

IN RE: PETITION FOR SPECIAL HEARING
SE/Corner Sollers Point Road and
Turner Avenue
(317 Sollers Point Road)
12th Election District
7th Council District

Rodney B. Smith
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-408-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Rodney B. Smith. The Petitioner requests a special hearing to approve an amendment to the special exception and site plan approved in prior Case No. 91-287-XA to permit the addition of a convenience store, and approval of a revised parking layout and a revision to the area for damaged and disabled vehicles. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibits 1 and 2.

Appearing at the requisite public hearing in support of the request were Rodney Smith, property owner, David Billingsley, the consultant who prepared the site plan for this property, and Stacy Gillis, the Proprietor of the proposed convenience store. Appearing in opposition to the request were numerous residents from the surrounding locale, including Gregory James, who resides to the rear of the subject property, Charles Faison, an adjacent property owner, and Calvin Martin, who resides across from the site. Also appearing were Margaret Risher, Jerome Hancock, Queenesther Russell, Martha Hunt, and Courteney L. Reed. Additionally, Alice Mason, Acting Chairperson, and Edie Brooks appeared on behalf of the Turner Station Community Conservation. Other members submitted well written letters in opposition prepared by Dunbar Brooks, Board Chairman of the Turners Station Development Corporation, and Otis Cain, President of the Avon

ORDER RECEIVED FOR FILING

Date

By

Beach Road Association, which were received into evidence and marked as Protestants' Exhibits 1B and 1C.

There was a great deal of confusion on behalf of the Protestants concerning the nature and scope of the hearing. As indicated above, the property was the subject of prior zoning Case No. 91-287-XA in which the previous owners, Charles and Loretta Self, sought approval for a service garage and variance relief from certain setback and parking requirements. By his Order dated February 2, 1993, former Zoning Commissioner Lawrence E. Schmidt granted the relief requested, subject to certain terms and conditions. The Petitioner now comes before me seeking approval to modify the relief granted in the prior case to allow the addition of a convenience store and related parking and service garage storage areas.

In this regard, many of the Protestants who appeared at the hearing were under the impression that the hearing before me was to consider whether the existing use should continue on the property. The Protestants noted that the subject property is located at one of the main entrances to the community and Association efforts to raise the standards to improve the quality of the neighborhood have been thwarted by the Petitioner's operation. It would be an understatement to say that the Petitioner's predecessor abused the relief granted by Mr. Schmidt. One only need to review the case file established for this site by the Code Enforcement Division of the Department of Permits and Development Management (DPDM) to understand the community's concern and underscore their desire to rectify past and continuing abuses.

As noted above, the subject property is located on the southeast corner of Sollers Point Road and Turner Avenue in the Turners Station community of southeastern Baltimore County. The property contains a gross area of 8,970 sq.ft. (0.206 acres), more or less, zoned B.L. and is improved with a one-story service garage building. The property is located in an area of mixed uses. As shown on the site plan, a group of townhouses is located immediately to the north across from this site. To the south and east is the Board of Education's Southeastern Technical Magnet School and related athletic fields. To the west across Turner Avenue is a stone lot, which was previously used in conjunction with the service garage use on the subject property. In this regard,

ORDER RESERVED FOR FILING
Date 5/11/15
By [Signature]

it is to be noted that at the time the special exception was granted in 1993, the Seths owned two parcels, shown as Parcels 1 and 2 on Petitioner's Exhibit 3. Parcel 1, which is the subject of the instant request, and Parcel 2, which is located on the other side of Turner Avenue. Rodney Smith acquired Parcel 1 from the Selfs in December 2004 and agreed to lease the service garage to Steven Ritterspach. Subsequently, without benefit of the requisite permits, Mr. Smith converted two of the bays for use as a convenience store, and in January 2005, was issued a citation and advised to file the instant Petition to resolve the matter.

Although Mr. Smith did not acquire Parcel 2, that lot continues to be used by others to store damaged and disabled vehicles unrelated to the service garage use on Parcel 1. Testimony from Ms. Edie Brooks and others confirmed that Parcel 2 was being used as a junkyard. Since Parcels 1 and 2 are no longer under the same ownership, Parcel 2 can no longer be cloaked with the same special exception approval as Parcel 1. Moreover, any use of Parcel 2 to support the service garage use on Parcel 1 must cease and by copy of this Order, will so advise the Code Enforcement Division of DPDM.

On behalf of the Petitioner, Mr. Billingsley testified that Parcel 1 was in a state of disrepair and was an eyesore to the surrounding community when purchased by Mr. Smith. Since his acquisition of the property, Mr. Smith has made an effort to clean up the site and improve conditions by adding a 770 sq.ft.-convenience store. As shown on the site plan, the convenience store is located on the west side of the existing service garage building in an area formerly occupied by two service bays. The site plan also shows a revised parking layout with 11 parking spaces provided, 7 for the service garage use and 4 for the convenience store use. It was indicated that all damaged and disabled vehicles associated with the service garage use will be stored on the northeast side of the garage building within an area enclosed by an 8-foot high chain link fence with privacy slatting. Furthermore, none of the vehicles will be stored in this area for more than ninety (90) days. In Mr. Billingsley's opinion, the proposed redevelopment and use of the site in the manner proposed will not be detrimental to the health, safety and general welfare of the community and should be approved.

ORDER RECEIVED FOR FILING
Date 5/11/15
By [Signature]

Zoning Advisory Committee (ZAC) comments were received from the Office of Planning indicating they have no objections to the proposal; however, they recommended that certain changes/modifications be made to the parking layout and access points to improve traffic circulation on the site. In addition, it was suggested that a trash dumpster location be placed on the site plan. Community representatives in attendance requested that in lieu of a trash dumpster, that trashcans with lids be used and that the cans be stored behind the convenience store. The Petitioner shall comply with this request. ZAC comments were also received from the Department of Environmental Protection and Resource Management (DEPRM), given the property's location within close proximity to the Chesapeake Bay. Thus, as a condition to approval, the Petitioner shall be required to comply with the recommendations made by both agencies.

As pointed out above, the issues raised by the attending community members and residents living nearby revolved around the storage of damaged, untagged and disabled vehicles on both Parcels 1 and 2. They do not oppose the addition of a convenience store on Parcel 1; however, voiced concern that the additional spaces for the convenience store might ultimately prove to be too strong of a temptation and that the owner/lessee will use them to store more disabled vehicles. Gregory Jones, who lives down the street on Turner Avenue, summarized their cumulative testimony. Mr. Jones testified that the operator of the service garage has had a detrimental effect on the community, and that the noise and overall appearance associated with the use has adversely impacted property values. A series of photographs taken by Mr. Jones were submitted into evidence as Protestants' Exhibits 2A through 2I. These photographs demonstrate the storage of damaged and disabled vehicles outside of the designated fenced area as recently as one week prior to the hearing.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed addition of a convenience store at the subject location would meet the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. Taken as a whole, the testimony and evidence presented was sufficient to show that the proposed convenience store can be conducted without real detriment to the neighborhood, and will not adversely affect the public

ORDER RECEIVED FOR PLANNING
Date 5/11/05
By [Signature]

interest. Further, the proposed use will not be detrimental to the health, safety and general welfare of the locale, nor tend to create congestion in the roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. For these reasons, I am convinced that the relief requested should be granted. However, I shall impose certain restrictions to minimize the impact of this use and the use previously approved in Case No. 91-287-XA to improve conditions on the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of May 2005 that the Petition for Special Hearing to approve an amendment to the special exception and site plan approved in prior Case No. 91-287-XA to permit the addition of a convenience store, and approval of a revised parking layout and a revision to the storage area for damaged and disabled vehicles, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) All damaged, disabled, or untagged vehicles related to the service garage use on Parcel 1 shall be stored inside the service garage building, or within the adjacent enclosed area as shown on Petitioner's Exhibit 1. The storage area shall be enclosed with an 8-foot high, green-slatted fence for privacy. The storage area shall be paved and no vehicle shall be stored on the premises for more than 90 days. This area shall not be used as a salvage yard, only for the temporary storage of damaged and disabled vehicles. The hours of operation for the service garage shall remain 7:00 AM to 9:00 PM, Monday through Saturday.
- 3) There shall be no body or fender work performed on the premises, and no painting of any vehicles at this location.

ORDER RECEIVED FOR FILING

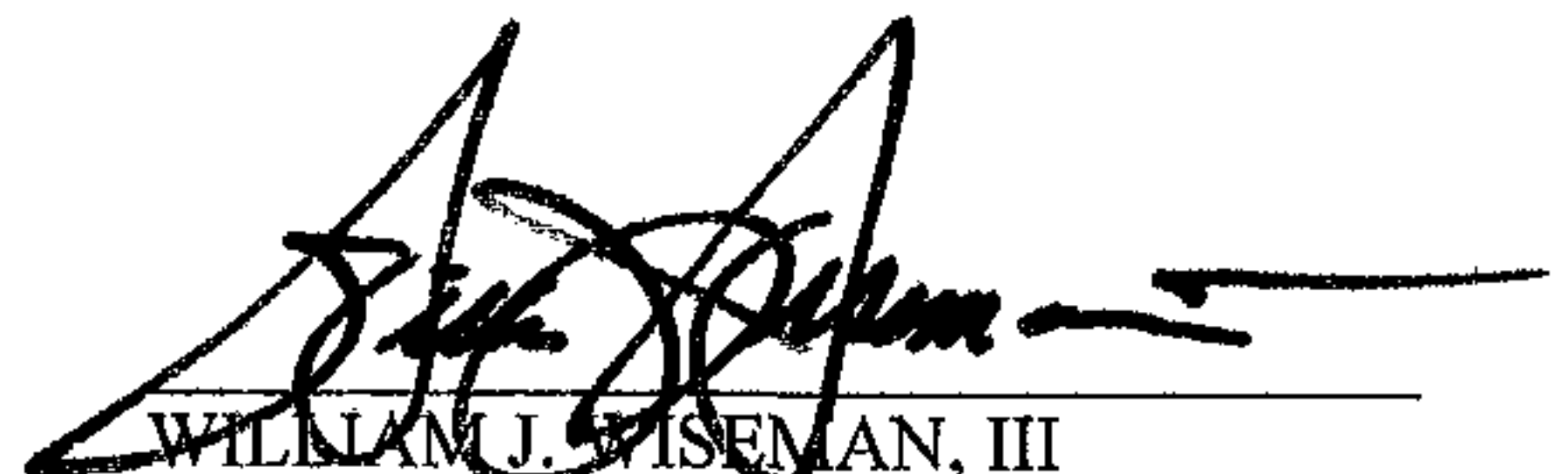
Date

By

- 4) The Petitioner shall provide his current lessees of the service garage and convenience store with a copy of this Order. Whether these terms and conditions are incorporated in the tenant leases is optional. However, let me capitalize and underscore: **There shall be no unlicensed, damaged or disabled vehicles stored on the premises outside of the designated area.** All junk, trash and debris shall be removed from the property and the property maintained in good condition at all times.
- 5) The hours of operation for the convenience store will be from 7:00 AM to 9:00 PM, seven days a week.
- 6) Development and use of the property shall comply with all environmental regulations as set forth in the ZAC comment submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated March 15, 2005, a copy of which is attached hereto and made a part hereof.
- 7) But for the trash dumpster location, Petitioner shall comply with the ZAC comments submitted by the Office of Planning, dated March 4, 2005, a copy of which is attached hereto and made a part hereof.
- 8) Prior to the issuance of any use permits for the convenience store, the Petitioner shall submit for review and approval by the County's Landscape Architect a landscape plan for the subject property. The landscaping shall at all times be maintained in good condition.
- 9) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that, except as modified herein, the terms and conditions of the Order issued on February 2, 1993, shall remain in full force and effect.

Any appeal of this Order shall be taken in accordance with Baltimore County Code Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

FILED
Date
By
5/11/05
WJW

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
William J. Wiseman III, Zoning Commissioner

May 11, 2005

Mr. Rodney B. Smith
326 E. Lafayette Avenue
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
SE/Corner Sollers Point Road and Turner Avenue
(317 Sollers Point Road)
12th Election District – 7th Council District
Rodney B. Smith - Petitioner
Case No. 05-408-SPH

Dear Mr. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. David Billingsley, Central Drafting & Design, Inc.
601 Charwood Court, Edgewood, Md. 21040
Ms. Alice Mason, 124 Carver Road, Baltimore, Md. 21222
Ms. Edie Brooks, 102 East Avenue, Baltimore, Md. 21222
Mr. Gregory James, 110 Turner Avenue, Baltimore, Md. 21222
Mr. Calvin Martin, 324 Sollers Point Road, Baltimore, Md. 21222
Mr. Charles Faison, 303 Sollers Point Road, Baltimore, Md. 21222
Mr. Jerome Hancock, 302 Sollers Point Road, Baltimore, Md. 21222
Ms. Margaret Risher, 318 Sollers Point Road, Baltimore, Md. 21222
Ms. Martha Hunt, 313 Pine Street, Baltimore, Md. 21222
Ms. Queenesther Russell, 140 Carver Road, Baltimore, Md. 21222
Code Enforcement Division, DPDM; Office of Planning; DEPRM
People's Counsel; Case File

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





C B C M

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 317 SOLLERS POINT ROAD
which is presently zoned BL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

**AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL EXCEPTION
(CASE NO. 91-287XA) TO PERMIT THE ADDITION OF A CONVENIENCE
STORE, A REVISED PARKING LAYOUT AND A REVISION TO THE
AREA FOR DAMAGED AND DISABLED VEHICLES**

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

RODNEY B. SMITH
Name - Type or Print _____
Signature R. Smith _____
Name - Type or Print _____
Signature _____
326 E. LAFAYETTE AVE (443) 850-9584
Address _____ Telephone No. _____
BALTO. MD. 21202
City _____ State _____ Zip Code _____

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN, INC.
Name _____
601 CHARWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD. 21040
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By PM Date 2/14/05

Case No. 05-408-SPH

REV 3/15/98

ORDER RECEIVED FOR FILING

Date 5/11/05

By [Signature]

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING

317 SOLLERS POINT ROAD

Beginning for the same at a point on the south side of Sollers Point Road (40 feet wide) distant N 52° 41' 48" E 30 feet from it's intersection with the center of Turner Avenue (40 feet wide) thence (1) N 52° 41' 48" E 76.6 feet +/- thence (2) S 31° 30' 38" E 108 feet +/- thence (3) S 61° 08' W 90 feet +/- thence (4) N 28° 52' W 87.3 feet +/- thence (5) along a curve to the right having a radius of 10 feet for an arc length of 14.2 feet +/- to the place of beginning.

Containing 8,970 square feet or 0.206 acre, more or less.

Being known as 317 Sollers Point Road. Located in the 12TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 442514

DATE 2/14/06 ACCOUNT 18 0015 006 8/30

AMOUNT \$ 335.00

RECEIVED FROM James Smith

FOR Special Hearing

DISTRIBUTION
WHITE - CASHIER

PRIN. AGENCY

YELLOW - CUSTOMER

18 0015 006 8/30

PAID RECEIPT

BUSINESS ADDRESS
2/14/2006 2/14/2006 10:27:11
EST NO. 180015 006 8/30
CASHIER 1 12345 2/14/2006
AMOUNT \$ 335.00
P. NO. 442514

RECEIVED FOR
\$335.00
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: #05-408-SPH
317 Sollers Point Road
S/side of Sollers Point Road, 100 feet east of centerline of Pine Street
12th Election District -- 4th Councilmanic District
Legal Owner(s): Rodney B. Smith

Special Hearing: to approve an amendment to previously approved Special Exception (91-287-XA). To permit the addition of a convenience store, a revised parking layout and revision to area for damaged and disabled vehicles.
Hearing: Tuesday, April 5, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN

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.

