64-121-R

RE: PETITION FOR RECLASSIFICATION from "B-R" and "R-6" Zones to "B-M" Zone - W. S. Ingleside Ave., 244.65' S. Old Frederick Road, 1st District - Patrick B. Kirwan, et al, Petitioners : BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY No. 64-121-R

: : : : : : : : : : : : : : : : :

Petitioners, owners of lots of ground located on the west side of Ingleside Avenue and the south side of Baltimore National Pike, as more fully described in the petition hereinbefore filed, initially petitioned for change in zoning classification from a "B-R" Zone and "R-6" Zone to "B-M" Zone.

Petitioners by letter dated June 19, 1964 have withdrawn their request for reclassification from "B-R" and "R-6" Zones to "B-M" Zone.

The property fronting on Baltimore National Pike is designated Parcel "A" in the petition and has immediately to the east thereof an existing unused "B-R" Zone of approximately 100 feet in width. Immediately east of such unused property and continuing to the Baltimore National Pike's intersection with Ingleside Avenue, there is an existing "B-M" Zone on which a motor inn is now being constructed. To the west of the property fronting on Baltimore National Pike is an unused "B-L" Zone. A small parcel of land designated Parcel "B" lies immediately to the rear (or south) of Parcel "A".

The property fronting on the west side of Ingleside Avenue and designated Parcel "C" in the petition is separated from the aforementioned "B-M" Zone on which a motor lodge is being constructed by a strip of land zoned "R-6" which is to be utilized by the aforementioned motor lodge as a parking area. This parking area immediately adjoins Parcel "C" to the north. To the south of Parcel "C" is other land owned by two of the petitioners, presently zoned "R-6", and used by them as a residence. The east side of Ingleside Avenue contains properties utilized for various commercial uses, both zoned and non-conforming, as well as several cottages.

At hearing, the petitioners presented their plans for utilization of Parcel "A" as a showroom and a sales and service area for new and used automobiles, and also presented their plans for utilization of Parcel "C" as a parking lot for vehicles.

PATRICK KIRWAN ET AL #64-121-R
W/S Ingleside Ave. 244.65' S of Old Frederick Rd. 1st

64-121-R

Evidence was presented showing the manner and method of ingress and egress, the type and quantity of construction proposed, and the minimal amount of daily traffic which might be expected to use the site.

Evidence was also presented by a Planning Consultant to the effect that Parcel "A" is extremely difficult, if not impossible, to use as zoned because of the setback requirements in a "B-R" Zone. The consultant also testified as to a further hardship caused by the shallowness in depth of this lot.

At hearing, it was determined that Variances to Section 238.1 and 238.2 of the Baltimore County Zoning Regulations (dealing with setback requirements) would enable the Petitioners to use Parcel "A" under the existing zoning. It was further determined that the granting of a Use Permit for off-street parking on Parcel "C" in accordance with the provisions of Section 409.4 of the Baltimore County Zoning Regulations would allow the intended use without the necessity of considering the requested zoning reclassification, and it was further determined that an Exception under Section 409.5 to allow the parking of trucks in addition to passenger vehicles on Parcel "C" would enable Petitioners properly to conduct their business activities and would in no way be detrimental to the area.

For the above reasons the following variances are granted as to Parcel "A":

1. A variance to Section 238.1 of the Baltimore County Zoning Regulations whereby the front building line may be not less than 15 feet from the front property line rather than the 50 feet provided in such section; and

2. A variance to Section 238.2 of the Baltimore County Zoning Regulations whereby the side yards may be 0 feet rather than the 30 feet provided in such section; and

As to Parcel "C" in addition to a Use Permit for use of a portion of Parcel "C" for purposes of business or industrial parking in residence zones under the provisions of Section 409.4 of the Baltimore County Zoning Regulations and an Exception to Section 409.4 requirements as allowed by Section 409.5 of the Baltimore County Zoning Regulations so that the petitioner may park trucks awaiting to be sold by petitioner on Parcel "C" as well as permitting passenger vehicles awaiting to be sold to be parked on said parking area.

The portion of Parcel "C" for which Use Permit and Exception granted is described as follows:

BEGINNING for the same at a point on the west side of Ingleside Avenue, at the distance of 274.65 feet, as measured southerly along said west side of Ingleside Avenue from its intersection with the south side of Old Frederick Road, said point of beginning being South 04° 33' 00" East 30' from the beginning of the land which by deed dated

-2-

February 1, 1948 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1649, Folio 350 was conveyed by Frederick Maisel and wife to Mary E. Kirwan, widow, "et al", and running thence binding on said west side of Ingleside Avenue and on a part of the first line of said land, South 04° 33' 00" East 170.00 feet, thence leaving said west side of Ingleside Avenue and binding on the second line of said land South 82° 20' 00" West 200.00 feet, thence for a line of division continuing the same course South 82° 20' 00" West 154.08 feet to a point in the third or South 47½° East 67 perch line of the land which by deed dated June 12, 1907 and recorded among the aforesaid Land Records in Liber W.P.C. No. 314, Folio 572 was conveyed by Mary C. Scheve and husband to Patrick Kirwan and wife, said point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among the said Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding reversely on a part of said last mentioned line and on a part of said outline North 46° 58' 20" West 89.08 feet to a point in the fourth line of the second parcel of land, which by deed dated May 17, 1954 and recorded among said Land Records in Liber G.L.B., 2482, Folio 406 was conveyed by Rowill Title Holding Corporation to Mary Kirwan Wurtzer, thence binding on a part of the fourth line North 04° 33' 00" West 100.97 feet to a point in such fourth line thence running parallel to the second line of the land conveyed by Frederick Maisel and wife to Mary E. Kirwan, widow, et al, for a line of division now made North 82° 20' 00" East 414.27 feet to place of beginning.

The granting of the Use Permit is subject to the following:

1. The Petitioners shall at no time conduct or transact any business thereon; and

2. The Petitioners shall not install "string lights" or any other lights thereon other than lights not to exceed two feet candles per square foot at ground level and not to exceed 18 feet in height. Any lights erected shall point to and down upon the area for which the Use Permit and Exception is granted and shall not point to or reflect upon any of the surrounding residential properties; and

3. There shall be no loading or unloading thereon; and

4. Sidewalks shall be constructed along Ingleside Avenue as finally located along such area; and

5. There shall be a 10 foot wide grass strip along the southerly line of Parcel "C" upon which the Petitioners shall plant hemlock trees not less than 20 feet apart; and

6. There shall be a 69 foot setback starting at the intersection of the northernmost property line of Parcel "C" and Ingleside Avenue and running thence South 4° 33' 00" East 200 feet to the southernmost property line of Parcel "C".

-3-

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7. Fences to be erected by Petitioners shall be along the innermost line of the 69 foot setback area mentioned in No. 6 above and along the 10 foot setback area mentioned in No. 5 above.

The site plan for the Use Permit was approved by the Office of Planning on June 26, 1964, said plan marked Exhibit "A" attached hereto and made a part hereof.

It is this First day of July, 1964 by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid variances are hereby granted, subject to approval of the plot plan for the development of said property by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

[signature]
Zoning Commissioner of Baltimore County

[illegible]

#64-121R
MAP #1 SEC.2-A BM 4/10/64

[illegible]

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#64-121R

MAP #1 SEC.2A BM 4/10/64

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Patrick B. Kirwan and Helen M. Kirwan, his wife, and Mary Kirwan Wurtzer and Augustus C. Wurtzer, her husband, I, or we, 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 BR, R6 and R6 zone to a BM zone; for the following reasons:

For error in original zoning and because of changes in the area since the adoption of the applicable zoning map.

Parcel of land designated "Parcel A" being owned by Mr. and Mrs. Augustus C. Wurtzer, and being zoned BR.

Parcel of land designated "Parcel B" being owned by Mr. and Mrs. Augustus C. Wurtzer, and being zoned R6.

Parcel of land designated "Parcel C" being owned by Mr. and Mrs. Patrick Kirwan and being zoned R6.

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 ~~[illegible]~~

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.

PBK Patrick B Kirwan
HMK Helen M. Kirwan
915 Ingleside Avenue, Catonsville, Md.
Augustus C. Wurtzer
Mary K. Wurtzer
Legal Owners

Contract purchaser

Address

Address c/o Herbert Moore, Esq.
113 E. Baltimore St.
Baltimore 2, Maryland

W.Lee Thomas — Petitioner's Attorney

Protestant's Attorney

Address Campbell Building
Towson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of March, 1964, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers 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 ~~22nd~~ 27 day of April, 1964, at ~~10:00~~ 10:00 o'clock A. M.

MAR 1 '64

[signature]
Zoning Commissioner of Baltimore County.

11:00 AM 4/22

(over)

Lester Matz
John C. Childs
Associates
George W. Beddy
Robert W. Cashen
Leonard M. Glass
Norman F. Herrmann
Paul Lee
Paul S. Sexton

MATZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
2129 N. Charles St. - Baltimore, Maryland 21218
HOpkins 7-5700

Water Supply
Sewerage
Drainage
Highways
Structures
Developments
Investigations
Reports

DESCRIPTION

#64-121R

KIRWAN PROPERTY, WEST SIDE OF INGLESIDE AVENUE, SOUTH OF BALTIMORE NATIONAL PIKE, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

MAP #1 SEC.2-A BM 4/10/64

PARCEL "C"

Present Zoning: "R-6"

Proposed Zoning: "BM"

Beginning for the same at a point on the west side of Ingleside Avenue, at the distance of 244.65 feet, as measured southerly along said west side of Ingleside Avenue from its intersection with the south side of Old Frederick Road, said point of beginning being the beginning of the land which by deed dated February 1, 1948 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1649, Folio 350 was conveyed by Frederick Maisel and wife to Mary E. Kirwan, widow, "et al" and running thence, binding on said west side of Ingleside Avenue and on the first line of said land, S. 04° 33' 00" E., 200.00 feet, thence leaving said west side of Ingleside Avenue and binding on the second line of said land S. 82° 20' 00" W., 200.00 feet, thence for a line of division continuing the same course S. 82° 20' 00" W., 154.08 feet to a point in the third or S. 47-1/2° E., 67 perch line of the land, which by deed dated June 12, 1907 and recorded among the aforesaid Land Records in Liber W.P.C. No. 314, Folio 572

MATZ, CHILDS & ASSOCIATES, INC.
2129 N. Charles St. - Baltimore 18, Maryland

Page Two

#64-121R

MAP #1 SEC.2A BM 4/10/64

was conveyed by Mary C. Scheve and husband to Patrick Kirwan and wife, said point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among said Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding reversely on a part of said last mentioned line and on a part of said outline N. 46° 58' 20" W., 89.08 feet to a point in the fourth line of the second parcel of the land, which by deed dated May 17, 1954 and recorded among said Land Records in Liber G.L.B. No. 2482, Folio 406 was conveyed by Rowill Title Holding Corporation to Mary Kirwan Wurtzer, thence binding on a part of the fourth line, N. 04° 33' 00" W., 130.97 feet to the end of the third or S. 86° 38' W., 214.2 foot line of the first parcel of the land described in said last mentioned deed, thence binding reversely on said third line N. 82° 20' 00" E., 214.27 feet to the beginning of the fourth line of the land first herein referred to, thence binding thereon N. 82° 20' 00" E., 200.00 feet to the place of beginning.

