IN RE: PETITION FOR SPECIAL HEARING Northeast corner of Eastern Boulevard And Hartman Ave. **(710 Eastern Avenue)** 15th Election District 7th Council District Helen Winter Petitioner/Owner	* * * * * *	BEFORE THE ZONING COMMISSIONER BALTIMORE COUNTY Case No. 06-378-SPH

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consider of a Petition for a Special Hearing filed by the owner of the subject property, Helen Winter, by and through her attorneys John B. Gontrum, Esquire, and Whiteford, Taylor & Preston, LLP. The Petitioner requests a special hearing to allow the continuation of sales of used vehicles as a non-conforming use per Case No. 65-159-R as permitted by Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). 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 Exhibit 1.

Appearing at the requisite public hearing was Helen Winter, the Petitioner and owner of the property, and her attorney, John B. Gontrum, Esquire. There were no Protestants, and the hearing proceeded on a proffer from counsel for Petitioners.

The testimony and evidence offered disclosed that the subject property is located on the northeast corner of Eastern Boulevard and Hartman Avenue in Essex. The site is rectangularly shaped and contains a net area of .333 acre and zoned B.M.-A.S. It is served by public water and sewer and is almost entirely paved. There is a one story 986 square foot 2 bay garage and sales building on the site.

Date 4-9-06
By

In Case No. 65-159-R the Petitioner, and her late husband George Winter, petitioned the Zoning Commissioner to rezone the subject property from R-6, a residential zone, to B.M., a commercial zone, for the storage of automobiles and a sales building/garage. Since that time the Petitioner has continuously and without interruption used the site to sell used vehicles, particularly vans and small trucks trading as Frostee Motors, Inc. The site today looks identical to the site depicted on the site plan approved for the property in 1965. The documentation in the file supports the continuous nature of the operation and includes insurance information, State of Maryland, Motor Vehicle Administration bonding information, and trader's licenses from different decades. Mrs. Winter appeared to be a very credible witness in her depiction of the business over the years.

Today, a used car lot and building would not be permitted in the B.M. zone. Section 233.2 of the B.C.Z.R. allows as a permitted use in the B.M. zone: "New automobile sales facility and adjoining outdoor sales area, provided that dismantled or junked cars unfit for operation on the highways may not be stored outdoors." Section 236 of the B.C.Z.R. permits as a special exception in the B.R. zone: "Used motor vehicle outdoor sales area, separated from sales agency building." A used car lot consequently would not be permitted under the current regulations.

Prior to the enactment of Bill 71-2001, B.C.Z.R. Section 233.2, however, did not contain the word "new" as a limiting adjective on an automobile sales facility. Consequently, any automobile sales facility accompanied by an adjoining sales lot was a permitted use. The court of special appeals seems to have addressed this situation in ruling on whether a denial of an appeal of a special hearing, allowed for the continued use of a used car facility. See *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A. 2d 1166 (2005) where the court recognized that

ORDER RECEIVED FOR FILING
Date 4-6-06
By

the change in the law brought about in Bill 71-2001 effectively precluded the sales of used cars as a matter of right in a B.M. zone.

It seems equally clear that in 1965 when the zoning classification was changed with the subsequent approval of a used car facility at this location that such use was deemed permitted. (Petitioner's Exhibit 2). Consequently, it seems clear that up until the enactment of Bill 71-2001 that this facility, permitted under the reclassification order, was a conforming use at the site. It may now, based on the evidence and proffered testimony, be considered a legitimate non-conforming use.

The Office of Planning has filed a comment not adverse to the requested special hearing relief but seeking landscaping of the site along Eastern Boulevard and Hartman Avenue. Certainly, landscaping along these rights of way is desirable. Currently, a chain link fence runs along the perimeter of the site to the state and county rights of way. The only shrubbery of any kind runs along the alley behind the property. This site, however, is very small and as noted above is fully paved. The placement of landscaping would require the removal of paving and storage and parking area. To have any real impact a substantial portion of the paving would have to be removed and use of over a third of the site would be lost. Given the fact that this is a non-conforming use on a small site, this proposed landscaping does not appear to be economically feasible or justified. Petitioner is not asking to expand on the existing non-conforming use.

Based on my review of the site plan, the case history and documentation offered as well as proffered testimony, I do find that the subject property is a legal, non-conforming use.

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 6th day of April, 2006, that the Petition for Special Hearing to permit a continuation of sales of used vehicles as a non-conforming use per Case No. 65-159-R in accordance with the site plan marked as Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioner is hereby made aware that proceeding at this time is at her 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.

Any appeal of this decision must be taken in accordance with Section 32-3-01 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4-6-06
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 6, 2006

John B. Gontrum, Esquire
Whiteford, Taylor & Preston
210 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/E Corner of Eastern Boulevard and Hartman Avenue
(710 Eastern Avenue)
15th Election District – 7th Council District
Helen Winter - Petitioner
Case No. 06-378-SPH

Dear Mr. Gontrum:

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,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Helen Winter, 8926 Cowenton Avenue,
Perry Hall, Md. 21128
Ed and Carolyn Bory, 6615 Hudson Street,
Baltimore, Md. 21224
People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 710 Eastern Blvd.
which is presently zoned BM-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 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

continuation of sales of used vehicles as a non-conforming use per Case No. 65-159R.

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:

N/A
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

John B. Gontrum
Name - Type or Print

Signature

Whiteford, Taylor & Preston
Company

210 W Pennsylvania Ave 410 832-2055
Address Telephone No.

Towson, MD 21204
City State Zip Code

Legal Owner(s):

Helen Winter
Name - Type or Print

Signature

Name - Type or Print

Signature

8926 Cowenton Ave 410-391-5113
Address Telephone No.

Perry Hall, MD 21128
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date 2/3/06

Case No. 06-378-SPH

REV 9/15/98

ORDER RECEIVED FOR FILING
Date
By

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

ZONING DESCRIPTION
710 EASTERN BOULEVARD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the north side of Eastern Boulevard, a right- of-way (80) feet in width, at a point where it intersects the east side of Hartman Avenue, a right-of-way (25) feet in width, thence running and binding on the east side of the Hartman Avenue right-of-way (1) North 27 degrees 03 minutes 26 seconds West 145.00 feet, thence leaving perpendicular to Hartman Avenue and binding on the south side of an alley, a right-of-way (10) feet in width, (2) North 62 degrees 56 minutes 34 seconds East 100.00 feet, thence leaving perpendicular to the alley, (3) South 27 degrees 03 minutes 26 seconds East 145.00 feet to a point on the north side of Eastern Boulevard, thence running and binding on the north side of the Eastern Boulevard right-of-way (4) South 62 degrees 56 minutes 34 seconds West 100.00 feet, to the point of beginning.

Containing a net area of 0.333 acres or 14,500 square feet of land, more or less.

