, Inc., Daniel Setzer, 2600 Sisson Street, Baltimore 21211-3118 Ayd Properties, Inc., Barbara Ayd, 12915 Kanes Road, Glen Arm 21057 Bafitis & Associates, Clyde Hinkle, 1249 Engleberth Road, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 10, 2004.

- (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.

Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY Thursday, April 8, 2004 Issue - Jeffersonian

Please forward billing to:

Barbara Ayd Ayd Properties, LLC 12915 Kanes Road Glen Arm, MD 21057

410-593-9799

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: 04-396-X 2804 Old North Point Road

N/west corner of Old North Point and Pinewood Roads

15th Election District – 7th Councilmanic District

Legal Owners: Trans Realty, Inc., Daniel Setzer, V.P.

Contract Purchaser: Ayd Properties, Barbara Ayd, Managing Member

Special Exception to permit a service garage.

Hearing: Monday, April 26, 2004, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Caucence E. Schmidt

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 <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.

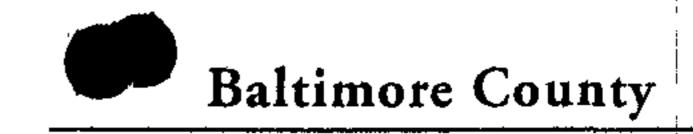
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: <u>04-396- X</u>
Petitioner: TKANG Realty Inc.
Petitioner: TKANS Realty Inc. Address or Location: 2804 old North Point Rd.
PLEASE FORWARD ADVERTISING BILL TO: Name: M5: Banbara Ayd - Ayd Propenties, LLC.
Address: 12915 Kanes Rd-
6/cn Ann, Md, 21057
Telephone Number: 410 -59-593-979

Department of Permits and Development Managem

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





James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 23, 2004

J. Carroll Holzer 508 Fairmont Avenue Towson, Maryland 21204

Dear Mr. Holzer:

RE: Case Number: 04-396-X, 2804 Old North Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 1, 2004.

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, U. Call Rilla OS

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Trans Realty Daniel Setzer 2600 Sisson Street Baltimore 21211-3118 Ayd Properties Barbara Ayd 12915 Kanes Road Glen Arm 21057



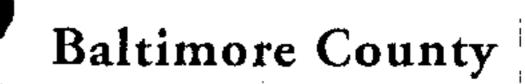
Visit the County's Website at www.baltimorecountyonline.info

Fire Department



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





James T Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 March 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 9, 2004

Item No.:

(396)

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 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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

3.5.04

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

RE:

Baltimore County

Item No.

396

115

Dear. Ms. Matthews:

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,

fu

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley

DATE:

April 5, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

__X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-361

04-390

04-391

04-393

04-395

04-396

04-397

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 8, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

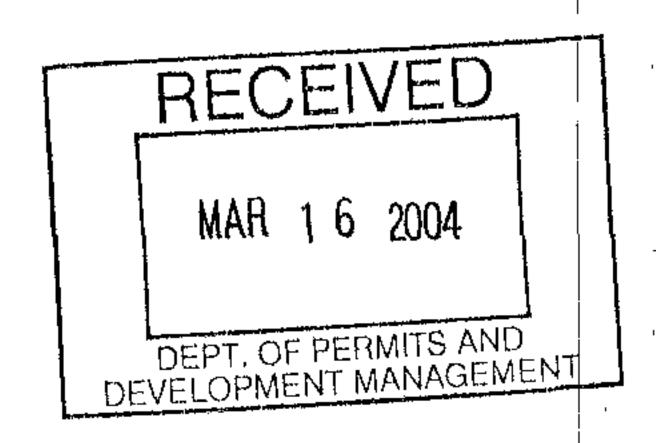
SUBJECT: Zoning Advisory Petition(s): Case 4-391 and (4-396)

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

Prepared By:

Section Chief:

AFK/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 16, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 15, 2004

Item Nos. 364, 390, 391, 392, 393,

394, 395 (39¢), and 397

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL EXCEPTION

2804 Old North Point Road; NW corner of

Old North Point and Pinewood Roads 15th Election & 7th Councilmanic Districts

Legal Owner(s): Trans Realty, Inc,

Daniel Setzer, VP

Contract Purchaser(s): Ayd Properties,

Barbara Ayd, Managing Member

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-396-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 and 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