GAV:sbr J. O. #63214 2/27/64

STATE OF MARYLAND — LESTER MATZ — No. 2951 — REGISTERED PROFESSIONAL ENGINEER

MATZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
2129 N. Charles St. - Baltimore, Maryland 21218
HOpkins 7-5700

Partners
Walter C. Childs
Associates
George W. Buckly
Robert W. Coulson
Leonard M. Glass
Norman F. Herrmann
Paul Lee
Paul S. Stanton

Water Supply
Sewerage
Drainage
Highways
Structures
Developments
Investigations
Reports

#64-121R

MAP #1 SEC.2-A BM 4/10/64

DESCRIPTION

PART OF WURTZER PROPERTY, WEST OF INGLESIDE AVENUE, SOUTH OF BALTIMORE NATIONAL PIKE, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

PARCEL "B"
Present Zoning: "R6"
Proposed Zoning: "BM"

Beginning for the same at a point S. 04°33'00" E., 215 feet, more or less, from a point on the south side of Old Frederick Road, said point on the south side of Old Frederick Road being S. 80°49'45" W., 415.00 feet as measured along said south side of Old Frederick Road from its intersection with the west side of Ingleside Avenue said point of beginning being on the fourth line of the second parcel of the land described in the deed from Rowill Title Holding Corporation to Mary Kirwan Wurtzer dated May 17, 1954 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2482, Folio 406, said point of beginning being also on the fourth line of the zoning description "1-BR-4" running thence binding reversely on said last mentioned fourth line southwesterly 115 feet, more or less, to a point in the third line of the land which by deed dated June 12, 1907 and recorded among said Land Records in Liber W.P.C. No. 314, Folio 572 was conveyed by Mary C. Scheve and husband to Patrick Kirwan and wife, said last mentioned point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among the aforementioned Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding on a part of said last

MATZ, CHILDS & ASSOCIATES, INC.
2129 N. Charles St. - Baltimore 18, Maryland

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#64-121R

MAP #1 SEC.2-A BM 4/10/64

mentioned line and on a part of said outline, S. 46°58'20" E., 169 feet, more or less to the beginning of the fourth line of the second parcel of the land first herein referred to, and thence, binding on a part of said fourth line, N. 04°33'00" W., 150 feet, more or less, to the place of beginning.

G.A.V.:jfs J.O. 63214
2/10/64

STATE OF MARYLAND
GARRETT A. VAN HORN
No. 2591
REGISTERED PROFESSIONAL ENGINEER

Partners
Walter C. Childs
Associates
George W. Buckly
Robert W. Coulson
Leonard M. Glass
Norman F. Herrmann
Paul Lee
Paul S. Stanton

MATZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
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Water Supply
Sewerage
Drainage
Highways
Structures
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Investigations
Reports

#64-121R

MAP #1 SEC.2-A BM 4/10/64

DESCRIPTION

PART OF WURTZER PROPERTY, BALTIMORE NATIONAL PIKE, WEST OF INGLESIDE AVENUE, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MD.

PARCEL "A"
Present Zoning: "BR"
Proposed Zoning: "BM"

Beginning for the same at a pipe heretofore set on the south side of Old Frederick Road, at the distance of 415.00 feet, as measured westerly along said south side of Old Frederick Road from its intersection with the west side of Ingleside Avenue, said point of beginning being at the beginning of the second parcel of the land which by deed dated May 17, 1954 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2482, Folio 406 was conveyed by Rowill Title Holding Corporation to Mary Kirwan Wurtzer, and running thence, binding on said south side of Old Frederick Road and on the first line of said second parcel, S. 80°49'45" W., 142.35 feet to a point on the southeast side of Baltimore National Pike (also known as Edmondson Avenue extended) as laid out 150 feet wide and shown on Plat No. 4365, revised April 21, 1941 and prepared by the State Roads Commission of Maryland under Contract No. B-336-1-426, thence binding on said southeast side of Baltimore National Pike and on the second line of the second parcel herein referred to, S. 72°20'10" W., 153.16 feet to the end thereof and to a point in the third line of the land which by deed dated June 12, 1907 and recorded among said Land Records in Liber W.P.C. No. 314, Folio 572 was conveyed by Mary C. Scheve

MATZ, CHILDS & ASSOCIATES, INC.
2129 N. Charles St. - Baltimore 18, Maryland

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#64-121R

MAP #1 SEC.2-A BM 4/10/64

and husband to Patrick Kirwan and wife, said last mentioned point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among the aforesaid Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding on a part of said last mentioned line and on a part of said outline, S. 46°58'20" E., 262.00 feet more or less to a point on the fourth line of the zoning description 1-BR-4 thence binding on a part thereon northeasterly 115 feet, more or less, to intersect the fourth line of the second parcel of the land first herein referred to, and thence binding on a part of said fourth line N. 04°33'00" W., 215 feet, more or less, to the place of beginning.

GAV:jfs J.O. 63214
2/10/64

STATE OF MARYLAND
GARRETT A. VAN HORN
No. 2591
REGISTERED PROFESSIONAL ENGINEER

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#64-121R

MAP #1 SEC.2-A BM 4/10/64

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Patrick B. Kirwan and Helen M. Kirwan, his wife, and Mary Kirwan Wurtzer and Augustus C. Wurtzer, her husband, 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~~ BR, R6 and R6 zone to ~~an~~ a BM zone; for the following reasons:

For error in original zoning and because of changes in the area since the adoption of the applicable zoning map.

Parcel of land designated "Parcel A" being owned by Mr. and Mrs. Augustus C. Wurtzer, and being zoned BR.

Parcel of land designated "Parcel B" being owned by Mr. and Mrs. Augustus C. Wurtzer, and being zoned R6.

Parcel of land designated "Parcel C" being owned by Mr. and Mrs. Patrick Kirwa and being zoned R6.

See Attached Description

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.

I/We Patrick B. Kirwan
I/We Helen M. Kirwan
715 Ingleside Avenue, Catonsville, Md.
I/We Augustus C. Wurtzer
I/We Mary K. Wurtzer
Legal Owners

Contract purchaser

Address

Address c/o Herbert Moore, Esq.
113 W. Baltimore St.
Baltimore 2, Maryland

W. Lee Thomas, Petitioner's Attorney

Samuel Lenny, Protestant's Attorney
Md Trust Bldg, Balto

Address Campbell Building
Towson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of March, 196..4, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers 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 27th day of April, 196..4, at 10:00 o'clock A.M.

MAR 11 64

(over)

Zoning Commissioner of Baltimore County.

OFFICE OF PLANNING & ZONING

July 1, 1964

Messrs. Frazier, Reynolds & Mueller,
Campbell Building
Towson 4, Maryland

Attn. W. Lee Thomas, Esq.,

Re: Petition for Reclassification
from R-6 and R-6 Zones to
Zone - W. Ingleside Ave.
715-717 S. Old Frederick Road,
1st Dist., Patrick B. Kirwan,
et al, Petitioners -
No. 64-121-R

Dear Mr. Thomas:

I have today passed my Order, in the above matter, in accordance with the attached copy.

Very truly yours,

Catherine M. Padgett 634 Ingleside Ave
Mary P. Mongelli 515 Virginia Ave. 28
Frances E. Smith 17 Chrysler Place 28
Frances K. Laforta 21 Chrysler Place
Flea Moore 114 Ingleside Ave
Ray Graham 636 Longview Dr.
Ruth McCorkle 624 Longview Dr. 28
Nancy Lawson 620 Longview Dr. 28
Lois Allen 602 Longview Dr. 28
Del Schmitt 701 Longview Dr. 28
Jean Ford 636 Longview Dr. 28

April 29, 1964

W. Lee Thomas, Esq.
Campbell Building
Towson 4, Maryland

NOTICE OF HEARING

Re: Petition for Reclassification for Patrick Kirwan, et al
#64-121-R

TIME: 10:00 A.M.
DATE: Wednesday, May 27, 1964
PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue
Towson, Maryland

cc: Mr. Donald S. Nelson, Jr.
302 Stemmell Road
Catonsville 28, Md.

Westview Park Improvement & Civic
Association, Inc.
P.O. Box 2122
Catonsville 28, Md.

ZONING COMMISSIONER OF
BALTIMORE COUNTY

RE: PETITION FOR RECLASSIFICATION from "B-R" and "R-6" Zones to "B-M" Zone - W. S. Ingleside Ave., 244.65' S. Old Frederick Road, 1st District - Patrick B. Kirwan, et al, Petitioners

BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 64-121-R

: : : : : : : : : : : : : : : : :

Petitioners, owners of lots of ground located on the west side of Ingleside Avenue and the south side of Baltimore National Pike, as more fully described in the petition hereinbefore filed, initially petitioned for change in zoning classification from a "B-R" Zone and "R-6" Zone to "B-M" Zone.

Petitioners by letter dated June 19, 1964, have withdrawn their request for reclassification from "B-R" and "R-6" Zones to "B-M" Zone.

The property fronting on Baltimore National Pike is designated Parcel "A" in the petition and has immediately to the east thereof an existing unused "B-R" Zone of approximately 100 feet in width. Immediately east of such unused property and continuing to the Baltimore National Pike's intersection with Ingleside Avenue, there is an existing "B-M" Zone on which a motor inn is now being constructed. To the west of the property fronting on Baltimore National Pike is an unused "B-L" Zone. A small parcel of land designated Parcel "B" lies immediately to the rear (or south) of Parcel "A".

The property fronting on the west side of Ingleside Avenue and designated Parcel "C" in the petition is separated from the aforementioned "B-M" Zone on which a motor lodge is being constructed by a strip of land zoned "R-6" which is to be utilized by the aforementioned motor lodge as a parking area. This parking area immediately adjoins Parcel "C" to the north. To the south of Parcel "C" is other land owned by two of the petitioners, presently zoned "R-6", and used by them as a residence. The east side of Ingleside Avenue contains properties utilized for various commercial uses, both zoned and nonconforming, as well as several cottages.

At hearing, the petitioners presented their plans for utilization of Parcel "A" as a showroom and a sales and service area for new and used automobiles, and also presented their plans for utilization of Parcel "C" as a parking lot for vehicles.

Evidence was presented showing the manner and method of ingress and egress, the type and quantity of construction proposed, and the minimal amount of daily traffic which might be expected to use the site.

Evidence was also presented by a Planning Consultant to the effect that Parcel "A" is extremely difficult, if not impossible, to use as zoned because of the setback requirements in a "B-R" Zone. The consultant also testified as to a further hardship caused by the shallowness in depth of this lot.

At hearing, it was determined that Variances to Section 238.1 and 238.2 of the Baltimore County Zoning Regulations (dealing with setback requirements) would enable the Petitioners to use Parcel "A" under the existing zoning. It was further determined that the granting of a Use Permit for off-street parking on Parcel "C" in accordance with the provisions of Section 409.4 of the Baltimore County Zoning Regulations would allow the intended use without the necessity of considering the requested zoning reclassification, and it was further determined that an Exception under Section 409.5 to allow the parking of trucks in addition to passenger vehicles on Parcel "C" would enable Petitioners properly to conduct their business activities and would in no way be detrimental to the area.

For the above reasons the following variances are granted as to Parcel "A":

1. A variance to Section 238.1 of the Baltimore County Zoning Regulations whereby the front building line may be not less than 15 feet from the front property line rather than the 50 feet provided in such section; and

2. A variance to Section 238.2 of the Baltimore County Zoning Regulations whereby the side yards may be 0 feet rather than the 30 feet provided in such section; and

As to Parcel "C" in addition to a Use Permit for use of a portion of Parcel "C" for purposes of business or industrial parking in residence zones under the provisions of Section 409.4 of the Baltimore County Zoning Regulations and an Exception to Section 409.4 requirements as allowed by Section 409.5 of the Baltimore County Zoning Regulations so that the petitioner may park trucks awaiting to be sold by petitioner on Parcel "C" as well as permitting passenger vehicles awaiting to be sold to be parked on said parking area.