UJ 3/25/05 March 22

43782

CERTIFICATE OF PUBLICATION

3/23/2005

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 3/22/2005.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. : 05-408-SPH

Petitioner/Developer: RODNEY

B. SMITH

Date of Hearing/Closing: 4/26/05

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

Attention:

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
at 317 SOLLERS POINT ROAD

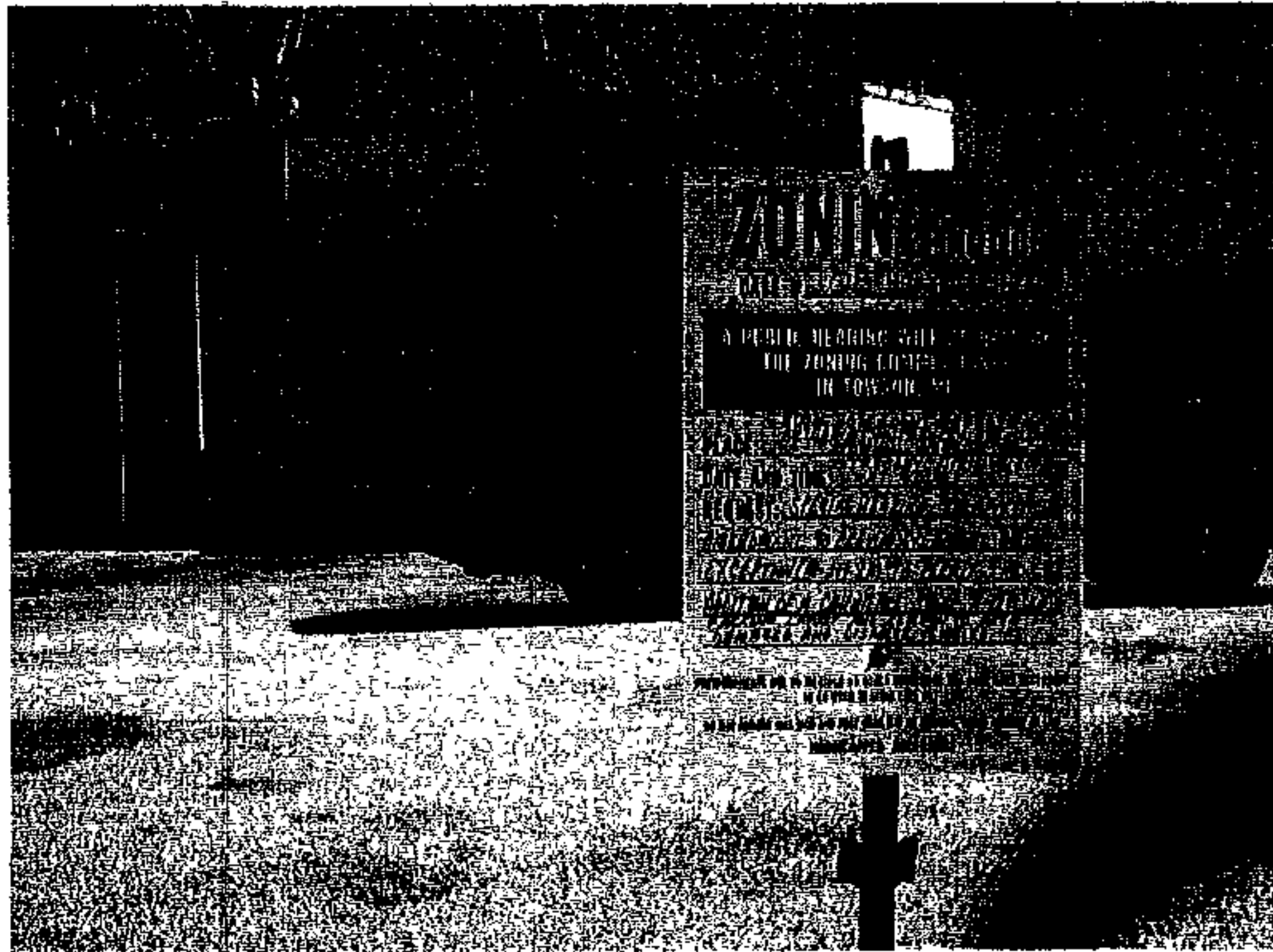
This sign(s) were posted on April 11, 2005
(Month, Day Year)

Sincerely,

Martin Ogle 4/11/05
(Signature of Sign Poster and Date)

Martin Ogle
Sign Poster
5016 Castlestone Drive
Address
Balto. Md 21237
(443-629-3411)

im000255 (1152x864x24b jpeg)



Yvonne 4/11/05

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
317 Sollers Point Road; S/side Sollers Point *
Road, 100' E c/line Pine Street * ZONING COMMISSIONER
12th Election & 7th Councilmanic Districts *
Legal Owner(s): Rodney B. Smith * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-408-SPH

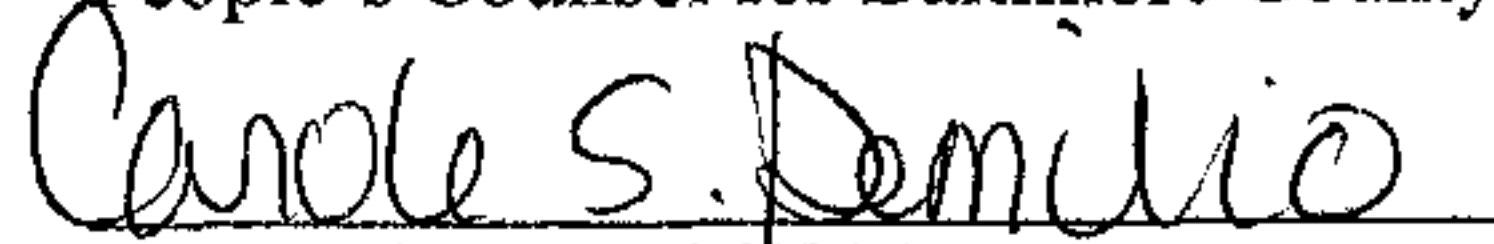
* * * * *

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 and documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

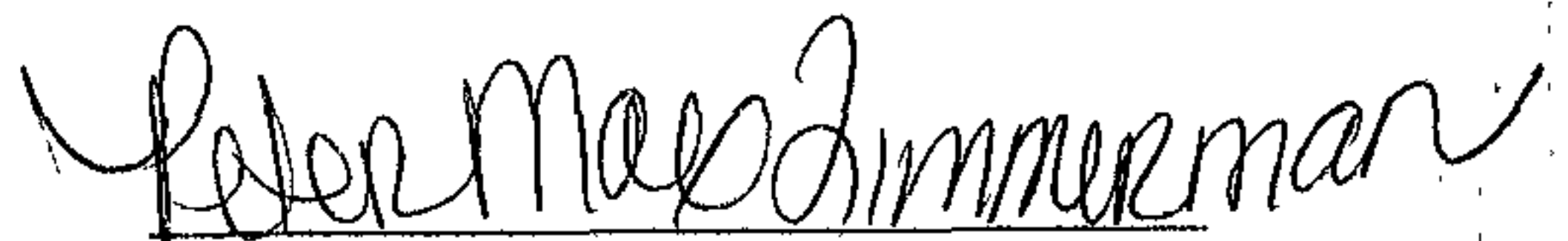


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

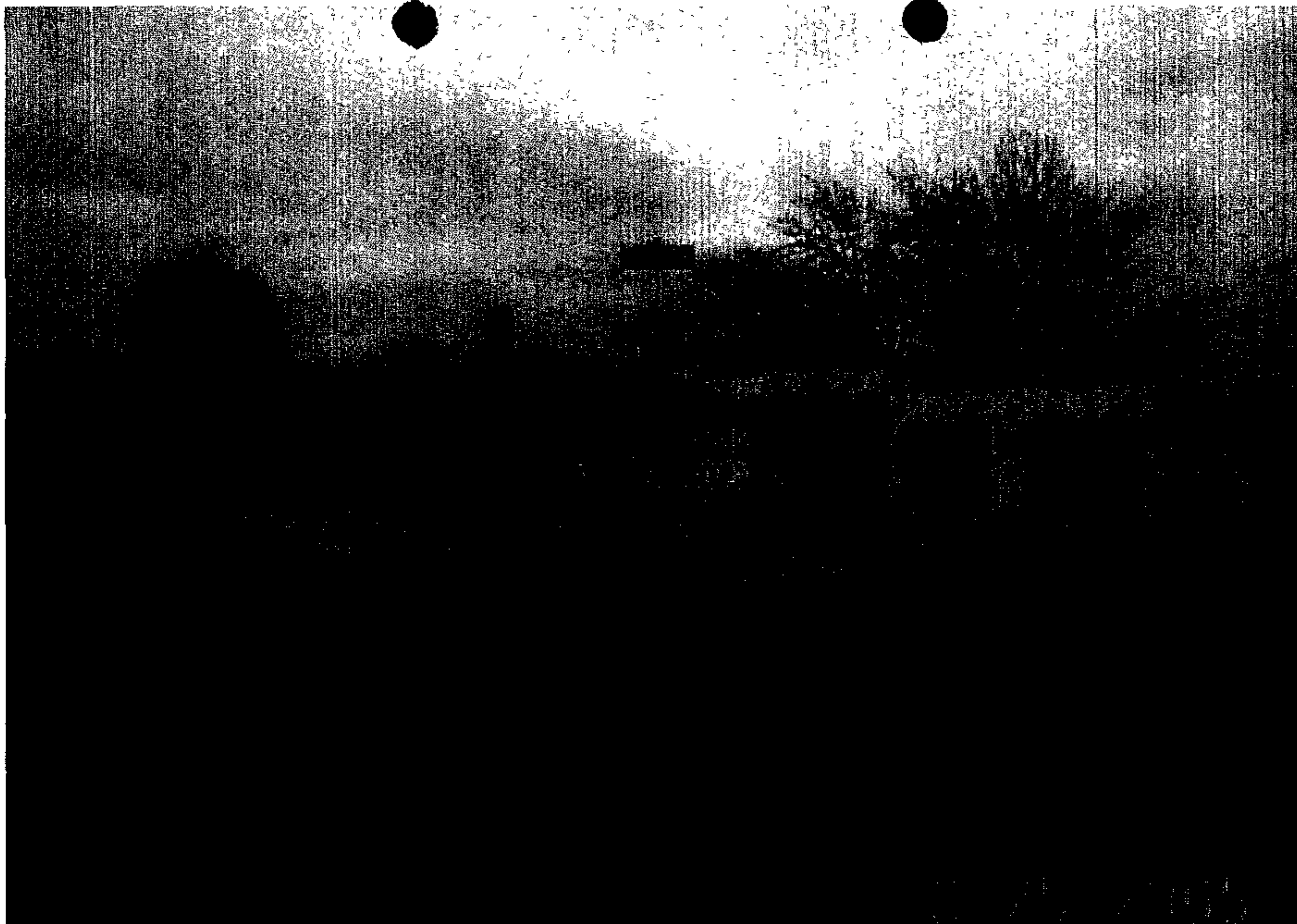
I HEREBY CERTIFY that on this 2nd day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per.....



NO SIGN POSTED AT SITE ON



D. J. TAYLOR

X 3477



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

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

March 30, 2005

CORRECTED 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: 05-408-SPH

317 Sollers Point Road

S/side of Sollers Point Road, 100 feet east of centerline of Pine Street

12th Election District – 4th Councilmanic District

Legal Owner: Rodney B. Smith

Special Hearing to approve an amendment to previously approved Special Exception (91-287-XA). To permit the addition of a convenience store, a revised parking layout and revision to area for damaged and disabled vehicles.

Hearing: Tuesday, April 26, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Rodney Smith, 326 E. Lafayette Avenue, Baltimore 21202
David Billingsley, 601 Charwood Ct., Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 11, 2005.**
- (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.

**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 30, 2005

Rodney B. Smith
326 E. Lafayette Avenue
Baltimore, MD 21202

Dear Mr. Smith:

RE: Case Number: 05-408-SPH, 317 Sollers Point Road

The above matter, previously scheduled for April 5, 2005, has been postponed. The hearing has been rescheduled and the new notice is attached.

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,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: David Billingsley, Central Drafting & Design, 601 Charwood Ct., Edgewood 21040

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



CENTRAL DRAFTING AND DESIGN, INC.

601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719 FAX (410) 679-1298

March 28, 2005

*OK to re-schedule
Tmd*

Timothy M. Kotrocco, Director
Department of Permits and Development Management
County Office Building
Towson, Maryland 21204

RE: CASE NO. 05-408-SPH
317 SOLLERS POINT ROAD

Dear Mr. Kotrocco:

The referenced property was not posted by the required date of March 21, 2005. Therefore, we are requesting that the hearing be canceled and rescheduled so the proper posting can be accomplished.

Please forward any additional costs to this office. Thank you for your cooperation in this matter.

Very truly yours

David W. Billingsley

David W. Billingsley

cc: Rodney Smith

*Publishing done
for original date,
3rd Publishing not
needed.*

*Rec'd
3/28/05
KEM*



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

March 2, 2005

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: 05-408-SPH

317 Sollers Point Road

S/side of Sollers Point Road, 100 feet east of centerline of Pine Street

12th Election District – 4th Councilmanic District

Legal Owner: Rodney B. Smith

Special Hearing to approve an amendment to previously approved Special Exception (91-287-XA). To permit the addition of a convenience store, a revised parking layout and revision to area for damaged and disabled vehicles.

Hearing: Tuesday, April 5, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Rodney Smith, 326 E. Lafayette Avenue, Baltimore 21202
David Billingsley, 601 Charwood Ct., Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 21, 2005.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 21, 2005 Issue - Jeffersonian

Please forward billing to:
Rodney B. Smith
326 E. Lafayette Avenue
Baltimore, MD 21202

443-850-9584

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: 05-408-SPH

317 Sollers Point Road
S/side of Sollers Point Road, 100 feet east of centerline of Pine Street
12th Election District – 4th Councilmanic District
Legal Owner: Rodney B. Smith

Special Hearing to approve an amendment to previously approved Special Exception (91-287-XA). To permit the addition of a convenience store, a revised parking layout and revision to area for damaged and disabled vehicles.

Hearing: Tuesday, April 5, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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: 05 - 408 - SPH
Petitioner: RODNEY B. SMITH
Address or Location: 317 SOLLERS POINT ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: RODNEY B. SMITH
Address: 326 E. LAFAYETTE AVENUE
BALTO, MD. 21202
Telephone Number: (443) 850 - 9584

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JDO}
DATE: March 15, 2005
SUBJECT: Zoning Item # 05-408
Address 317 Sollers Point Road

RECEIVED

MAR 16 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of February 28, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Redevelopment of this property must comply with the 10% Pollutant Reduction Requirements specified for the Intensely Developed Area (IDA) of the CBCA.

Reviewer: Wally Lippincott Date: March 15, 2005

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. ^{JDO}
DATE: March 15, 2005
SUBJECT: Zoning Item # 05-408
Address 317 Sollers Point Road

RECEIVED

MAR 16 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of February 28, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Redevelopment of this property must comply with the 10% Pollutant Reduction Requirements specified for the Intensely Developed Area (IDA) of the CBCA.

Reviewer: Wally Lippincott Date: March 15, 2005

L:\SHARED\DESHARED\Devcoord\ZACSHL-1-11-05.doc

ORDER RECEIVED FOR FILING

Date

By

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 4, 2005

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

SUBJECT: 317 Sollers Point Road

INFORMATION:

Item Number: 5-408

Petitioner: Rodney B. Smith

Zoning: BL

Requested Action: Special Hearing

RECEIVED

MAR - 7 2005

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

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

1. The proposed parking layout will create a potential vehicle circulation conflict. Close one of the access points and redesigned the parking layout.
2. Provide landscaping along both rights-of-way.
3. Provide elevations (all sides) of the proposed addition.
4. Show the proposed location on the dumpster that will provide trash disposal for the convenience store. The dumpster shall be screened from public view.

Prepared by: Mark Kemp

Division Chief: Jeffrey M. Smith

AFK/LL:MAC:

ORDER RECEIVED FOR FILING
Date 3/11/05
By [Signature]

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



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

Maryland Department of Transportation

Date: 2.25.05

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

RE: Baltimore County
Item No. 408 BPR

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,

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: March 8, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For March 7, 2005
Item No. 408

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

The existing access points have to be reduced to 24-feet-wide each so as not to interfere with the parking. Granting permission for a convenience store could potentially create traffic problems.