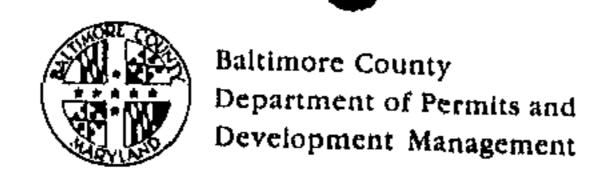
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to Bafitis & Associates, Inc, 1249 Engleberth Road, Baltimore, MD 21221 and J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmont Avenue, Towson, MD 21286, Attorney for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



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

Code Enforcement: Building Inspection:

410-887-3351

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

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

Citation/Case No.	Property No.	THE PART LICABLE
04-103	5 15-18-475	090 Zoning: BL-AS
Name(s):	ans Realty Inc	et. al.
40	Royal Coach	· · · · · · · · · · · · · · · · · · ·
Address:	0 Siec. 84 12 14	
	O Sisson St Balts	
Location: 2804 Violation	4 Old North Paint R	ed, Balt, Md 21222
VIOIALIOIL		
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has been assessed, as a	8, Baltimore County Code, a civil peresult of the violation cited herein,	
ne amount indicated:		71,700,00
A quasi-judicial hearing	g has been pre-scheduled in Room 11	16, Date:
III West Chesapeake A	venue, Towson, Maryland, for:	4-14-4
		Time: 9:00 A.M.
Citation must be served	d by:	Date: 3-15-04
do solemnly declare a	nd affirm, under the penalty of perj	ary, that the contents stated above are true
rint Name:	of my knowledge, information, and	belief.
K, T,	Moore field	* R. S.
2-25-04	7/2	
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SEE REVE	RSE SIDE FOR ADDITIONAL DE	TAILS AND INFORMATION
	NOTICE OF INTENTION	TÓ DEFEND
rint Name:		Citation/Case No.: 04-1035
ddress:		04-1035
···		
ate	Defendant's Signature	
		



AGENCY



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

September 4, 2007

Charles E. Merritt Merritt Development Consultants, Inc. 2416 E. Joppa Road Baltimore, MD 21234

Re:

Zoning Verification Letter Spirit and Intent Letter Case #04-396-X 15th Election District

Dear Mr. Merritt,

Your letter to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, and after consultation with William Wiseman, Zoning Commissioner, the following applies:

- 1. It has been determined that the proposed changes outlined in your letter dated 6/21/2007 and shown on your accompanied red lined site plan does not meet the spirit and intent of the Baltimore County Zoning Regulations and the order in zoning case 04-396-X.
- 2. A petition for Special Hearing is required to amend the previously approved site plan in case 04-396-X.
- 3. It is recommended that this project be scheduled for Development Review Committee review and processing.