The portion of Parcel "C" for which Use Permit and Exception is granted is described as follows:

BEGINNING for the same at a point on the west side of Ingleside Avenue, at the distance of 274.65 feet, as measured southerly along said west side of Ingleside Avenue from its intersection with the south side of Old Frederick Road, said point of beginning being South 04° 33' 00" East 30' from the beginning of the land which by deed dated

February 1, 1948 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1649, Folio 350 was conveyed by Frederick Maisel and wife to Mary E. Kirwan, widow, "et al", and running thence binding on said west side of Ingleside Avenue and on a part of the first line of said land, South 04° 33' 00" East 170.00 feet, thence leaving said west side of Ingleside Avenue and binding on the second line of said land South 82° 20' 00" West 200.00 feet, thence for a line of division continuing the same course South 82° 20' 00" West 154.08 feet to a point in the third or South 47½° East 67 perch line of the land which by deed dated June 12, 1907 and recorded among the aforesaid Land Records in Liber W.P.C. No. 314, Folio 572 was conveyed by Mary C. Scheve and husband to Patrick Kirwan and wife, said point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among the said Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding reversely on a part of said last mentioned line and on a part of said outline North 46° 58' 20" West 89.08 feet to a point in the fourth line of the second parcel of land, which by deed dated May 17, 1954 and recorded among said Land Records in Liber G.L.B., 2482, Folio 406 was conveyed by Rowell Title Holding Corporation to Mary Kirwan Wurtzer, thence binding on a part of the fourth line North 04° 33' 00" West 100.97 feet to a point in such fourth line thence running parallel to the second line of the land conveyed by Frederick Maisel and wife to Mary E. Kirwan, widow, et al, for a line of division now made North 82° 20' 00" East 414.27 feet to place of beginning.

The granting of the Use Permit is subject to the following:

1. The Petitioners shall at no time conduct or transact any business thereon; and

2. The Petitioners shall not install "string lights" or any other lights thereon other than lights not to exceed two foot candles per square foot at ground level and not to exceed 15 feet in height. Any lights erected shall point to and down upon the area for which the Use Permit and Exception is granted and shall not point to or reflect upon any of the surrounding residential properties; and

3. There shall be no loading or unloading thereon; and

4. Sidewalks shall be constructed along Ingleside Avenue as finally located along such area; and

5. There shall be a 10 foot wide grass strip along the southerly line of Parcel "C" upon which the Petitioners shall plant hemlock trees not less than 20 feet apart; and

6. There shall be a 69 foot setback starting at the intersection of the northernmost property line of Parcel "C" and Ingleside Avenue and running thence South 4° 33' 00" East 200 feet to the southernmost property line of Parcel "C".

7. Fences to be erected by Petitioners shall be along the innermost line of the 69 foot setback area mentioned in No. 6 above and along the 10 foot setback area mentioned in No. 5 above.

The site plan for the Use Permit was approved by the Office of Planning on June 26, 1964, said plan marked Exhibit "A" attached hereto and made a part hereof.

It is this ~~xxxxx~~ First day of July, 1964 by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid variances are hereby granted, subject to approval of the plot 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

PETITION FOR A RECLASSIFICATION

1st DISTRICT

ZONING: From B.R., R-6 and R-6 to B.M. Zone

LOCATION: West side of Ingleside Avenue 244.65' South of Old Frederick Road

DATE & TIME: WEDNESDAY, MAY 27, 1964 at 10:00 A.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Concerning all that parcel of land in the First District of Baltimore County

Being the properties of Patrick B. Kirwan and Helen M. Kirwan, Mary E. Wurtzer and Augustus C. Wurtzer, as shown on plat plan filed with the Zoning Department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

TELEPHONE 823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 23395
DATE 5/21/64

To: Messrs. Proctor, Royston & Mueller
Campbell Building
Towson 4, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT $72.00

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY		COST
—	Advertising and posting of property for Patrick Kirwan #64-121-R	72.00
	PAID — Baltimore County, Md. — Office of Finance	
	5-2264 4286 • 23395 IIP—	72.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE 823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 21657
DATE 3/11/64

To: Messrs. Proctor, Royston & Mueller
Campbell Building
Towson 4, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT $50.00

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY		COST
—	Petition for Reclassification for Patrick Kirwan, et al	50.00
	PAID — Baltimore County, Md. — Office of Finance	
	3-1164 1119 • 21657• IIP--	50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PATRICK KIRWAN, et al. : BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 64-121-R

: : : : : : : : :

Your Petitioners have heretofore filed for reclassifications from BR and R-6 zones to a BM zone for the purpose of utilizing the subject tract of land as an automobile sales and service agency.

It is felt that if variances to the front and side yard set back requirements of Sections 238.1 and 238.2 are obtained; if a Use Permit under the provision of 409.4 is obtained for the utilization of Parcel C as an off-street parking area; and if pursuant to Section 409.5 an exception is obtained to the last mentioned Use Permit so as to allow parking on Parcel C of both passenger and truck vehicles, then the aforementioned reclassifications for which petitions were filed would be unnecessary.

Accordingly, we request that you utilize your authority as Zoning Commissioner and grant to us the following:

(a) A variance to Section 238.1 whereby the front building line of the proposed building may be placed not less than 15 feet from the front property line, such required line to be in lieu of the 50 feet set back as provided in such Section.

(b) A variance to Section 238.2 whereby the easternmost sideyard may be 0 feet rather than the 30 feet provided in such Section.

The reasons which we believe justify the granting of these variances are:

PROCTOR, ROYSTON AND MUELLER
CAMPBELL BUILDING
TOWSON 4, MD.
VALLEY 3-1800

First, that the area now zoned BR is too shallow in depth to be utilized properly for permitted BR uses, and

Second, the odd shape of the area zoned BR further interferes with proper or possible utilization of the parcel of land if the specified setbacks are adhered to, and

Third, these Petitioners own no adjacent land zoned BR which could alleviate either of the above mentioned difficulties.

We also specifically request at this time that you grant to us a Use Permit for the use of the land labelled "Parcel C" in the aforementioned filed petition for the purpose of "business or industrial parking in residence zones" under the provisions of 409.4. Lastly, and in connection with the aforementioned Use Permit, we request that you order immediate advertisement of a public hearing under Section 409.5 for an Exception to Section 409.4, such Exception to be specifically directed to Section 409.4, sub-section (b) which reads as follows: "Only passenger vehicles, excluding buses may use the parking area." Our petition is that this sub-section (b) be modified so that passenger vehicles and trucks may use the parking area for which the Use Permit is requested.

W. Lee Thomas
W. Lee Thomas
Of counsel for Petitioners

PROCTOR, ROYSTON AND MUELLER
CAMPBELL BUILDING
TOWSON 4, MD.
VALLEY 3-1800

April 25, 1967

Mr. Donald Flax
Westview Dodge
5717 Baltimore National Pike
Baltimore, Maryland 21228

RE: Petition No. 64-121-R

Dear Mr. Flax:

It has come to my attention that you are parking your new cars in the state right-of-way of Baltimore National Pike.

When I granted the Chrysler Corporation the right to park cars in a residential area pending their future sale, I expected the Chrysler Corporation to live up to its planning agreement in every way. I seem to recall that you were asked once before not to use the right-of-way. If it happens again, I will issue no warning but will review the entire plan of this operation in addition to the parking violation, and will take the matter to the Housing Court of Baltimore County where I will request a fine of $100 a day.

Very truly yours,

John G. Rose
Zoning Commissioner

JGR/jdr

cc: Chrysler Corporation
C/O Roger Clapp, Esquire
1600 First National Bank Building
Baltimore, Maryland 21202

May 20, 1964

W. Lee Thomas, Esq.
Campbell Building
Towson 4, Maryland

Re: Petition for Reclassification for Patrick Kirwan
#64-121-R

Dear Sir:

This is to advise you that $72.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 121 County Office Building, before the hearing.

Yours very truly,

JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON 4, MARYLAND
VA. 3-3000

MALCOLM H. DILL
DIRECTOR

JOHN G. ROSE
ZONING COMMISSIONER

April 10, 1964

W. Lee Thomas, Esq.
Campbell Building
Towson 4, Maryland

Dear Sir:

The enclosed memorandum is sent to you in Compliance with Section 23-22 of the 1961 Supplement of the Baltimore County Code.

Any questions of correspondence in regard to the enclosed subject matter must be directed to the Director of Planning and Zoning (or his Deputy) and NOT to the Zoning Commissioner.

If you desire to have a member of the Planning Staff testify, it will be necessary for you to summons him through the Sheriff's Office.

Yours very truly,

John G. Rose per B.A.
JOHN G. ROSE
ZONING COMMISSIONER

JGR:ba:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date April 10, 1964

FROM Mr. George E. Gavrelis, Acting Director

SUBJECT #64-121-R. B-R, R-6 to B.M. West side of Ingleside Avenue, 244.65 feet South of Old Frederick Road. Being property of Patrick B. Kirwan.

1st District

HEARING: Wednesday, April 22, 1964 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from B-R and R-6 to B-M zoning and has the following advisory comments to make with respect to pertinent planning factors:

1. The Planning staff voices no objection to reclassifying that portion of the property now zoned Business-Roadside to Business-Major. It expresses no real concern with extending commercial zoning to include Parcel "B" at the rear of the new car sales and service building as proposed on the plan. It notes, however, that commercial zoning extends southerly along Ingleside Avenue to Chrysler Place on the easterly side thereof and to about 70 feet north of Chrysler Place on the westerly side thereof.

2. The staff expresses its concern with the concept of extending commercial zoning southerly along Ingleside Avenue. Such an extension could serve as an entering wedge for creation of ribbon commercial development along Ingleside Avenue. If commercial zoning can be justified for Parcel "C" such zoning must be accomplished in a manner so as to provide stopping points for further rezoning. If commercial zoning is to be granted on Parcel "C", any granting should exclude the frontage along Ingleside Avenue and an area along the southerly boundary line of the property so as to provide a buffer. The Planning staff would suggest that commercial zoning come no closer than 100 feet to the center line of Ingleside Avenue and no closer than 20 feet to the southerly property.

3. In connection with site plan approval, the Office of Planning and Zoning will require a coordinated pattern of access between the use of the subject property and the motel to the north if the commercial reclassification is granted.

GEG:bms

March 26, 1964

#64-121 R

W. Lee Thomas, Esq.
Campbell Building
Towson 4, Md.

NOTICE OF HEARING

Re: Petition for Reclassification for Patrick Kirwan, et al
#64-121-R

TIME: 11:00 A.M.

DATE: Wednesday, April 22, 1964

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue
Towson, Maryland

John G. Rose
ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

MESSRS. Proctor, Royston & Mueller
Campbell Building
Towson 4, Md.

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

March 11, 1964

Re: Petition for Reclassification for Patrick Kirwan

Gentlemen:

Your petition has been received and accepted for filing this 11th day of March, 1964.

John G. Rose
JOHN G. ROSE
Zoning Commissioner

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. May 13, 19 64

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 27th day of May 19 64, the first publication appearing on the 7th day of May 19 64.