RWB:CEN:jrb

cc: File

Fire Department

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



Baltimore County

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

February 24, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 28, 2005

Item No.: 408

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. 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 Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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





Baltimore County
Department of Permits and
Development Management

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-8613	Property No. 12418-036090	Zoning BL
------------------------------	------------------------------	--------------

Name(s): RODNEY SMITH

Address: 326 E. LAFAYETTE AVE - BALTO. MD - 21202

Violation Location: 317 SOLLERS POINT RD - 21222

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
BCZR 101, 102.1, 230, 405A, 409, 500.6,
ZCAM 500.9 BCC 32-3-602, 35-2-404,
35-2-301, 304 180 105

- ① CHANGE OF THE USE OF THE BUILDING
WITHOUT A BUILDING PERMIT
- ② CHANGE OF THE USE OF THE PROPERTY
IN VIOLATION OF PUBLIC HEARING
91-287-XA
- ③ PARKING/STORAGE OF DAMAGED + DISABLED
VEHICLES IN VIOLATION OF SITE PLAN
- ④ MAINTAIN EXTERIOR OF BUILDING (IE
SCALING PAINT - AS PER OUR CONVERSATION
ON 1-24-04)

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

On or Before: 1-23-05	Date Issued: 1-6-05
--------------------------	------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: DAVID J TAYLOR

INSPECTOR:

STOP WORK NOTICE

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

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

INSPECTOR:

AGENCY



DATE: 01/06/2005

ASSESSMENT TAXPAYER SERVICE

TIME: 15:33:56

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HIST	DEL	LOAD DATE
12 18 036090	12	1-3	06-00	N	NO		12/28/04

SMITH RODNEY B

DESC-1.. IMPSPT LTS 19,20,21,22

DESC-2.. TURNERS PARK

326 E LAFAYETTE AVE

PREMISE. 00317 SOLLERS POINT RD

00000-0000

BALTIMORE

MD 21202-2929 FORMER OWNER: V P MORTGAGE INC

-----FCV-----			-----TRANSFER DATA-----		---PROPERTY ID---	
	PRIOR	PROPOSED	NUMBER.....		LOT.....	
LAND:	22,700	38,800	DATE.....	12/16/04	BLOCK....	
IMPV:	26,600	21,000	PURCHASE PRICE..	115,000	SECTION..	
TOTL:	49,300	59,800	GROUND RENT.....	0	PLAT.....	
PREF:	0	0	DEED REF LIBR..	00000	BOOK.....	0005
CURT:	0	0	DEED REF FOLIO..		FOLIO....	0082
DATE:	10/00	10/03	YEAR BUILT.....	40	MAP.....	0110
			NEW CONSTR YR...		GRID.....	0005
					PARCEL...	0045

TAXABLE BASIS

00/01	56,300	LOT WIDTH..	91.50	SB 1938	.00
	52,800	LOT DEPTH..	.00	WB 1949	.00
	0	LAND AREA..	9710.000 S	SS	161.20
ENTER-INQUIRY1	PA1-PRINT	PF4-MENU	PF5-QUIT	WD	59.76

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.03-8613

VP Mortgage Inc.
C/o Brian J. Frank
6 Park Center Court

317 Sollers Point Road

Respondents

FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 11, 2004, for a hearing on a citation for violations under the Baltimore County Code § 22-47, 22-49, 7-70(a)(1) a through g, and Baltimore County Zoning Regulations 1B01.1D for allowing open dump conditions and for failure to maintain the structure on property zoned BL located at 317 Sollers Point Road, 21222.

On May 27, 2004, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was legally served on the Respondents.

The citation proposed a civil penalty of \$10,000.00 (ten thousand dollars) to be assessed. A code enforcement hearing date was scheduled for August 11, 2004.

The Respondent failed to request a code enforcement hearing and/or failed to appear after requesting a hearing. Baltimore County Code, §1-7(d) and (e) provides that in case of failure to request a code enforcement hearing or if the violator (Respondent) fails to appear after requesting a hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

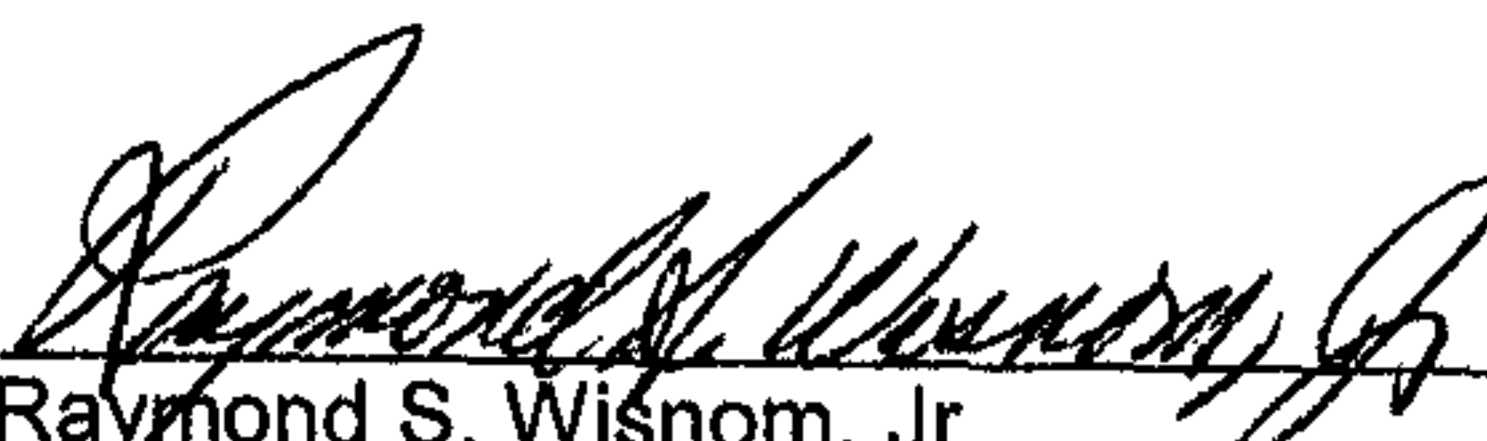
IT IS ORDERED by the Code Enforcement Hearing Officer, this 13th day of August 2004, that a civil penalty be imposed in the amount of \$10,000.00 (ten thousand dollars).

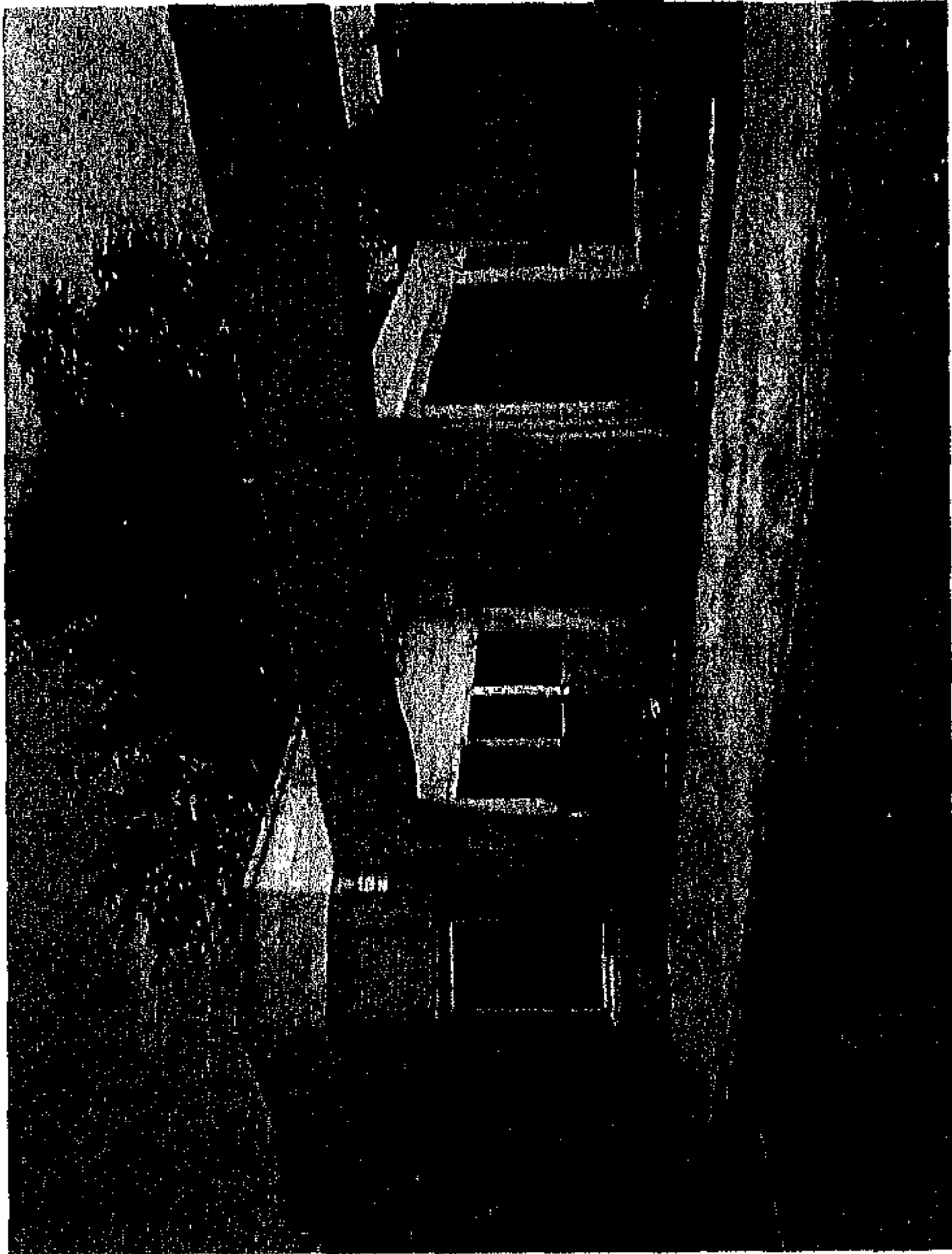
IT IS FURTHER ORDERED that the civil penalty in the amount of \$10,000.00 (ten thousand dollars) shall be reduced to \$1,000.00 (one thousand dollars) on condition the Respondent maintains the property by repairing the structure so as to comply with the investment property regulations and remove all items constituting open dump conditions. The open dump conditions shall be corrected on or before September 1, 2004. Failure to correct the open dump conditions by September 1, 2004 will result in a \$500.00 (five hundred dollars) civil penalty assessed as a lien upon the property and Baltimore County will enter the property for the purpose of removing the offending material and place the costs of performance as an additional lien upon the property. The building repairs must begin 30 (thirty) days or by October 12, 2004. Failure to begin the repairs and continue to completion will result in a civil penalty assessed in the amount of \$9,500.00 (nine thousand five hundred dollars) placed as a lien against the real property.

If the Respondent fails to correct the violations, then the civil penalty imposed shall be \$10,000.00 (ten thousand dollars).

IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violations have been corrected

Signed:


Raymond S. Wisnom, Jr.
Code Enforcement Hearing Officer



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 119
111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. VP MORTGAGE INC, Defendant

Case # 03-8613 Violation Address 317 SOLENS PT RD Zip

Hearing Date 8/11/04 Issued Date 5/27/04 Expiration Date 6/11/04

Author of Citation DJT

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

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

PROOF OF SERVICE

I hereby CERTIFY that:

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

X A Citation and all other papers filed with it were served by personal delivery to JUSTIN FRANK (SON OF RESIDENT AGENT)
Individual or agent served

11103 HIDDEN TRACE DR Zip 21117 on 6/16/04 3:25 a.m./p.m.
At this address Date Time

Description of Person Served: Race WHITE Sex: (M) F Height: 5 ft. 10 in. Wt. 110 lbs.
Age: 17 yrs. Other:

Telephone verification of citation acknowledgment from on / /

I was unable to serve:

1 st Attempt	<u>/ /</u>	<u></u> a.m./p.m. because <u></u>	<u></u>
2 nd Attempt	<u>/ /</u>	<u></u> a.m./p.m. because <u></u>	Initials
3 rd Attempt	<u>/ /</u>	<u></u> a.m./p.m. because <u></u>	Initials
			Initials

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

111 W. Chesapeake Ave, Towson, MD 21204
Server's Address

410-887-3351
Telephone

DAVID J MYCO
Server's Name (Print)

6/16/04

David J Myco



Baltimore County
Department of Permits and
Development Management

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

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

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

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

Citation/Case No. 03-8613	Property No. 12-18-036090	Zoning: BL
Name(s): V P MORTGAGE INC		
Address: 10811 RED RUN BLVD - OWINGS MILLS MD - 21117		
Violation Location: 317 SOLLENS POINT RD - 21222		
Violation Dates: 4-23-04 THRU 8-11-04		

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

BCC 22-1, 22-2, 22-47, 22-49, 7-26(a)(1) & 9
BCCR 101, 102.1, 230 1807.10

OPERATION OF AN OPEN DUMP / JUNK YARD

**FAILURE TO MAINTAIN EXTERIOR OF
INVESTMENT PROPERTY**

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

\$ **10,000.00**

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

Date: **8/11-04**

Time: **9:00 AM**

Citation must be served by:

7-1-04

Date: **6-11-04**

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

Print Name: **DAVID J TRAYCOR**

~~5-27-04~~ **6-16-04**

Date: Inspector's Signature

David J Traycor

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name:	Citation/Case No.:
Address:	

Date: Defendant's Signature

AGENCY

**Maryland Department of Assessments and Taxation 2****Taxpayer Services Division**

301 West Preston Street W Baltimore, Maryland 21201

[Main Menu](#) | [Security Interest Filings \(UCC\)](#) | [Business Entity Information](#)
([Charter/Personal Property](#)) [New Search](#) | [Get Forms](#) | [Certificate of Status](#) | [SDAT](#)
[Home](#)

Taxpayer Services Division**Entity Name: VP MORTGAGE, INC.****Dept. ID #: D03025525**

General Information | **Amendments** | **Personal Property** | **Certificate of Status**

Principal Office (Current):6 PARK CENTER COURT, STE. 100
OWINGS MILLS, MD 21117Resident Agent (Current):BRIAN J. FRANK
6 PARK CENTER COURT, STE. 100
OWINGS MILLS, MD 21117Status:

INCORPORATED

Good Standing:

Yes

Business Code:

Ordinary Business - Stock

Date of Formation or
Registration:

06/01/1990

State of Formation:

MD

Stock/Nonstock:

Stock

Close/Not Close:

Not Close

*SEND ON
RES AGENT**PHONE #**443-394-6927***Link Definition****General Information**

General Information about this entity

Amendments

Original and subsequent documents filed

Personal PropertyPersonal Property Return Filing Information and Personal
Property Assessments**Certificate of Status**

Get a Certificate of Good Standing for this entity.

