

ORDER RECEIVED FOR FILING
DATE 7/25/66
BY 10/10/66

RE: PETITION FOR RECLASSIFICATION
SPECIAL EXCEPTION AND VARIANCES
W/3 Eastern Boulevard 105' from
W/3 of Orville Road - 15th Dist.
Holabird Holding Company

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
66-186-RXA

This is a Petition to re-zone a tract, approximately 4500 square feet in size, from an R-6 zone to a BL zone. The Petitioner also seeks a Special Exception to use the property for a service garage as well as numerous variances pertaining to parking and traffic requirements.

It should be noted at this point the Petitioner states that the land is located 105' from the W/3 of Orville Road in the 15th District of Baltimore County. However, the Petitioner was basing his description on an old plat and failed to take into consideration the relocation of Orville Road. In fact, the Petitioner's property is 105' from the W/3 of Bennett Road.

The parcel of land directly W of the subject property is owned by the Petitioner and is currently used as a fire center. The subject tract, recently obtained by the Petitioner, will be used to expand existing operations. The Petitioner foresees no parking congestion and no appreciable increase in business. He states this new addition will accommodate existing business and will alleviate any traffic congestion now existing. Much of the work now performed on the outside will be conducted inside the new addition, as proposed.

The requirements of Section 50-1 of the Baltimore County Zoning Regulations having been met, practical difficulty having been shown, and numerous changes in the area having been shown, it would seem appropriate to grant the Petitioner for Reclassification, Special Exception, and variances in its entirety.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 24th day of February, 1966, that the herein described property or area (specifically that tract of land as described in the maps and bounds description attached to the petition and located 105' from the W/3 of Bennett Road) should be and the same is hereby Reclassified from an R-6 zone to a BL zone and a Special Exception for a service garage should be and the same is GRANTED. The variances to permit a rear yard of 0' instead of the required 20', to permit a side yard of 0' instead of the required 12', to permit 5 parking spaces instead of the required 11, to permit a lot area for a dwelling of 3668 square feet instead of the required 6000 square feet and to permit a rear yard of 23' instead of the required 30' are and the same are hereby GRANTED all subject to approval of the site plan by the Office of Planning and Zoning, Bureau of Public Services and the State Roads Commission.

Edward D. Haring
Deputy Zoning Commissioner

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, we, The Holabird Holding Corporation, 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 R-6 zone to an BL zone.

For use as a service garage

- VARIANCE**
- 232.3 Rear Yard - To permit a rear yard of 0' instead of required 20'
 - 232.2 Side Yard - To permit a side yard of 6 inches instead of the required 12'
 - 409.2 a (6) To permit 5 parking spaces instead of required 11
 - 211.1 Lot Area - To permit a lot area for a dwelling of 3668 sq. ft. instead of the required 6000 square feet.
 - 211.4 - To permit a rear yard of 23 feet 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, for... SERVICE.

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
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of February, 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 25th day of February, 1966, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
FROM: Mr. George E. Gavelis, Director
Office of Planning

SUBJECT: Petition #66-186-RXA, for reclassification and variances for property on the north side of Eastern Boulevard, "105 feet from the west side of Orville Road." The Holabird Holding Corp. - Petitioners.

15th District
HEARING: Thursday, February 24, 1966. (10:00 A.M.)

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

- It is our understanding that the subject property lies westerly from Bennett Road. Both the plat and the property description submitted by the petitioner, however, place the property 105 feet westerly from Orville Road, a location which is easterly from Bennett Road. We question, therefore, that the petition located the property correctly.
- A letter from Mr. John E. Spangenberg, dated January 18, 1966, states that there is currently "a severe parking problem which, at times, blocks the highway and causes a great deal of concern for the public safety." The subject petition, however, requests a 64-per-cent reduction of the legal parking requirement. It would be best for Jack's Tire Service Stores (the chain of stores at which Mr. Spangenberg is president) to acquire additional property to help alleviate the "tight" site conditions of the present facility. But no building or addition should be placed on the property; it should remain open as a parking area. We would be glad to prepare a sketch showing how this can be done.
- Mr. Spangenberg's letter also states, "We cannot see any increase in business due to this change of location of the present building but rather a relief of the now existing problem." This is in contravention of accepted zoning theory - and common sense. Enlargement of commercial service facilities usually, tend toward serving a larger market, thereby increasing business. The petitioner's plat shows two existing bays and an addition of three bays. The current problem would be more than doubly compounded with such an addition.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
FROM: Mr. George E. Gavelis, Director
Office of Planning

SUBJECT: Petition #66-186-RXA.

15th District
HEARING: Thursday, February 24, 1966. (10:00 A.M.)