THE TIMES.
Manager.
John M. Martin

Cost of Advertisement $ 72.00

OFFICE OF
BALTIMORE COUNTIAN
THE HERALD - ARGUS
Catonsville, Md.

CATONSVILLE, MD. May 11, 1964

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of newspapers published in Baltimore County, Maryland, once a week for one week before the ... day of May, 1964, that is to say ... inserted in the issues of May 8, 1964.

BALTIMORE COUNTIAN

By Paul T. Morgan
Editor and Manager.

64-121-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1ST Date of Posting MAY 9,1964
Posted for: RECLASSIFICATION FROM B.R.E.R.6 TO B.M.
Petitioner: PATRICK B. KIRWAN ET AL
Location of property: W/S INGLESIDE AVE. 244' S OF OLD FREDERICK RD.

Location of Signs: ① W DEAD END CHRYSTLER PL ② W/S INGLESIDE AVE N DEAD END OF DORCHESTER AVE. ③ S/S BALTIMORE NAT. PIKE
Remarks:
Posted by J. S. Rose Signature Date of return May 14,1964

COPY

LAW OFFICES
WEINBERG AND GREEN
TWENTIETH FLOOR
10 LIGHT STREET
BALTIMORE, MD. 21202

May 29, 1967

MAY 1 '67 PM
ZONING DEPARTMENT

Mr. Donald Flax
Westview Dodge, Inc.
5717 Baltimore National Pike
Catonsville, Maryland 21228

Re: Zoning Compliance, Case No. 64-121-R

Dear Donald:

Confirming our telephone conversations, you now have a plat of your property which you leased from Chrysler Corporation, and you have taken steps to make certain that cars and trucks will not be parked in the State Road Commission's right-of-way in front of your place of business. You will then be in compliance with the letter which you received from the Zoning Commissioner relating to this violation of the Zoning Order which permitted the establishment of the automobile business on your lot.

However, as you know, you have also received a letter calling to your attention that you are not in compliance with that portion of the Zoning Commissioner's Order relating to the landscaping to be done on the rear portion of the lot, near Ingleside Avenue, which adjoins the contiguous property owned by Mr. Kirwan.

When I spoke to you about this, you said that you would be in touch with the landscape and nurseryman who was used by the Chrysler Corporation to landscape the lot in the rear, and you would point out to him that some of the shrubbery has died and should be replaced. There are several specific requirements of the Zoning Order relating to this planting, and I suggest that you see to it that these requirements are met promptly so that you will not have any further difficulty with

---

WEINBERG AND GREEN

-3-

Mr. Donald Flax
Westview Dodge, Inc.
May 29, 1967

the Zoning Commissioner's enforcement staff. Meanwhile, I have assured Mr. James Dyer, at the Zoning Commissioner's Office, that you are taking steps to correct the present deficiencies, and Mr. Dyer is relying on my assurance to him that the work will be done promptly. It is obvious that Kirwan is going to stay behind this, so I suggest that you get the work done as soon as possible to avoid any further enforcement action. If you have any difficulty, or if there is anything that I can do, please do not hesitate to let me know.

Cordially yours,
Robert L. Weinberg

S:hf

cc: Mr. James Dyer
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
VA. 3-3000

GEORGE E. GAVRELIS
DIRECTOR

JOHN G. ROSE
ZONING COMMISSIONER

May 2, 1967

Mr. Donald Flax 744-2680
Westview Dodge
5717 Baltimore National Pike
Baltimore, Maryland 21228

Dear Mr. Flax:

On July 1 1964 an Order was passed by the Zoning Commissioner for Case No. 64-121-R.

You have not complied with this Order until you have presented, received and complied with a plan approved by the Office of Planning and Zoning.

You are hereby directed to set up an appointment with Mr. James Dyer of this Office so that an inspector can meet you or your representative on the property to check for compliance with the ZONING COMMISSIONER'S ORDER.

A copy of the ORDER is enclosed.

Failure to comply will mean that you do not have the right to use your property in accordance with this Order. Action will then be taken by the ZONING COMMISSIONER.

Very truly yours,

JOHN G. ROSE,
Zoning Commissioner

JGR/jdr

Enclosure
cc: Robert L. Weinberg, Esquire
10 Light Street
Baltimore, Maryland 21202

Mr. Patrick Kirwan
715 Ingleside Avenue
Catonsville, Md. 21228

64-121-R

COMPLAINT FORM

Case No. CV-67-252
District 1
Date May 1, 1967

Location of Alleged Violation 5700 block Balt. Nat'l. Pike 21228

Occupant Westview Dodge - Chrysler Corporation Phone
Don Flack, Mgr.
Address (same)

Owner of Property Chrysler Corporation Phone
Owner's Address
Attorney Phone
Attorney's Address

****

Complainant's Name Patrick Kirwan Phone RI-4-2798
Complainant's Address 715 Ingleside, Catonsville 21228 Phone
Witness Phone
Address
Witness Phone
Address
Received by Helen Chaney Letter In Person Tel. X

Details of Complaint (Be Specific) 3 yrs. ago (July or August, 1964) Chrysler Corp. was ordered to put up fence and plant shrubbery between Westview Dodge and complainant's property. This was done, but complaint now is that the shrubbery is not taken care of, is dead and leaves from it blow on complainant's property. Last spring, inspector spoke to manager, Flack, who said he would take care of it, but nothing has been done. Complainant requests copy of the zoning decision of 1964. Says he is a friend of Mr. Rose.
Inspector's Report:

1. How long has present occupant been at this address? Month Year
2. When did present use begin? Month Year
3. Has any other use been made of this property other than for residential?
Yes No If so, what other use, and for how long?
4. Other Information

Date Signature of Inspector E. McClelland

64-121-R

LAW OFFICES
WEINBERG AND GREEN
TWENTIETH FLOOR
10 LIGHT STREET
BALTIMORE, MD. 21202

May 1, 1967

MAY -2 '67 PM
ZONING DEPARTMENT

Mr. John G. Rose
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition No. 64-121-R
Westview Dodge, Inc.

Dear Mr. Rose:

Mr. Donald Flax of Westview Dodge, Inc., 5717 Baltimore National Pike, has forwarded to us your letter dated April 25, 1967.

I am attempting to obtain from counsel for the Chrysler Corporation a copy of the zoning order, plat and lease in this matter, and have asked Mr. Flax, meanwhile, to refrain from having any trucks parked on the lawn in front of his establishment. As soon as I can ascertain the location of the property line and show Mr. Flax exactly where cars may be parked and may not be parked, we are certain that there will be no further problem in this matter.

We appreciate your bearing with us in this case, until we have the opportunity to obtain the necessary facts. Thank you very much.

Sincerely yours,
Robert L. Weinberg

S:hf

LAW OFFICES
WEINBERG AND GREEN
TWENTIETH FLOOR
10 LIGHT STREET
BALTIMORE, MD. 21202

May 1, 1967

MAY -2 '67 PM
ZONING DEPARTMENT

Mr. John G. Rose
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition No. 64-121-R
Westview Dodge, Inc.

Dear Mr. Rose:

We have now examined a copy of the Matz, Childs & Associates' plat which was used in the zoning proceedings relating to the parcel on which Westview Dodge, Inc., is conducting its business.

We have reviewed this with our client and have pointed out to him the location of the property line so that the cars or trucks that he parks on his used car lot will not be placed so as to be on the right-of-way of the State Roads Commission.

If your office is aware of any violation in this connection, please do not hesitate to notify this office so that we may immediately have it corrected.

We thank you for your courtesy in this matter.

Respectfully yours,
Robert L. Weinberg

S:hf

April 25, 1967

Mr. Donald Flax
Westview Dodge
5717 Baltimore National Pike
Baltimore, Maryland 21228

RE: Petition No. 64-121-R

Dear Mr. Flax:

It has come to my attention that you are parking your new cars in the state right-of-way of Baltimore National Pike.

When I granted the Chrysler Corporation the right to park cars in a residential area pending their future sale, I expected the Chrysler Corporation to live up to its planning agreement in every way. I seem to recall that you were asked once before not to use the right-of-way. If it happens again, I will issue no warning but will review the entire plan of this operation in addition to the parking violation, and will take the matter to the Housing Court of Baltimore County where I will request a fine of $100 a day.

Very truly yours,
John G. Rose
Zoning Commissioner

JGR/jdr

cc: Chrysler Corporation
C/O Roger Clapp, Esquire
1600 First National Bank Building
Baltimore, Maryland 21202

Zoning File # 64-121

PROCTOR, ROYSTON & MUELLER
ATTORNEYS AT LAW
CAMPBELL BUILDING
TOWSON, MARYLAND 21204

KENNETH C. PROCTOR
CARROLL W. ROYSTON
H. ANTHONY MUELLER
W. LEE THOMAS
FLMER L. KEISER, JR.
R. TAYLOR McLEAN
RICHARD A. KOD
E. HARRISON STONE

VALLEY 3-1800

December 1, 1964

Mr. George E. Gavrelis, Director
Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Re: First District - Application
S/S Old Frederick Road
551-64, Kirby & McGuire, Inc.,
Contractor

Dear Mr. Gavrelis:

In accordance with our recent conversation, be advised that our application for a building permit is submitted in lieu of our previous application No. 509-64, which is hereby withdrawn.

The newly requested permit is for construction only on that portion of the property fronting on the south side of Old Frederick Road and owned by Mrs. Mary K. Wurtzer, et al, and leased to Chrysler Motors Corporation.

We shall shortly file an application for work to be done on the Kirwan property fronting on Ingleside Avenue.

We hereby represent, as attorneys for Chrysler Motors Corporation, that the exit-entrance leading into Ingleside Avenue from our property may be used by the land owner adjoining our property to the north for the entire term of our rights in and to such property. The mentioned right-of-way is shown on a plat available in your office.

Very truly yours,

PROCTOR, ROYSTON & MUELLER

By W. Lee Thomas

W. Lee Thomas

cc: Mr. Hoswell
Mr. Reier

RECEIVED
DEC 1 - 1964
BALTIMORE CO.
OFFICE OF PLANNING

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO GEORGE REIER, Chief
Bureau of Public Services

Date December 1, 1964

FROM JAMES G. HOSWELL
Office of Planning & Zoning

SUBJECT Bldg. App. #551-64

The Office of Planning and Zoning has reviewed the subject application and is endorsing it on the basis of the approved plan dated December 1, 1964 and the agreement set forth in the letter dated December 1, 1964, from Proctor, Royston & Muller to Mr. George E. Gavrelis. Both the approved plan and the letter have been made a part of the file of Zoning Petition #64-121.

JGH/cs

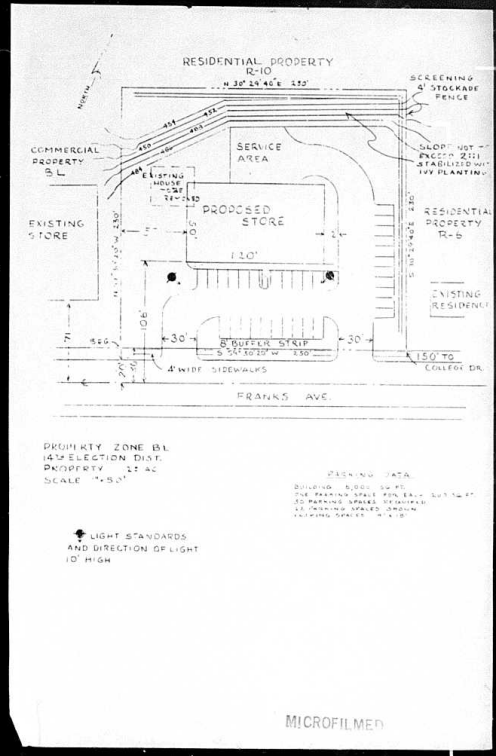
CHECKLIST FOR INFORMATION TO BE SHOWN ON PLOT PLANS

This checklist shall serve as a guide in preparing plot plans for building permits and all types of Zoning Petitions so that an application may be processed in the most efficient manner. All items listed below which are applicable to your application must be indicated. Seven (7) copies of the plot plan must accompany a Zoning Petition. Six (6) copies of the plot plan must accompany an application for a building permit.