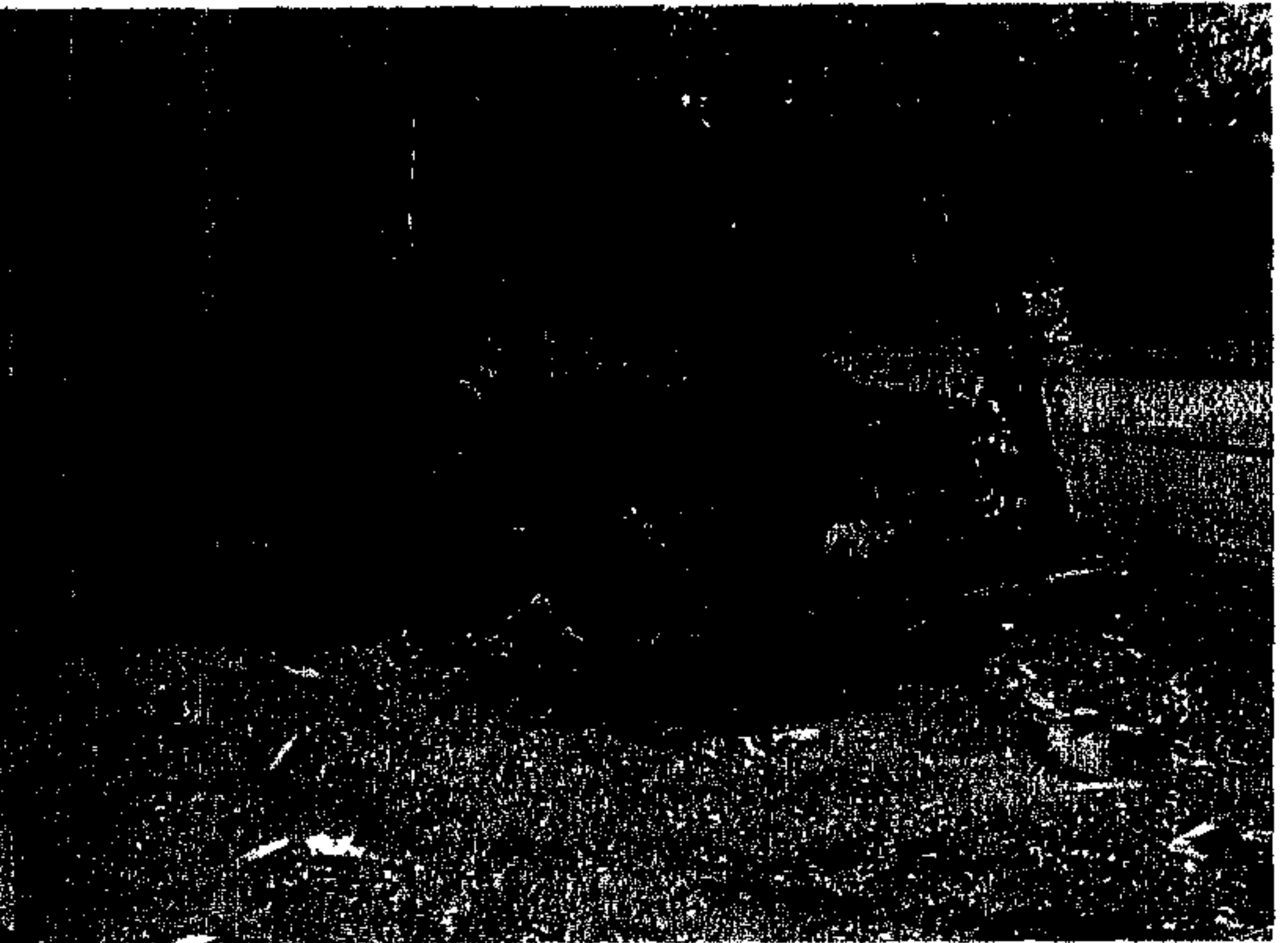
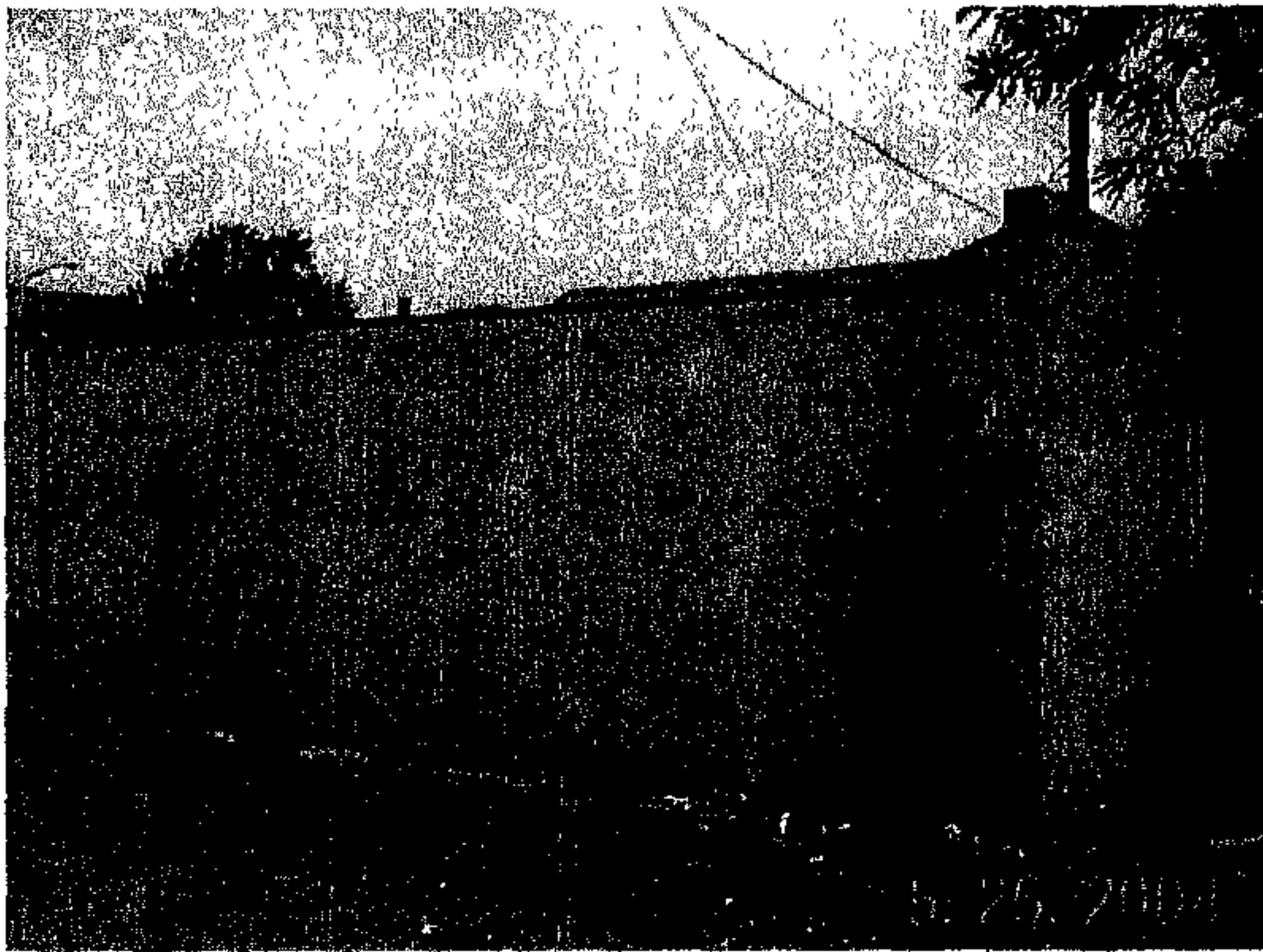
Soundex	Name	Hgt	Wgt	Race	Sex	DoB
Street	City	County	State	Zip	Priv.	
F652098379315	BRIAN JAY FRANK	5-11	150	2	M	042477
14624 JAYSTONE DRIVE	SILVER SPRING	M	MD	20905	PRIV	
F652098390278	BRIAN JEFFREY FRANK	5-07	157	2	M	040960
11103 HIDDEN TRAIL DRIVE	OWINGS MILLS	BA	MD	21117	PRIV	

>>> INTERROGATION COMPLETE; BRIAN J FRANK

<<<

PAGING MODE: PAGE 1 OF 1 || PF1-FWD PF2-BWD PF3-EX PF4-1ST PF5-LST

MU A 100
RES. AGENT





Baltimore County
Department of Permits and
Development Management

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-8613	Property No. 12-18-036090	Zoning BL
-------------------------------------	-------------------------------------	---------------------

Name(s): **VP MORTGAGE INC**

Address: **10811 RED RUN BLVD - OWINGS MILLS, MD - 21117**

Violation Location: **317 SOLVERS POINT RD - 21222**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**BCC 22-1, 22-2, 22-47, 22-49, 7-70(A)(1) 9-9
BCZR 101, 102.1, 1801.10, 230, 408 (500.9 ZCAM)**

**REMOVE ALL JUNK, TRASH +
OTHER DEBRIS FROM PROPERTY**

**REMOVE ALL JUNK VEHICLES, BOATS
+ TRAILERS FROM PROPERTY**

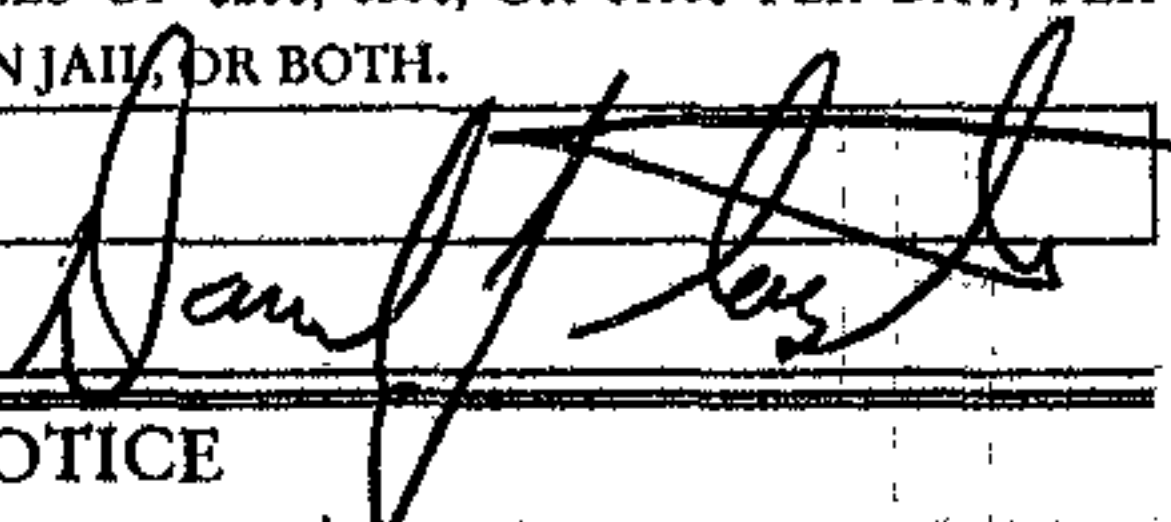
**RAZE OR REPAIR BUILDING IN
DISREPAIR (IE SCALING PAINT,
DETERIORATING MASONRY, DAMAGED
AND/OR MISSING WINDOWS AND DOORS,
ETC.)**

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

On or Before: 5-23-04	Date Issued: 4-23-04
---------------------------------	--------------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **DAVID J TAYLOR**

INSPECTOR: 

STOP WORK NOTICE

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

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

INSPECTOR: _____

AGENCY

CODE ENFORCEMENT REPORT

03-0613

DATE: 4.22.04 INTAKE BY: PDM CASE #: _____ INSPEC: 12

COMPLAINT LOCATION: 317 Sellers Point Rd

ZIP CODE: 21222 DIST: _____

COMPLAINANT NAME: Eddie Brooks PHONE #: (H) 410 282-6905 (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Rays Auto - Bank take over moved junk + vehicle out front - Building in bad shape

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

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 1218036090 ZONING: _____

INSPECTION: OPEN - CASE

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____

DATE: 04/22/2004

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:27:29

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 18 036090	12	1-1	06-00	N	NO		03/19/04

V P MORTGAGE INC

DESC-1.. IMPSPT LT 19-22

DESC-2.. TURNERS PARK

10811 RED RUN BLVD

PREMISE. 00317 SOLLERS POINT

RD

00000-0000

OWINGS MILLS

MD 21117-5149 FORMER OWNER: SELF CHARLES WAYNE

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	22,700	38,800				
IMPV:	26,600	21,000	TOTAL..	52,800	52,800	49,300
TOTL:	49,300	59,800	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0

DATE: 10/00 10/03

---- TAXABLE BASIS ---- FM DATE

04/05 ASSESS: 52,800 03/17/04

03/04 ASSESS: 49,300 06/04/03

02/03 ASSESS: 48,452 05/30/02

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

DATE: 04/19/2004

ASSESSMENT TAXPAYER SERVICE

TIME: 08:02:52

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HIST	DEL	LOAD DATE
12 18 036090	12	1-1	06-00	N	NO		03/19/04
V P MORTGAGE INC				DESC-1.. IMPSPT LT 19-22			
				DESC-2.. TURNERS PARK			
10811 RED RUN BLVD				PREMISE. 00317 SOLLERS POINT RD			
				00000-0000			

OWINGS MILLS MD 21117-5149 FORMER OWNER: SELF CHARLES WAYNE

-----FCV-----			-----TRANSFER DATA-----		---PROPERTY ID---	
	PRIOR	PROPOSED	NUMBER.....		LOT.....	
LAND:	22,700	38,800	DATE.....	12/12/03	BLOCK....	
IMPV:	26,600	21,000	PURCHASE PRICE..	70,000	SECTION..	
TOTL:	49,300	59,800	GROUND RENT.....	0	PLAT.....	
PREF:	0	0	DEED REF LIBR..	19291	BOOK.....	0005
CURT:	0	0	DEED REF FOLIO..	63	FOLIO....	0082
DATE:	10/00	10/03	YEAR BUILT.....		MAP.....	0110
			NEW CONSTR YR...		GRID.....	0005
					PARCEL...	0045
TAXABLE BASIS						
04/05	52,800	LOT WIDTH..	91.50	SB 1938		.00
03/04	49,300	LOT DEPTH..	.00	WB 1949		.00
02/03	48,452	LAND AREA..	9710.000 S	SS		399.40
ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT				WD		59.76

03- 8613

03- 8613
01- 6287

2 ROSE OFF DOWNSTAIRS HERE



PHOTOGRAPHIC RECORD

Citation/Case Number: 03 8613
Date of Photographs: 1/9/04



I HEREBY CERTIFY that I took the 1 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Dennis Popalis
Enforcement Officer

03-8613

317-800-1111

A



12-1-2003

Chain link
fence meter
DO Screen
on new secti



12-1-2003

gate
MISSING

JT&D



Baltimore County
Department of Permits and
Development Management

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

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-803	Property No. 1218036090	Zoning: BL
------------------------------------	-----------------------------------	----------------------

Name(s): **WAYNE & LORETTA SELF**
317 Sollers Point Rd

Address: **Betho. Md. 21222-6169**

Violation Location: **317 Sollers Point Rd 21222**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

1) **Screen all damaged and/or disabled motor vehicles from off site view with an 8ft high screening fence.**

2) **Remove all junk trash and debris. Remove all auto parts that are not properly screened.**

3) **Now Compliance with an approved site plan BCZR 230.101; 102.1 405.A; 409; 500.6**

BCZPM 500.9 4) Cease the parking of customer cars on Turner Ave 500.6 BCZR

BC 26-121(a)

On or Before: 11/28/03	Date Issued: 10/28/03
----------------------------------	---------------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **WASILEWSKI**

INSPECTOR: **[Signature]**

STOP WORK NOTICE

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

Not Later Than:	Date Issued: [Signature]
-----------------	------------------------------------

INSPECTOR: **[Signature]**

AGENCY

CODE ENFORCEMENT REPOI

02-6113

DATE: 10/27/03 INTAKE BY: JRA CASE #: 03-8613 INSPEC: 1

COMPLAINT LOCATION: 317 Sollers Point Rd.

ZIP CODE: DIST:

COMPLAINANT NAME: Gregory James PHONE #: (H) 410-285-6154 (W)

ADDRESS: 110 Turner Ave. ZIP CODE: 21222

PROBLEM: JUNK CARS ON PROPERTY

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

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 1218036090 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

Code Enforcement - Daily Worksh

Inspector -

ORIGINAL SIGNED BY
LEONARD J. WASILEWSKI

Area Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
001 03-8613	317 SOLLERS POINT RD		21222	10/27/2003	

Tax Acct #: 1218036090

Complainant Name: (Last) JAMES		(First) GREGORY	
Addr:	110	TURNER AVE	
Str #		Dir	Street Name
BALTIMORE		MD	21222
City		ST	Zip
Phone: (Home)	410/285-6154	(Work)	

Problem: JUNK CARS ON PROP

91-287XA

10/28/03. Hand delivered and mailed correct con for failure to properly screen damaged and disabled vehicles w/ an 8' fence and to remove all junk trucks and debris also Non Compliance w/ and approved zoning order and site plan 91-287XA

Met w/ complainant at site...

P/U Date	<i>11/28/03</i>		Closed Date	Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

P/u 11/28/03

[Signature]

IT IS FURTHER ORDERED that a variance from Section 102.5 to permit placement of a fence on the side and front yard 6 ft. from the front and side property lines in lieu of the required 25 ft. radius from the intersection of the front and side lines, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8A2 to permit and confirm the existing stone surface in lieu of another durable and dustless surface, all in accordance with Petitioners' Exhibit No.1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The hours of operation of the service garage are restricted from 7:00 A.M. to 9:00 P.M. Monday thru Saturday.
3. There will be no fuel sales of any type from the site.
4. There will be no above ground or underground fuel storage tanks located on the site.
5. The Petitioners shall cause all employee and customer parking to be on parcels No. 1 and 2 and there shall be no storage of vehicles on Turner Avenue.