STATE OF MARYLAND
PATRICK C. RICHARDSON
NO. 10537
REGISTERED
PROFESSIONAL ENGINEER

1/16/06

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: #06-376-SPHA
710 Eastern Boulevard
Northeast corner of Eastern Boulevard and Hartman Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): Helen Winter
Special Hearing: for the continuation of sales of used vehicles as a non-conforming use per Case No. 65-159-R
Hearing: Monday, March 20, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/030 Mar. 2 86011

CERTIFICATE OF PUBLICATION

3/2, 2006

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 3/2, 2006.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 448189

DATE 2/2/06 ACCOUNT P001C001.6150

AMOUNT $ 325.00

RECEIVED FROM: LOUITT, LAND TAYLOR & ASSOCIATES

FOR: 06-278-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

06-378-SPH

RE: Case No.: 06-378-SPH

Petitioner/Developer: HELEN WINTER

Date of Hearing/Closing: 3-20-06

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

ATTN: Kristen Matthews {(410) 887-3394}

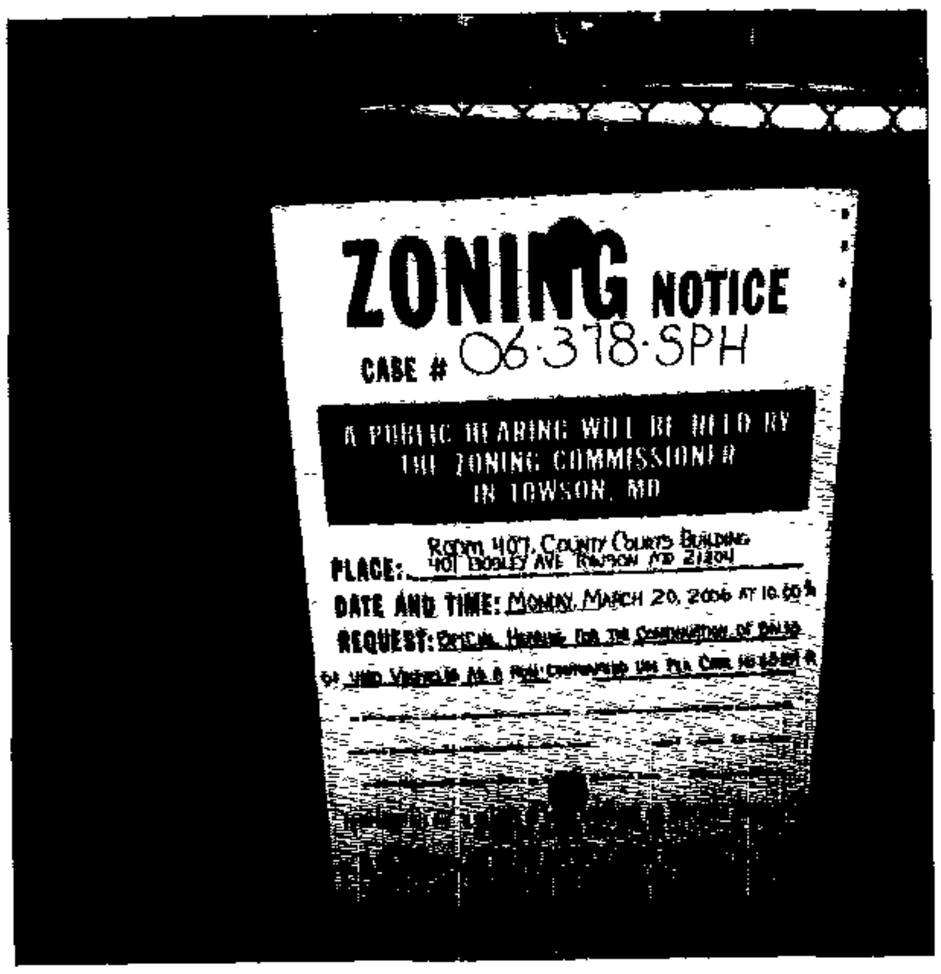
Ladies and Gentlemen:

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:

710 EASTERN BOULEVARD

The sign(s) were posted on 3-3-06
(Month, Day, Year)

Sincerely,



710 EASTERN BLVD

Robert Black 3-7-06
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 2, 2006 Issue - Jeffersonian

Please forward billing to:
Helen Winter (410-391-5113)
8926 Cowenton Avenue
Perry Hall, MD 21128

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: 06-378-SPHA
710 Eastern Boulevard
Northeast corner of Eastern Boulevard and Hartman Avenue
15th Election District, 7th Councilmanic District
Legal Owners: Helen Winter

Special Hearing for the continuation of sales of used vehicles as a non-conforming use per Case No. 65-159-R.

Hearing: Monday, March 20, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(2) 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

February 21, 2006

Baltimore County

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

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: 06-378-SPH
710 Eastern Boulevard
Northeast corner of Eastern Boulevard and Hartman Avenue
15th Election District, 7th Councilmanic District
Legal Owner: Helen Winter

Special Hearing for the continuation of sales of used vehicles as a non-conforming use per Case No. 65-159-R.

Hearing: Monday, March 20, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:raj
c: John B. Gontrum, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson, MD 21204
Helen Winter, 8926 Cowenton Ave., Perry Hall, MD 21128

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 4, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(3) 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: 06-378 SPH

Petitioner: Helen Winter

Address or Location: 710 Eastern Boulevard, Essex, Md 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Helen Winter

Address: 8926 Cowenton Ave.
Perry Hall, Md. 21128

Telephone Number: 410-391-5713

Revised 7/11/05 - SCJ

Department of Permits and Development Management

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

Baltimore County

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

March 13, 2006

John B. Gontrum
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number: 06-378-SPH, 710 Eastern Blvd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 3, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Helen Winter 8926 Cowenton Avenue Perry Hall 21128

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

February 24,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 20, 2006

Item No.: Item Numbers ~~375~~ through 386
378

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.

6. The Fire Marshal's Office has no comments at this time.

LT. Roland P. Bosley Jr.
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 27, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 27, 2006
Item Nos. 375, 376, 377, 378, 379, 380, 381, 382, 384, 385, and 386

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-02272006.doc

BW
3/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 6, 2006

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

RECEIVED
MAR 1 : 2006
ZONING COMMISSIONER

SUBJECT: 710 Eastern Boulevard

INFORMATION:

Item Number: 6-378

Petitioner: Helen Winter

Zoning: BM-AS

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request provided the petitioner agrees to significantly improve the condition of the site. The subject site was previously used for previously owned vehicle sales, and is currently in poor condition. The Office of Planning would like to see improvements to the building and the addition of ornamental landscaping (along the perimeter and internal) on the site (i.e. remove paving along the Hartman Avenue and Eastern Boulevard rights-of-way and the 10' alley to provide for the landscaping along the aforementioned street and alley frontage). Additionally, Eastern Boulevard is part of a Community Commercial Center.

For further information concerning the matters stated here in, please contact Amy Mantay at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Lyn Lanham

W:\DEVREV\ZAC\6-378.doc

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 2.17.02

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

RE: Baltimore County
Item No. 378 LTM

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

To Henry O'Brien

PETITION

06-378 SPH

SHOW USE: ?

CARS LABEL CUSTOMER PARKING, DISPLAY, DISPLAY SETBACK ARRANGEMENT.

WCR

RE: PETITION FOR SPECIAL HEARING 710 Eastern Blvd; NE corner Eastern Boulevard & Hartman Avenue 15th Election & 7th Councilmanic Districts Legal Owner(s): Helen Winter Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-378-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 sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of February, 2006, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
FEB 27 2006
Per

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
SUITE 495
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

JOHN B. GONTRUM
DIRECT NUMBER
410-832-2055
JGontrum@wtplaw.com

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
DIRECT FAX 410 339-4058
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

115 ORONOCO STREET
ALEXANDRIA, VIRGINIA 22314
TELEPHONE 703 836-5742
FAX 703 836-3558

February 21, 2006

Carl Richards
Zoning Supervisor
Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Frostee Motors
710 Eastern Boulevard

Dear Carl:

Per our conversation I have attached some historical information on Frostee Motors. The State Motor Vehicle Administration in 1973 acknowledged the bonding on Frostee Motors as a motor vehicle dealer. This was subsequently renewed over the years, and there is an extension endorsement from 1988 for the bond as a used car dealer. There also is documentation from 1989-1990 and a letter from their insurer attesting to the insurance offered on the business for over 40 years. Their current documentation and insurance information also is enclosed.

I have spoken personally with the Department of Motor Vehicles which has confirmed that this license for this location has been in existence since the 1960's. Ms. Winter has an absolutely spotless record.

Enclosed also is a letter which you received from Ms. Winter's neighbor at 601 confirming the other information.

Finally, as we have tried to make clear, we understand that if there are complaints or protests to the use on the site that a special hearing may be required to formally present evidence as to the non-conforming status of the site. Ms. Winter's health and financial situation, however, are such that we have been trying to avoid a formal process and simply desire to put on the property a responsible tenant that will continue a use that has been present for at least 40 years on the site without interruption or complaint.