A. North arrow, indicating the direction of north ✓
B. Scale of drawing: 1"=10'; 1"=50'; if acreage of property exceeds 40 acres, scale of drawing should be 1"=100' ✓
C. Election District ✓
D. Dimensions of property (including bearings and distances) ✓
E. Relation of tract in question to additional property owned ✓
F. Area of property in question (acres of square feet) ✓
G. Name (s) of adjoining street (s) ✓
H. Location of existing building (s) on this tract ✓
I. Distance from present property line to centerline of street (s) ✓
J. Distance from edge of paving or curb to center line of street (s) ✓
K. Distance from property to nearest intersection of a State of County Road ✓
L. Location of streams or drainage courses within or within 50 feet of property ✓
M. Existing uses and zoning of adjacent properties ✓
N. Distance from centerline of street to all buildings located within 100 feet of each of your side property lines. (to establish setback line) ✓
O. Location and size of proposed building (s) ✓
P. Distance from proposed building to centerline of street (2) ✓
Q. Distance from sides of proposed building to property lines ✓
R. Location and width of proposed entrance (s) to property ✓
S. Indication of proposed slopes (not to exceed 2:1) and type of stabilization to prevent erosion ✓
T. Off-street parking requirements
1. Required number of spaces indicated (spaces size 9' x 18') and date used for determination, such as no. of employees, total floor area or no. of seats, etc. 60
2. Indication of eight (8) foot buffer strip between parking spaces and street property line to be established ✓
3. Indication of screening (size and type) for parking and service areas adjoining or across a street from residential zoning ✓
4. Indication of lighting standards, including direction of lighting and approximate heights of light standards. ✓

(SEE SAMPLE PLOT ON THE REVERSE SIDE)

Checked by: L.S.C. 11/64



MICROFILMED

64-121

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
VA. 5-3000

GEORGE E. GAVRELIS
DIRECTOR

JOHN G. ROSE
ZONING COMMISSIONER

Royston & Mueller
Campbell Building
Towson, Maryland 21204
c/o W. Lee Thomas

Date: June 29, 1965

Subject: Approved Site Plans
Zoning file # 64-121
Bldg. #
W/S of Ingleside Ave
S of Old Frederick Rd

Gentlemen:

The Office of Planning and Zoning has approved the above referenced site plan, as conditioned in the Zoning Commissioner's Order # 64-121.

This plan has been inserted in our Zoning file #

If you are desirous of obtaining a signed plan for your file, please forward a copy of the site plan to this office.

Very truly yours,

James E. Dyer
JAMES E. DYER, Chief
Petition and Permit Processing

JED/h

July 1, 1964

Messrs. Proctor, Royston & Mueller,
Campbell Building
Towson 4, Maryland

Attn. W. Lee Thomas, Esq.

Re: Petition for Reclassification from "B.L." and "R-6" Zones to "B.L." Zone - W. S. Ingleside Ave. 214.65' S. Old Frederick Road, 1st Dist., Patrick D. Kirwan, et al, Petitioners - No. 64-121-R

Dear Mr. Thomas:

I have today passed my Order, in the above matter, in accordance with the attached copy.

Very truly yours

Zoning Commissioner

July 1, 1964

Mr. Franklin M. Padgett,
634 Ingleside Avenue,
Baltimore 29, Maryland

Re: Petition for Reclassification
W.S. Ingleside Ave. 214.65' S.
Old Frederick Road, 1st Dist.,
Patrick D. Kirwan, et al,
Petitioners - No. 64-121-R

Dear Mr. Padgett:

I have today passed my Order in the above matter in accordance with the attached copy of said Order.

You may take an appeal from this decision within 30 days from this date. The cost of appeal is $70.00 plus $15.00 for advertising the subject property for appeal hearing.

If you desire to file an appeal forward same to the Zoning Commissioner.

You will be duly notified of the date and time of appeal when scheduled by the Board of Appeals.

Very truly yours

Zoning Commissioner

cc: Mr. Jim Mangilli,
Maryland Tile Distributors,
Rhoadesion Blvd. & Johnnycake Road
Baltimore 28, Md.

July 1, 1964

Mr. Franklin M. Padgett,
634 Ingleside Avenue,
Baltimore 29, Maryland

Re: Petition for Reclassification
W.S. Ingleside Ave. 214.65' S.
Old Frederick Road, 1st Dist.,
Patrick D. Kirwan, et al,
Petitioners - No. 64-121-R

Dear Mr. Padgett:

I have today passed my Order in the above matter in accordance with the attached copy of said Order.

You may take an appeal from this decision within 30 days from this date. The cost of appeal is $70.00 plus $15.00 for advertising the subject property for appeal hearing.

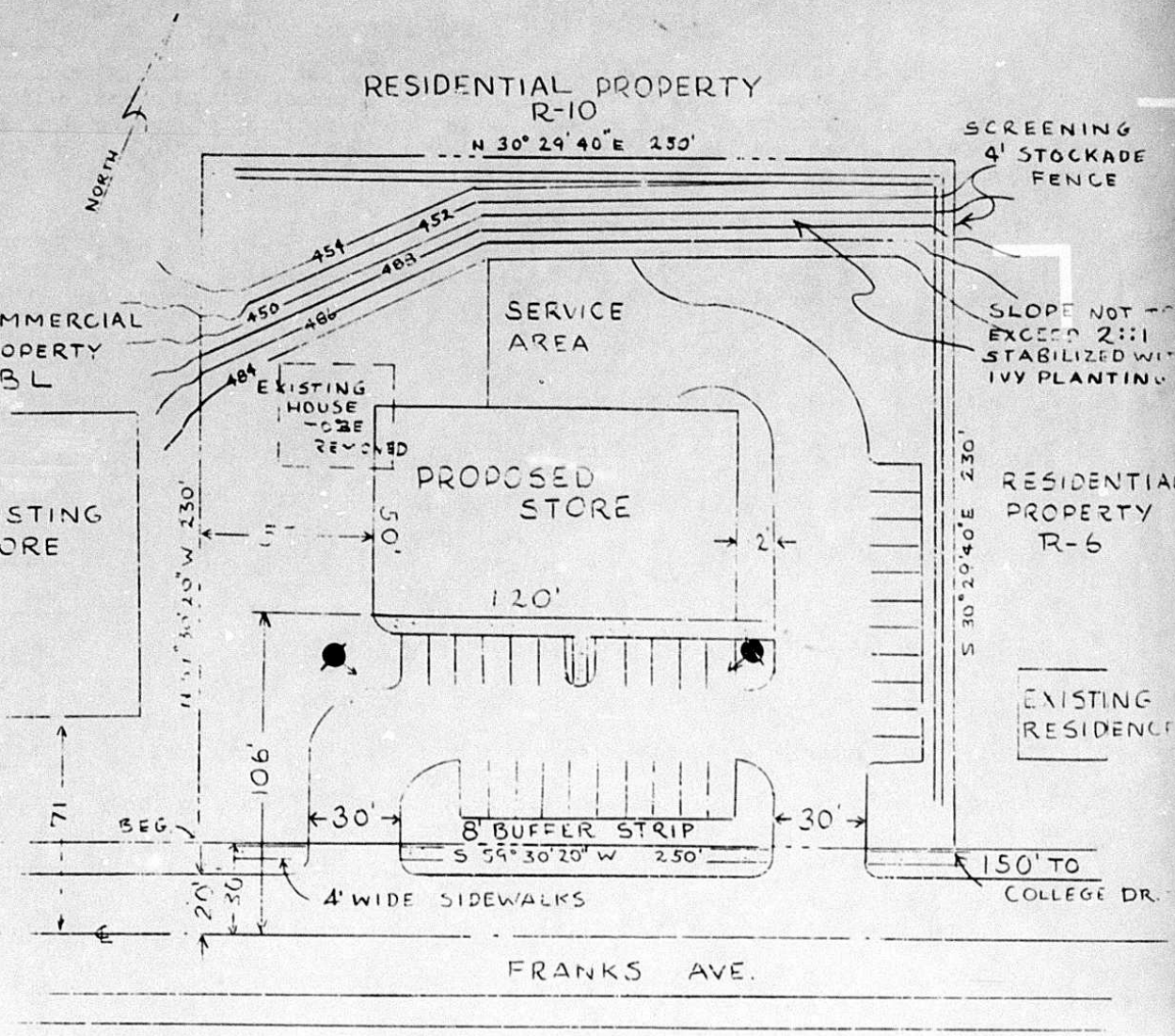
If you desire to file an appeal forward same to the Zoning Commissioner.

You will be duly notified of the date and time of appeal when scheduled by the Board of Appeals.

Very truly yours

Zoning Commissioner

cc: Mr. Jim Mangilli,
Maryland Tile Distributors,
Rhoadesion Blvd. & Johnnycake Road
Baltimore 28, Md.



PROPERTY ZONE BL
14TH ELECTION DIST.
PROPERTY 2± AC.
SCALE 1" = 50'

PARKING DATA

BUILDING 6,000 SQ. FT.
ONE PARKING SPACE FOR EACH 200 SQ. FT.
30 PARKING SPACES REQUIRED
32 PARKING SPACES SHOWN
PARKING SPACES 9' x 18'

LIGHT STANDARDS
AND DIRECTION OF LIGHT
10' HIGH

MICROFILMED

1st DISTRICT COMMUNITY COUNCIL INC.

Catonsville 28, Md.

APR 20 '64 M

☐ Ansd
☐ Recd
☐ Rotd
☐ Entd
☐ Chkd

ZONING DEPARTMENT

By

April 17, 1964

Mr. John Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

Dear Mr. Rose;

Re: Petition of Kirwan & Wurtzer for rezoning a tract at the W. W. corner of Ingleside Ave. and Route #40 from B-R and R-6 to B-M case no. 64-121 on April 22 at 11 A.M.

The First District Community Council wishes to go on record as opposed to any reclassification on the above property because:

1. There has been no change in the neighborhood.

2. The present B-R and R-6 classification is and has been correct on the Land-Use Map.

3. Ingleside Ave. is very narrow at this point and very heavily traveled therefore creating another traffic hazard to a tremendously bad spot.

4. A 7-story Motel and Restaurant is being built adjacent to this property therefore creating another problem of traffic, facilities, density, etc.