91-287-XA

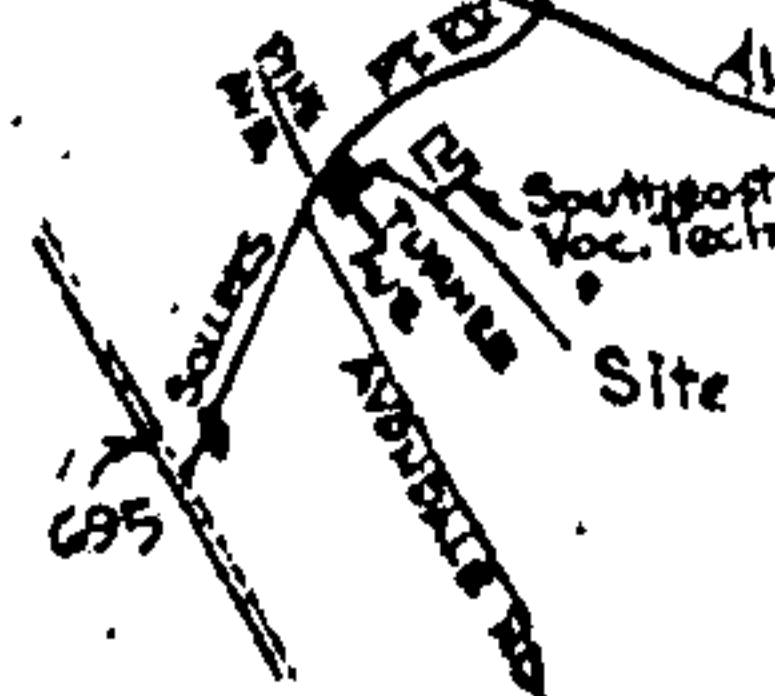

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

HEARING REQUESTS

NOTES

DUNDALK



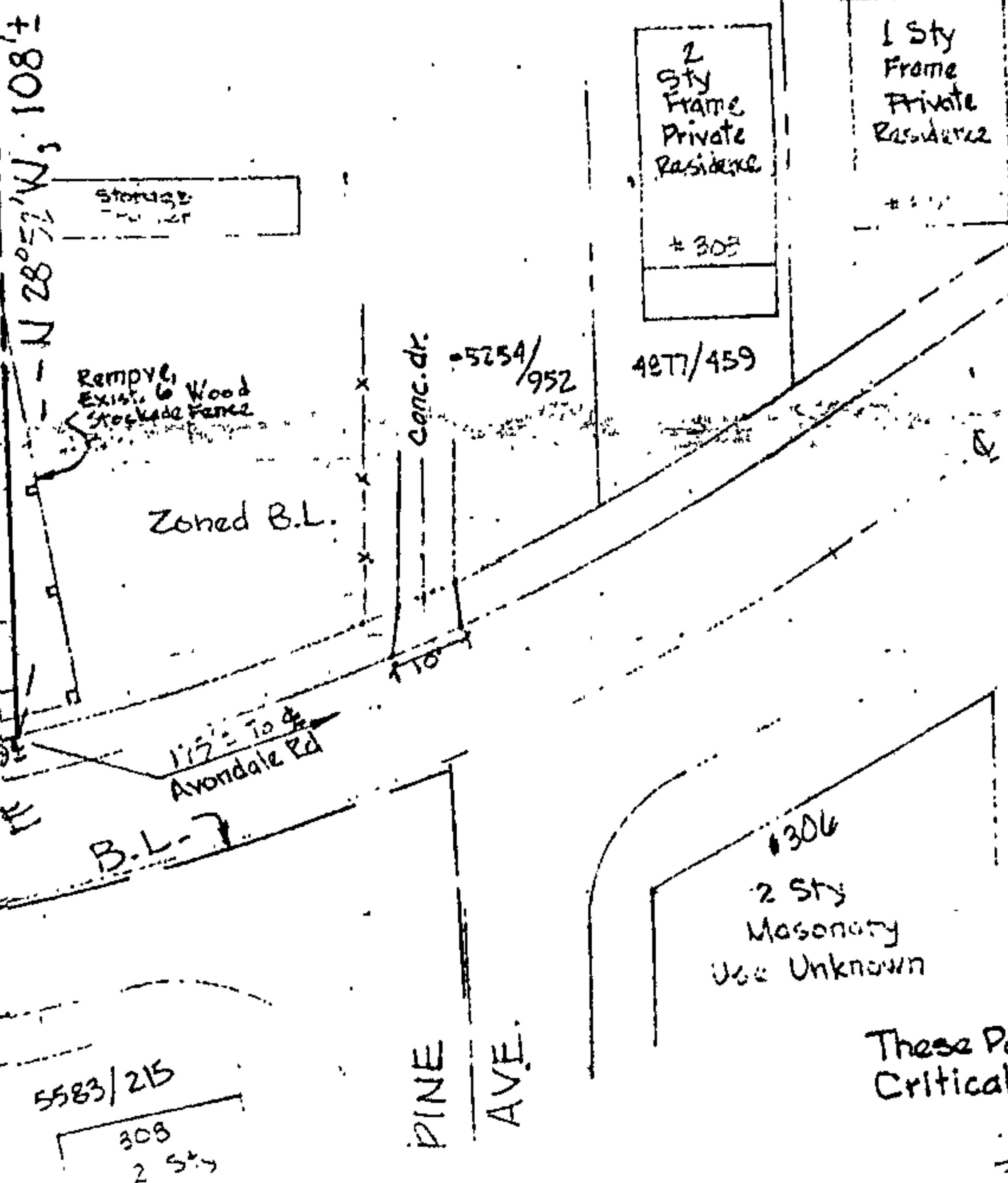
VICINITY MAP
Scale: 1" = 1000'

1. Property Zoned B.L.
2. Property Area: 0.3081 Acres Gross Area
3. F.A.R.: Parcel #1 = $2988 \div 13,008 = 0.23$
Parcel #2 = N.A.
4. A Property Line Establishment Survey Was Not Performed. This Plot Is Not To Be Used to Establish Property Lines.
5. Parking Requirements
Total Floor Area = 2988 sq ft
No. Parking Spaces Required = $2988 / 3.3 \text{ per } 1000 = 10 (8' \times 18')$
No Parking Spaces Provided = Parcel #1: 10 (5 service bays + 5 service bays)
Parcel #2: 0
6. All damaged and disabled vehicles are to be parked on Parcel 2 or in service bays at all times.
7. Screening shall be provided in accordance with the Baltimore County Landscape Manual.
8. Proposed Building Sign to be painted letters along the top front wall of building on parcel #1 shall conform with Section 415.2.b.

- Special Exception to Operate a "Service Garage" on Parcel #1 & 2.
- Exist. building is 2'± from North property line of Turner Avenue.
- Install fence on property of Turner Ave. and 26' from E Sollars Point Road.
- Install fence less than 25' from intersection (102.5) on Parcel 2.
- To allow the existing stone surface on Parcel 2 to remain.

val H. & Mildred Mickey
5695/330
on 120 B.L.

Carport encroaches onto Parcel #2



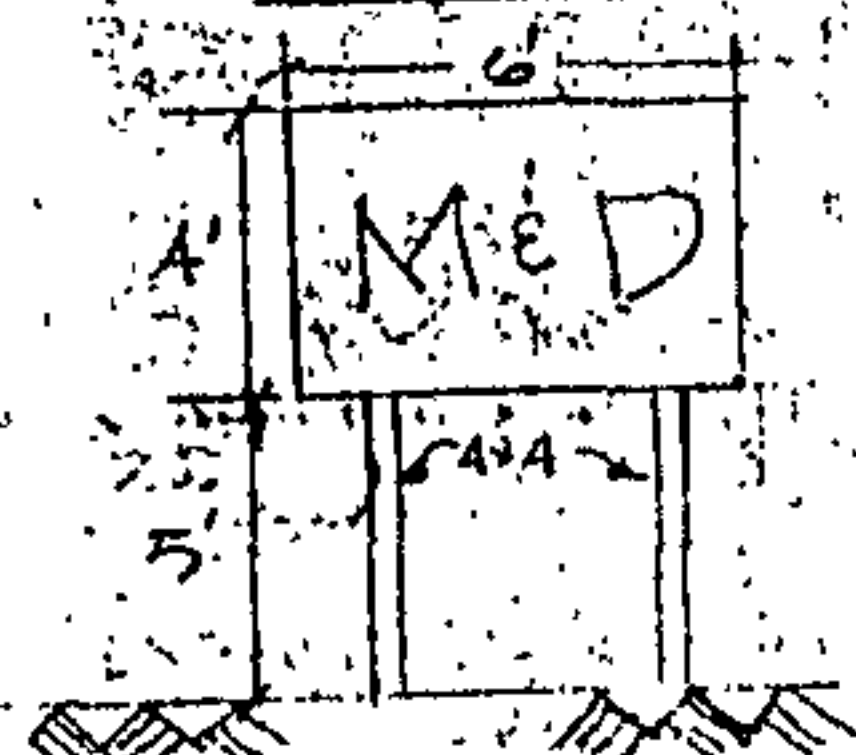
PETITIONER'S
EXHIBIT No 1

91-287-XA

- Current Zoning Violations
- Case # 889-89 SP/T (89-1973)
 - A. operating service Garage on premises without special Exception
 - B. stored trailer on the property
 - C. created a junk yard on premises

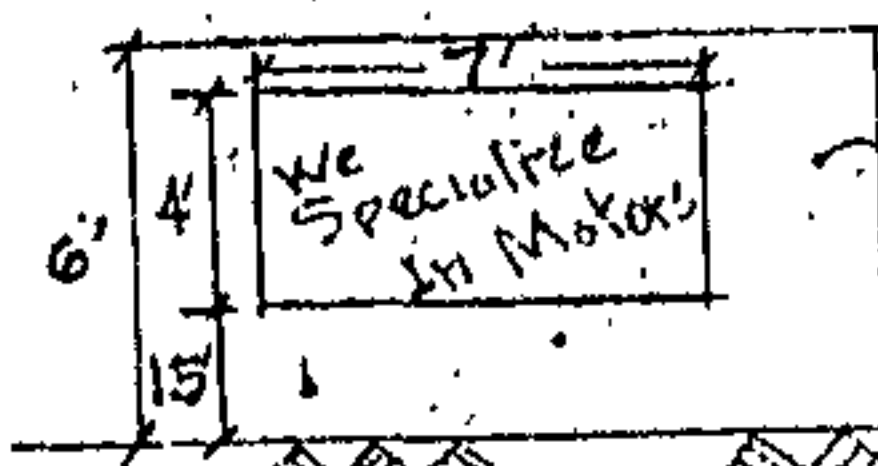
These Parcels Are In The Chesapeake Bay Critical Area.

Sign #1



Existing, Double Face
Painted Plywood
24 Sq. Ft. Per Side
48 Sq. Ft. Total

Sign #2



Exist. Wood Fence To Be
Replaced and Relocated
As per Δ

Existing, Single Sided, Fence Mounted
Clear Plexiglas - painted letters
28 Sq. Ft. total
To be relocated with fence.

2 story, Fram
Residence

Stone
Parking

Asphalt
Stone
Parking

31'
Conc. Carport
S 61° 08' W, 4'

Δ Install 10' Stockade
Fence on it

Parcel #2
 Δ Stone

Chain link, screen
Insert, 10' high
Sliding Gate

Δ Δ Install 8'
Stockade Fence
6' Behind
Property Line

R=10' N 52° 41'
L=17.0' 21.1'

Board of Education
1547/88

Zoned B.L.

S 61° 08' W, 90'

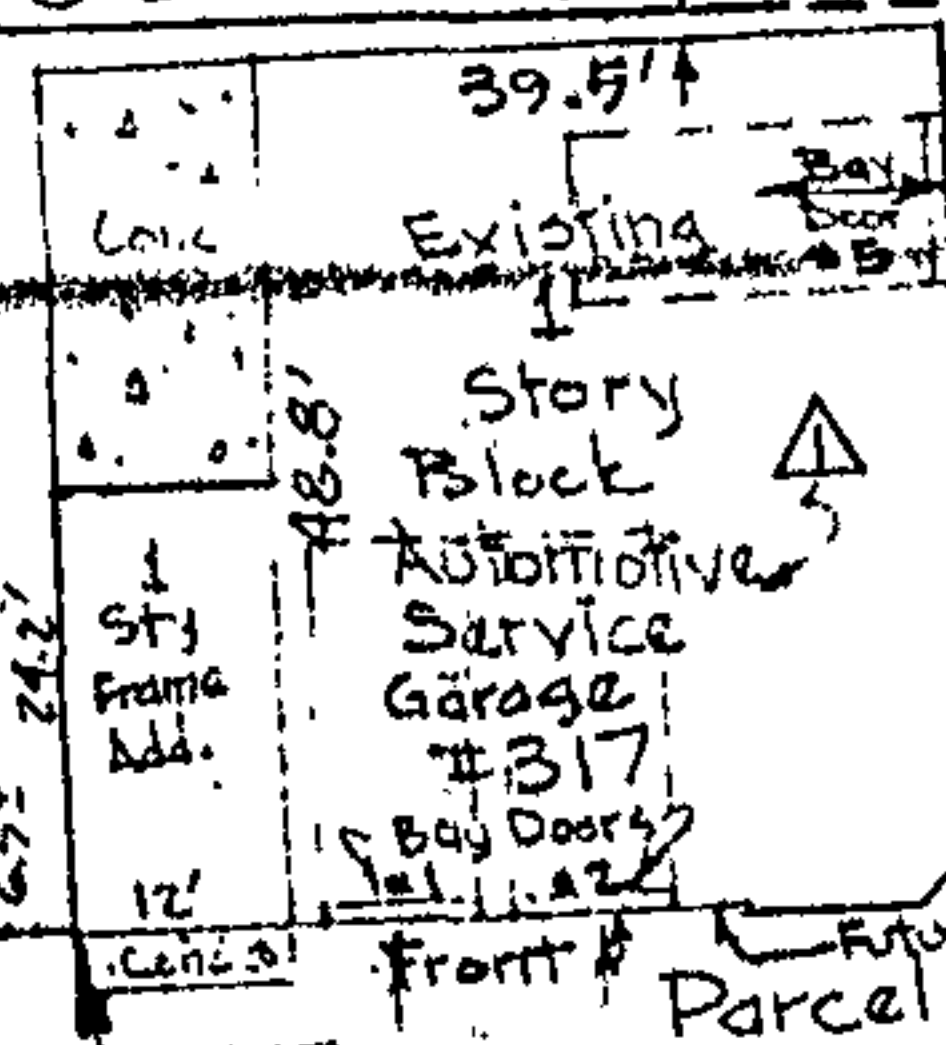
Southeastern
Voc. Tech.
Grounds

DR. 5.57

B.L.

10' Storm Drain

S 31° 30' 38" E, 108' ±



Parcel #1

B216/652

Asphalt
All parking spaces
to have painted
lines.

N 52° 41' 48" E, 86.6' ±

N 28° 52' W, 77.3' ±

AVENUE
Mac. Paved - 30' - 35' Wide

40' R/W
(as widened)

TURNER

ROAD

POINT
Asphalt

SOLLERS

Com. Curve S
580' ± to Δ
Dundalk Ave.

DR. 10.5

Com. Curve 3

8170/370

6327/51

173/369

24/257

1/691

1/30/2005

TO: JIM THOMPSON
RE: DENNIS RIOUX
FROM: RESIDENTS OF 2330 FOSTER AVE . GERALD & GENEVIEVE CLARKE

WE HAD THE OCCASION TO CALL THE COUNTY IN JANUARY CONCERNING AN EXTREMELY TROUBLING PROBLEM WE WERE EXPERIENCING IN OUR NEIGHBORHOOD.

A TRACTOR TRAILER AND TRUCKS TOOK UP RESIDENCE ON A PARKING LOT ON OUR STREET AND RAN A BUSINESS WITH ALL KINDS OF GARBAGE JUST DUMPED ON THE PARKING LOT FOR DAYS AND THEN VANDALISM OCCURED ON THE TRUCKS THAT WERE PARKED THERE OVERNIGHT. IT WAS A REAL NIGHTMARE . WE CALLED MR. RIOUX WHO PROMISED TO LOOK INTO THE SITUATION.

WITHIN A VERY SHORT PERIOD OF TIME, THE TRAILER WAS GONE ALONG WITH THE TRUCKS AND GARBAGE. I CANNOT TELL YOU HOW MUCH WE APPRECIATE THE INTEREST MR. RIOUX TOOK IN OUR CASE. HE ALSO KNEW ABOUT THE FENCE WHICH SEPARATED THE PARKING LOT FROM THE PRIVATE HOME, WHICH IS ALWAYS IN COMPLETE DISREPAIR.

WE HAVE LIVED IN THIS NEIGHBORHOOD 33 YEARS AND WE HAVE BECOME VERY DISTRESSED OVER SOME OF THE PROBLEMS WE HAVE EXPERIENCED. IT IS GOOD TO KNOW WE CAN CALL THE COUNTY CODE DEPT AND FIND SOMEONE INTERESTED IN OUR PROBLEMS. THANK YOU

SINCERELY,

GERALD AND GENEVIEVE CLARKE
2330 FOSTER AVENUE / PARKVILLE MD.21234

Commercial Lease

This lease is made between Mr. Steven Ritterspach herein called Lessor, and 3428 Forest Park Way of 336 E. Lafayette Rd 521322 herein called Lessee. Lessee hereby offers to lease from Lessor the premises situated in the City of 317 Solons Point Rd Dundalk State of Maryland described as Garage / Lot

upon the following TERMS and CONDITIONS:

1. Term and Rent. Lessor demises the above premises for a term of 5 years, commencing 10-1-04, 20 , and terminating on 10-1-09, 20 , or sooner as provided herein at the annual rental of 700 000 Dollars (\$) payable in equal installments in advance on the first day of each month for that month's rental, during the term of this lease. All rental payments shall be made to Lessor, at the address specified above.

2. Use. Lessee shall use and occupy the premises for Storage & ANYTHING C-Y RELATED. The premises shall be used for no other purpose. Lessor represents that the premises may lawfully be used for such purpose. Lessee shall not use the premises for the purposes of storing, manufacturing or selling any explosives, flammables, or other inherently dangerous substance, chemical, thing, or device.

