

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Roxie V. Hall, 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 B-L zone to an B-R zone for the following reasons:

1. Variance to Sect. 238.1 - Front Yard - To permit 33' instead of required 50' /
Sect. 238.2 - Rear Yard - To permit 5' instead of the required 30' /
Sect. 238.4 - Storage of Vehicles - To permit 10' instead of the required 30' /
Request 28' under non-conforming use, now wishes to conform with use.
instead of the required 35' from front property line.

2. The motor vehicle outdoor sales area, separated from sales agency building, Variance permitted lot less instead of 42 foot and 42 foot from instead of 50 feet.

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 motor vehicle outdoor sales area.

Used motor vehicle outdoor sales area, separated from sales agency building. 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.

Contract purchaser: Roxie V. Hall, Legal Owner
Address: 1703 Earnhart Road, Baltimore, Maryland 21221

Protestant's Attorney: John E. Bohlen, Jr.
Address: 6708 Belair Road, Baltimore, Maryland 21205

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 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 108, County Office Building in Towson, Baltimore County, on the 23rd day of February, 1966, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR RECLASSIFICATION
From B-L Zone to B-R Zone and
Special Exception for Used Motor
Vehicle Outdoor Sales Area,
NE/C Eastern Boulevard and Alcock
Road, 15th District - Roxie V.
Hall, Petitioner
Petition for Variance to
Sec. Sections 238.1, 238.2, 238.4

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-221-RXA

The petitioner has requested a reclassification of property at the northeast corner of Eastern Boulevard and Alcock Road, in the Fifteenth District of Baltimore County, a special exception for Used Motor Vehicle Outdoor Sales Area and variances to Sections 238.1, 238.2 and 238.4 of the Baltimore County Zoning Regulations.

Mr. George E. Gannett, Director of the Office of Planning and Zoning reports as follows:

- "1. Examination of the description of this property under Position No. 2700 reveals that the depth of the B-L Zone from Eastern Boulevard is only 47 feet. Since the subject petition claims a depth of 50 feet for the B-L zoning, we question the petition's validity.
- "2. The regulations governing B-R Zones were designed so as to make potentially offensive uses as isolated as possible from uses and properties which they might adversely affect. The depth of the subject property is only 47 or 50 feet; its maximum width, only about 110 feet. Yet, directly to the rear, are modest but well kept houses - only 16 feet away from the subject property.
- "3. The request for variances in yard requirements indicates how unsuited Business Roadside zoning is for this location. The very purposes of Business Roadside zoning controls would be neglected by the granting of these variances. Other lots in the area have been developed within the limits of B-R zoning.
- "4. The Zoning Regulations take into consideration the particular potential disruptiveness of used motor vehicle outdoor sales area by not merely limiting these uses to Business Roadside Zones, but by requiring a Special Exception as well. Such a use at this location would be patently out of place, not at all appropriate to the adjacent uses and lots."

Visual inspection of the premises discloses that Mr. Gannett's comments were precisely correct.

For the above reasons the petition should not be GRANTED.

It is this 19th day of March, 1965, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification 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 a B-L Zone; and the Special Exception for Used motor vehicle outdoor sales area, be and the same is hereby DENIED and the requested variances are also DENIED.

Zoning Commissioner of
Baltimore County

✓
#65-221-RXA
MAP
15-B
BR-XA

LAW OFFICES
John E. Bohlen, Jr.
6708 BELAIR ROAD
BALTIMORE 6, MARYLAND
NORTHWEST 10 3477

APR 19 '65 M
ZONING DEPARTMENT

April 15th, 1965

Baltimore Co. Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Roxie V. Hall -
Petition for Reclassification, Special
Exception & Variance #65-221-RXA

Gentlemen:

Please enter an appeal on the captioned case.

Enclosed is check in the amount of \$75.00 to cover costs.

Very truly yours,

John E. Bohlen, Jr.

John E. Bohlen, Jr.

#65-221-RXA
Roxie V. Hall

- 2 -

The variances sought by the petitioner are as follows:

1. Section 238.1 to permit a 33 foot front yard setback instead of the required 50 feet.
2. Section 238.2 to permit a 5 foot rear yard setback instead of the required 30 feet.
3. Section 238.4 to permit storage of vehicles within 28 feet of the front property line instead of the required 35 feet.

Testimony indicates that all of these variances are necessary in order to continue the operation of the used car business. It is our feeling that it would impose unreasonable difficulty and hardship for us now to require the petitioner to strictly adhere to the setback requirements after operating a clean, successful and satisfactory used car business for the past nine years, especially in light of the testimony that strict adherence to the setback requirements would require them to cease operation of that business.

