

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

April 13, 1967

Mr. Karl Brand
1842 S. Rolling Road
Baltimore, Maryland 21227

Dear Mr. Brand:

On July 17, 1964 an Order was passed by the Zoning Commission for Case No. 65-18-X.

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 E. 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
JOHN G. ROSE,
Zoning Commissioner

JGR/jdr

Enclosure

RE: PETITION FOR SPECIAL EXCEPTION :
for a Used Car Lot :
W/S Rolling Road and : COUNTY BOARD OF APPEALS
S/S "B" Street, : OF
13th District : #13
Karl Brand, :
Petitioner : BALTIMORE COUNTY
No. 65-18-X : SEC. 2A
\$3A

OPINION

This case involves an application for a special exception for a Used Car Sales Lot on a piece of property already zoned B-R and of a most irregular shape and unusual topography. The property is located at the corner of Rolling Road, as improved, and old Washington Boulevard (U. S. Route 1). Part of it had been purchased from the B. & O. Railroad and it has been used for some years as a drive-in fruit stand (from 1943 to 1955). The major portion of the property is separated from Washington Boulevard by a stream bed leaving a triangular piece of land, which will remain unused, directly at the westernmost corner of the intersection of Rolling Road and Washington Boulevard. The original layout presented by the petitioner was not looked on with approval by the Office of Planning and Zoning and as a result of this a new site plan, changing the location of entrances and the area for car display, was presented by the petitioner.

The memorandum from Mr. George E. Gavrelis, Director of the Office of Planning, indicated that it had no objection to the granting of the special exception but that such should be conditioned upon a site plan to be approved by the appropriate State and County agencies, which directive has been complied with. In fact, in testifying on the witness stand Mr. Gavrelis referred to the new plan as "refreshingly different" when considered as a used car lot, and he does not believe any traffic problem will be presented by the granting of this special exception.

It was testified, by a surveyor who had prepared the plan, that sewer and water are readily available, that there is a traffic light at Washington Boulevard and Rolling Road, that there will be access to the main stream of traffic only by way of "B" Street, and that the only actual traffic access to the used car lot would be on "B" Street which by no means could be strictly classified as a residential street under its present uses. The evidence shows that all of the buildings of a residential nature anywhere near the area do not face on "B" Street, and that there is a substantial use of "B" Street for industrial and business deliveries to the rear of commercial or industrial enterprises facing on Washington Boulevard.

Mr. Karl Brand, the petitioner, himself lives in a new house across "B" Street from the subject property and facing on Rolling Road. He testified that there would

Karl Brand

- 2 -

be no repair work done on the property or any other work except washing and polishing of cars, no oil or grease stored on the premises, that his business would be closed on Sundays, and he felt that this operation would create less traffic than its previous use as a drive-in food market.

Under the circumstances the Board can see no other sensible use of this property than that applied for with the restrictions as volunteered by the property owner himself and we find, as a fact, that the petitioner has met the burden of proof placed upon him by Section 502.1 of the Zoning Regulations and the special exception, as applied for, will, therefore, be granted subject to the following limitations and restrictions:

1. That the property shall be developed as shown on the plot plan submitted as petitioner's exhibit #1
2. There shall be no more than twenty-five (25) automobiles parked on the lot at any one time
3. That there shall be no repair work or other work done on automobiles on the premises other than washing, polishing, tire changing, or other emergency procedures
4. That there shall be no gasoline stored on the premises
5. That the operation for the sale of used cars shall be closed all day on Sundays

ORDER

For the reasons set forth in the foregoing Opinion, it is this 2nd day of December, 1965 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby GRANTED, subject to the aforementioned restrictions.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Karl Brand, legal owner, 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 unclassified zone to an unclassified zone; for the following reasons:

PRESENT ZONING B-R

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 a used car lot.

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 of Baltimore County.

Contract purchaser
Address 1842 S. Rolling Road
Baltimore, 21227
Petitioner's Attorney
Address 21 W. Penn Ave. 21207

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of June, 1966, 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 15th day of June, 1966, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

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

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

a Special Exception for a... should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this... day of...

and, or a Special Exception for a... should be and the same is granted, from and after the date of this order.