3. Care and Maintenance of Premises. Lessee acknowledges that the premises are in good order and repair, unless otherwise indicated herein. Lessee shall, at his own expense and at all times, maintain the premises in good and safe condition, including plate glass, electrical wiring, plumbing and heating installations and any other system or equipment upon the premises and shall surrender the same, at termination hereof, in as good condition as received, normal wear and tear excepted. Lessee shall be responsible for all repairs required, excepting the roof, exterior walls, structural foundations, and:

Tenant, Landlord, are to do
half-half on all bills. LESSEE HAS
OPTION TO BUY PROPERTY 317 SOLONS POINT ROAD WITHIN THE
5 YR. LEASE FOR 150,000.00. PROPERTY CANT BE SOLD TO ANYONE WITHOUT
GIVING LESSEE FIRST OPTION TO BUY.

which shall be maintained by Lessor. Lessee shall also maintain in good condition such portions adjacent to the premises, such as sidewalks, driveways, lawns and shrubbery, which would otherwise be required to be maintained by Lessor.

4. Alterations. Lessee shall not, without first obtaining the written consent of Lessor, make any alterations, additions, or improvements, in, to or about the premises.

5. Ordinances and Statutes. Lessee shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by Lessee.

6. Assignment and Subletting. Lessee shall not assign this lease or sublet any portion of the premises without prior written consent of the Lessor, which shall not be unreasonably withheld. Any such assignment or subletting without consent shall be void and, at the option of the Lessor, may terminate this lease.

7. Utilities. All applications and connections for necessary utility services on the demised premises shall be made in the name of Lessee only, and Lessee shall be solely liable for utility charges as they become due, including those for sewer, water, gas, electricity, and telephone services. In the event that any utility or service provided to the premises is not separately metered, Lessor shall pay the amount due and separately invoice Lessee for Lessee's pro rata share of the charges. Tenant shall pay such amounts within fifteen (15) days of invoice. Lessee acknowledges that the leased premises are designed to provide standard office use electrical facilities and standard office lighting. Lessee shall not use any equipment or devices that utilize excessive electrical energy or that may, in Lessor's reasonable opinion, overload the wiring or interfere with electrical services to other tenants.

8. Entry and Inspection. Lessee shall permit Lessor or Lessor's agents to enter upon the premises at reasonable times and upon reasonable notice, for the purpose of inspecting the same, and will permit Lessor at any time within sixty (60) days prior to the expiration of this lease, to place upon the premises any usual "To Let" or "For Lease" signs, and permit persons desiring to

shall have been so terminated by Lessor, Lessor may at any time thereafter resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. No failure to enforce any term shall be deemed a waiver.

16. Security Deposit. Lessee shall deposit with Lessor on the signing of this lease the sum of 0 Dollars (\$ 0) as security for the performance of Lessee's obligations under this lease, including without limitation the surrender of possession of the premises to Lessor as herein provided. If Lessor applies any part of the deposit to cure any default of Lessee, Lessee shall on demand deposit with Lessor the amount so applied so that Lessor shall have the full deposit on hand at all times during the term of this lease.

17. Tax Increase. In the event there is any increase during any year of the term of this lease in the City, County or State real estate taxes over and above the amount of such taxes assessed for the tax year during which the term of this lease commences, whether because of increased rate or valuation, Lessee shall pay to Lessor upon presentation of paid tax bills an amount equal to N/A % of the increase in taxes upon the land and building in which the leased premises are situated. In the event that such taxes are assessed for a tax year extending beyond the term of the lease, the obligation of Lessee shall be proportionate to the portion of the lease term included in such year.

18. Common Area Expenses. In the event the demised premises are situated in a shopping center or in a commercial building in which there are common areas, Lessee agrees to pay his prorata share of maintenance, taxes, and insurance for the common area.

19. Attorney's Fees. In case suit should be brought for recovery of the premises, or for any sum due hereunder, or because of any act which may arise out of the possession of the premises, by either party, the prevailing party shall be entitled to all costs incurred in connection with such action, including a reasonable attorney's fee.

20. Waiver. No failure of Lessor to enforce any term hereof shall be deemed to be a waiver.

21. Notices. Any notice which either party may or is required to give, shall be given by mailing the same, postage prepaid, to Lessee at the premises, or Lessor at the address specified above, or at such other places as may be designated by the parties from time to time.

22. Heirs, Assigns, Successors. This lease is binding upon and inures to the benefit of the heirs, assigns and successors in interest to the parties.

23. Option to Renew. Provided that Lessee is not in default in the performance of this lease, Lessee shall have the option to renew the lease for an additional term of one months commencing at the expiration of the initial lease term. All of the terms and conditions of the lease shall apply during the renewal term except that the monthly rent shall be the sum of \$ 700 00%. The option shall be exercised by written notice given to Lessor not less than 5 days prior to the expiration of the initial lease term. If notice is not given in the manner provided herein within the time specified, this option shall expire.

24. Subordination. This lease is and shall be subordinated to all existing and future liens and encumbrances against the property.

25. Radon Gas Disclosure. As required by law, (Landlord) (Seller) makes the following disclosure: "Radon Gas" is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in _____. Additional information regarding radon and radon testing may be obtained from your county public health unit.

26. Entire Agreement. The foregoing constitutes the entire agreement between the parties and may be modified only by a writing signed by both parties. The following Exhibits, if any, have been made a part of this lease before the parties' execution hereof:

Signed this September 14 - 04.

Lessor: J.R. Blum

Lessee: Steven Alan Pittsford

CASE NAME _____
CASE NUMBER _____
DATE _____

E-MAIL

[illegible]

CASE NAME 317 SOLERS POINT RD.
CASE NUMBER 05-108 5PH
DATE 4-26-05

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.:

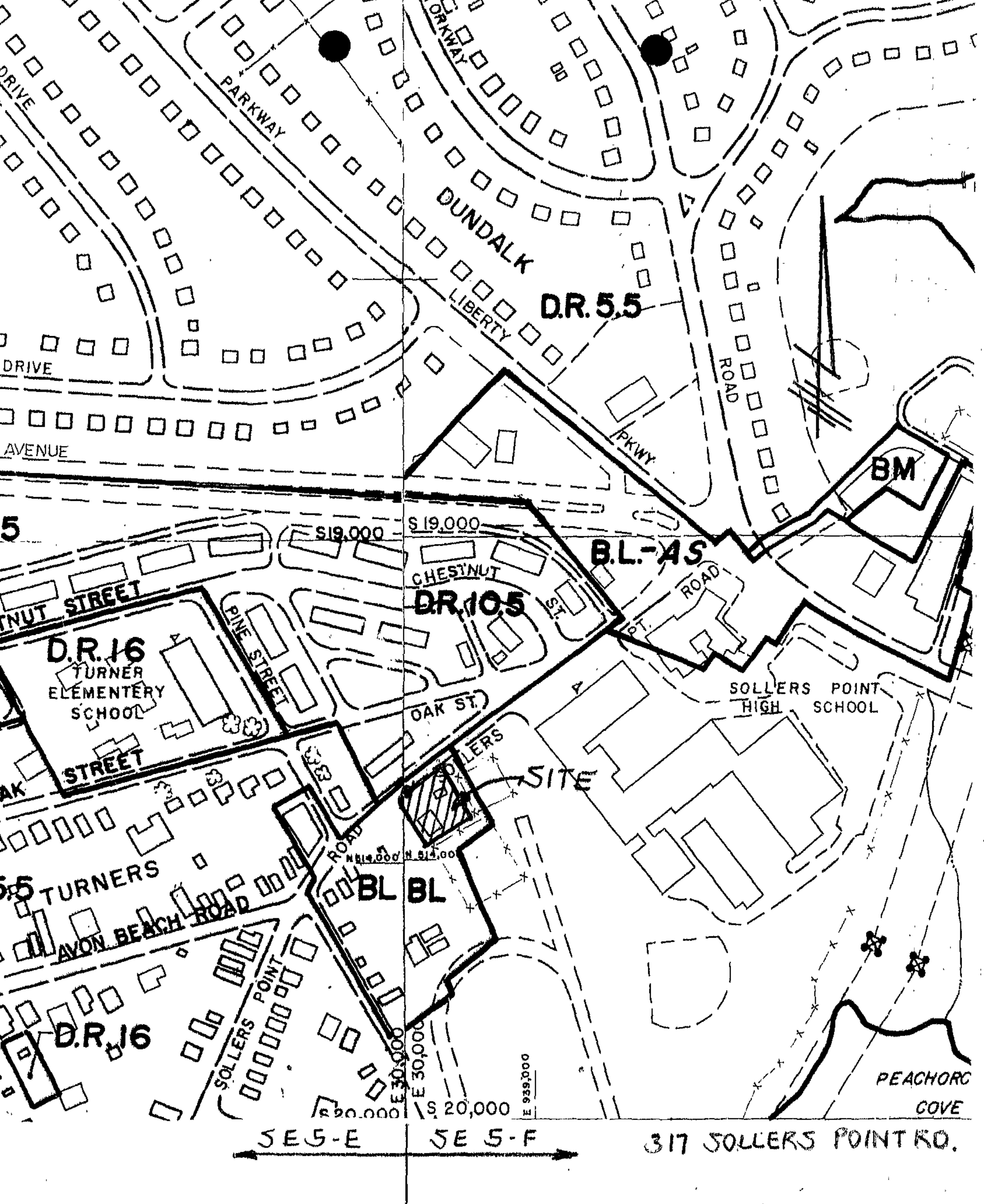
05-408 SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	Letters 1A-C
No. 2	REVISED PARKING LAYOUT Per Office of Planning, Zoning and Development Review	PHOTO'S OF SUBJECT PROPERTY WITH WRONGFUL STORAGE OF AUTOS + BOATS
No. 3	SITE PLAN CASE NO 91-287 XA	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



#312

#318

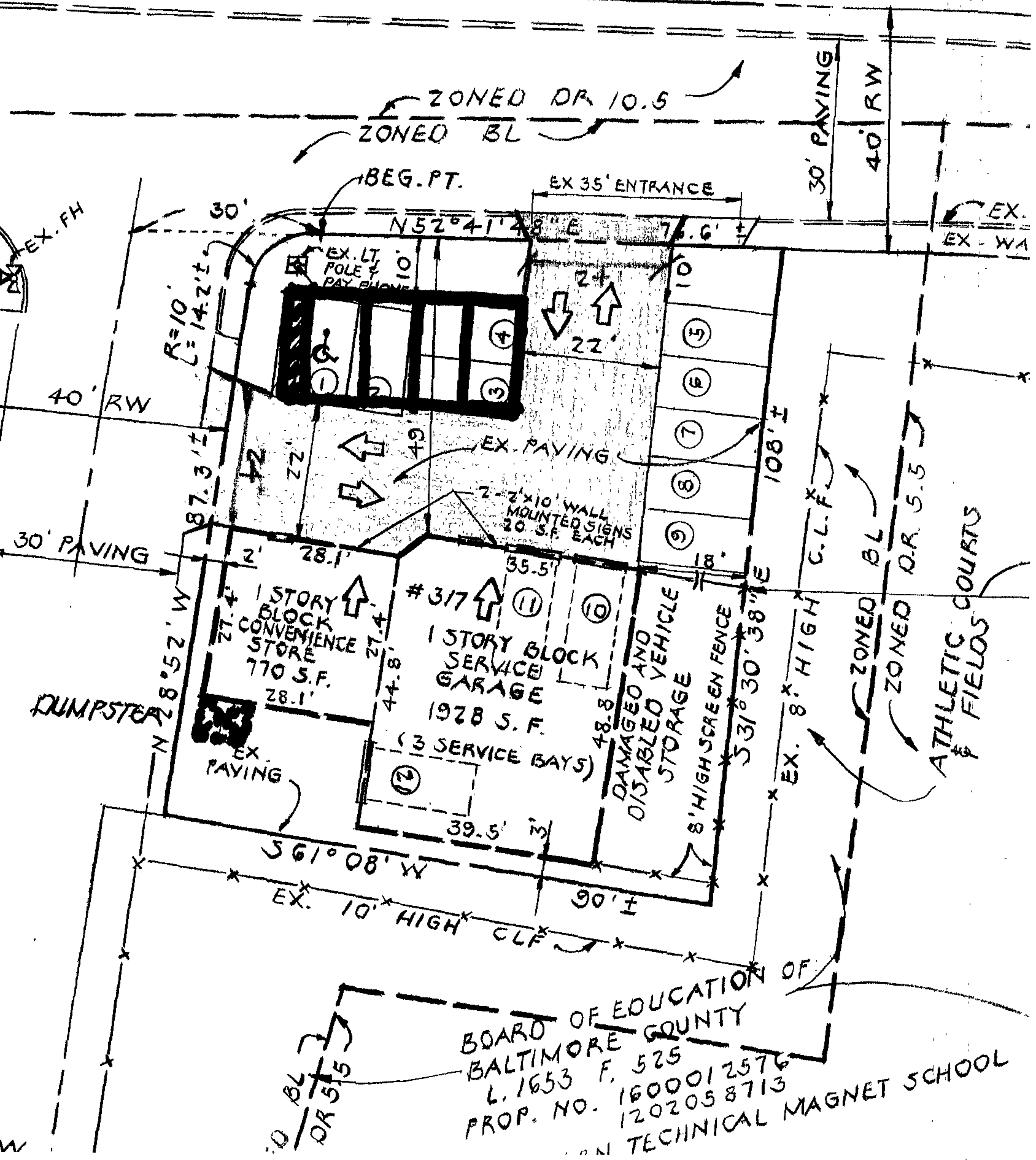
PETITIONER'S

EXHIBIT NO. 2

OLLERS

POINT

ROAD





64

PROTESTANT'S

EXHIBIT NO. 1B

AVON BEACH ROAD ASSOCIATION

c/o Odis W. Cain, Sr.
115 Avon Beach Road
Turner Station, Maryland 21222

April 25, 2005

William J. Wiseman, III
Zoning Commissioner
County Courts Building
401 Bosley Avenue, Room 407
Towson, MD 21204

RE: Case Number 05-4008-SPH
Location: 317 Sollers Point Road

Dear Commissioner Wiseman:

We, the members of the Avon Beach Road Association would like to say No! No! No!
to this plan and/or amendment.

The location of the property that is looking for a zoning change is on one of the main entrances to our community! The property, as it stands, does not meet any of the standards of being appealing or in keeping with a community that is trying to improve its looks. The property with damaged and disabled vehicles and boats is already an eyesore. To legitimize this look would be a disgrace.

The Convenience Store is sitting on a parcel of land that once was a service station. To many peoples knowledge the gas tanks have never been removed. Even though we do not use well water, the possibility of (gas) leaching still exists. If the convenience store is attractive and well kept we have no objections.

Odis W. Cain, Sr.
President

PROTESTANT'S

April 23, 2005

EXHIBIT NO.

1C

Mr. William J. Wiseman, III
Baltimore County Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

Dear Mr. Wiseman:

I am writing on behalf of the officers and members of the Turner Station Development Corporation, Incorporated (TSDC) and residents of the Turner Station community to oppose the approval of an amendment to a special exception (91-287-XA) to permit a variety of uses on the property located at 317 Sollers Point Road. The case (05-408-SPH) will be heard at a public hearing at 9 A.M. on Tuesday, April 26, 2005. Residents and members of the TSDC and the Turner Station community will attend the public hearing and intend to offer testimony in opposition to this amendment.

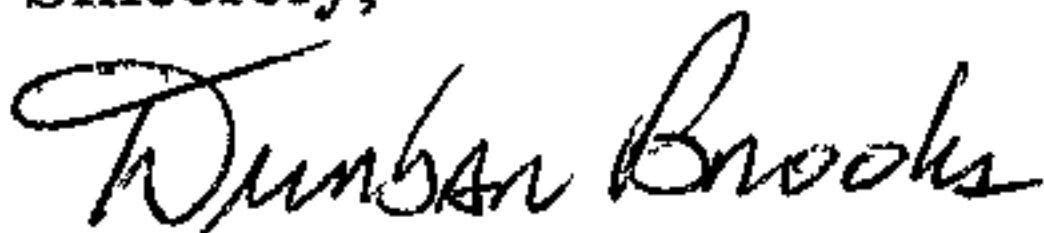
The TSDC has determined after reviewing the owner's intentions that his proposed activities such as creating an area for damaged and disabled vehicles at the current site are grossly incompatible with the Baltimore County Planning Board and Baltimore County Council approved Turner Station Community Conservation Plan and its Implementation Team strategies. Further, the proposal to once again collect and house damaged motor vehicles at this site is an affront to the entire community. The Turner Station community opposed the original special exception that upon your office's approval and implementation created an eyesore and a hazardous condition at the gateway to our community. When the automotive establishment located at this site ceased operation there was a collective sigh of relief within the entire community and especially the residents of the 300 block of Sollers Point Road who had to directly endure this indignity.