OPINION

For the reasons set forth in the foregoing Opinion, it is this 18th day of May, 1966, by the County Board of Appeals ORDERED that the reclassification, special exception and variances petitioned for, be and the same are hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

W. Bruce Alderman, Acting Chairman

W. Giles Parker

John A. Slowik

WILLARD M. LEE
4004 Mainfield Avenue
Baltimore 14, Maryland

Phone: HA 1-2813

October 1, 1964

#1700 Eastern Blvd.
N.E.C. Eastern Blvd. and Adcock Road
Part of lots 102 and 103 Section 2 Edgewater Addition 13/33
15th District Baltimore County, Maryland

Beginning for the same on the north side of Eastern Blvd. at the point of curve intersection of the north side of Eastern Blvd. with the east side of Adcock Road and thence running and binding on the north side of Eastern Blvd. North 51 degrees 48 minutes 12 seconds East 88.85 feet to the division line between lots numbered 101 and 102 as shown on the plat of Section 2 Edgewater Addition, said plat being recorded among the land records of Balto. Co. in Plat Book 13 folio 33 thence leaving Eastern Blvd. and binding on part of said division line North 38 degrees 37 minutes 07 seconds West 50 feet thence running for a line of division parallel with Eastern Blvd. South 51 degrees 48 minutes 12 seconds West 106.32 feet to the east side of Adcock Road and thence running and binding on the east side of Adcock Road the two following courses and distances viz: South 29 degrees 38 minutes 00 seconds East 25.56 feet and by a line curving to the left with a radius of 25 feet for a distance of 42 feet to the place of beginning.

Containing 2,640 square feet of land more or less.

MAP
15-B
BR-X

WILLARD M. LEE
155
LAND SURVEYOR

RE: PETITION FOR RECLASSIFICATION
from a B-L Zone to a B-R Zone,
for Special Exception for Used
Motor Vehicle Outdoor Sales Area,
and for Variances from Sections
238.1, 238.2 and 238.4
NE Corner Eastern Boulevard and
Alcock Road
15th District
Roxie V. Hall, Petitioner

OPINION

This matter comes before the Board of Appeals on the petition of Roxie V. Hall for reclassification of property located at the northeast corner of Eastern Boulevard and Alcock Road (one-half block east of the intersection of Stemmers Run Road and Eastern Boulevard), for a special exception for a used motor vehicle outdoor sales area, and for variances from sections 238.1, 238.2 and 238.4. Only three persons appeared at the hearing before the Board, i.e. Mrs. Roxie V. Hall, the owner of the lot, Mr. Lawrence J. Heinle, who has leased the lot from Mrs. Hall and operated the used car lot known as "Boulevard Auto Sales" for the past six years, and Mr. John E. Bohlen, Jr., counsel for the petitioner.

Testimony indicated that many changes have occurred in the surrounding area, such as the building and opening of drive-in restaurants, a large super market, several gasoline stations, and other operations which have served to intensify the commercial nature of this neighborhood. It was also pointed out that Mrs. Hall and her husband, who died in 1963, purchased the subject property in 1956 and have operated it as a used car lot since that time.

The Board is satisfied that there has been substantial change in the character of the neighborhood and that the property should be reclassified from B-L to B-R. The Board is also satisfied that the requirements of Section 502.1 have been met and

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 1, MARYLAND

John E. Bohlen, Jr., Esq.
6708 Belair Road
Baltimore, Maryland 21206

Variances for front, side, & rear yard and used car lot located on the NE/Cor of Alcock Rd & Eastern Blvd.

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

OFFICE OF PLANNING AND ZONING: (1) If the rear or residential portion of this site is owned by the petitioners variances will be required to permit a 16 foot rear yard instead of the required 30 and an area variance to permit less than 6,000 square feet for the residential dwellings presently existing. (2) If these lots are not in the same ownership or have been sub-divided, the petitioner should contact Mr. Albert Quinby of this office.

HEALTH DEPARTMENT: The status of utilities should be indicated on the plans.

STATE BOARD OF COMMISSION: Details of the entrance will be subject to approval of this commission.

