

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Margaret Brocato and
I, or we, William H. Bull, 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 _____ BL _____ zone to an _____ BR _____ zone, for the following reasons:

- 489.2 A (3) Parking space to permit 15 parking spaces for a restaurant instead of the required 38.
- 238.1 Front yard to permit 37 feet instead of the required 50 on Dual Highway
- 238.2 Side and Rear yards to permit a side yard of 3-1/2 feet instead of required 30 feet, and a 13 foot rear yard instead of the required 30 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, _____ PARCEL (B) 238.4, as Special Exceptions 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 expense of above reclassification 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.

John E. Bohlman, Jr.
Contract Purchaser
Address: 6700 Belair Road, Balto., Md. 21206
Petitioner's Attorney

Margaret Brocato
William H. Bull
Legal Owner
Address: _____
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 14th _____ day of _____ April _____, 1965, 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 _____ 26th day of _____ May _____, 1965, at 11:00 o'clock A.M.



Parcel "A" Whole tract
D and B Restaurant
11th District Pulaski Highway 1096 feet N.E. Stevens Road
Baltimore 1A, Maryland

Beginning for the same on the northwest side of Pulaski Highway at the distance of 1096 feet measured northeasterly along the northwest side of Pulaski Highway from the North side of Stevens Road and thence running and binding on the northwest side of Pulaski Highway North 45 degrees 26 minutes 13 seconds East 130 feet thence leaving Pulaski Highway and running for three lines of division as follows: North 44 degrees 33 minutes 47 seconds West 100 feet, South 45 degrees 26 minutes 13 seconds West 130 feet and South 44 degrees 33 minutes 47 seconds East 100 feet to the place of beginning. Containing 13,000 square feet of land.

Parcel "B"
Entire property from BL to BR and that portion described in Parcel "A" as a special exception for a used car lot

Beginning for the same at the beginning of the fourth line of parcel "A" in the above description and thence running with and binding on part of said fourth line South 44 degrees 33 minutes 47 seconds East 22 feet thence running for two lines of division as follows: North 45 degrees 26 minutes 13 seconds East 80 feet and North 44 degrees 33 minutes 47 seconds West 22 feet to intersect the third line of parcel "A" and thence running with and binding on part of said third line South 45 degrees 26 minutes 13 seconds West 80 feet to the place of beginning. Containing 1,760 square feet of land.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON 4, MARYLAND

John E. Bohlman, Jr., Esq.
6700 Belair Road
Baltimore, Maryland 21206

Reclassification from B-L to B-R, and a Special Exception for a used motor vehicle outdoor sales area, located on the Northwest Side of Pulaski Highway 1096' Northeast of Stevens Rd., 11th District

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:
The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

STATE ROADS COMMISSION: There is no curbing or channelization at the subject property, and it appears that the petitioner is using approximately 50' more frontage than is shown on the plan. It is therefore requested that the Zoning Commissioner see fit to grant the petition, that plans for access be made subject to the approval of the State Roads Commission.

HEALTH DEPARTMENT: See attached letter.

FIRE DEPARTMENT: This Department will review the subject petition and submit comments at a later date.

OFFICE OF PLANNING AND ZONING: A field inspection of the subject site revealed several parked cars with no tags and in questionable running condition. These cars took up most of the parking area and left very little on site parking space for the existing restaurant. This office strongly questions the feasibility of having two uses such as the restaurant and the used car lot on a parcel of land which is only 100' x 130'.

BUREAU OF ENGINEERING: Utilities: Water and sewer not available.
Roads: Pulaski Highway is a State Road.
Storm Drain: Property drains to a stream to the Northwest.

The following members had no comment to offer:
Board of Education
Industrial Commission
Buildings Department

cc: John Duerr, State Roads Comm.
Lieut. Morris, Fire Dept.
William Greenwalt, Health Dept.
Albert Quinby, Office of Planning & Zoning
Carlyle Brown, Bureau of Engineering

Yours very truly,
John E. Bohlman, Jr.
John E. Bohlman, Jr.
Chief of Petition and
Petition Processing

RE: PETITION FOR RECLASSIFICATION
From B-L Zone to B-R Zone;
Special Exception for Used
Motor Vehicle Outdoor Sales
Area, Separated from Sales
Agency Building and Variance
to Zoning Regulations -
NW/8 Pulaski Highway 1096' NE
of Stevens Road, 11th District -
Margaret Brocato and William H. Bull,
Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-338-RXA

The petitioners have requested a reclassification of property on the northwest side of Pulaski Highway 1096 feet northeast of Stevens Road, from a B-L Zone to a B-R Zone; a special exception for a Used Motor Vehicle Outdoor Sales Area, separated from Sales Agency Building and Variance to the Baltimore County Zoning Regulations.