- There is nothing unclear in Baltimore County's Zoning Regulations about the purpose of the parking requirements. "It is the intent of these regulations that adequate off-street parking spaces be provided for all buildings, and that the requirements hereinafter set forth are and shall be taken as absolute minimums, to be exceeded wherever feasible." (Emphasis supplied.) In relation to the Zoning Regulations, the petitioner seems to be "kicking in reverse."
- Mr. Spangenberg's letter further states that tires "are now being changed at the front of our present facility." We understand that outside tire changing had been ruled illegal in a BL Zone. It would thus appear that the remedy would lie not in increasing the number of indoor bays, but simply in stopping the process by force of law. As noted above, an increase in the number of bays or proposed under this petition would probably result ultimately only in more business activity - and more outside tire changing. cursory examination of the petitioner's plat would seem to substantiate this.
- From a planning viewpoint, the subject proposal would unquestionably "tend to create congestion in roads" and "overcrowd land."

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Harry W. Ferklery, Esquire
3340 E. Baltimore Street
Baltimore, Maryland 21224

RECLASSIFICATION FROM R-6 TO BL
SIDE AND REAR YARD VARIANCES AND
PARKING VARIANCES FOR THE
HOLABIRD HOLDING CORPORATION
LOCATED W/3 OF EASTERN BLVD.
W OF ORVILLE ROAD, 15TH DISTRICT
(Item 1, January 1, 1966)

Dear Sirs:

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

REAR AND SIDE YARD VARIANCES: At the time of field inspection, several vehicles were parked along the road indicating a parking shortage in the area. Therefore, any variance for parking in this area will compound the problem.

STATE ROAD CONSTRUCTION: Entrances will be subject to State Roads Commission approval.

REAR AND SIDE YARD VARIANCES: The petitioner and/or his attorney should contact this office and arrange a meeting at their earliest convenience prior to a hearing date being assigned.

The above 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 re-zoned zoning 10 days before the Zoning Commission's hearing.

The following members had no comment to offer:

- Fire Bureau - Plans Review
- Health Department
- Industrial Development Commission
- Board of Education
- Buildings Department

Very truly yours,

James E. Rose
John G. Rose, Director
Zoning Department

cc:

- Mr. Charles Brown-Bureau of Engineering
- Mr. John Spangenberg - State Roads Commission
- Mr. C. Richard Moore-Bureau of Traffic Engineering
- Mr. James E. Rose-Zoning Administration Division

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th
Date of Posting 2-3-66
Posted on Hearing Room Feb. 24 at 10:00 A.M.
Petitioner: The Holabird Holding Corp.
Location of property: W/3 Eastern Blvd. 105 feet from W/3 of Orville Rd.
Location of Signs: 3 places, next to Jack's Tire Shop, corner of Bennett Rd. in front of town square
Remarks: Robert E. Bull
Posted by: Robert E. Bull
Date of return: 2-10-66

Harry W. Ferklery, Esquire
3340 E. Baltimore Street
Baltimore, Maryland 21224

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your petition has been received and accepted for filing this

14th day of January, 1966.

Petitioner: The Holabird Holding Corp.
Petitioner's Attorney: Harry W. Ferklery
Reviewed by: James E. Rose
Chairman of Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

George E. Gavelis
John G. Rose
Zoning Commissioner

Harry W. Ferklery, Esquire
3340 E. Baltimore Street
Baltimore, Maryland 21224

Dear Sirs:

A meeting was held with the petitioner, Mr. John E. Spangenberg on Friday, January 14, 1966. The following variances were added to the petition as a result of this meeting:

- (a) Area Variance Section 211.1
- (b) Rear Yard Variance Section 211.4

The above referenced petition is accepted for filing as of the date on the enclosed filing certificate. Notice of the hearing date and time which will be held not less than 30 days nor more than 90 days after the date on the filing certificate will be forwarded to you in the near future.

If you have any questions concerning this matter, please do not hesitate to contact me at VA 3-3000, Extension 353.

Very truly yours,

James E. Rose
John G. Rose, Director
Zoning Department

JEG:ylb

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

To: Harry W. Ferklery, Esq.
3340 E. Baltimore Street
Baltimore, Md. 21224

BILLED BY: Zoning Dept. of Balto. Co.

BIT TO ACCOUNT NO. 01-422		TOTAL AMOUNT
QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	\$50.00
1	Petition for Reclassification, Special Exception & Variances for The Holabird Holding Corp.	50.00
1	66-186-RXA	50.00
1	2-2460 0170 - 35752 TIF -	50.00
1	1-2140 7410 - 35752 TIF -	50.00

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

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

To: Jack's Tire Service, Inc.
3731 Bank Street-corner of Easton
Baltimore, Md. 21224

BILLED BY: Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO. 01-422		TOTAL AMOUNT
QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	\$59.85
1	Advertising and posting of property for The Holabird Holding Corp.	59.85
1	66-186-RXA	59.85
1	2-2460 0170 - 35752 TIF -	59.85

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.

PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE—12th DISTRICT

ZONING: From R-5 to B-1 Zone.
 Petition for Special Exception for Garage, Service.
 Petition for Variance for rear and side yards, off-street parking lot area.
LOCATION: North side of Eastern Boulevard 161 feet, on the west side of Orville Road.
DATE & TIME: Thursday, February 24, 1966 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:

Present Zoning R-5.
 Proposed Zoning B-1.
 Petition for Special Exception for Garage, Service.
 Petition for Variance to the Zoning Regulations of Baltimore County to permit a rear yard of zero feet instead of the required 20 feet; to permit a lot area of 2,500 square feet instead of the required 3,000 square feet; to permit a side yard of six inches instead of the required 14 inches; to permit five (5) parking spaces instead of the required 14 spaces; to permit a lot area for a dwelling of 3,668 square feet instead of the required 6,000 square feet; to permit a rear yard of 12 feet instead of the required 30 feet.
 The Zoning Regulations to be excepted as follows:
 Section 232.2—Rear Yard—20 feet.
 Section 211.2—Side Yard—12 feet.
 Section 409.2a—(b) Buildings devoted to retail trade—1 for each 200 square feet of total floor area.
 Section 211.1—Lot Area and Width—6,000 square feet.
 Section 211.4—Rear Yard—30 feet.
 All that parcel of land in the Fifteenth District of Baltimore County.

Beginning for the same on the north side of Eastern Blvd. at the distance of 105 feet measured westerly along the north side of Eastern Blvd. from the west side of Orville Road and thence running and bounding on the north side of Eastern Blvd. South 51 degrees 48' 12" West 50 feet thence leaving Eastern Blvd. for three lines of division as follows: North 36 degrees 37 minutes 07 seconds East 50 feet, North 51 degrees 48 minutes 12 seconds East 50 feet and South 34 degrees 37 minutes 07 seconds East 50 feet to the place of beginning. Containing 2,500 square feet of land.

Being the property of The Holabird Holding Corporation, as shown on plot plan filed with the Zoning Department.

Hearing: Thursday, February 24, 1966 at 10:00 A.M.
 Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
 JOHN G. ROSE,
 Zoning Commissioner of Baltimore County

Feb. 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 3, 1966

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ before the 24th day of February, 1966, the first publication appearing on the 3rd day of February 1966.

THE JEFFERSONIAN,

L. Leland Strickland
 Manager.

Cost of Advertisement, \$.....

PETITION FOR RECLASSIFICATION Special Exception and Variance

12th District
 FROM R6 to B1 ZONE

Petition for special exception for garage, service.
 Petition for variance for rear and side yards, off-street parking lot area.

LOCATION: North Side of Eastern Blvd., 105 ft. from the west side of Orville rd.

THURSDAY, Feb. 24, 1966
 at 10 A.M.

Public Hearing Room 108, County Office Building, 111 W. Chesapeake Ave., 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 R6 - proposed zoning B1.

Petition for special exception - garage, service.

Petition for variances to the Zoning Regulations of Baltimore County to permit a rear yard of ZERO ft. instead of required 24 ft.; to permit a side yard of six inches (6") instead of required 12 ft.; to permit five (5) parking spaces instead of required 14 spaces; to permit a lot area for a dwelling of 3,668 square feet instead of required 6,000 square feet; to permit a rear yard of 23 feet instead of required 30 feet.

The Zoning Regulations to be excepted as follows:

Section 232.2 - rear yard - 30 feet.

Section 232.2 - side yard - 12 feet.

Section 409.2 - a (b) buildings devoted to retail trade - 1 for each 200 square feet of total floor area.

Section 211.1 - lot area and width - 6,000 square feet.

Section 211.4 - rear yard - 30 feet.

All that parcel of land in the 15th District of Baltimore County beginning for the same on north side of Eastern Blvd. at the distance of 105 feet measured westerly along the north side of Eastern Boulevard from the west side of Orville Road and thence running and bounding on the north side of Eastern Boulevard south 51 degrees, 48 minutes, 12 seconds, west 50 feet thence leaving Eastern Boulevard for three lines of division as follows: North 36 degrees, 37 minutes and 07 seconds, west 50 feet, north 51 degrees, 48 minutes, 12 seconds, east 50 feet and south 38 degrees, 37 minutes, 07 seconds east 50 feet to place of beginning. Containing 2,500 square feet of land.

BEING the property of the Holabird Holding Corporation, as shown on plot plan filed with the Zoning Department.

HEARING - Thursday, February 24, 1966, at 10 A.M., Public Hearing Room 108, County Office Building, 111 West Chesapeake Ave., Towson, Md.