The following members have no comment to offer:

Board of Education
Bureau of Engineering
Fire Department
Traffic Engineering
Buildings Department
Industrial Commission

cc: Albert Quinby-Office of Planning & Zoning
William Greenwalt-Health Department
John Durr-State Roads Commission

Yours very truly,

James S. Ryan
JAMES S. RYAN
Chief of Permit and
Petition Processing

OFFICE OF PLANNING AND ZONING
Inter-Office Correspondence
Date Feb. 9, 1965
To: Mr. John G. Rose, Zoning Commissioner
From: George E. Gosselink, Director
Subject: 65-221-23A, From B.L. to B.R. Zone
Petition for Special Exception for Used Motor Vehicle Outdoor Sales Area. Petition for Variance for Front & Rear Yards and the Storage of Vehicles. Being the property of Ron V. Hall, N.E. cor. of Eastern Blvd. & Alcock Road 15th DISTRICT
HEARING: Tuesday, February 23, 1965 at 10:00 A.M.

- The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following advisory comments with regard to planning factors:
1. Examination of the description of this property as rezoned under Petition No. 2780 reveals that the depth of the B. L. Zone from Eastern Boulevard is only 47 feet. Since the subject petition claims a depth of 50 feet for the B. L. zoning, we question the petition's validity.
 2. The regulations governing B. R. Zones were designed so as to make potentially offensive uses as isolated as possible from uses and properties which they might adversely affect. The depth of the subject property is only 47 or 50 feet. Its maximum width, only about 110 ft. Yet, directly to the rear, are modest but well kept houses - only 16 feet away from the subject property.
 3. The request for variances in yard requirements indicates how unsuited Business Roadside zoning is for this location. The very purposes of Business Roadside zoning controls would be negated by the granting of these variances. Other lots in the area have been developed within the limits of B. L. zoning.
 4. The Zoning Regulations take into account the particular potential disruptiveness of used motor vehicle outdoor sales areas by not merely limiting these uses to Business Roadside Zones, but by requiring a Special Exception as well. Such a use at this location would be patently out of place, not at all appropriate to the adjacent uses and lots.

January 26, 1965
John E. Bahlens, Jr., Esq.
6708 Balair Road
Baltimore, Md. 21206
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland
Your petition has been received and accepted for filing this
13th day of January, 1965
JOHN G. ROSE
Zoning Commissioner
Owner Name: Ron V. Hall
Reviewed By: James J. [Signature]

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 28511
DATE 1/21/65
To: John E. Bahlens, Jr., Esq.
6708 Balair Road
Baltimore, Md. 21206
Billed To: Zoning Department of Balto. Co.
REPORT TO ACCOUNT NO. 01-622
QUANTITY
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Petition for Reclassification, Special Exception & Variance for Ron V. Hall
65-221-23A
50.00
1-4965 9622 + 28511 TIP = 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.

TELEPHONE 823-3000
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 30525
DATE 4/21/65
To: John E. Bahlens, Jr., Esq.
6708 Balair Road
Baltimore, Maryland 21206
Billed To: Office of Planning & Zoning
119 County Office Bldg.
Towson, Maryland 21204
REPORT TO ACCOUNT NO. 01-622
QUANTITY
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Cost of appeal - Ron V. Hall, Petitioner
No. 65-221-23A
posting
75.00
5.00
75.00
4-4465 3088 + 30525 TIP = 75.00
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
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
No. 28562
DATE 2/12/65
To: John E. Bahlens, Jr., Esq.
6708 Balair Road
Baltimore, Md. 21206
Billed To: Zoning Dept. of Balto. Co.
REPORT TO ACCOUNT NO. 01-622
QUANTITY
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Advertising and posting of property for Ron V. Hall
65-221-23A
62.40
2-2365 564 + 28562 TIP = 62.40
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.