Your assistance in this matter is much appreciated.

Sincerely,

John B. Gontrum

JBG:jbg

Enclosures

06-378 000

Zoning Approval Form

To be completed by applicant and presented for approval to the local zoning authorities

Submit with Application

Eastwood Auto Sales

Company name (including trade names)

710 Eastern Blvd.

Business Office Street Address

Essex | Baltimore | MD | 21221

City | County | State | Zip Code

Eastwood Auto Sales

Name and type of storage location

710 Eastern Blvd. Baltimore County MD 21221

Street Address | City or County | State | Zip Code

Name and type of any additional storage locations

Street Address | City or County | State | Zip Code

Type of Business (check appropriate blocks)

Licenses

- ☐ Wholesale
- ☐ New Vehicle
- ☑ Used Vehicle
- ☐ Trailer
- ☐ Motorcycle
- ☐ ADR # of Acres
- ☐ Scrap Processor # of Acres

Transporters

- ☐ Inspection Station
- ☐ Vehicle Painting\Remodeling\Repair
- ☐ Auctioneer
- ☐ New Vehicles for Manufacturer
- ☐ Other

This section to be completed by zoning official to verify applicant has met all local zoning requirements to conduct the type of business specified above.

I certify, that the business of Used Motor Vehicle does ✓ does not ____ meet all zoning requirements, including the issuance of a use and occupancy permit, if required. Provisional Zoning Approval

Signed Cathy Rotroco /UCR

Official Capacity DIRECTOR P.D.M.

Telephone # 410 887 3391

Date 2/21/06

MVA Motor Vehicle Administration

For more information, please call: **1-800-638-8347** (touch tone calls only), **1-800-950-1MVA (1682)** (to speak with a customer service representative), From Out-of-State: **1-301-729-4550**, TDD for the hearing impaired: **1-800-492-4575.**

CS-053 (2-00)

USED VEHICLE DEALER LICENSE

THIS IS TO CERTIFY THAT

Control Number: 7482R

Frostee Motors Inc

710 Eastern Blvd Baltimore, MD 21221

License # X800005001737 - Expires - 06/30/2006

111 MAR20 DEALERS $500.00

Owners/Officer(s

George M. Winter , Helen H. Winter , Cathy Surdis

DBA(s)

None

Franchise(s)

None

is hereby licensed as a "VEHICLE DEALER" in accordance with the applicable provisions of the Maryland Vehicle Law.

Alterations VOID this Document
Not Valid without impressed Seal and Watermark

Maryland Department of Transportation
MOTOR VEHICLE ADMINISTRATION
GLEN BURNIE, MARYLAND 21062
LICENSING & CONSUMER SERVICES

THIS LICENSE MUST BE DISPLAYED IN VIEW OF THE PUBLIC

ADMINISTRATOR OF MOTOR VEHICLES

06/14/2004

State of Maryland
License

90 County

03727212
01819214

FROSTEE MOTORS INC
710 EASTERN BLVD
BALTIMORE MD 21221

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
71	100	TRADER'S LICENSE	1	250.00
		ISSUING FEES		2.00
		TOTAL		252.00

DATE OF ISSUE MO DAY YR
05/04/2005

MONTHS PAID
12

AMOUNT PAID
252.00

THIS LICENSE MUST BE POSTED
AND EXPIRES ON APRIL 30, 2006

ISSUED BY: SUZANNE MENSH, CLERK OF CIRCUIT COURT
401 BOSLEY AVENUE
TOWSON, MARYLAND 21204-6754 410-887-2607

JPE

90 County

State of Maryland
License

03803300
03727212
01819214

03

FROSTEE MOTORS INC
710 EASTERN BLVD
BALTIMORE MD 21221

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
71	150	TRADER'S LICENSE	1	300.00

DATE OF ISSUE
MO DAY YR
04/03/2003

MONTHS PAID
12

ISSUING FEES	2.00
TOTAL	302.00

AMOUNT PAID
302.00

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON **APRIL 30, 2004**

ISSUED BY
SUZANNE MENSH, CLERK OF CIRCUIT COURT
401 BOSLEY AVENUE
TOWSON, MARYLAND 21204-6754 410-887-2607

MBR

90 County

State of Maryland
License

03885836
03727212
01819214

04

FROSTEE MOTORS INC
710 EASTERN BLVD
BALTIMORE MD 21221

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
71	100.	TRADER'S LICENSE	1	250.00

DATE OF ISSUE
MO DAY YR
04/05/2004

MONTHS PAID
12

ISSUING FEES	2.00
TOTAL	252.00

AMOUNT PAID
252.00

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON **APRIL 30, 2005**

ISSUED BY
SUZANNE MENSH, CLERK OF CIRCUIT COURT
401 BOSLEY AVENUE
TOWSON, MARYLAND 21204-6754 410-887-2607

MKG

JIM JENNINGS TRANSMISSIONS

Affordable Quality Driveline Service
Since 1958

November 15, 2005

Carl Richards
Baltimore County Zoning
100 W. Chesapeake Avenue
Towson, MD 21204

Dear Carl,

Helen Winter from Frostee Motors asked me to write you this letter relative to the time she and her husband operated their used truck sales lot in Essex. As you know, we have operated our transmission shop since 1958 and I personally know we did all their transmission work since I was a kid (I'll be 58 next month).

I also spoke to dad and he says he started doing George's transmission work when he was located in the rear of the old Keene Motors Used Car lot at 1002 Eastern Boulevard and that was in 1960.

I know you occasionally get businesses that "stretch" the truth about their tenure at a specific location but in this case, she is being truthful as to the length they operated their truck lot. If you would like to talk to me or dad, please give us a call.

Sincerely,

Gary L. Jennings
General manager

601 Eastern Blvd. Essex, MD 21221 (410) 686-6700 Fax 686-1966

ATRA

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2001, Legislative Day No. 15

Bill No. 71-01

Councilmembers Olszewski, Kamenetz, McIntire & Moxley

By the County Council, August 6, 2001

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations - Automobile Sales

FOR the purpose of amending the Zoning Regulations to provide that new car sales are permitted as of right in the B.M. Zone, and to provide that used car outdoor sales areas are permitted in the B.M. Zone by Special Exception as part of a Commercial Planned Unit Development; and generally relating to car sales in the County's business zones.

By repealing and re-enacting, with amendments,

Section 233.2, automobile sales room use, and Section 440.4.C.

Baltimore County Zoning Regulations, as amended

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Section 233.2, automobile sales room use, and Section 440.4.C. of the Baltimore County Zoning Regulations, as amended, be and they are hereby repealed and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 re-enacted, with amendments, to read as follows:

2 Section 233. Business, Major (B.M.) Zone Use Regulations

3 The following uses only are permitted (Section 233.3):

4 233.2

5 [Automobile] NEW AUTOMOBILE sales [room] FACILITY and adjoining outdoor

6 sales area, provided that dismantled or junked cars unfit for operations on the highways [shall]

7 MAY not be stored outdoors.

8 Section 440. Planned Unit Development - Commercial (PUD-C)

9 440.4 Permitted uses. Subject to the design and performance standards and the

10 procedures specified in this section, the following uses are permitted in a PUD-C, in areas

11 delineated on the map approved pursuant to Section 440.3.B:

12 C. Any use permitted by special exception by the underlying zone or district is permitted

13 by special exception only in that underlying zone or district and is not permitted in any other

14 zone or district which may be part of a PUD-C, EXCEPT THAT USED MOTOR VEHICLE

15 OUTDOOR SALES AREAS ARE PERMITTED BY SPECIAL EXCEPTION AS PART OF A

16 PUD-C IN THE B.M. ZONE.

17 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-

18 five days after its enactment.

b07101.bil

BOND EXTENSION ENDORSEMENT DECLARATIONS

Policy No. LP 59 75 27

PRINCIPAL NAME AND ADDRESS

FROSTEE MOTORS, INC.
710 EASTERN BOULEVARD
ESSEX, MD 21221

Agent No.: 0555 000
Agent Name: WILSON-OLIVER AGENCY, INC.