Testimony presented at the hearing indicated that the requested zoning will not be detrimental to the health, safety and the general welfare of the locality involved, therefore, the reclassification should be had; and it appearing that the petitioners have complied with the requirements of Section 502.1 of said Regulations, a special exception for a Used Motor Vehicle Outdoor Sales Area, separated from the Sales Agency Building, should be granted.

The following variances to the Regulations requested by the petitioners will grant relief without substantial injury to the public health, safety and general welfare and should be had:

- Sec. 409.2 a (3) To permit 15 parking spaces for a Restaurant instead of the required 38 spaces;
- Sec. 238.1 - To permit a front yard of 37 feet instead of the required 50 feet on a dual highway;
- Sec. 238.22 - To permit a side yard of 25 feet instead of the required 30 feet; and
- To permit a rear yard of 13 feet instead of the required 30 feet.

It is this _____ 23rd _____ day of June, 1965 by the Zoning Commissioner of Baltimore County, ORDERED that the above described property or area should be and the same is reclassified from a B-L Zone to a B-R Zone and that a special exception for a Used Motor Vehicle Outdoor Sales Area, separated from sales agency building, should be and the same is granted free and after the date of this order.

6700 Belair Road, Jr., Esq.
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
_____ 14th _____ day of _____ April _____, 1965

Owner Name: William Bull
Reviewed by: *James S. Dyer*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James Dyer, Chairman
Date: April 21, 1965

FROM: Mr. William Greenwalt

SUBJECT: Margaret Brocato and William H. Bull
NW/8 Pulaski Highway, 1096' NE of Stevens Road
11th District
B. L. - Present Zoning
B. R. - Proposed Zoning
Variance & Special Exception for Parcel B for Used Motor Vehicle Outdoor Sales Area
No Acres: 1,760 square feet

ZONING ADVISORY COMMITTEE MEETING
Wednesday, April 14, 1965

The sewerage system serving this restaurant is failing and is creating a serious health hazard and nuisance. Also, the water well is located too close to the sewage system and may become contaminated by the sewage system. Any other use of this property would only create additional trouble.

It is recommended that no further Zoning be approved for this property until such time that the water and sewerage systems meet the Health Department Requirements.

William Greenwalt
William Greenwalt
Senior Sanitarian

It is further ORDERED that the foregoing variances should be and the same are hereby granted.
The site plan for the development of the subject property is subject to approval of the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

John G. Rose
Zoning Commissioner of
Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
Date: May 13, 1965

FROM: Mr. James Dyer, Chairman, Zoning Advisory Committee

SUBJECT: Petition by Margaret Brocato and William H. Bull, 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 _____ BL _____ zone to an _____ BR _____ zone, for the following reasons:
489.2 A (3) Parking space to permit 15 parking spaces for a restaurant instead of the required 38.
238.1 Front yard to permit 37 feet instead of the required 50 on Dual Highway
238.2 Side and Rear yards to permit a side yard of 3-1/2 feet instead of required 30 feet, and a 13 foot rear yard instead of the required 30 feet. Being the property of William H. Bull, et al.

11th District
Held: Wednesday, May 12, 1965 (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- The Northeastern Area Master Plan recommends light industrial development of this area, the Comprehensive Rezoning Map recommending M-L. A used-car lot is not appropriate in such an area.
- We understand that the vehicles now for sale on the premises are not ordinary used cars; they are cars that have been used up. It is our impression that the use actually desired would be a junk yard.
- A reduction in the number of parking spaces required for the existing restaurant would negate one of the very purposes of zoning. The same would apply to the other variances for which the petition is submitted.
- Even if it were possible to site the desired uses on the subject parcel without variances, the result would still be a use of land which is too intensive for its location on a heavily travelled major highway. If the petitioner's request should be granted, we recommend that discontinuance of the restaurant be made a condition of the special exception.
- It appears that the petitioner has not been able to meet his responsibilities re health rules and State Roads Commission requirements. We question that it will be possible at this time for him to meet such additional requirements as would be imposed with the granting of a special exception.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James Dyer, Chairman
Date: May 13, 1965

FROM: Mr. William Greenwalt

SUBJECT: Margaret Brocato and William H. Bull
NW/8 Pulaski Highway - 1096' NE Stevens Road
District 11
Present Zoning B.L.
Proposed Zoning B.R.
Variance & Special Exception for Parcel B for used Motor Vehicle Outdoor Sales Area.
No. Acres: 1,760 square feet.

- This property shall be kept clear of all old debris and combustibles from the used cars, such as old tires, old seat covers and seats, old motors and must not be used for a junk yard, or burning of any cars at any time.

GM/br

**NO PLAT
IN
THIS FOLDER**

MICROFILM