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

CERTIFICATE OF PUBLICATION

OFFICE OF

The Community Press

DUNDALK, MD., February 2, 1966

THIS IS TO CERTIFY, that the annexed advertisement of "The Holabird Holding Corp." was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive weeks before the 1st. day of February 1966; that is to say, the same was inserted in the issues of 2-2-66

Stromberg Publications, Inc.

Publisher.

By *Mrs. Palmer Price*
Mrs. Palmer Price

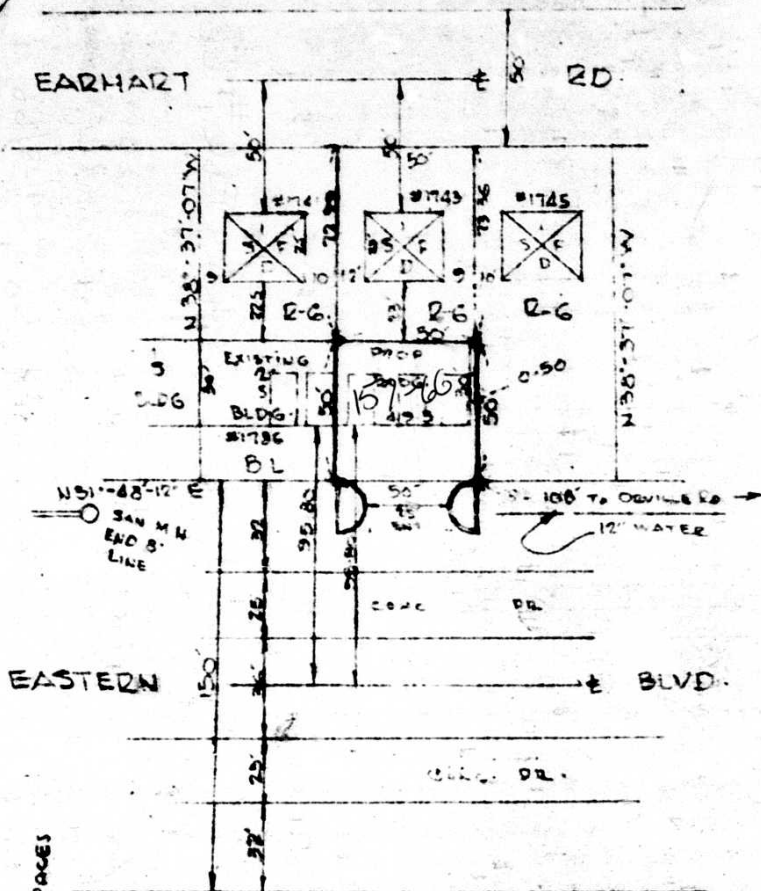
PRESENT USE - RESIDENCE
 PROPOSED USE - SPECIAL EXCEPTION FOR SERVICE GARAGE
 PRESENT ZONING - R-6
 PROPOSED ZONING - B-1

AREA OF LOT TO BE ZONED - 2,500 SQ. FT.
 AREA OF PROP. BLDG. - 1,405 SQ. FT.

FIVE HYD. LOCATED ON EARNHART RD. 450' S.W. PROPERTY

PARKING

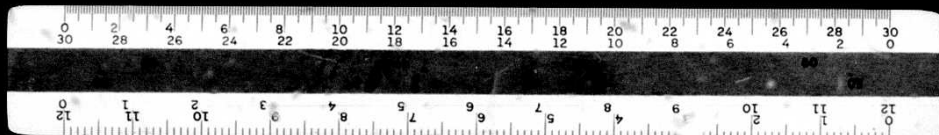
EXIST. & PROP. BLDGS. - 5 SPACES



LOT 82 SECTION 2
 EDGEWATER ADDITION
 PLAT BOOK 13/33
 15TH District Baltimore County, Maryland
 Scale: 1"=50' Date: 12-14-65



Willard M. Lee
 REG. CIVIL ENGR.



WILLARD M. LEE
4604 MAINFIELD AVENUE
BALTIMORE 14, MARYLAND

Phone:- Ha 6-2813

#66-186RXA

December 14, 1965

MAP
15-B
BL-XA

2/2/66

#1788 Eastern Blvd.

Part of lot 82 Section 2 "Edgewater Addition" 13/33
15th District Baltimore County, Maryland

Beginning for the same on the north side of Eastern Blvd. at the distance of 105 feet measured westerly along the north side of Eastern Blvd. from the west side of Orville Road and thence running and binding on the north side of Eastern Blvd. South 51 degrees 48 minutes 12 seconds West 50 feet thence leaving Eastern Blvd. for three lines of division as follows:- North 38 degrees 37 minutes 07 seconds West 50 feet, North 51 degrees 48 minutes 12 seconds East 50 feet and South 38 degrees 37 minutes 07 seconds East 50 feet to the place of beginning.

Containing 2,500 square feet of land.