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

Very truly yours,

Jun R. Fernan Planner II

Zoning Review

JRF/ amf

MERRITT DEVELOPMENT CONSULTANTS, INC

只要还有的是否就是我的主义,我是不敢的政治或的人心理性,这种政治的不能是一个特殊人,就是是国际政治的政治的,但是不是自己的政治,但不是,一个人的,这个人的人,不

~~~~~Engineering~~~~~~Land Planning~~~~~Surveying~

2416 E Joppa Road Baltimore, MD 21234 Phone: 410-663-5525 Fax: 410-663-4315

merrittdc@comcast.net

August 28, 2007

Mr. Carl Richards, Supervisor Zoning Review Baltimore County Office Building Towson, MD 21204

> RE: 2804 Old North Point Road Election District 12C7

Dear Mr. Richards:

The referenced property is presently zoned BL-AS and BR-AS with a special exception for a service garage (Case No. 04-396X). I have enclosed a copy of the Order for your review.

My client is the owner of the property and wishes to construct a 1,936 square foot building addition to the existing service garage.

It appears that the proposed addition is a permitted use under the present regulations. Accordingly, based on Section 230.13 of the Baltimore County Zoning Regulations and provided that all area and yard requirements are met, the site plan can be revised without the need for a Special Hearing.

Additionally, since the proposed addition will be used for services that are permitted, and presently being done, we feel that the building addition can be permitted within the spirit and intent of the original order. We are aware that a Development Review Committee Submission is required.

I am enclosing a check in the amount of \$50.00 and two copies of the revised site plan.