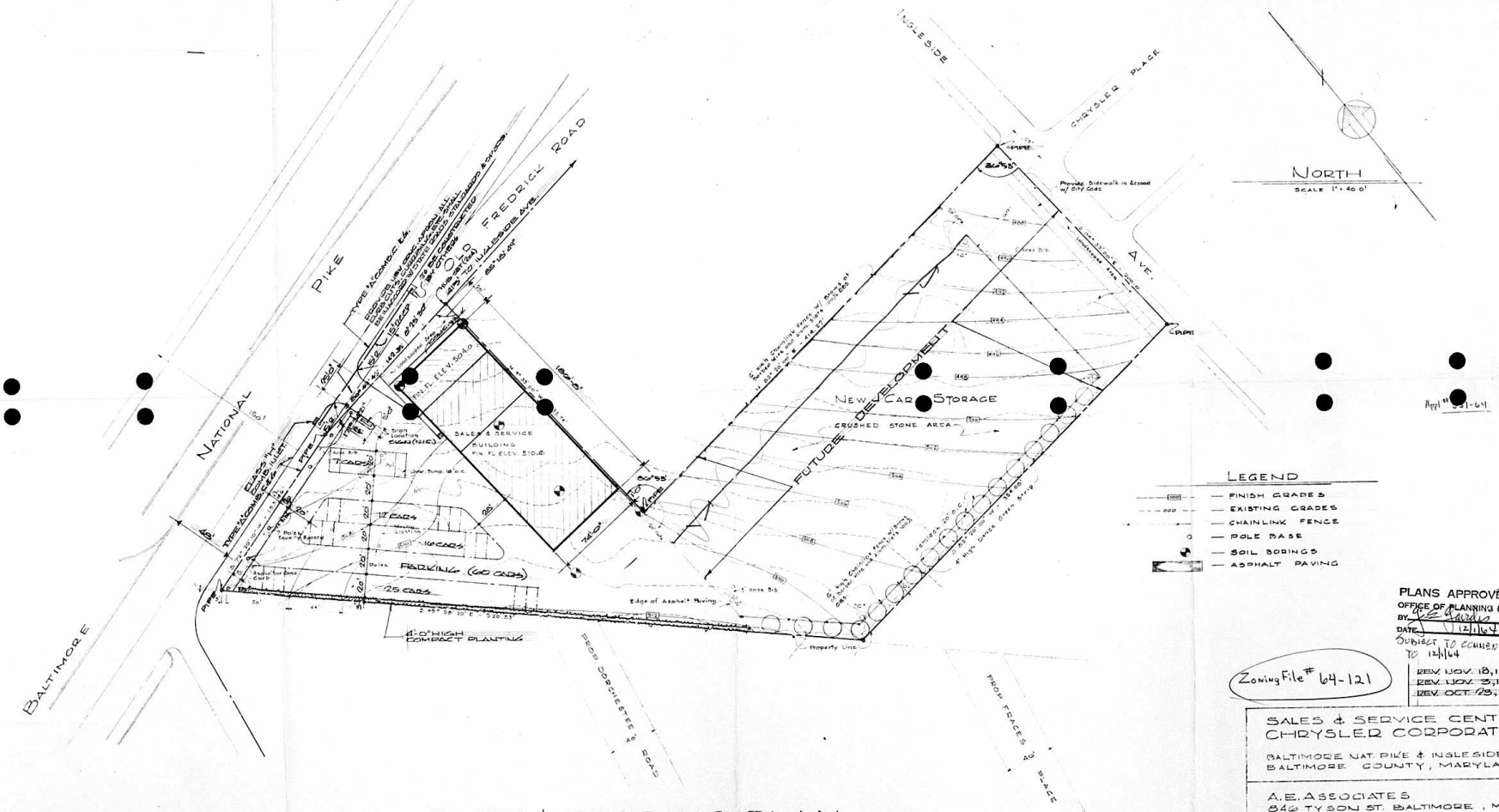
We fought for the Land-Use Map long and hard and do not wish to change it now. We are in complete accord with the position taken by the Ingleside Association in this matter and oppose any change in the present First District Land-Use Map.

Sincerely yours,

Donald S. Holmes Jr.
M.M.

Donald S. Holmes Jr.
President

REPRESENTING THESE COMMUNITIES: ACADEMY HEIGHTS • CATONSVILLE COMMUNITIES • COLONIAL GARDENS • DUNMORE • EDMONDSON HEIGHTS • INGLESIDE • INGLEWOOD • NORTH ROLLING ROAD OAK FOREST PARK • ROLLINGWOOD • ROLLING HILLS • WEST EDMONDALE • WESTOWNE • WESTVIEW PARK CHADWICK . HERITAGE . KEEPER HILL . MEDWICK . MERIDALE LITTLE FARMS .OAK SPRINGS . . SHADY NOOK . SUTER ROAD . WEST CATONSVILLE . WEST HILLS .



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY
DATE 12/1/64
SUBJECT TO COMMENTS DATED TO 12/1/64

Zoning File # 64-121

REV. NOV. 18, 1964 CAD
REV. NOV. 5, 1964 CAD
REV. OCT. 29, 1964 CAD

SALES & SERVICE CENTER
CHRYSLER CORPORATION

BALTIMORE NAT. PIKE & INGLESIDE AVE.
BALTIMORE COUNTY, MARYLAND

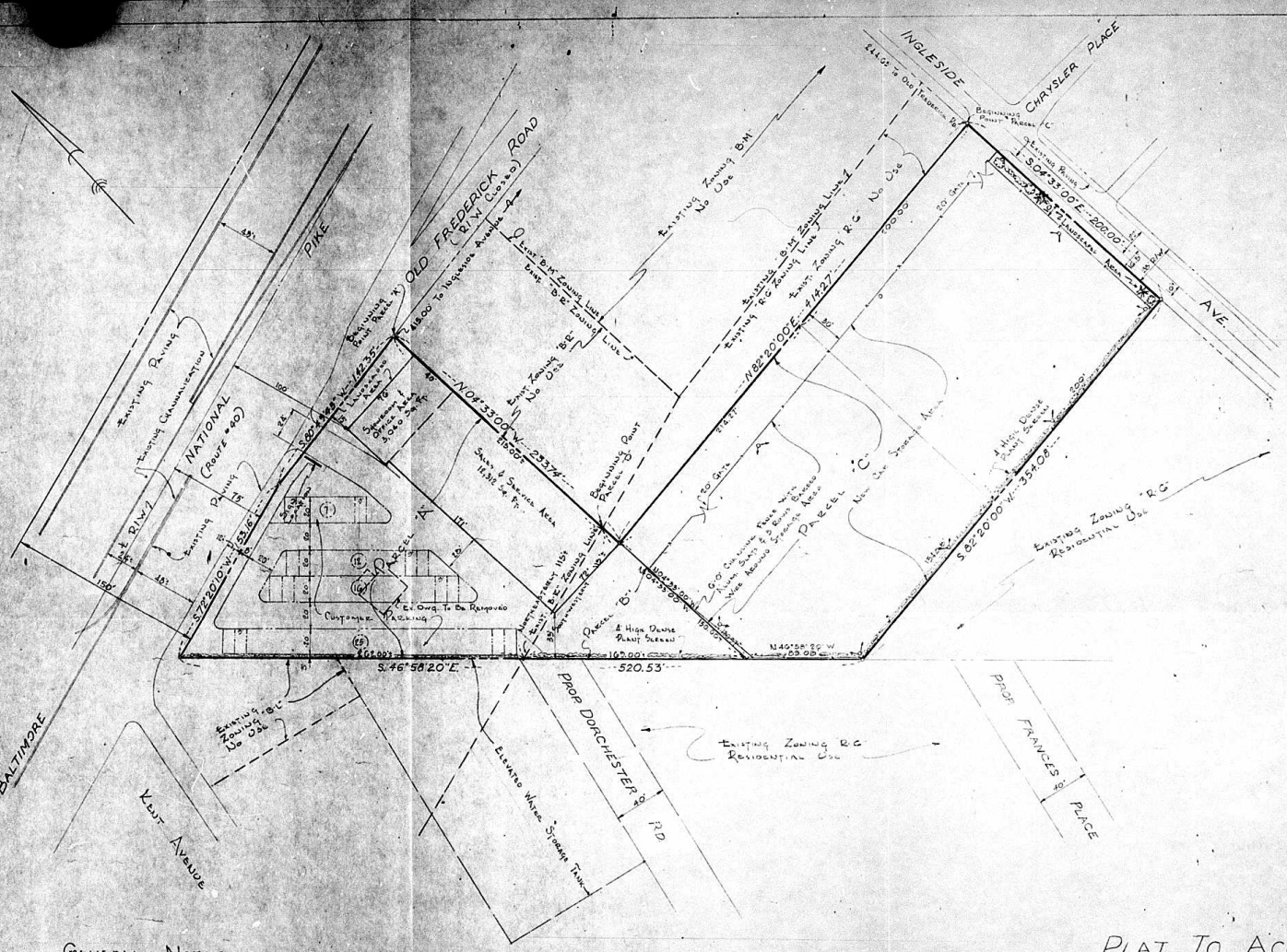
A.E. ASSOCIATES
840 TYSON ST. BALTIMORE, MARYLAND

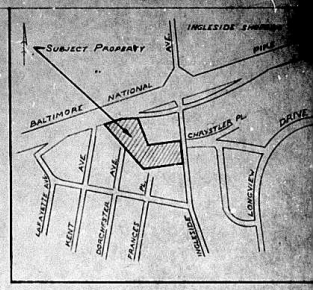
CHARLES A. DEMARCO A.I.A.
ARCHITECT

PLOT & GRADING PLAN

BOARD OF EXAMINERS AND REGISTRATION OF ARCHITECTS
1236-A
STATE OF MARYLAND

PLOT & GRADING PLAN		
DATE OCT. 9, 1964	DRAWN BY C.K.	SHEET NO. A-100
SCALE 1" = 40.0'	JOB No. AE-6415	





LOCATION PLAN
Scale: 1" = 500'

GENERAL NOTES

1. Total Acreage of Tract Equals 3.107 Acres
2. Present Zoning of Tract "B.R." and "R.G."
3. Present Use of Tract "No Use"
4. Proposed Zoning of Tract "B.M."
5. Proposed Use of Tract "Automobile Sales & Service Agency"
6. Proposed Customer Parking (9'x20') Equals 60 Units