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 reclassification 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...

DENIED and that the above described property or area be and the same is hereby continued as to remain a...

be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

OFFICE OF W. H. PRINCE

June 10, 1964

DESCRIPTION OF PROPERTY SUBMITTED BY PETITION FOR RECLASSIFICATION FOR A SPECIAL EXCEPTION FOR A USED CAR LOT

All that parcel situate in the 13th Election District of Baltimore County lying on the west side of Rolling Road between Wm Street and the Washington Boulevard and more particularly described as follows:

Beginning for the same at the intersection formed by the west side of Rolling Road and the south side of Wm Street and running thence binding on the west side of Rolling Road South 39° 06' 50" East 115.00 feet thence binding on the existing Right of Way Line as shown on S.W.C. Plat No. 4135, South 14° 11' 03" East 33.82 feet and South 8° 00' 10" East 23.71 feet to the Right of Way Line as shown on S.W.C. Plat No. 9803 and No. 10233; thence binding thence South 14° 15' West 85.78 feet North 14° 15' West 10.00 feet; South 10° 15' West 55.00 feet; South 14° 15' West 10.00 feet and South 14° 15' West 2.65 feet thence binding on the west line of Lot #10 on the Plat of St. Dennis Park recorded in Plat Book J.M.S., Pt. folio 44 North 39° 06' 50" West 166.78 feet to the south side of Wm Street and thence binding thence North 50° 53' 10" East 175.00 feet to the place of beginning.

Containing 0.634 acres of land more or less.

W.H. Prince

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: July 2, 1964

FROM: Mr. George E. R. Stevens, Director

SUBJECT: Special Exception for a Used Car Lot, west side of Rolling Road and south side of Wm Street, being property of Earl Brand.

13th District

HEARING: Wednesday, July 15, 1964 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for a Special Exception for a used car lot in a 13th zone. It has the following advisory comment to make with respect to particular planning factors:

1. If granted, the granting should be conditioned upon approval of a site plan including the location of entrances and the agencies. Screening should be required along the westerly boundary of the property.

GDJ/bm

June 10, 1964

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 4, MARYLAND

Mr. William H. Prince
21 W. Pennsylvania Avenue
Towson, Maryland
21204

SUBJECT: New Rolling Road

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

HEALTH DEPARTMENT:

Subject to approval of Sanitation Facilities.

STATE HIGHWAY:

The driveway as shown from the Rolling Road side of the property does not conform to Commission standards. It is, therefore, requested that if the Zoning Commissioner would grant the Special Exception, that development plans be made subject to approval of the State Roads Commission.

It is further requested that if granted, the automobile display area be restricted to the 1/2 side of the stream channel as indicated on the petitioner's plans. Also access to the stream most portion side line between the stream channel and the intersection of Rolling Road and Washington Ave. would be hazardous to the traveling public.

The following members had no comment to make:

Office of Planning and Zoning
Development & Rehabilitation Commission
Traffic Department
Fire Bureau
Industrial Development Commission
Board of Education
Building Department
Bureau of Engineering

Yours very truly,

John M. Martin
Chairman & Officer
Chief of Permit and
Petition Processing

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON 4, MARYLAND
No. 23036
DATE 6/24/64
TO: W. H. Prince & Associates
21 W. Penna. Ave.
Towson, Md. 21204
FROM: Zoning Department of
Baltimore County
REPORT TO ACCOUNT NO. 65-482
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
NOTAL AMOUNT \$75.00
COST
Petition for Special Exception for Earl Brand
0-164 5224 • 23036 TFP- 50.00
0-164 5224 • 23036 TFP- 50.00
3
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COUNT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

Maryland Properties Inc. - 666-3700
Map Winner -
Case # 65-114-A
Donald O. Parks -
3672 Lock Lane Drive -
Donald O. Parks - 1410 Eggs & Road - Case # 65-10-7 -
Motriew Insur. mut. Co.
6526 Baltimore National Rd.
A.A. Brecht - 747-3801 -