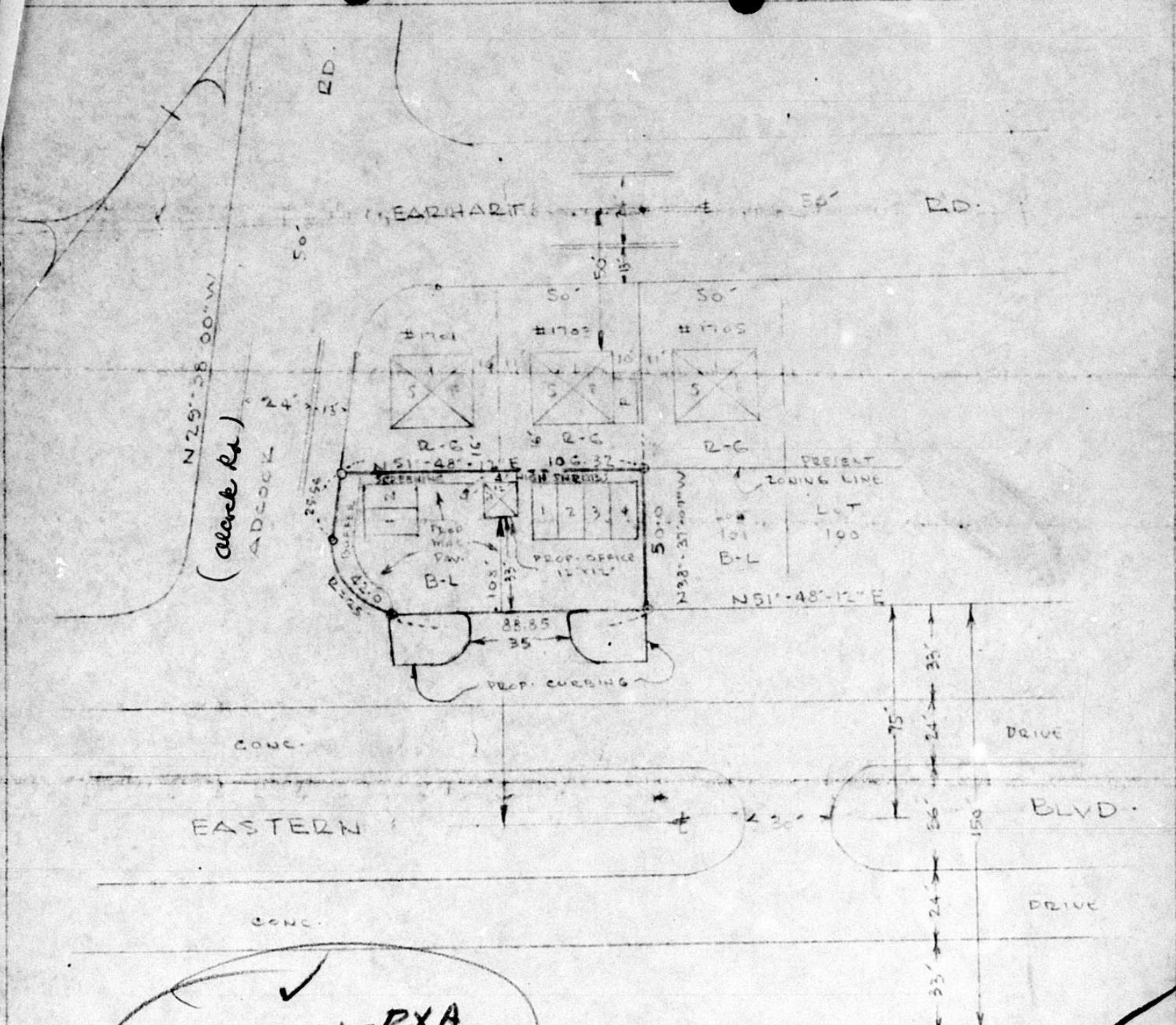
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 15th
Date of Posting: 4-22-65
Posted for: [Signature]
Petitioner: Ron V. Hall
Location of property: 15th & Eastern Blvd. and Alcock Rd.
Location of Sign: [Signature]
Remarks: [Signature]
Signed by: [Signature] Date of return: 5-6-65

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 15th
Date of Posting: 2-23-65
Posted for: [Signature]
Petitioner: Ron V. Hall
Location of property: 15th & Eastern Blvd. and Alcock Rd.
Location of Sign: [Signature]
Remarks: [Signature]
Signed by: [Signature] Date of return: 2-23-65

CERTIFICATE OF PUBLICATION
TOWSON, MD., February 5, 1965.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 23rd day of February, 1965, the 1st publication appearing on the 23rd day of February, 1965.
THE JEFFERSONIAN
Cost of Advertisement, \$.....
John E. Bahlens, Jr., Esq.
Zoning Commissioner

PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE-15TH DISTRICT
Ron V. Hall to B.R. Zone
Petition for Special Exception for Used Motor Vehicle Outdoor Sales Area. Petition for Variance for Front & Rear Yards and the Storage of Vehicles. Being the property of Ron V. Hall, N.E. cor. of Eastern Blvd. & Alcock Road 15th DISTRICT
LOCATION: Northeast corner Eastern Boulevard and Alcock Road
DATE & TIME, TUESDAY, FEBRUARY 23, 1965 at 10:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Present Zoning: B.L.
Proposed: B.R. with Special Exception for a Used Motor Vehicle Outdoor Sales Area, separated from sales area by Building.
Petition for a Variance to the Zoning Regulations of Baltimore County to permit a front yard of 20 feet instead of the required 30 feet, and to permit a rear yard of 20 feet instead of the required 30 feet, to permit storage of vehicles 20 feet instead of the required 30 feet from the front property line.
The Zoning Regulations to be excepted as follows:
Section 218.1: Front Yard - In feet from front property line as a front building - 30 feet.
Section 218.2: Rear Yard - 20 feet.
Section 218.4: Storage and display of materials, vehicles and equipment are permitted in front yard not more than 15 feet from the front of the required front building line.
All that parcel of land in the 15th District of Baltimore County.
Beginning for the same on the north side of Eastern Blvd. at the point of intersection of the north side of Eastern Blvd. with the east side of Alcock Road and thence running and bounding on the north side of Eastern Blvd. North 51 degrees 30 minutes 22 seconds East 94.40 feet to the division line between lots numbered 101 and 102 as shown on the map of Section 2, Edgewater Addition, said plat being recorded among the land records of Balto. Co. in Plat Book 15 Folio 35, thence bearing East 15 degrees 30 minutes 22 seconds North 28.40 feet to the intersection of 50 feet thence running for a line of 50 feet parallel with Eastern Blvd. South 51 degrees 30 minutes 22 seconds West 100.00 feet to the east side of Alcock Road, and thence running and bounding on the east side of Alcock Road the two following courses and distances viz: South 29 degrees 28 minutes to arc, 20 feet East 25.50 feet and by a line curving to the left with a radius of 20 feet for a distance of 100 feet to the point of beginning.
Containing 2,640 square feet of land more or less.
Being the property of Ron V. Hall, as shown on plat just filed with the Zoning Department.
Hearing Date: Tuesday, February 23, 1965 at 10:00 A.M.
Hearing Place: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF JOHN G. ROSE, Zoning Commissioner

CERTIFICATE OF PUBLICATION
OFFICE OF The Community Press
DUNDALK, MD., February 9, 1965
THIS IS TO CERTIFY, that the annexed advertisement of "Ron V. Hall" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive week before the 2nd day of February, 1965, that is to say, the same was inserted in the issues of 2-3-65.
Stromberg Publications, Inc.
Publisher.
By Mrs. Palmer Price
1111 W. Baltimore Pike



✓
#65-221-RXA
MAP
15-B
BR-X

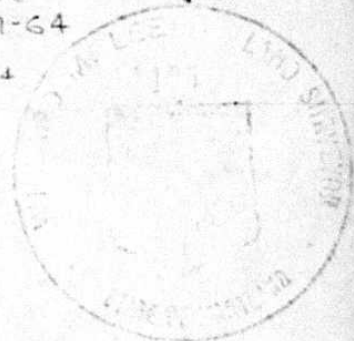
PART OF LOTS 102-103 SECT. 2
 EDGEWATER ADDITION
 15th District Baltimore Co, Maryland
 Scale: 1"=50'
 Date: 10-7-64