Policy Period: From 04/30/1995 to 04/30/1996 at 12:01 A.M. Standard Time at your mailing address shown above.

OBLIGEE NAME AND ADDRESS

MARYLAND DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE ADMINISTRATION
6601 RITCHIE HIGHWAY, N.E.
GLEN BURNIE, MD 21062

IN CONSIDERATION OF THIS PREMIUM $ 250.00, COVERAGE UNDER THIS BOND IS HEREBY EXTENDED FOR A PERIOD OF 12 MONTHS AND WILL EXPIRE 04/30/1996, (12:01 A.M. STANDARD TIME). DURING THE PERIOD OF THIS EXTENSION, THE BOND AFFORDED IS ONLY WITH RESPECT TO THOSE COVERAGES AS SPECIFIED IN THE REQUISITE BOND FORM.

THIS BOND SHALL EXPIRE AS SHOWN ABOVE, EXCEPT THAT IT MAY BE CONTINUED IN FORCE FOR SUCCESSIVE PERIODS BY THE PAYMENT OF THE REQUIRED RENEWAL PREMIUM IN ADVANCE TO A DULY AUTHORIZED REPRESENTATIVE OF THE COMPANY.

Bond amount $ 15,000

Kind of Bond: AUTOMOBILE SALES
Class Code: 929

All other terms, conditions and agreements of the policy shall remain unchanged.

OBLIGEE COPY

ISSUE DATE: 03/01/1995

By _____
Authorized Representative

As a basis for consideration of this application [redacted] complete in detail the following financial statement, specifyin[redacted] what date the statement is made:

(as of) March 7 19 96

ASSETS

Cash in following banks:

Sunset Bank $ 67,774.20

$

$

Government Bonds None $

Other securities (market value)

Description:

$

$

Accounts Receivable $

Notes Receivable $

Merchandise on hand $

Real Estate in MY name:

Description and location

1. 710 Eastern Blvd $ 250,000.00

2. 8926 Connecticut Ave $ 100,000.00

3. $

Other Assets (describe):

$

TOTAL ASSETS $

LIABILITIES

Accounts payable: None

Due in 60 days	Due in 30 days	Past Due
$	$	$

Total $

Notes Payable (not to banks) $

Loans from Banks:

When due	How secured	
		$
		$

Mortgages on Real Estate:

Description and Location None

1. $

2. $

3. $

Other Liabilities (describe): None

$

Capital Stock (Paid in) $

Surplus or Net Worth $

TOTAL LIABILITIES $

The undersigned applicant (and indemnitors, if any) hereby request The Ohio Casualty Insurance Company (hereinafter referred to as the Company) to become surety for, and furnish such bond or bonds as may now or hereafter be required by or on behalf of the undersigned applicant (the indemnitors, if any, warranting that they have a substantial, material and beneficial interest in the affairs of the applicant and in the transactions in connection with which such bond(s) are required).

The undersigned applicant (and indemnitors, if any) hereby certify that the statements made in the foregoing application, including the financial statement, are true and are made for the purpose of inducing the Company to execute such bond(s), and the undersigned applicant (and indemnitors, if any), in consideration of the Company executing such bond(s), and for value received, do hereby jointly and severally convenant and agree:

(a) to indemnify and save the Company harmless from and against all liability, claims, losses, costs, damages, suits, charges and expenses of whatsoever kind and nature, including reasonable attorneys fees, which the Company shall at any time sustain or incur, for or by reason or in consequence of the Company having become surety on any such bond(s) or any modification, renewal or continuation thereof, or new bond(s) substituted therefor,

(b) to procure, at the request of the Company, the release and discharge of the Company from any further liability under said bond(s), and should the undersigned fail or refuse to do so, the Company shall have the right to proceed in any manner it may see fit to secure or attempt to secure its discharge, and the undersigned applicant (and indemnitors, if any) waive any and all claims against the Company for damages growing out of such proceedings and agree to reimburse the Company for all expenses, including reasonable attorneys fees, which the Company may incur.

DATED at Mt. Airy State of MD this 7 day of March 19 96

Witness (or Attest): Applicant Stephen Winston Jones

Indemnitor

Indemnitor

Indemnitor

NOTE: If Applicant or Indemnitor is a corporation, corporate name must be signed in full, with the officer's name and title on the line below, and the seal of the corporation affixed, properly attested.

If a co-partnership, firm name must be signed and each member of firm must sign individually.

THE OHIO CASUALTY INSURANCE COMPANY
HAMILTON, OHIO

APPLICATION FOR LICENSE, PERMIT, OR MISCELLANEOUS BOND

Agent Wilson Oliver Agency, Inc. Location Aberdeen, Md.

1. Name of Applicant Frostee Motors, Inc. Social Security No.
   Address 710 Eastern Blvd., Essex, Md. 21221
2. Amount of Bond $ 15,000 Effective Date 4/30/06
3. To Whom Payable
4. Description of Bond Motor Vehicle Dealer Bond
5. If this a License Bond, Date License Expires
   If a Special Bond Form is Required, Attach Bond Form

IF BOND IS OVER $5,000 OR IS A FINANCIAL GUARANTEE THE FOLLOWING SECTION MUST BE COMPLETED
(Financial Guarantees Are Livestock Dealers Bonds Tax Bonds, Etc.)

6. *If applicant is a co-partnership, give names and addresses of partners:*
7. If a corporation, in what state incorporated? Md. Date of incorporation 1972
8. Character of business Used Veh. Federal I.D. No. 52-0957497
9. Have you applied to any other surety company for this bond? No If so, give full particulars
10. If you have furnished a similar bond heretofore, why is new bond desired?
11. Have you ever been bankrupt or insolvent? No
12. Have you ever compromised with your creditors? No
13. References. (Bankers and Merchants preferred):

	NAME	OCCUPATION	POST OFFICE ADDRESS
1.	Sugar Bank	Mgr.	710 Eastern Blvd 21221
2.			
3.			

The applicant and indemnitor(s), if any, agree to pay $..... the Company's usual premium for this bond, in advance, and the same amount annually thereafter, in advance, so long as the bond, or any new bond, or any renewal thereof, or substitute therefor, shall continue in force, and until there shall have been furnished to the Surety competent, written, legal evidence of its discharge and release from any and all liability upon said bond.

COMPLETE ON REVERSE SIDE

Form S-1Ills — 100/Pak

Copyright 1997, Ohio Casualty Ins. Co.

WIN 302
RES/R

OHIO CASUALTY GROUP

Surety Bond Renewal Notice

BOND NUMBER	COMPANY	RENEWAL PERIOD Beginning	Ending	RENEWAL PREM.	SPECIAL COMMISSION
3087908	OC	04/30/05	04/30/06	$150.00	$

RISK STATE	BOND AMOUNT	
MARYLAND	$15,000	E 2/15/05 PB

CLASSIFICATION	CONTRACT TYPE	
927		NEW OR NEW AND USED VEHICLE DEALERS AND SALESMAN

PRINCIPAL OR INSURED NAME AND ADDRESS

FROSTEE MOTORS INC
710 EASTERN BLVD
ESSEX MD 21221

OBLIGEE NAME AND ADDRESS

ST OF MD ADMINISTRATOR OF MOTOR VEHICL
6601 RITCHIE HIGHWAY NE
GLEN BURNIE MD 21062

AGENCY

19-08-0702
WILSON-OLIVER AGCY., INC.
PO BOX 280
ABERDEEN MD 21001-0280

RENEWAL INSTRUCTIONS

BOND IS CONTINUOUS, OR HAS BEEN CONTINUED BY CERTIFICATE, IF NECESSARY.