PLAT TO ACCOMPANY PETITION
for
RECLASSIFICATION OF PROPERTY
VICINITY

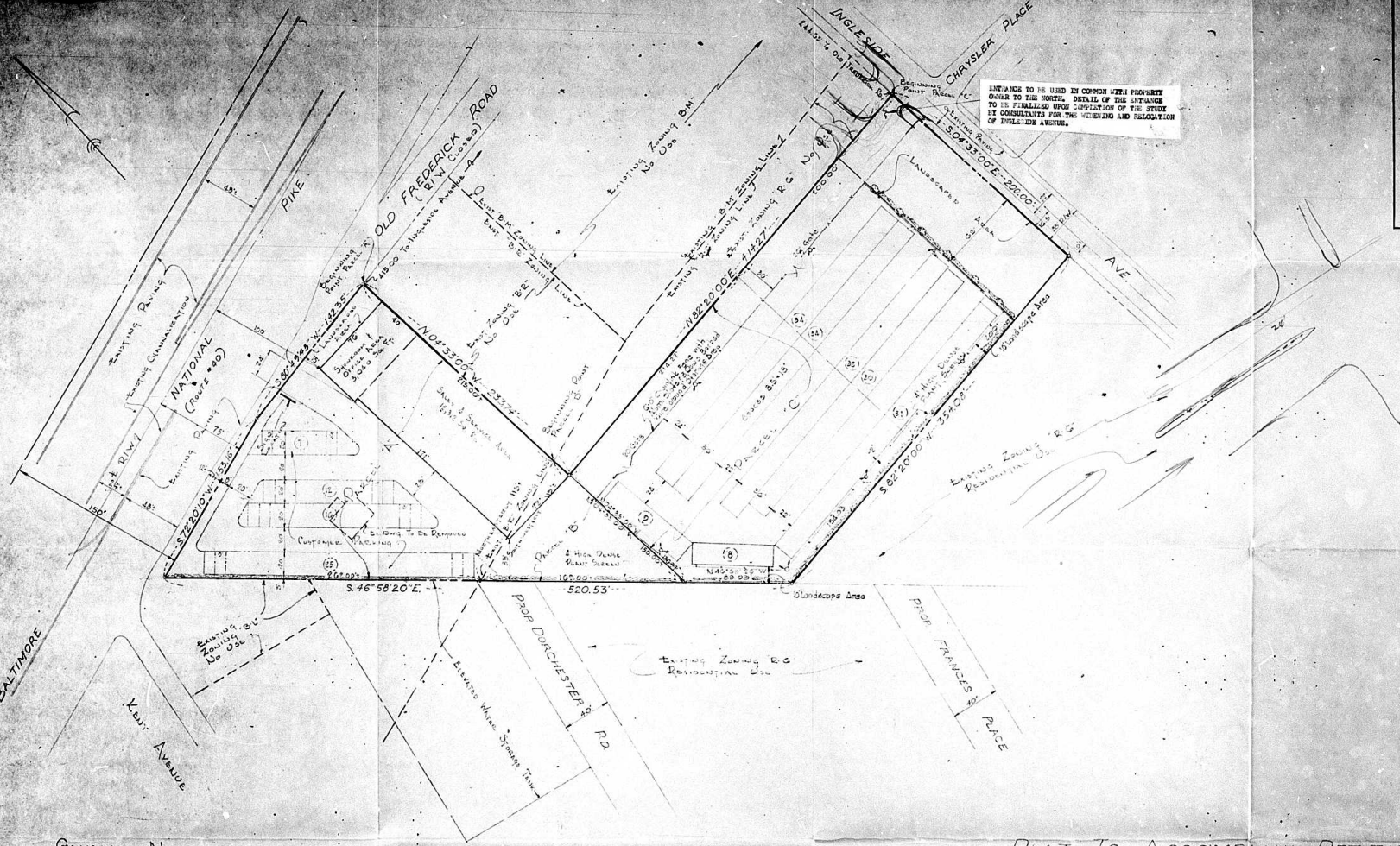
BALTIMORE NATIONAL PIKE & INGLESIDE AVENUE.

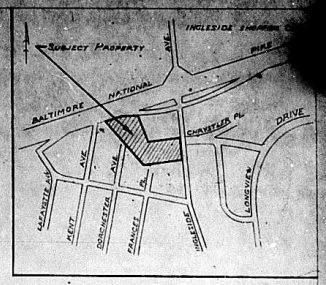
1st ELECTION DISTRICT — BALTIMORE COUNTY, MD.

SCALE: 1" = 40' — FEB. 20, 1964

MATZ, CHILDS & ASSOCIATES
2120 N. CHARLES STREET
BALTIMORE 18, MARYLAND

F.B. 60	SHT. 57	SCALE 1"	
69214		C.A.W.	





LOCATION PLAN
Scale: 1" = 500'

GENERAL NOTES

1. Total Acreage of Tract Equals 3.107 Acres ±
2. Present Zoning of Tract "B.R." and "B.C."
3. Present Use of Tract - "No Use"
4. Proposed Zoning of Tract - No Change But Variance on Parcel "A" For Automobile Sales & Service & Use Permit On Parcels "B" & "C".
5. Proposed Use of Tract "Automobile Sales & Service Agency"
6. Proposed Customer Parking (9'x 20') Equals 60 Units
7. Proposed Storage Parking (New Cars) Equals 178 Units.

PLAT TO ACCOMPANY PETITION
for
RECLASSIFICATION OF PROPERTY
VICINITY

BALTIMORE NATIONAL PIKE & INGLESIDE AVENUE

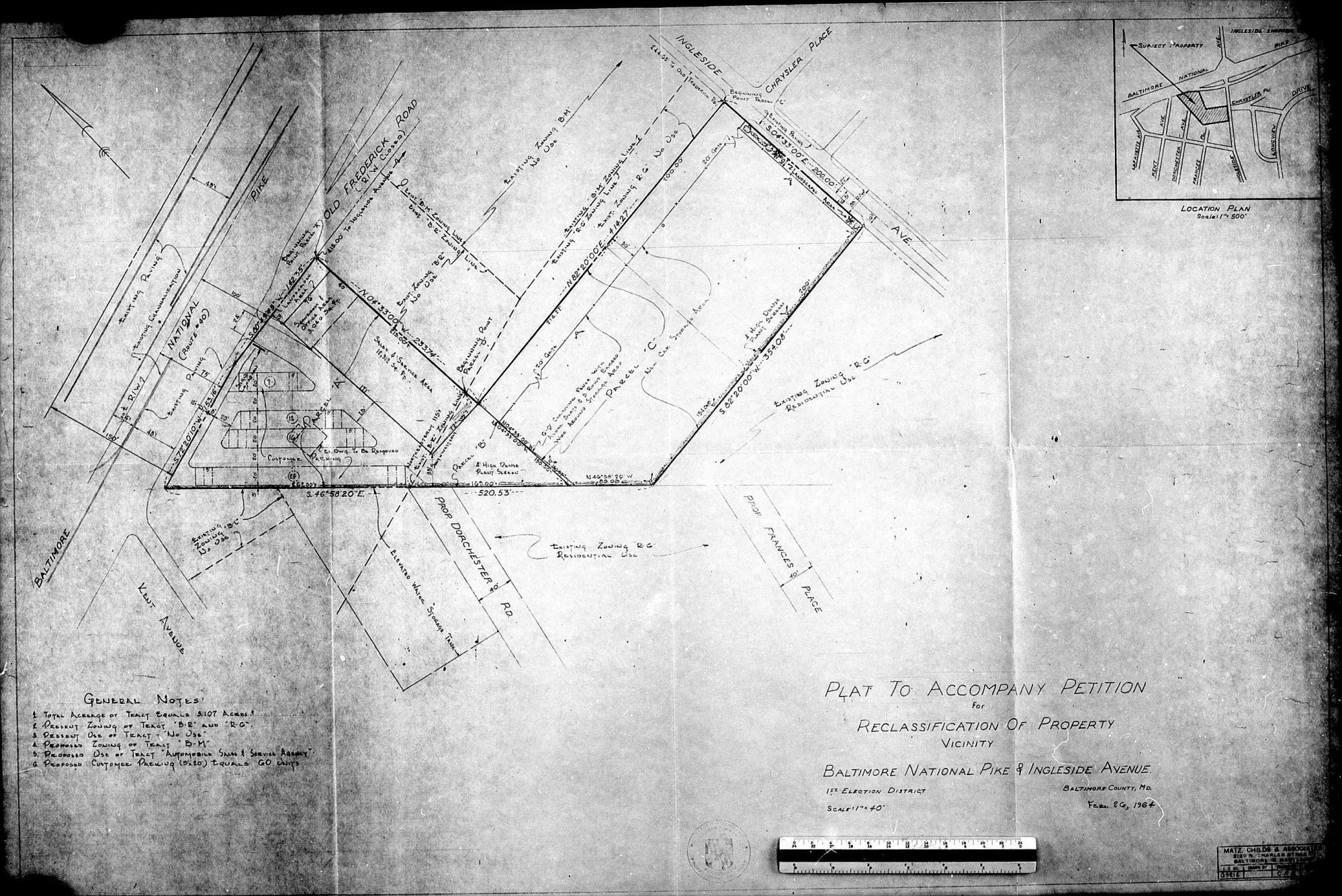
1st Election District — Baltimore County, Md.

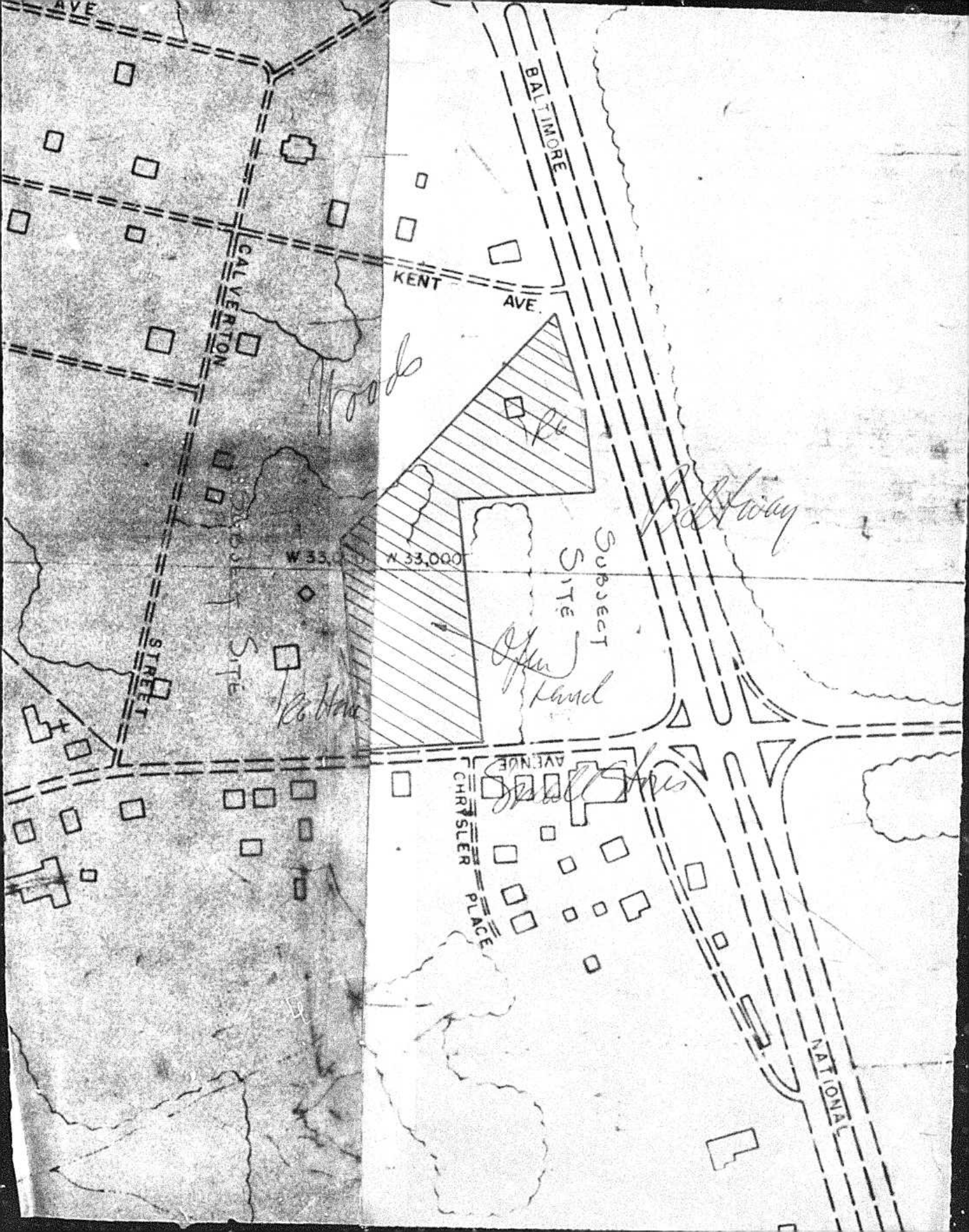
Scale: 1" = 40' — Feb. 20, 1964 — Revised June 20, 1964