Revised 12-22-64

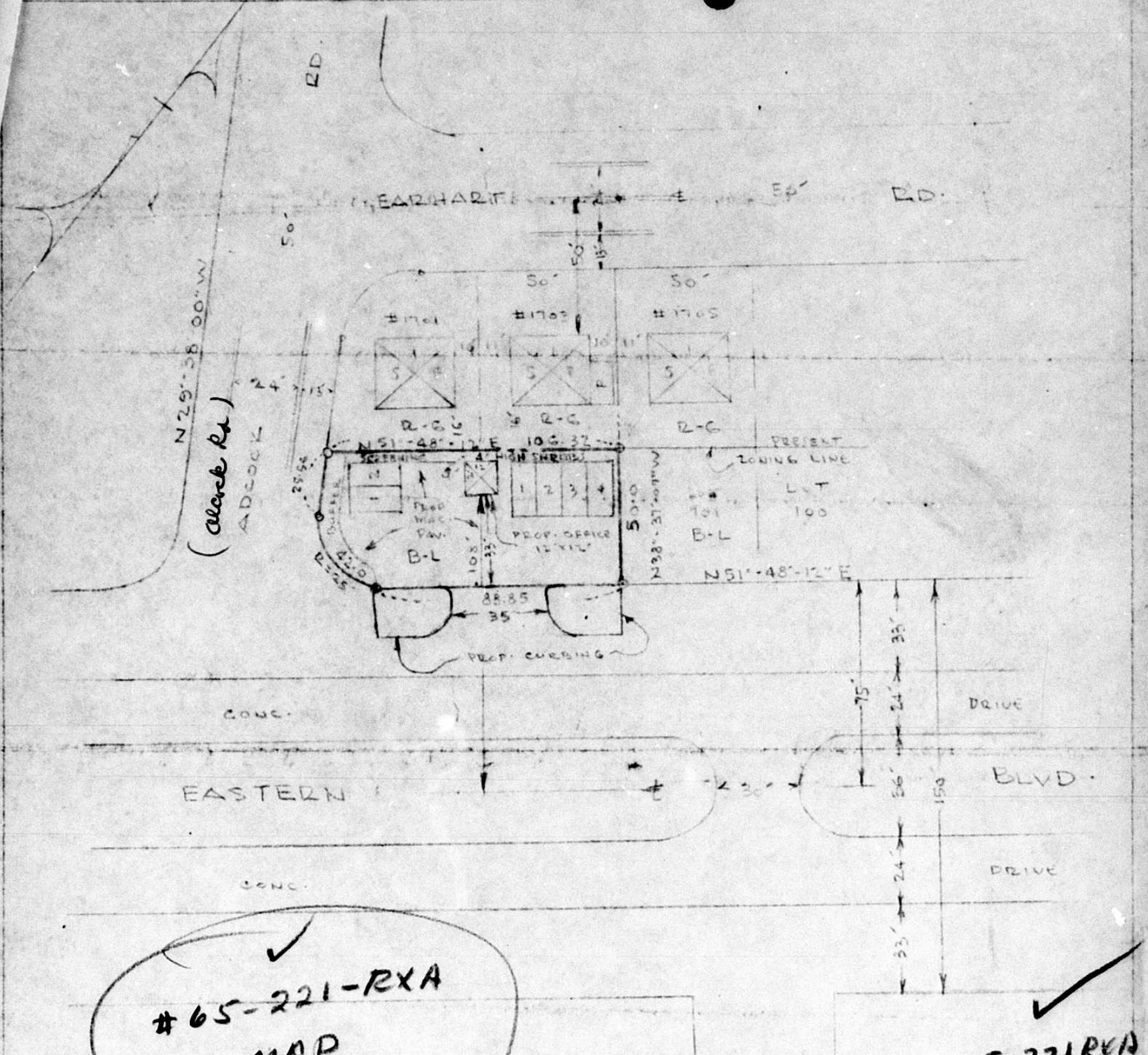
PRESENT ZONING-B-L
 PROPOSED ZONING-B-R-WITH SPECIAL EXCEPTION
 PRESENT USE-USED CAR LOT
 PROPOSED USE-USED CAR LOT
 AREA OF LOT-2,640 SQ. FT. ±
 No. PARKING SPACES-2

SECT. 238-4 - To PERMIT DISPLAY OF VEHICLES LOCATED
 TO WITHIN 25 FEET OF PRESENT FRONT
 PROPERTY LINE INSTEAD OF THE
 REQUIRED 35 FEET

✓
65-221-RXA
MAP
15-B



[Handwritten signature]
 REG. CIVIL ENGINEER



✓
#65-221-RXA
MAP
15-B
BR-X

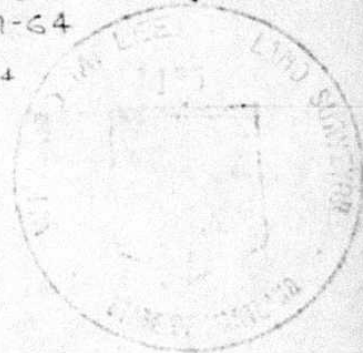
PART OF LOTS 102-103 SECT. 2
 EDGEWATER ADDITION
 15th District Baltimore Co., Maryland
 Scale: -1"=50'
 Date: -10-7-64

Revised 12-22-64

✓
65-221RXA
MAP
15-B

PRESENT ZONING-B-L
 PROPOSED ZONING-B-R-WITH SPECIAL EXCEPTION
 PRESENT USE-USED CAR LOT
 PROPOSED USE-USED CAR LOT
 AREA OF LOT-2,640 SQ. FT. ±
 NO. PARKING SPACES-8

SECT. 238.4 - TO PERMIT DISPLAY OF VEHICLES LOCATED
 TO WITHIN 25 FEET OF PRESENT FRONT
 PROPERTY LINE INSTEAD OF THE
 REQUIRED 35 FEET



[Handwritten signature]
 REG. CIVIL ENGINEER