TAX TOWN CODE	KY Surcharge (1.5%) / Total Billing	AUTO CHARGED	TERR. CODE (INS. AGR. 3&4)	Non-Res Lic: Yes ( ) No ( ) If yes, # ____ Type: Agent ( ) Broker ( ) Appointment Yes ( ) No ( ) Commission: Full ( ) Reduced ( ) Nil ( )

REMARKS

DON'T FORGET: OHIO CASUALTY PENSION PLAN TRUSTEE BONDS AND BUSINESS SERVICES BONDS. THESE POPULAR BONDS ARE EASILY ORDERED WITH OUR SHORT FORM ORDER BLANKS.

JAN - 7 2005

AGENT'S COPY

WILSON-OLIVER Agency, Inc.

GENERAL INSURANCE
301 W. BEL AIR AVENUE
P.O. BOX 280, ABERDEEN, MD 21001

Phone ABERDEEN 410-272-2030
BALTIMORE 410-575-6905
FACSIMILE 410-273-0676

November 15, 2005

Mrs. Helen H Winter
710 Eastern Blvd.
Essex, MD 21221

Re: Frostee Motors, Inc.

Dear Mrs. Winter,

In reference to the above corporation, I have reviewed my records in my office that relate to the insurance you carried for Frostee Motors, Inc. and have produced copies of bonds and policies covering your used car sales operation at 610 Eastern Blvd. Essex, MD. Attached is a copy of an application for the Motor Vehicle Administration for the bond to operate a used car lot. As you can see, it shows that you were incorporated in 1972. I am also attaching a copy of the extension endorsement for the bond which dates back to 1989, along with a copy from 1995 which shows the bond was issued for a Automobile Sales Lot. I have also given you a copy of your current bond, which is still in effect.

I have been involved with this agency sine 1958 and can always remember the Frostee Motors account. I have been on your lot many times going over your insurance program. I hope this is sufficient for your records.

Very truly yours,

Charles M. Oliver

Charles M. Oliver
Encl.: (3)

STATE MOTOR VEHICLE ADMINISTRATION
DIVISION OF VEHICLE REGISTRATION
DEALER LICENSING SERVICES

BOND NO. LP597527

DEALER'S NO. [illegible]

SURETY BOND OF MOTOR VEHICLE DEALER

KNOW ALL MEN BY THESE PRESENTS:

1. George M. Winter, President
2. Helen M Winter Vice President
3. Cathy Burdis Secretary
4. [redacted] Treasurer

That we FROSTEE MOTORS, INC.
(Name of Bonding Applicant)

as Principal, and The Harford Mutual Insurance Company
(Name of Bonding Company)

a corporation organized and existing under the laws of the State of Maryland and authorized to do business in the STATE OF MARYLAND, as Surety, are held and firmly bound unto the ADMINISTRATOR OF MOTOR VEHICLES, STATE OF MARYLAND in the penal sum of FIFTEEN THOUSAND DOLLARS ($15,000.00), lawful money of the United States of America, for the payment of which, well and truly to be made, we and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, SEALED AND DATED this 2nd day of April, 19 73.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, whereas, the above bounden Principal has or is about to make application to the Administrator of Motor Vehicles for the State of Maryland to engage in the business of buying and selling motor vehicles or trailers as a dealer and in accordance with Article 66½, Annotated Code of Maryland and Rules and Regulations promulgated by the Administrator of Motor Vehicles, is required to furnish a Surety Bond.

NOW, THEREFORE, if the above bounden Principal shall conduct such business in full compliance with those Sections of Article 66½, Annotated Code of Maryland, as set forth in the Rules and Regulations of the Administrator of Motor Vehicles for the State of Maryland, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall be for the use and benefit of the Administrator of Motor Vehicles of the State of Maryland and for any person who may suffer loss by reason of any violation of the above-mentioned laws.

This shall run concurrently with the period of the license granted to the Principal, and shall remain in full force and effect for any renewal thereof, provided, however, that the penalty of said bond shall not be cumulative from year to year, and the total liability of the Surety herein, shall not exceed the sum of FIFTEEN THOUSAND DOLLARS ($15,000.00), regardless of the number of license periods for which said bond is in force.

The Surety may cancel this bond at any time by giving FORTY-FIVE (45) DAYS written notice by registered or certified mail to the Administrator of Motor Vehicles, State of Maryland, however, remaining liable for any defaults under this bond, committed prior to the expiration of such FORTY-FIVE (45) DAY period. Also, the Rules and Regulations governing this bond may be amended or revised at any time. However, in the event of any amendment or revisions to these Rules and Regulations, the Administrator of Motor Vehicles, State of Maryland will notify said Bonding Company SIXTY (60) DAYS in advance of the effective date thereof.

1. Pres. 3. George M Winter
2. Vice Pres. 4. Cathy Burdis Sec. Treas.
(PRINCIPAL)

APR 5 1973

SEAL OF SURETY

BY THE HARFORD MUTUAL INSURANCE COMPANY
(SURETY)

BY Stanford L. Dumbell

VR-188 (8-71) (H-1) (J-72)

EXTENSION ENDORSEMENT

The Harford Mutual Insurance Company, Bel Air, Maryland

CMO/R

AGENCY NUMBER	AGENCY	POLICY NO.
0555	WILSON-OLIVER AGENCY, INC.	LP-597527

Bond Used Car Dealer

Named Insured FROSTEE MOTORS, INC.

Code 465 Limits $ 15,000.

In consideration of additional premium of $ 150.00 3/1/88, coverages under this bond are hereby extended for a period of 12 months and will expire April 30, 1989, (12:01 A.M. Standard Time). During the period of this extension the bond afforded is only with respect to those coverages as specified in the requisite bond form.

This bond shall expire as shown above, except that it may be continued in force for successive periods by the payment of the required renewal premium in advance to a duly authorized representative of the company. Each such period shall be for twelve months, and each shall begin and expire at 12:01 A.M. Premium shown is for the stated period.

All other terms, conditions and agreements of the policy shall remain unchanged.

Countersigned at _____

This _____ day of _____

19____.

By _____

WILSON-OLIVER AGENCY, INC. #0555
Authorized Agent

RECEIVED
MAR - 1 1988
WILSON-OLIVER AGENCY, INC.

No. 19 108 12

DAILY REPORT

THE HARFORD MUTUAL INSURANCE COMPANY
BEL AIR, MARYLAND

LINE LIMIT
INSPECT
CR. RPT.

108 05 92
RENEWAL OF NUMBER

UNDERWRITERS REINSURANCE RECORD

PMI	NET	#	AMT.	%	#	AMT.	%	#	AMT.	%	#	AMT.	%

COM. 12-14		REGIS.	INDEX	SEARCH	CONV.	TRL.
ST. 16-18						
LOC 17-21		REINS. 20	40-41			
UNIT 37						
REV. 42	OUV. 43					

Insured's Name and Mailing Address

GEORGE H. WINTER & HELEN R. WINTER
710 Eastern Boulevard
Essex, MD 21221

12-18-~~84~~ 85 12-18-~~85~~ 90 ONE
Inception (Mo. Day Yr.) Expiration (Mo. Day Yr.) Years

RES 18

AMOUNT	RATE	PREPAID TERM PREMIUM DUE AT INCEPTION	ANNUAL PAYMENT DUE UNDER DEF. PREM. PAY. PLAN	PERIL(S)
540 ~~29,000.~~ xxxxxxx	.441A.595	134.00 295.10		FIRE AND LIGHTNING
	.123	36.00 66.00		EXTENDED COVERAGE
	.008	3.00 4.00		V. M. M.
	TOTAL(S)	173.00 365.00		

NBFU CODE	Con.
10-	
20-	

TOTAL PREMIUM FOR POLICY TERM UNDER D. P. P. P.