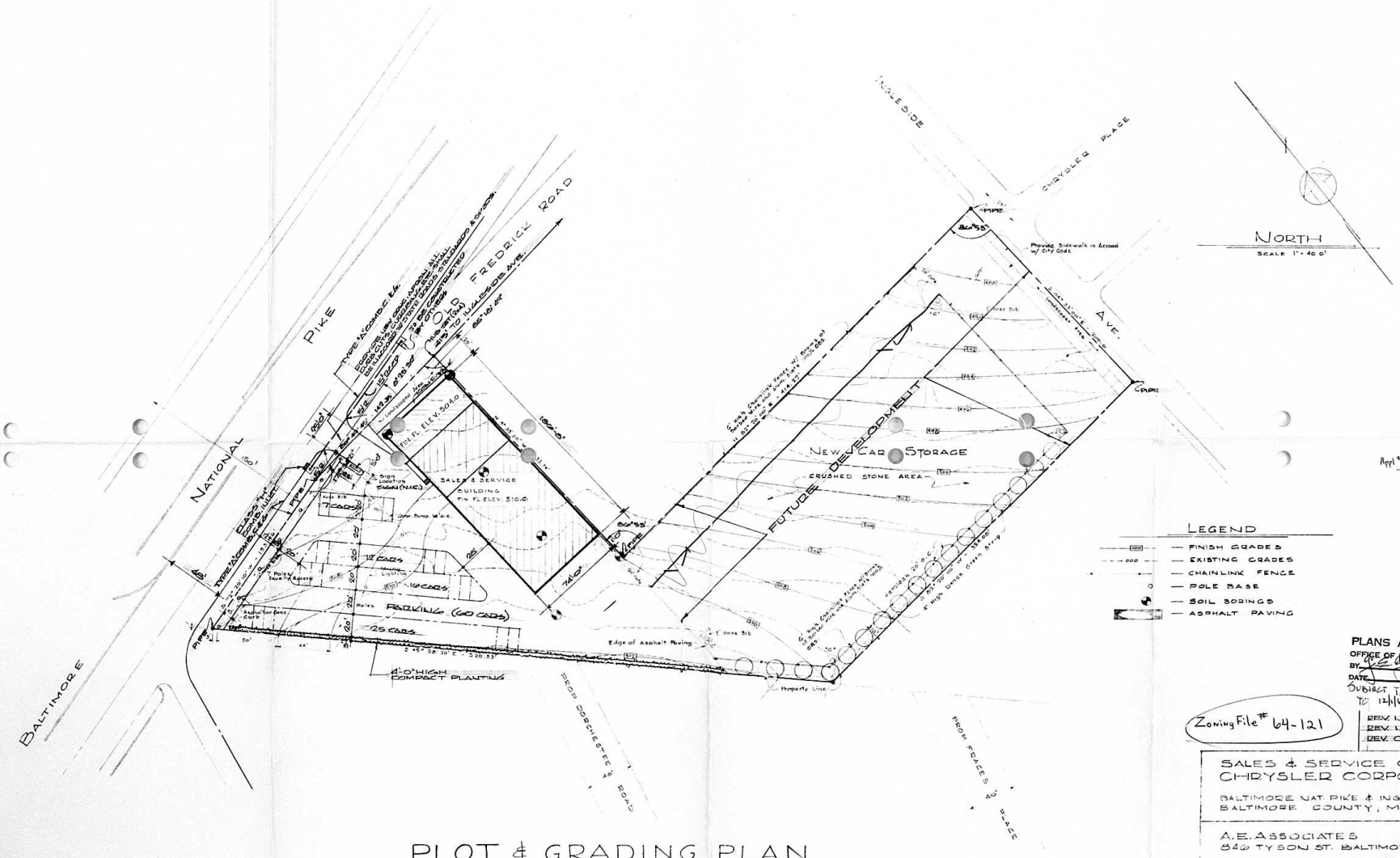
PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: [illegible]
DATE: [illegible]
Subject to provision of necessary widening for Ingleside Ave. together with provision of entrance road paving in accordance with requirements to be established by the Department of Public Works.

MATZ, CHILDS & ASSOCIATES
2120 N. CHARLES STREET
BALTIMORE 18, MARYLAND

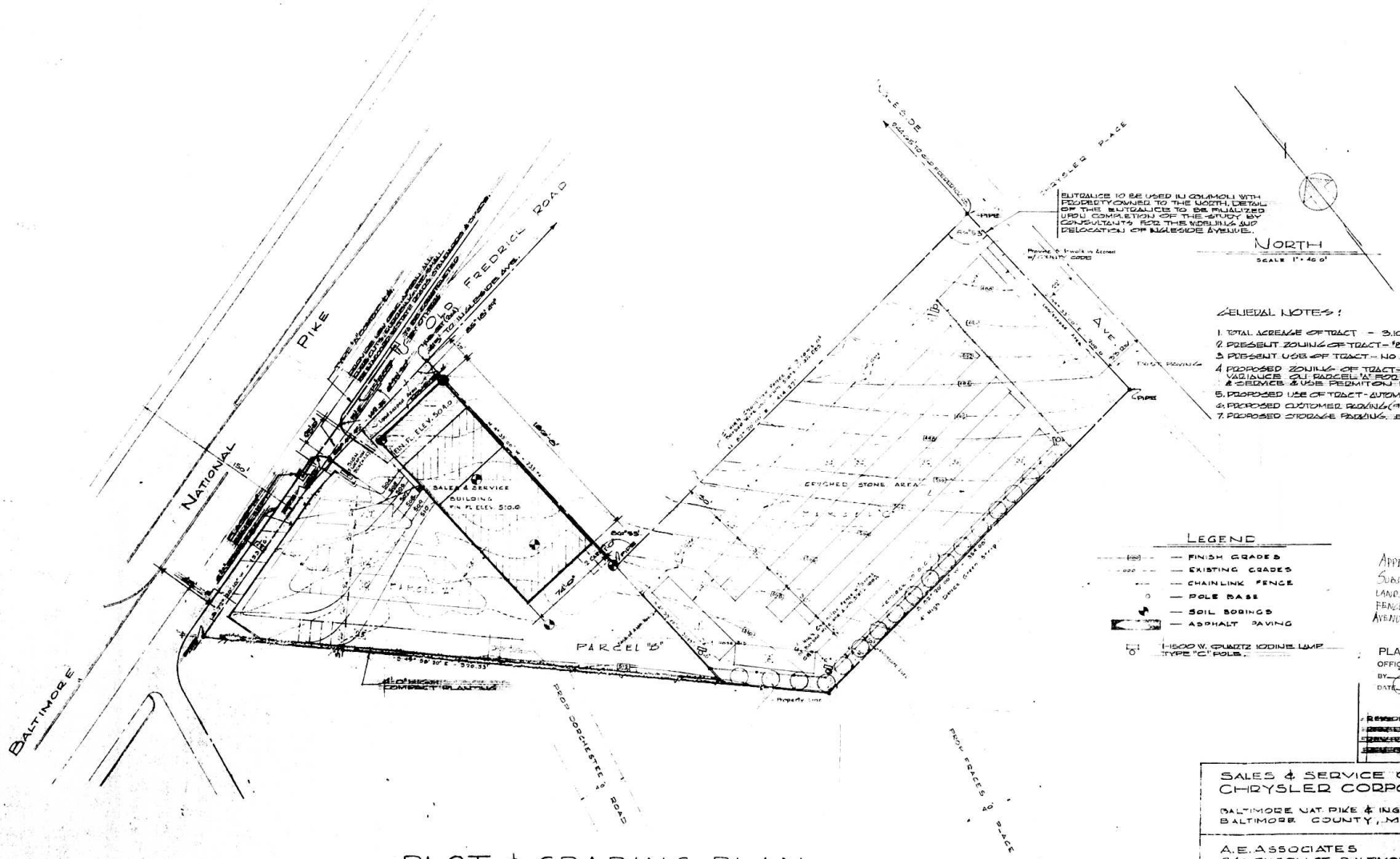
J.O. No.	DRAWN BY	SCALE BY	CHECKED BY
65816			C.F.N.


INGLESIDE
CHRYSLER PLACE
OLD FREDERICK ROAD (R/W Closed)
BALTIMORE NATIONAL PIKE
NATIONAL (Route #40)
PARCEL "A"
PARCEL "B"
PARCEL "C"
Existing Zoning B.M. No Use
Existing Zoning B.R. No Use
Existing Zoning R.G. No Use
Existing Zoning R.G. Residential Use
Existing Zoning B.C. No Use
Existing Zoning B.M.
Existing Zoning B.R.
Existing Zoning R.G.
Existing Building
Existing Garage
Existing Gasolinestation
Sales & Service Area
Customer Parking
Existing Building To Be Removed
Baltimore Plant Parcel "B"
Baltimore Plant Parcel "C"
Beginning Point Parcel "C"
Beginning Point Parcel "A"
Beginning Point Parcel "B"
Existing Parking
Existing Parking Area
Existing Parking Area
Existing Parking Area


AVE
BALTIMORE
KENT
AVE.
CALVERTON
STREET
W 33,000
N 33,000
SUBJECT
SITE
SITE
AVENUE
CHRYSLER
PLACE
NATIONAL



PLOT & GRADING PLAN



BUTTALICE TO BE USED IN COLUMN I WITH PROPERTY OWNED TO THE NORTH. DETAIL OF THE BUTTALICE TO BE FINALIZED UPON COMPLETION OF THE STUDY BY CONSULTANTS FOR THE WIDENING AND DELOCATION OF INGLESIDE AVENUE.

GENERAL NOTES:

1. TOTAL ACREAGE OF TRACT - 3.107 ACRES
2. PRESENT ZONING OF TRACT - "BR" & "RO"
3. PRESENT USE OF TRACT - NO USE
4. PROPOSED ZONING OF TRACT - NO CHANGE BUT VARIANCE ON PARCEL "A" FOR AUTOMOBILE SALES & SERVICE & USE PERMITTED PARCEL "B" "B.R." ETC.
5. PROPOSED USE OF TRACT - AUTOMOBILE SALES & SERV. ACCESS
6. PROPOSED CUSTOMER PARKING (9'x20') EQUALS 60 UNITS
7. PROPOSED STORAGE PARKING EQUALS 175 UNITS

LEGEND

- FINISH GRADES
- EXISTING GRADES
- CHAIN LINK FENCE
- POLE BASE
- SOIL BORINGS
- ASPHALT PAVING
- 1-1500 W. QUARTZ IODINE LAMP TYPE "C" POLE

APPROVED:
SUBJECT TO PROVISION OF LANDSCAPING ALONGSIDE FENCE PARALLEL TO INGLESIDE AVENUE
J. E. Grounds 3/26/65

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY J. E. Grounds
DATE 3/26/65

REVISED 22, 1964 BULK

SALES & SERVICE CENTER
CHRYSLER CORPORATION

BALTIMORE NAT. PIKE & INGLESIDE AVE.
BALTIMORE COUNTY, MARYLAND

A.E. ASSOCIATES
540 TYSON ST. BALTIMORE, MARYLAND

CHARLES A. DEMARCO A.I.A.
ARCHITECT

BOARD OF EXAMINERS AND REGISTRATION OF ARCHITECTS
1226-A
STATE OF MARYLAND

PLOT & GRADING PLAN

DATE	DRAWN BY	SHEET NO.
	C.K.	A-100
SCALE 1" = 40.0'		

PLOT & GRADING PLAN