The Turner Station Community Conservation Implementation Team is currently conducting a beautification program that is a joint effort with Baltimore County Recreation and Parks, Constellation Energy (BGE), Baltimore County Public Schools, Baltimore County Office of Community Conservation, the Baltimore Harbor Team, and agencies of the state of Maryland. This program seeks as one of its goals to enhance the gateways, sidewalks, and common areas throughout Turner Station with the use of landscaping, tree planting, community garden restoration, lighting, refurbishing of areas in the proximity of Sollers Point Technical High School and the development of a traffic circle at the Sollers Point Road entrance to our community. The creation of a dump for abandoned damaged and disabled vehicles is anathema to the very spirit of county government and our community's efforts to renaissance our neighborhood. Permission to allow a project that produces this kind of hazardous eyesore is a "slap in the face" to what our county executive, Jim Smith, is trying to achieve in our older neighborhoods.

Upon review of the owner's plans I can state that our organization is not opposed to the creation of a convenience store and the requisite number parking spaces that would be needed to serve store patrons only. We do question the market feasibility of opening such a store in this location given the immediate proximity of similar types of stores. We recognize that the current site at 317 Sollers Point Road is zoned BL. The TSDC is currently working with Baltimore County government and the Dundalk Renaissance Corporation to secure staff and funding for developing a housing and commercial revitalization for the community. The owner of this site is not engaged in this activity and to my knowledge has never attempted to contact the TSDC in regard to his intentions.

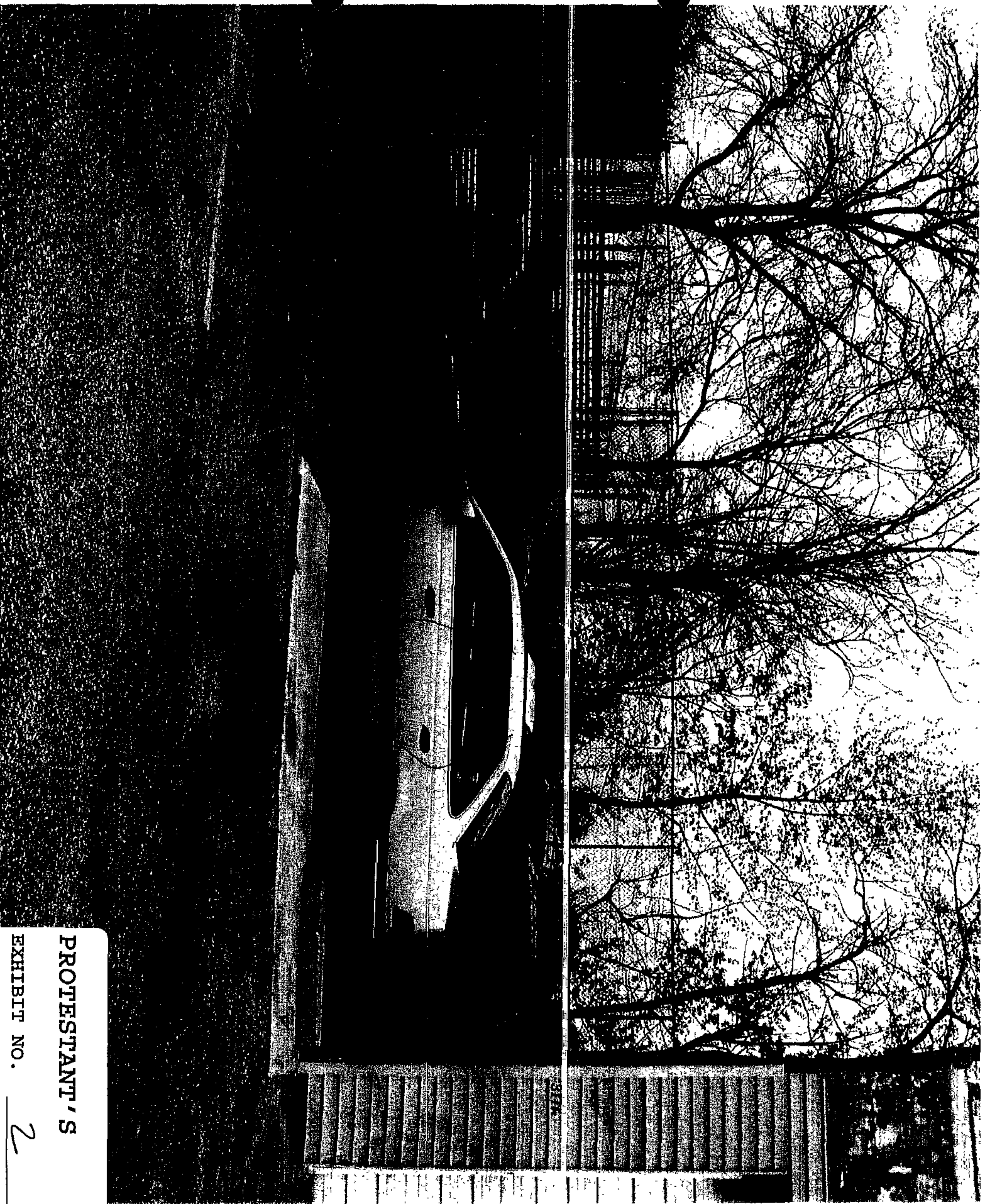
We therefore adamantly urge you to deny this amendment in total. If you do choose to allow the amendment we respectfully request that you alter its provisions to include only the convenience store and its required parking spaces. We thank you for your consideration in this matter.

Sincerely,



Dunbar Brooks, Board Chairman
Turner Station Development Corporation

Cc: James Smith, Baltimore County Executive
John Olszewski, Baltimore County Councilman



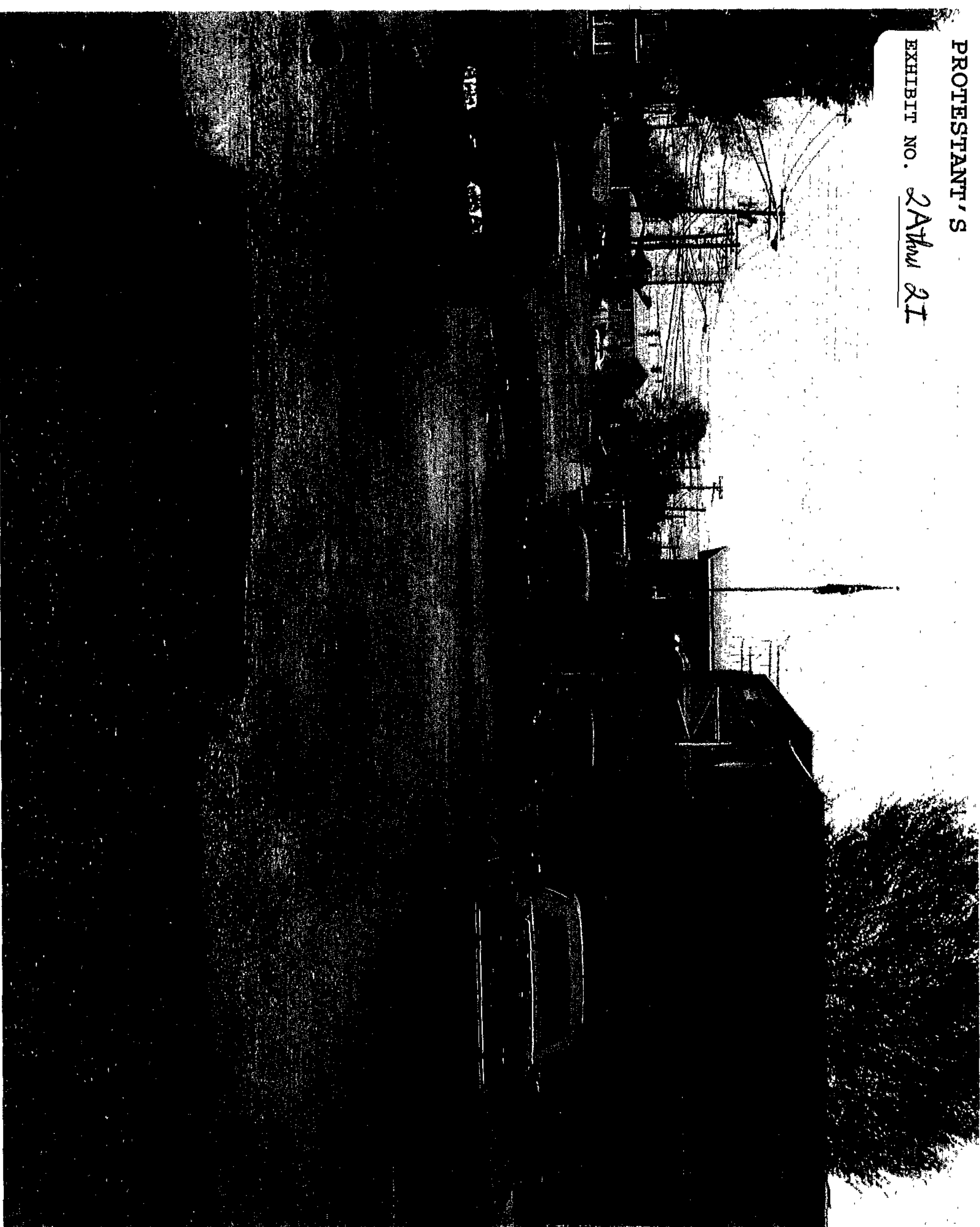
PROTESTANT'S

EXHIBIT NO.