Item No.	Amount Fire or Fire and Extended Coverage, or Other Perils	Per Cent of Co-insurance Applicable	DESCRIPTION AND LOCATION OF PROPERTY COVERED Show construction, type of roof and occupancy of building(s) covered or containing the property covered. If occupied as a dwelling state number of families.
1.	25,000. 50,000.	80%	Cov. A concrete block, approved roof bldg., occupied as sales office of used cars and mostly as storage with non commercial equipment and no apartments. Located: 710 Eastern Blvd., Essex, Baltimore Co., MD Rate class 1220
2.	$ 4,000.	80%	Cov. B contained in the above building.
			Protected within corporate limits of Middle River, Baltimore County, MD - B-3 within 1,000 ft. of public fire hydrant
			Protection Class 3

Subject to Form Nat'l. CF0011(1-83),CF0126(4-86),IL0002(1-77),IL0207(4-84)

Mortgage Clause: Loss, if any, on building items shall be payable to:

Wilson-Oliver Agency, Inc. #0555
Aberdeen, MD

This Report Mailed 9-23-~~85~~

Agent

AGENT'S COPY

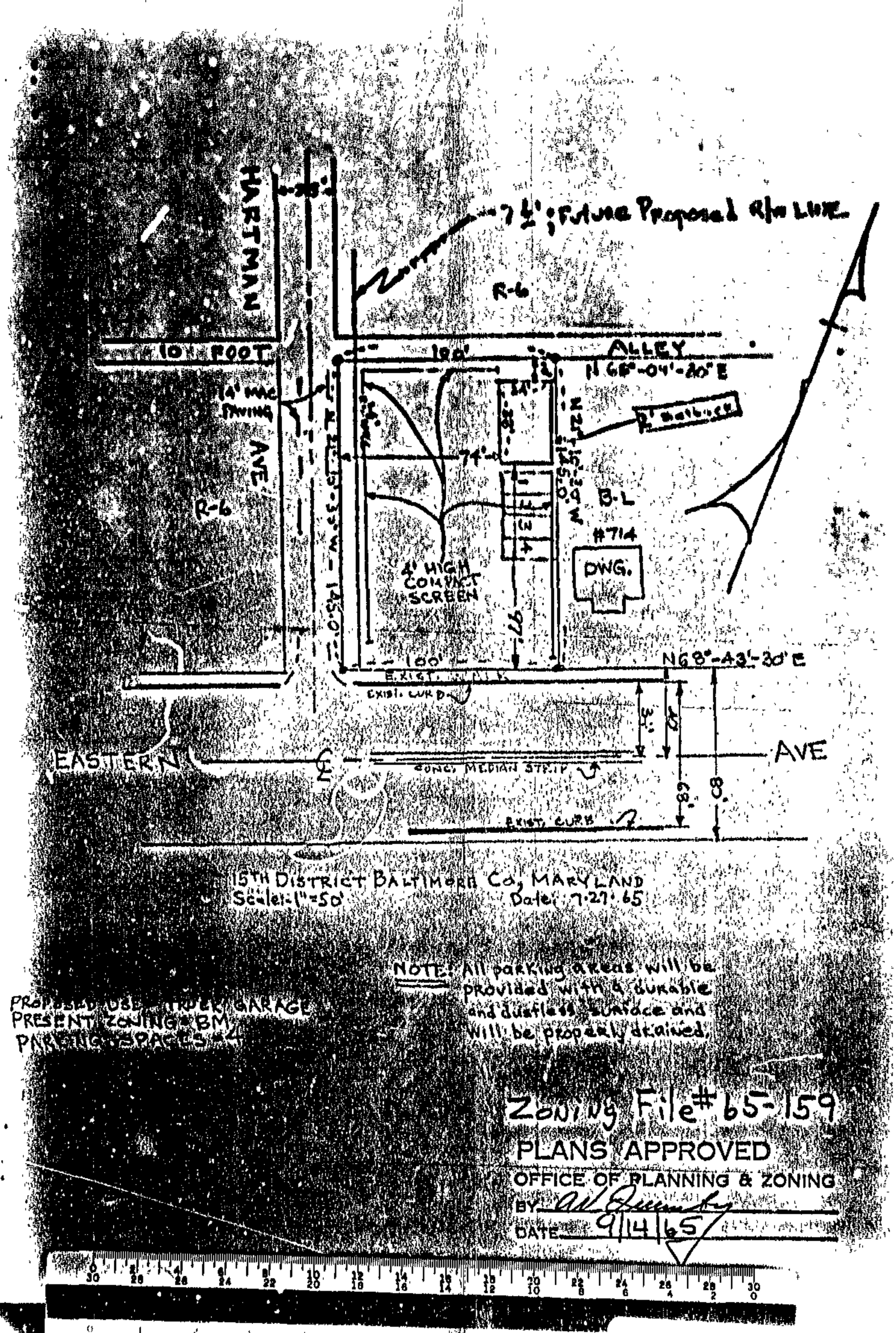
	Location		Classification								Amt. of Ins.	Rate Cal.	PREMIUM			OTHER INSURANCE
	State	Zone	Form	Ho. Com.	Cov.	Const.	Prot.	% Max.	Ded. Type	Ded. Amt.			10	20	28	
Bldg.																
Cons.																

CLAIMS:

Case No.: 06- 378 SPH

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	SITE PLAN	
No. 2	RECLASSIFICATION CASE 65-159R AND SITE PLAN SUBMITTED	
No. 3	Collectively - PERMITTING RECORDS FROM	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 2A

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

65-159-R

MAP 15-B

BM 11/9/64

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GEORGE M. WINTER & HELEN H. WINTER, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an B-M zone; for the following reasons:

Your Petitioners desire to erect a store on the property and a Warehouse for the storage of vehicles.

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

George M. Winter
Helen H. Winter
Legal Owner

Contract purchaser

Address Cowenton Avenue

Baltimore County, Md.

John N. Maguire
Petitioner's Attorney

Address Maguire & Brennan
825 Eastern Blvd. 21221
687-3434

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of October, 1964, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of November, 1964, at 10:30 o'clock A.M.

OCT 19 '64 M

Zoning Commissioner of Baltimore County.

(over)

10:30 A
11/25/64

65-159-R

PETITIONER'S EXHIBIT NO. 2

65-159-R

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location and the change in the area which has taken place warrant the requested zoning, therefore,

the above Reclassification should be had; ~~and it further appearing that by reason of~~

~~Special Exception for~~ ~~should be granted~~

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25th day of November, 196 4, that the herein described property or area should be and the same is hereby reclassified; from an "R-6" zone to a "R-M" zone, ~~and/or a Special Exception for~~ ~~should be and the same is granted~~ from and after the date of this order, subject to approval of the site plan for the development of said property by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