PETITION FOR A SPECIAL EXCEPTION, 13th DISTRICT
ZONING: Petition for a Special Exception for a Used Car Lot
LOCATION: West side of Rolling Road and the south side of Wm Street, being property of Earl Brand.
DATE & TIME: WEDNESDAY, JULY 15, 1964 10:00 A.M.
PUBLIC HEARING: Room 105, County Office Building, 111 N. 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, commencing at that parcel of land in the Thirteenth District of Baltimore County.
Beginning for the same at the intersection formed by the west side of Rolling Road and the south side of Wm Street and running thence binding on the west side of Rolling Road South 39° 06' 50" East 115.00 feet; South 14° 15' West 85.78 feet North 14° 15' West 10.00 feet; South 10° 15' West 55.00 feet; South 14° 15' West 10.00 feet and South 14° 15' West 2.65 feet thence binding on the west line of Lot #10 on the Plat of St. Dennis Park recorded in Plat Book J.M.S., Pt. folio 44 North 39° 06' 50" West 166.78 feet to the south side of Wm Street and thence binding thence North 50° 53' 10" East 175.00 feet to the place of beginning.
Containing 0.634 acres of land more or less.
Bound the property of Earl Brand as shown on plat plan sheet filed with the Zoning Department.
By Order Of
John G. Ross
Zoning Commissioner Of Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. June 26, 1964

THIS IS TO CERTIFY, That the enclosed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of consecutive weeks before the 25th day of July, 1964, the last publication appearing on the 25th day of June 1964.

John M. Martin
Manager

Cost of Advertisement \$ 20.00
Purchase order T 10626
Requisition No. N 7058

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON 4, MARYLAND
No. 26203
DATE 6/24/64
TO: W. H. Prince & Associates
21 W. Penna. Ave.
Towson, Md. 21204
FROM: Office of Planning and Zoning
210 County Office Bldg.
Towson 4, Maryland
REPORT TO ACCOUNT NO. 65-482
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
NOTAL AMOUNT \$75.00
COST
Cost of appeal - Property of Earl Brand 75.00
0-114 6233 • 26203 TFP- 75.00
0-114 6233 • 26203 TFP- 75.00
3
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COUNT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON 4, MARYLAND
No. 23068
DATE 6/24/64
TO: W. H. Prince & Associates
21 W. Penna. Ave.
Towson, Md. 21204
FROM: Zoning Department of
Baltimore County
REPORT TO ACCOUNT NO. 65-482
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
NOTAL AMOUNT \$75.00
COST
Advertising and posting Earl Brand
1-64 6049 • 23068 TFL- 75.00
1-64 6049 • 23068 TFL- 75.00
3
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COUNT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



M-L

WASHINGTON

BLVD.

24+20.0

BALTIMORE

25+50

26+

WASHINGTON

EAST STREET

CONC. BOX
10x7.5

(formerly)

ROLLING ROAD

Line (S.R.C. #4135)

549-15W 85.78'

S.R.C. Line (S.R.C. #4135)

549-15W 85.78'

S.R.C. Mon.

549-15W 85.78'

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Karl Brand
G.L.E. 2415/272

0.634 ± 4c

St. Dennis Park J.W.S. 1/44

#1844

OFFICE

8' BUFFER

STRIP

NSO-53-10E

175.0'

B Street

R-A

PLAT OF

R-6

SURVEY FOR

KARL BRAND

WASHINGTON BLVD. & ROLLING RD.

SCALE: 1" = 20'

NOVEMBER 28, 1954

REVISED JUNE 10, 1964

B-R

GS-16X

#64-203X

MAP

#13

SEC. 2-A

33-A

SW-7E

OFFICE
COPY



PREPARED BY

W. H. PRIMROSE & ASSOC.

21 W. PENNSYLVANIA AVE.

TOWSON 4, MARYLAND

W. H. Primrose

#1231