2

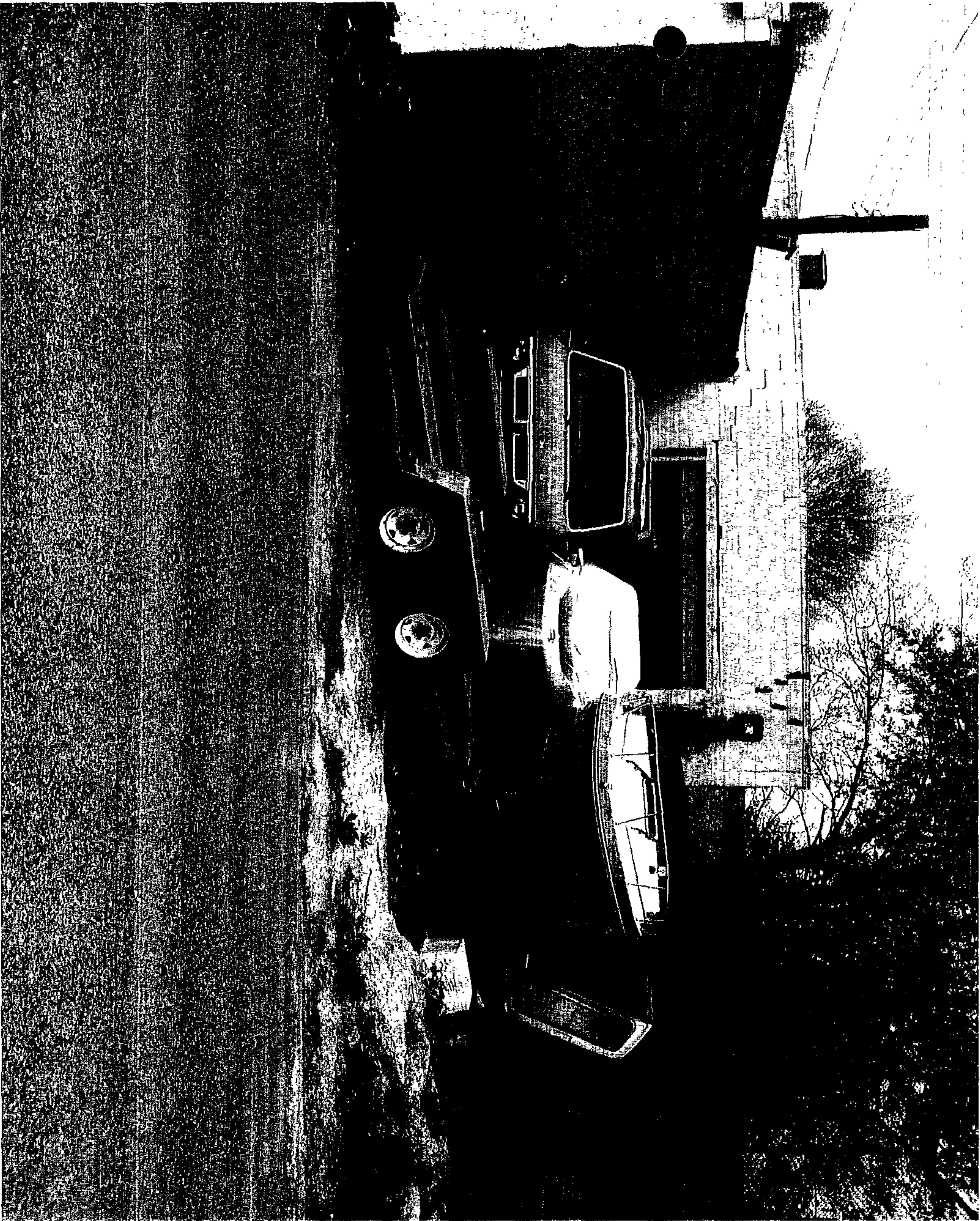
PROTESTANT'S

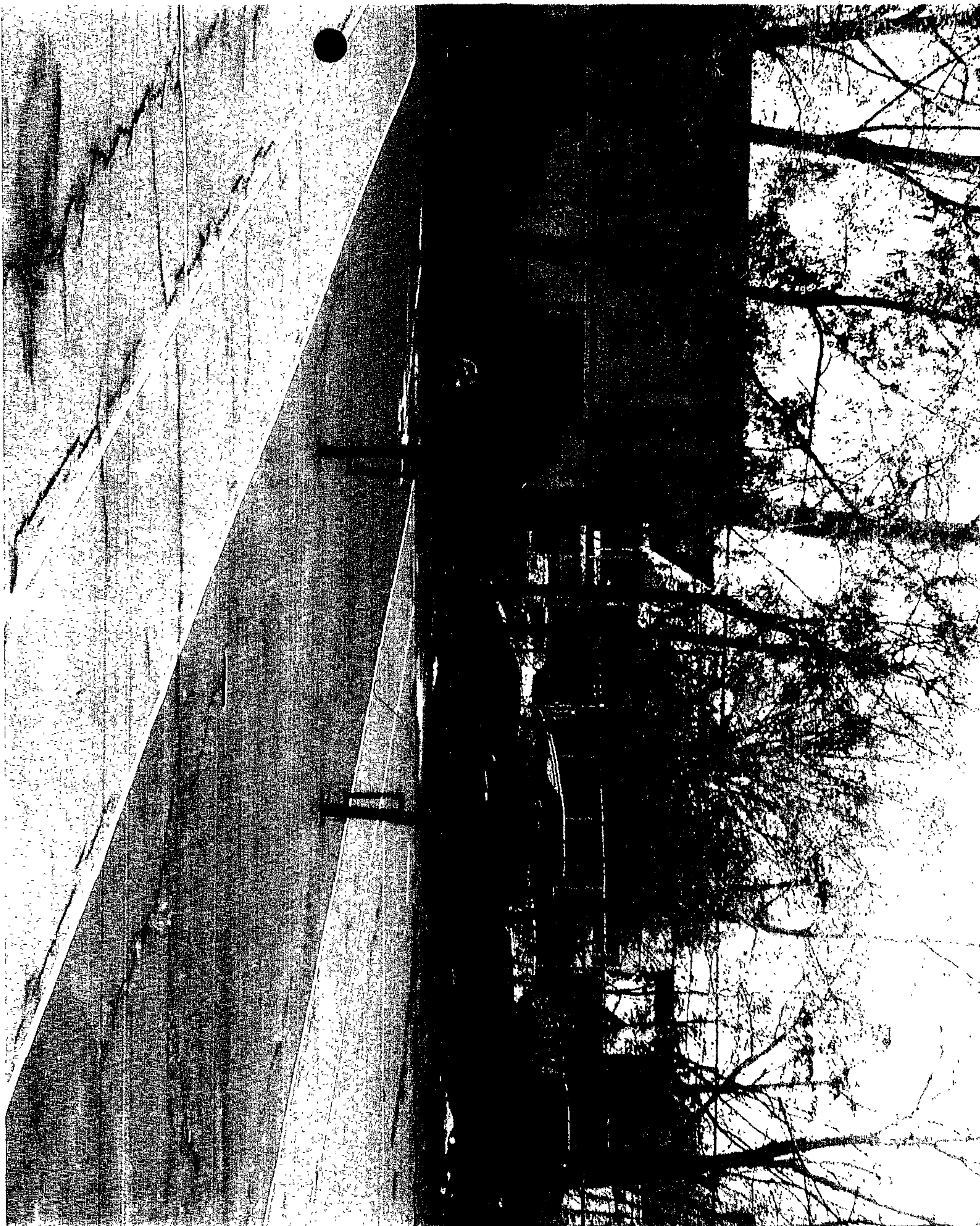
EXHIBIT NO. 2A thru 2I



APRIL 25, 2005

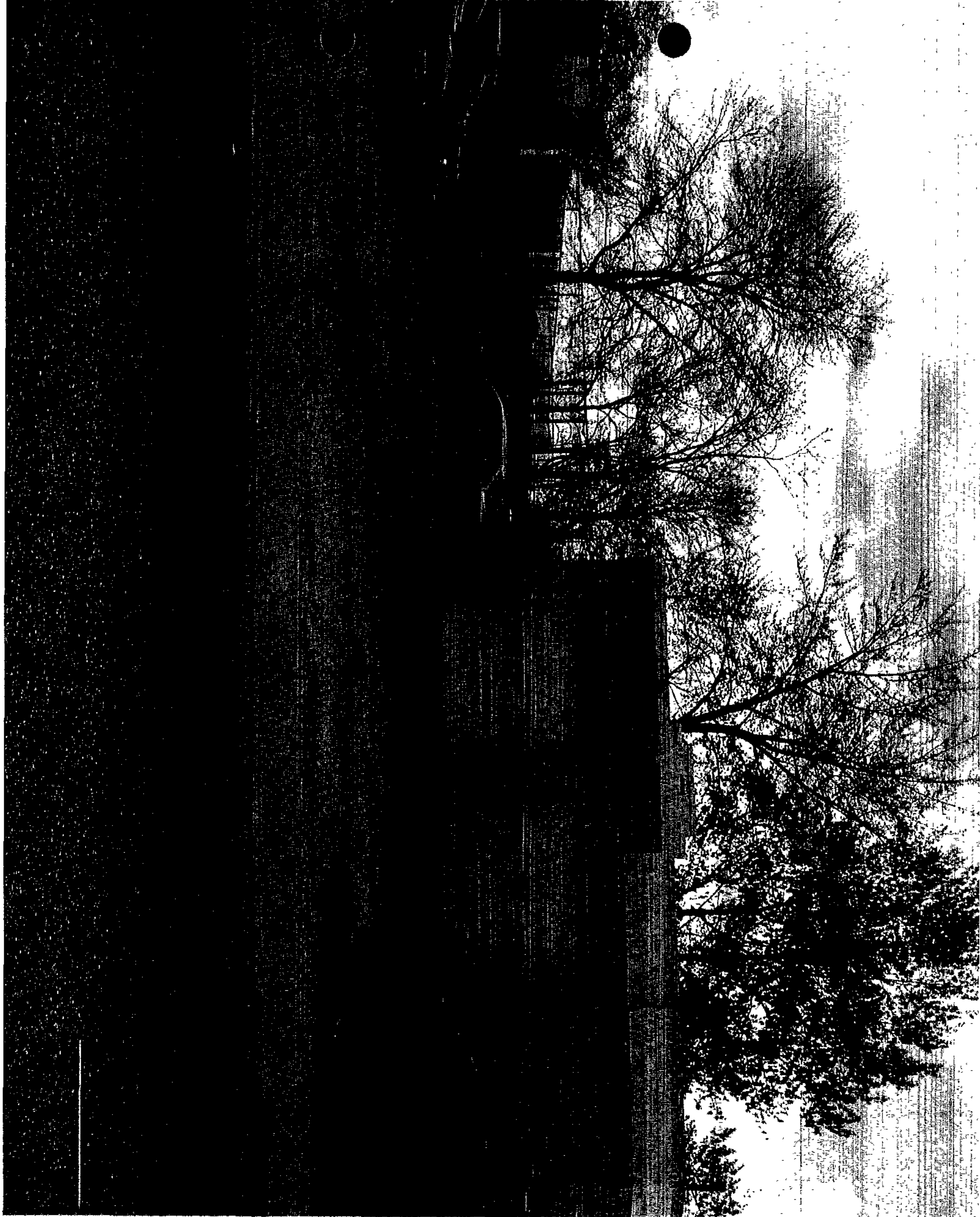














TURNER STATION COMMUNITY CONSERVATION

**Implementation Teams
c/o Alice Mason, Acting Chairperson
124 Carver Road
Turner Station, Maryland 21222**

April 25, 2005

William J. Wiseman, III
Zoning Commissioner
County Courts Building
401 Bosley Avenue, Room 407
Towson, MD 21204

RE: Case Number 05-4008-SPH
Location: 317 Sollers Point Road

Dear Commissioner Wiseman:

The Turner Station Community Conservation, Implementation teams have been diligently working to implement the Community Conservation Plan adopted by the Baltimore County Council on December 15, 2003. Our goal is to beautify our community, improve the infrastructure, traffic, community services, natural environment, public safety, code enforcement, and recreation and to preserve our heritage. These changes will improve the quality of life of our residents.

It is our considered opinion that the above-referenced case is in direct conflict with these efforts. We, therefore, oppose Case Number 05-4008-SPH and the previously approved Special Exception (91-287-XA). Specifically,

- (1) We oppose a revision to the area for a revised parking layout for any purpose other than for the number of spaces required for a convenience store. In fact, within the past few days three (3) cars, without license tags, have already been placed on the parking lot in front of the building.
- (2) We also oppose a revision to the area for damaged and disabled vehicles.

We agree to the location of the convenience store provided the area has curb appeal, is well maintained and attractively marked.

We take this position because these revisions are not in keeping with the enhancement of the community of Turner Station and will possibly affect the health, safety and general welfare of the public.

The site is already a detriment to our community. The property was at one time a gasoline station. To our knowledge the underground tanks have not been removed. In addition, the cars to the rear of this property in a fenced area, should not be in a residential environment as they are a harborage for rodents and an eyesore to the residents.

We ask that this and other letters from Turner Station Community organizations be placed in the record and request a copy of your decision.

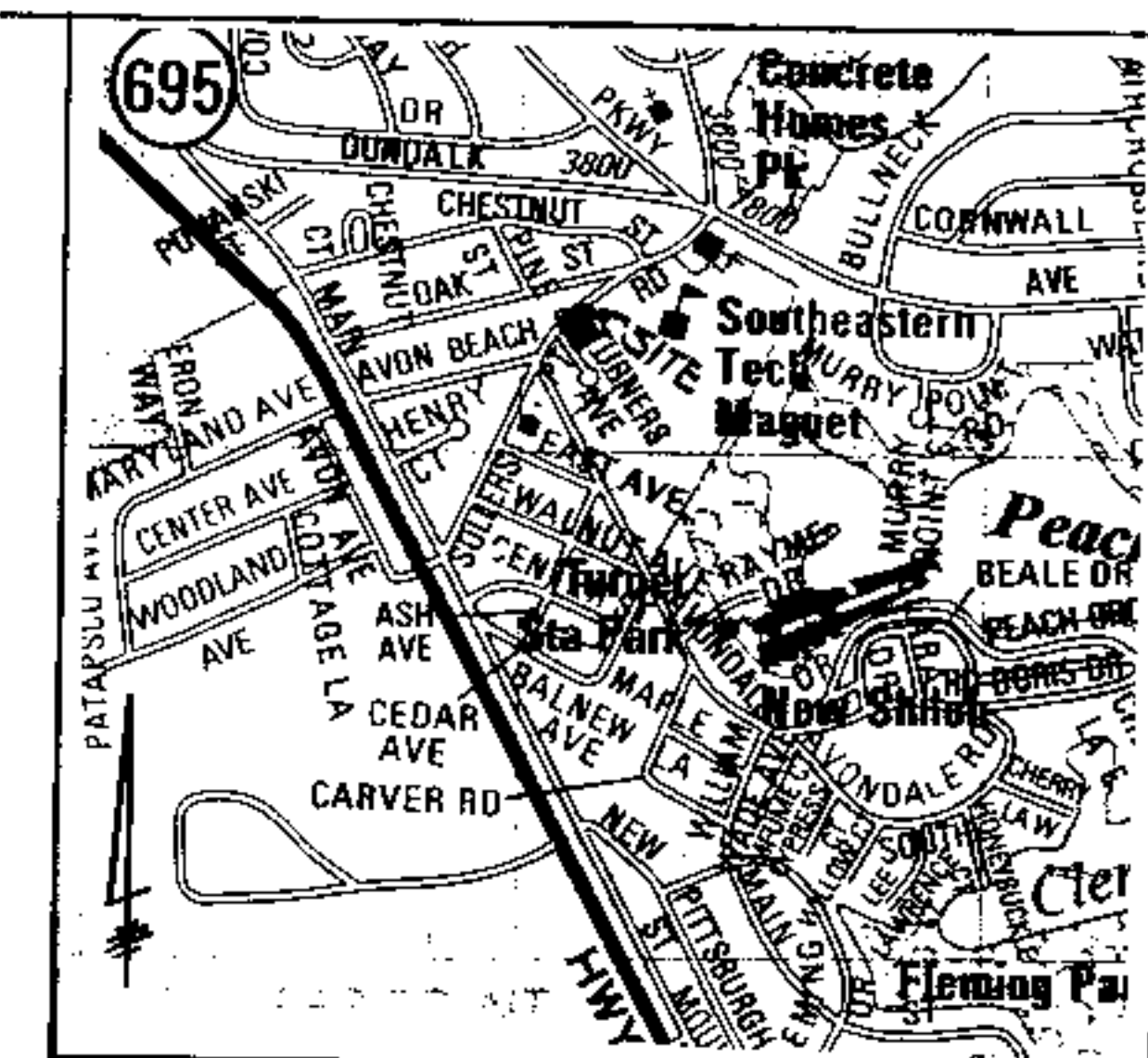
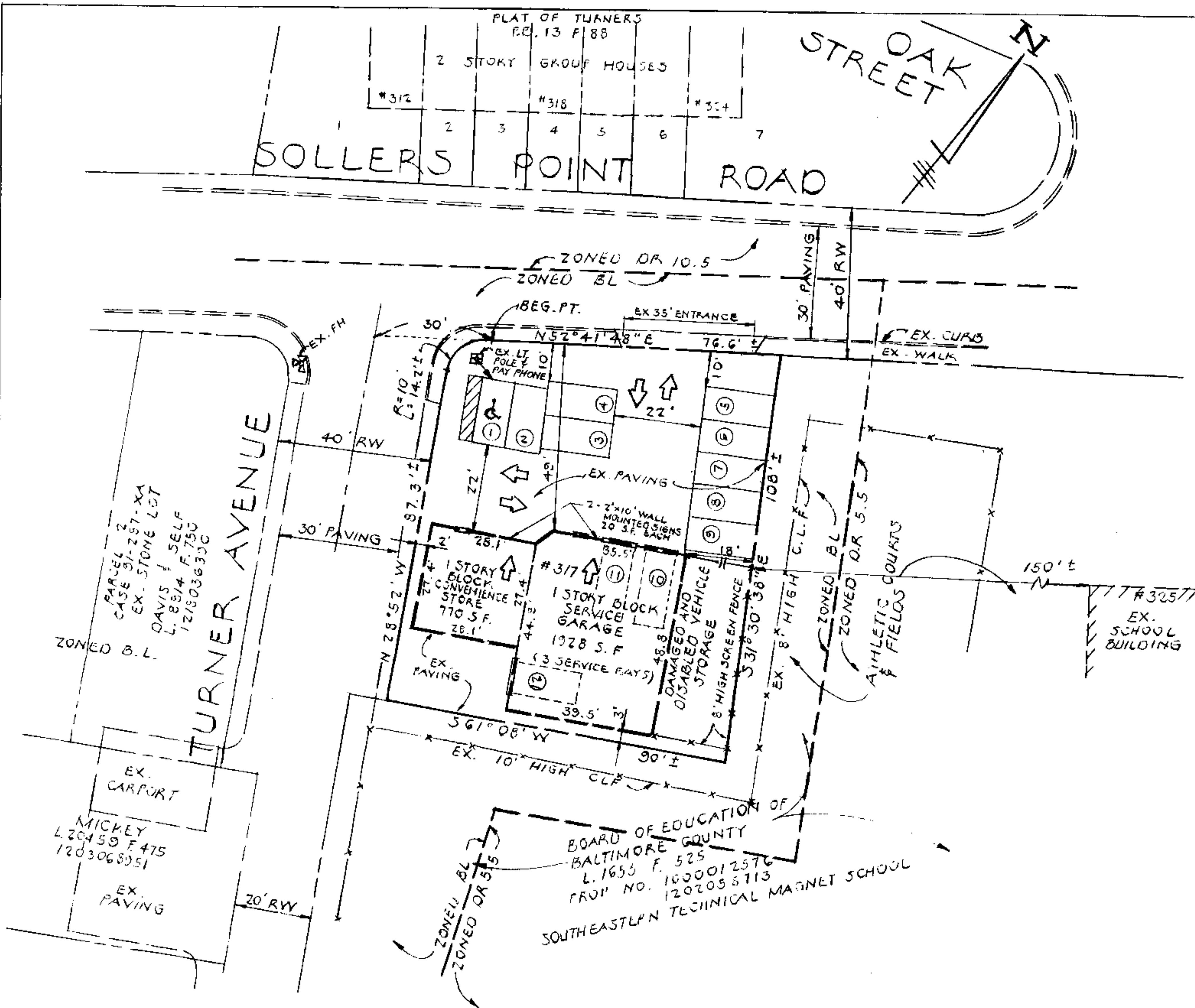
Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alice Mason".

Alice Mason
Acting Chairperson

cc: James Smith, Baltimore County Executive
John Olszewski, Baltimore County Councilman



NOTES

1. ZONING.....B.L. (SE 5E, SE 5 F)
2. AREA8,970 S.F. = 0.206 ACRE
3. EXISTING USE.....SERVICE GARAGE
4. PROPOSED USE.....SERVICE GARAGE AND CONVENIENCE STORE
5. BUILDING AREA.....2,698 S.F.
F.A.R.2,698 / 8,970 = 0.30
6. PARKING DATA
REQUIRED.....SERVICE GARAGE....1928 S.F. @ 3.3 SP/1000 S.F. = 6.4 SPACES
CONVENIENCE STORE....779 S.F. @ 5 SP/1000 S.F. = 3.9 SPACES
TOTAL REQUIRED.....11 SPACES
PROVIDED.....SPACES AND 3 SERVICE BAYS = 12 SPACES
ALL SPACES TO BE A MINIMUM OF 8.5 X 18. ALL SPACES AND ACCESS AISLES SHALL BE PAVED AND PERMANENTLY STRIPED.
7. ANY DAMAGED OR DISABLED VEHICLES SHALL BE STORED INSIDE THE SERVICE GARAGE OR WITHIN THE SCREEN FENCE ENCLOSURE. THE SITE SHALL COMPLY WITH SECTION 435A
8. NO FUEL SALES OR FUEL STORAGE TANKS ARE PERMITTED
9. HOURS OF OPERATION.....SERVICE GARAGE 7 AM TO 9 PM MON. THRU SAT.
CONVENIENCE STORE 7 AM TO 11 PM, 7 DAYS
10. THIS SITE IS LOCATED IN THE CBCA. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN.
11. SITE IS SERVICED BY PUBLIC WATER AND SEWER.
12. TO THE PREPARED'S KNOWLEDGE, NO HISTORIC BUILDINGS ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST
13. A FINAL LANDSCAPE PLAN MUST BE APPROVED PRIOR TO CHANGE OF OCCUPANCY PERMIT ISSUANCE
14. PREVIOUS ZONING HISTORY
A. ZONING VIOLATION CASE # 869-89 SP/T (89-1993) FOR OPERATING SERVICE GARAGE W/O SPECIAL EXCEPTION, JUNK YARD, TRAILER ON SITE
B. CASE # 91-287 XA SPECIAL EXCEPTION FOR SERVICE GARAGE, VARIANCE OF 2 FOOT BUILDING SETBACK FROM TURNER AVENUE AND FENCE SETBACKS.

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

- HEARING REQUEST
1. TO PERMIT THE ADDITION OF A CONVENIENCE STORE
 2. TO PERMIT A REVISED PARKING LAYOUT
 3. TO REVISE THE AREA FOR STORAGE OF DAMAGED AND DISABLED VEHICLES
 4. TO DELETE PARCEL 2 FROM THE PREVIOUSLY APPROVED PLAN
 5. TO PERMIT OTHER MINOR PLAN REVISIONS

OWNER
RODNEY B. SMITH
326 E. LAFAYETTE AVENUE
BALTIMORE, MARYLAND 21202-2929
(443) 850-9584
DEED REF.: L 21139 F 358
PROPERTY NO. 1218036090

**PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING**
**317 SOLLERS POINT ROAD
ELECTION DISTRICT 12,C7
BALTIMORE COUNTY, MARYLAND**
SCALE: 1 INCH = 20 FEET
JANUARY 28 2005

PETITIONER'S
EXHIBIT NO. 1