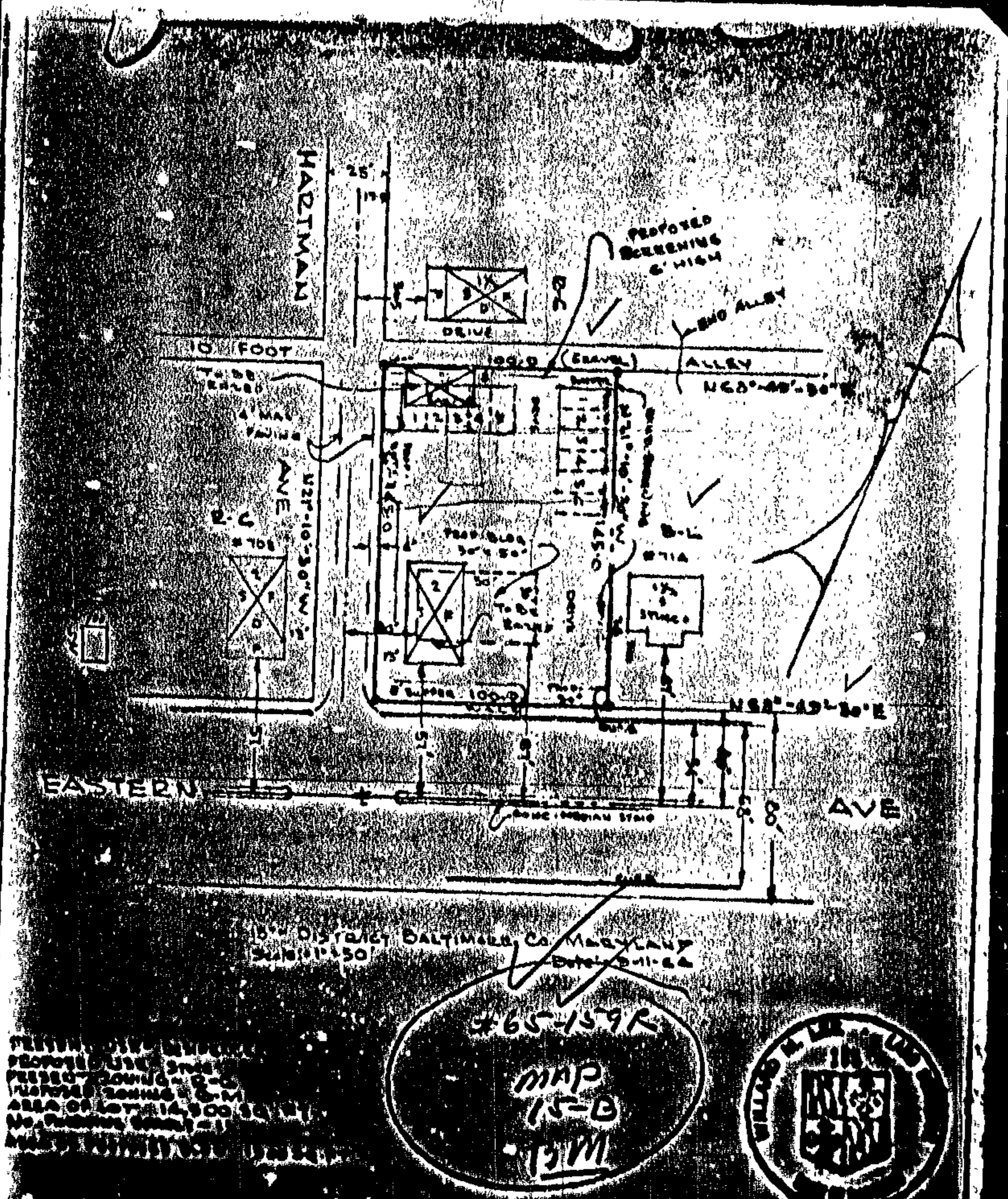
the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of , 196 , that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an zone; and/or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

GEORGE WINTER
NE/cor. of Eastern Blvd. and

#65-159-R


HARTMAN
25'
PROPOSED SCREENING 6' HIGH
DRIVE
10 FOOT
ALLEY
AVE
EASTERN
AVE
16th DISTRICT BALTIMORE CO. MARYLAND
#65-159R

WILSON-OLIVER Agency, Inc.

GENERAL INSURANCE
301 W. BEL AIR AVENUE
P.O. BOX 280, ABERDEEN, MD 21001

Phone ABERDEEN 410-272-2080
BALTIMORE 410-575-6905
FACSIMILE 410-273-0678

November 15, 2005

Mrs. Helen H Winter
710 Eastern Blvd.
Essex, MD 21221

Re: Frostee Motors, Inc.

Dear Mrs. Winter,

In reference to the above corporation, I have reviewed my records in my office that relate to the insurance you carried for Frostee Motors, Inc. and have produced copies of bonds and policies covering your used car sales operation at 610 Eastern Blvd. Essex, MD. Attached is a copy of an application for the Motor Vehicle Administration for the bond to operate a used car lot. As you can see, it shows that you were incorporated in 1972. I am also attaching a copy of the extension endorsement for the bond which dates back to 1989, along with a copy from 1995 which shows the bond was issued for a Automobile Sales Lot. I have also given you a copy of your current bond, which is still in effect.

I have been involved with this agency sine 1958 and can always remember the Frostee Motors account. I have been on your lot many times going over your insurance program. I hope this is sufficient for your records.

Very truly yours,

Charles M. Oliver

Charles M. Oliver
Encl.: (3)

PETITIONER'S
EXHIBIT NO. 3

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 06-378-SPH
DATE

PETITIONER'S SIGN-IN SHEET

HELEN WINTER

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Helen Winter	8926 Cromwell Ave	21128	
Ed Bory	6615 Hudson St	21224	
CAROLYN BORY			

Scale

1" = 200'