Thank you for your consideration in this matter. Should you have any questions or need any additional information, please do not hesitate to contact this office.

Very Truly Yours,

Charles E. Merritt

President

RECEIVED

AUG 2 9 2007

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

CC: Barbara Ayd



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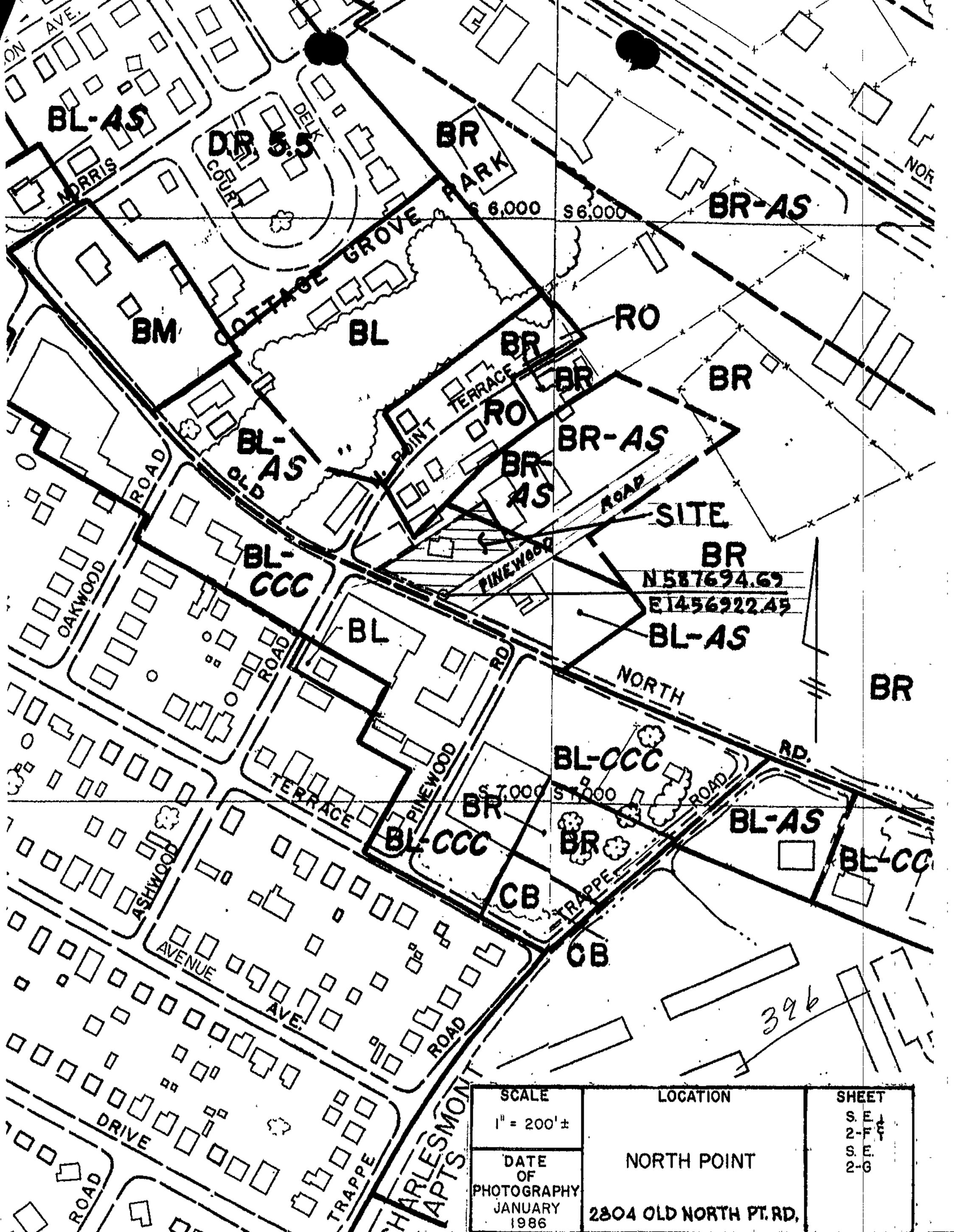
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PLEASE PRINT CLEARLY

CASE NAME 92840/d North P. R. CASE NUMBER 04-396-X
DATE 4/26/04