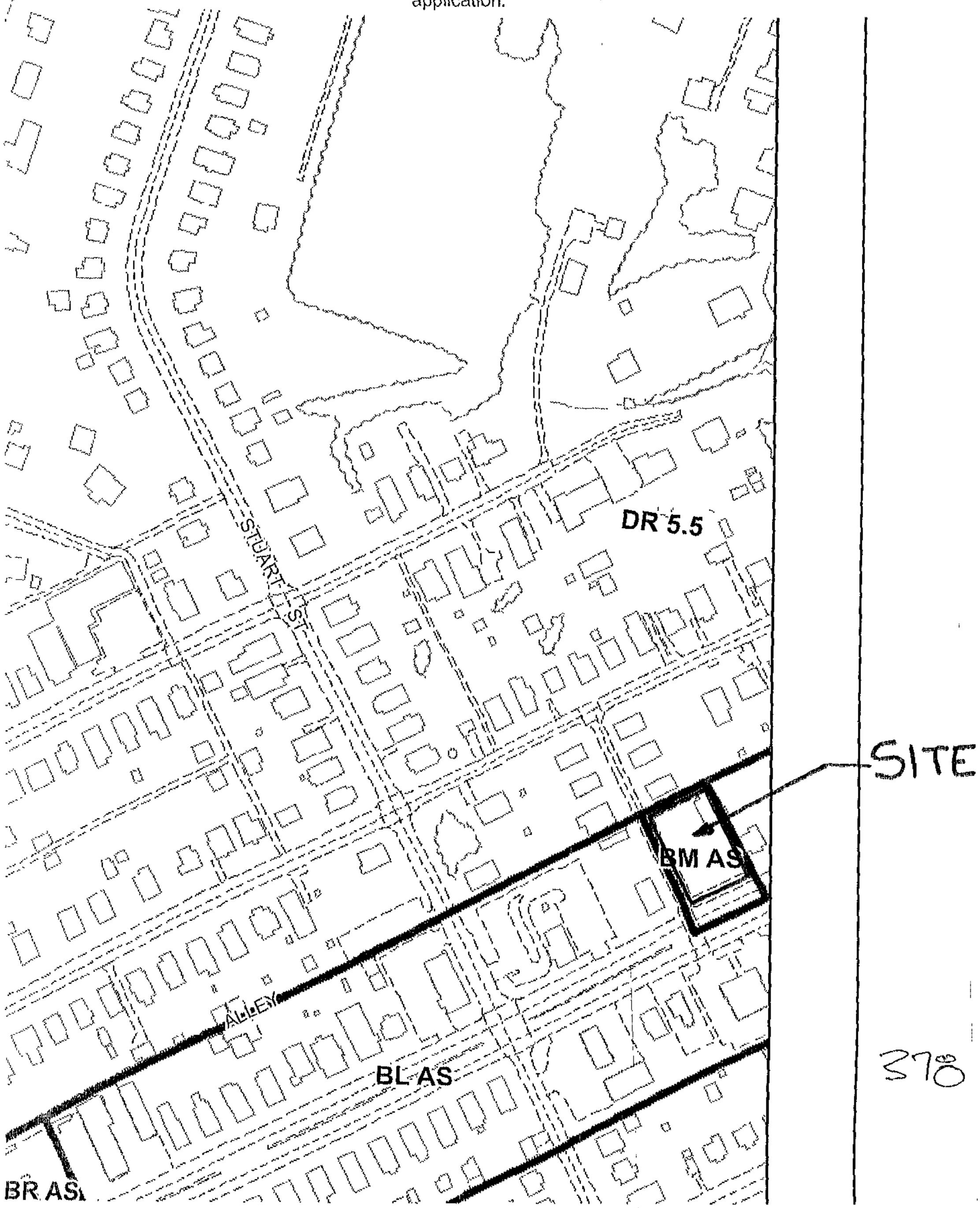
0 100 200 400

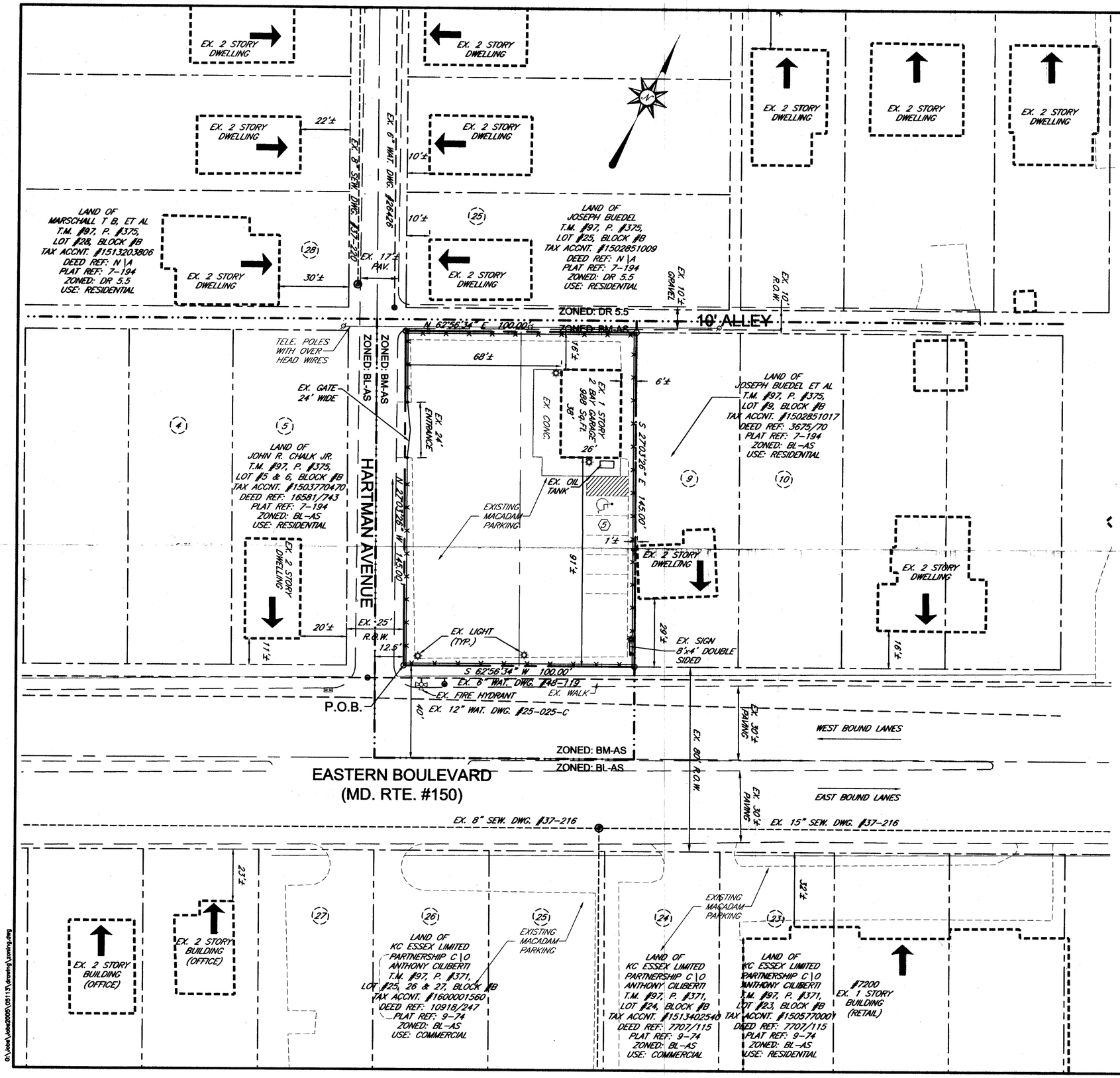
Feet

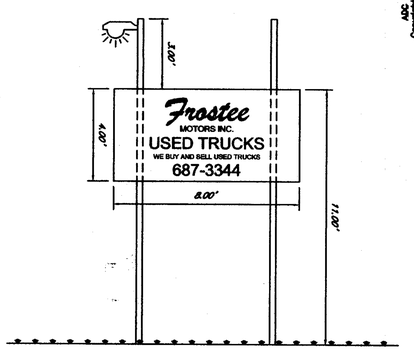
Plan Sheet: *097A1*

Note:

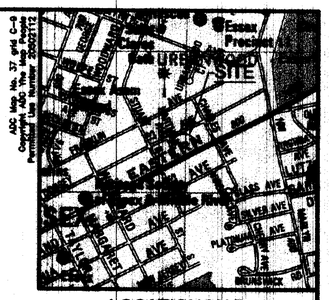
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.







SIGN DETAIL



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

1. OWNER\APPLICANT: HELEN WINTER & GEORGE M. WINTER (DECEASED) #8926 COWENTON AVENUE PERRY HALL, MARYLAND 21128-9616
2. SITE AREA: GROSS: 20,250 Sq.Ft. or 0.465 Ac.± NET: 14,500 Sq.Ft. or 0.333 Ac.±
3. EXISTING BUILDING: 688 Sq.Ft.
4. PROPOSED BUILDING: NONE PROPOSED
5. UTILITIES WATER: PUBLIC SEWER: PUBLIC
6. NO 100 YEAR FLOODPLAINS ON SITE.
7. PARKING REQUIRED: 688 Sq.Ft. @ 5 PER 1,000 = 4 SPACES
8. PARKING PROVIDED: 5 SPACES.
9. SETBACKS: PROVIDED FRONT 91' SIDE 6' REAR 16'
10. DEED REF: 4347/477
11. TAX ACCOUNT #1523504580
12. COUNCILMANIC DISTRICT 7th
13. REGIONAL PLANNING DISTRICT 328
14. CENSUS TRACT 4503
15. WATERSHED: BACK RIVER
16. ZONING: BM-AS (PER 1"=200' ZONING MAP 097A1)
17. TAX MAP #97, PARCEL #375, LOTS #7&8
18. PLAT REF: 7-194 "ESSEX"
19. SPECIAL HEARING FOR CONTINUED USE AS WAS APPROVED IN CASE #65-159 R
20. FLOOR AREA RATIO: MAX PERMITTED: 4.0 F.A.R. PROVIDED: 688 ÷ 19,688 = 0.04
21. PREVIOUS ZONING CASE #65-159 R GRANTED CHANGE IN ZONING FROM "R-6" TO "BM" ON NOV. 25th 1964.
22. NO PERMITS ON FILE IN COUNTY RECORDS.
23. THE EXISTING SIGN IS A 14 FOOT HIGH DOUBLE SIDED SIGN WITH A DISPLAY AREA TOTAL OF 32 Sq.Ft. (EACH SIDE)
24. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
25. USES: EXISTING: AUTO SALES PROPOSED: AUTO SALES (NO CHANGE)
26. NO DAMAGED OR DISABLED VEHICLES ARE PERMITTED ON THIS SITE.

BL / BL-AS — DENOTES ZONING LINE

DENOTES THE FRONT FACE OF THE STRUCTURE

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR

FROSTEE MOTORS

710 EASTERN BOULEVARD
BALTIMORE, MARYLAND 21221

15TH ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	12-22-05	05127	1 OF 1

PETITIONER'S EXHIBIT NO. 1

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