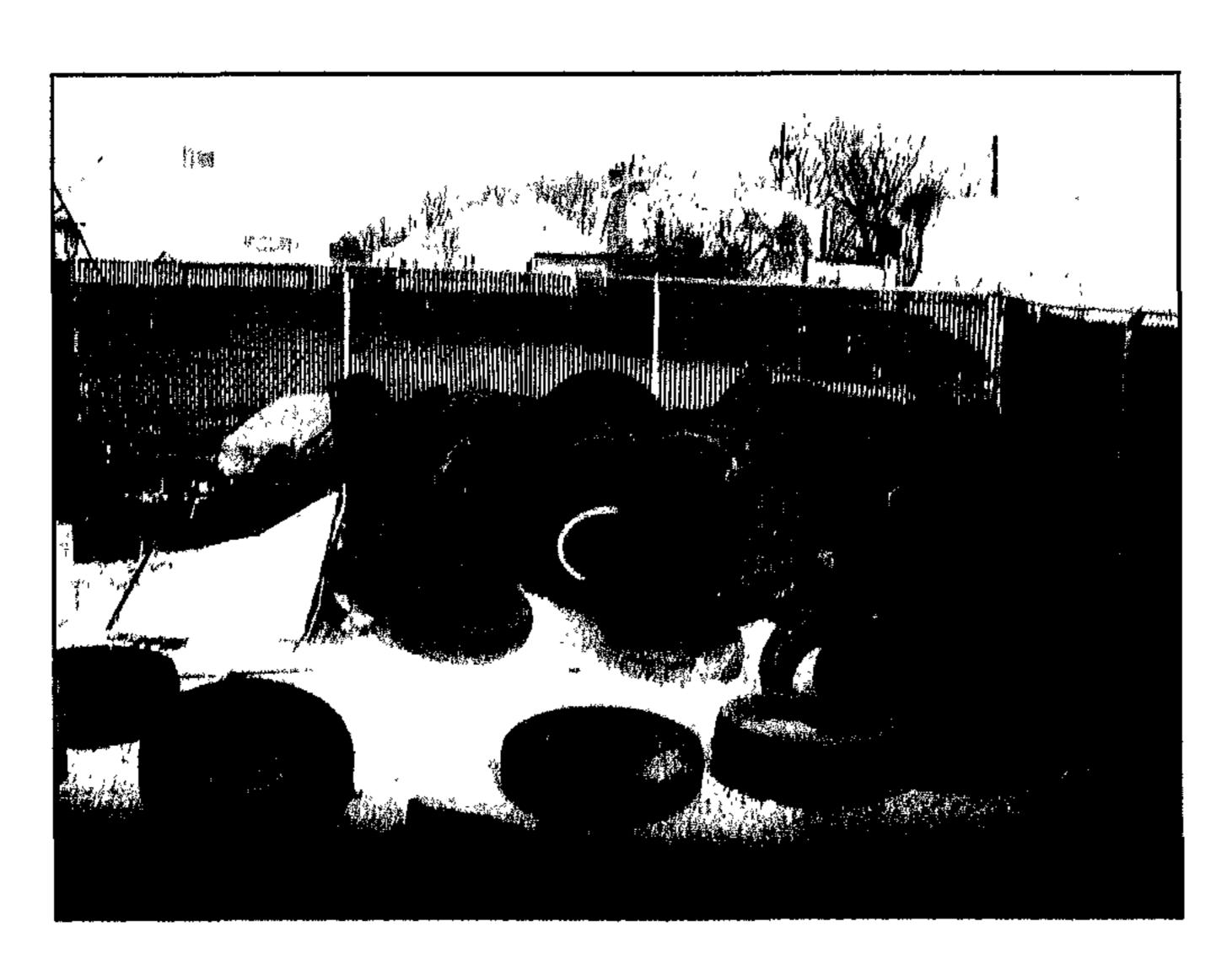
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| WAME HILLIAM J. HYD            | Elyde F. Hoble.      | Daniel Setzer        |  |  |  |  |  |  |  |  |





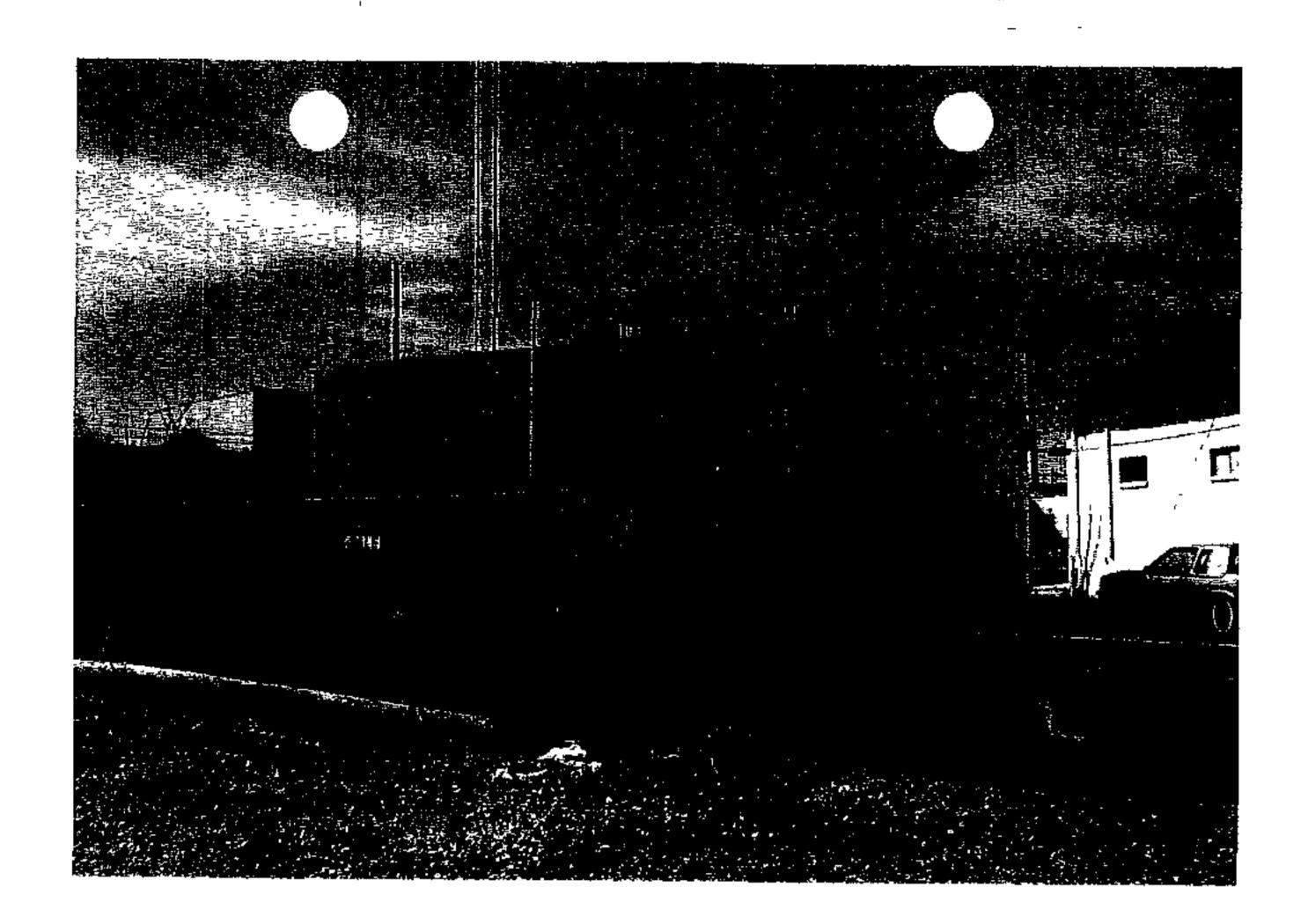
Used oil containers and drums



Stockpile of used tires on east side of garage

2804 Old North Point Rd. 1/8/04

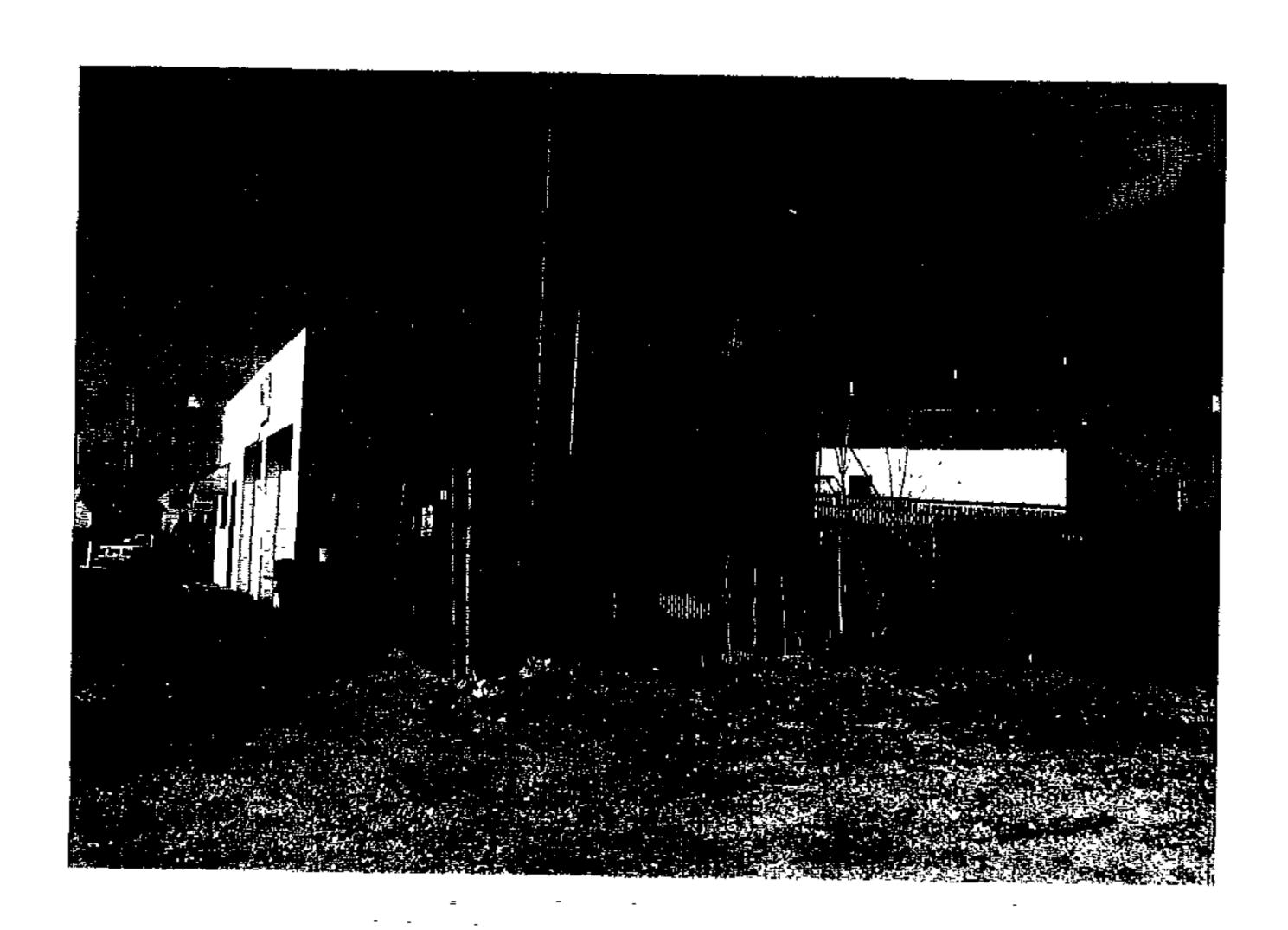
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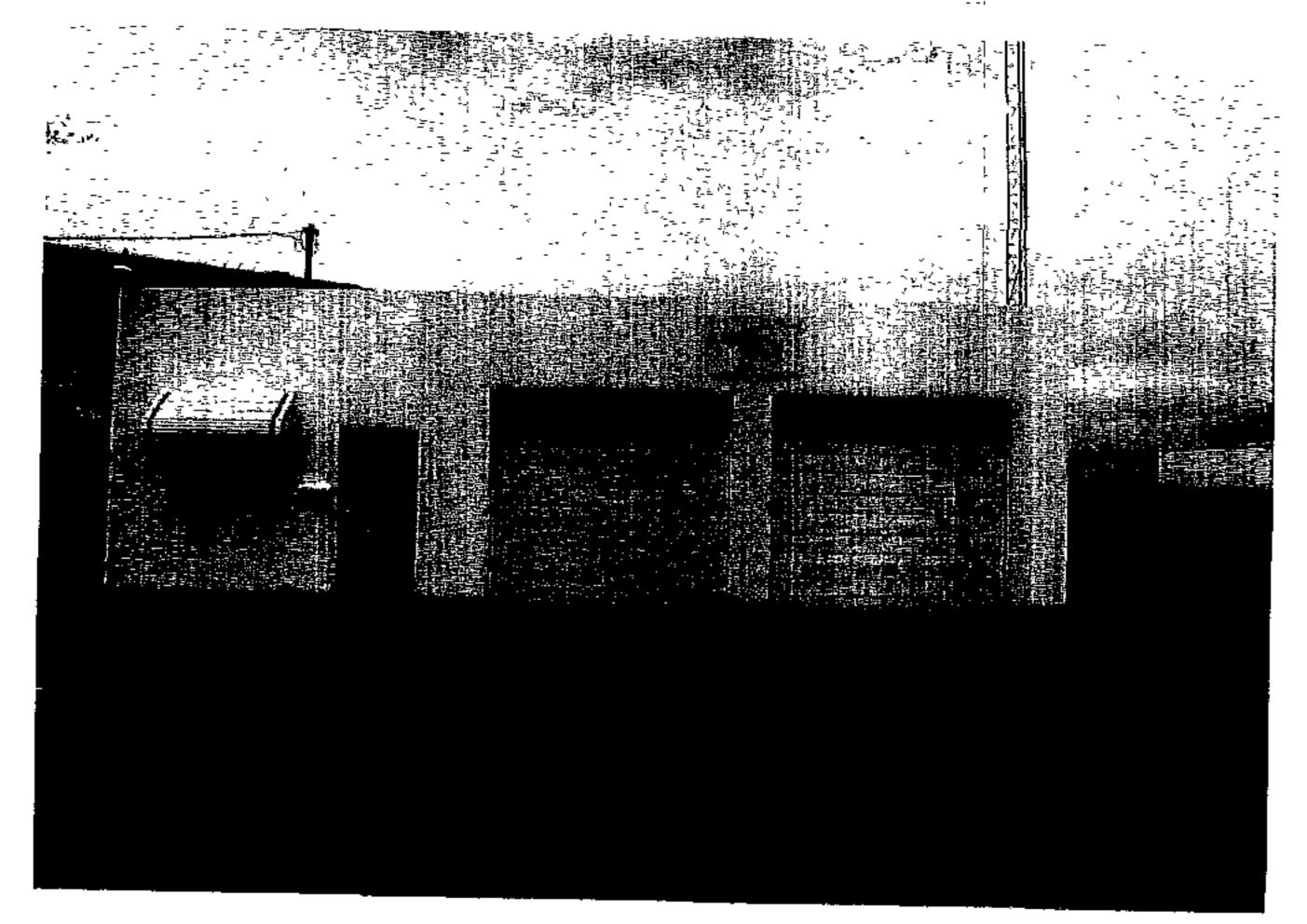




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