

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Joseph Bushmiller, 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 hereto described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an EC-2-C zone to an EC-2-C zone, for the following reasons:

Petition for a Variance- Section 233.2 - Side Yard - To permit a side yard of zero(0) 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 a used motor vehicle sales area. ~~XXXX~~ Property is to be posted and advertised as prescribed by Zoning Regulations. I, the undersigned, agree to pay expenses of above re-classification and/or Special Exception advertising, and 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: Joseph Bushmiller Legal Owner
Address: 400 Carolina Road
Towson, Maryland 21204

Petitioner's Attorney: James D. Nolan
Protestant's Attorney: _____

Address 204 W. Penna. Avenue
Towson, Md. 21204 - VA. 3-7800

ORDERED By the Zoning Commissioner of Baltimore County, this 20th day of December, 1967, 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 day of January, 1967, at 2:00 o'clock P. M.

Zoning Commissioner of Baltimore County.

ORDER TO FILE

68-163-XA
#68-163XA
MAP #9
SEC. 3-C
NE-11-A
"X"

ORDER RECEIVED FOR FILING

JAMES D. NOLAN
Attorney at Law
68-163-XA
M/S of York Rd. 309.12' N of 5th

68-163-XA

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of practical difficulty and unreasonable hardship

VARIANCE
the above reclassification should be had; and it further appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met.

a Special Exception for a used motor vehicle sales area should be granted
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24 day of JANUARY, 1968.

reclassification a Special Exception for a used motor vehicle sales area should be and the same is granted, from and after the date of this order, and the Variance to permit a side yard of zero feet instead of the required 30 feet, subject to approval of the site plan by the State Roads Commission, Edward H. Hardesty, Bureau of Public Services and DEPUTY Zoning Commissioner of Baltimore County the Office of Planning and Zoning.

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

the above re-classification 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 _____, 196____, that the above re-classification 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 _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County
MICROFILMED

ROBERT A. WHITEFORD, P.E.
JAMES R. HARR, L.S.
JEROME L. FALK
VALLEY 9718

WHITEFORD, FALK, AND HARR
Consulting Engineers - Land Surveyors
Lead Planners
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

November 16, 1967

Plat to Accompany Petition For Special Exception in "B-R" Zone For Used Motor Vehicle Outdoor Sales Area And Application for Building Sideyard Variance From 30 Feet to Zero Feet

Beginning for the same at a point on the northwest side of York Road 100 feet wide said point being 309.12 feet, more or less, northwesterly from the intersection of the west side of said York Road with the north side of the entrance to Towson Junior High School (opposite Fairmount Avenue), thence South 74° 31' West 195.45 feet to the boundary of the Board of Education property known as Towson Junior High School and thence binding on said Board of Education property North 24° 51' West 35 feet to a point, thence North 67° 10' East 193.85 feet to a point on the west side of York Road, and thence binding on said York Road South 24° East 60.00 feet to the point of beginning.

Containing 0.2114 acres, more or less.

#68-163XA
MAP #9
SEC. 3-C
NE-11-A
"X"

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 20th day of December, 1967

John G. Rose,
Zoning Commissioner

Petitioner: Joseph Bushmiller

Petitioner's Attorney: James B. Nolan, Esq.

Reviewed by James S. Moore
Chairman of Advisory Com.

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INTER-OFFICE CORRESPONDENCE
BUREAU OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson, Maryland 21204

TO: Mr. Edward Hardesty
FROM: C. Richard Moore - Bureau of Traffic Engineering
Al V. Quinby - Office of Planning and Zoning
SUBJECT: Zoning Petition 68-163-XA - Northwest side York Road 309 Feet north of Gerard Avenue
Hearing - January 22, 1968

Review of the revised plan indicates that extensive grading and expensive retaining walls will be needed in order for the site to function as proposed. The cost of such improvements would appear to be more expensive than a used car lot could afford for site improvements.

Due to the grading problems on the site, we strongly recommend, that if the zoning is granted, the site should not be used until such time as the developer conforms to the proposed grading plan.

C. Richard Moore
Engineer III
Bureau of Traffic Engineering

Al V. Quinby
Office of Planning & Zoning



CRN:AVQ:nc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
FROM: George E. Gavrellis, Director
SUBJECT: Pet. #68-163-XA - Northwest side of York Road 309.12 feet North of Gerard Avenue. Petition for Special Exception for a Used Motor Vehicle Sales Area. Petition for Variance to permit a side yard of zero feet instead of the required 30 feet.
Joseph Bushmiller - Petitioner

9th District

HEARING: Monday, January 22, 1968. (2:00 P.M.)

If it should be decided to grant the subject petition, we recommend that the order be conditioned upon our approval of the site plan and a prohibition of string lighting. The site plan should be carefully detailed and indicate lighting, signing, hours of operation, screening, etc.



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

James B. Nolan, Esq.,
204 W. Penna. Avenue
Towson, Maryland 21204

SUBJECT: Special Exception for a used motor vehicle sales area and side yard variance for Joseph Bushmiller, located NW Cor. of York Rd. and Gerard Ave. 9th District
(Item 33, November 20, 1967)

Dear Sir:

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

BUREAU OF ENGINEERING:
Water - Existing 10" and 30" water in York Rd.
Sewer - Existing 8" sanitary sewer in York Rd.
Adequacy of existing utilities to be determined by developer or his engineer.

TRAFFIC ENGINEERING AND PROJECT PLANNING:
Site is so restricted as to size and shape that it will not function for this use without variance, and even with it the plans show no provision for customer parking without pre-empting the prime display space. There should be shown on the plan both existing and proposed grading acceptable to Baltimore County and should the Special Exception be granted it should require adherence to the grading plan. This must be done prior to a hearing date being assigned.

STATE ROADS COMMISSION:
This office is in complete agreement with Traffic Engineering. In addition, the entrance must have a maximum grade of 3% and a minimum width of 25 feet. The entire frontage must be curbed with 8" x 22" concrete curb. The entrance is subject to State Roads approval and permit.

HEALTH DEPARTMENT:
Since public water and sewer are available to the subject site, this office has no comment.

ZONING ADMINISTRATION DIVISION:
This office is withholding a hearing date until such time as revised plans are received.

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 requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Bureau of Fire Prevention
Building Engineer
Board of Education
Industrial Development

Very truly yours,

JAMES S. MOORE
Principal Zoning Technician

JED:jd
cc: Carlisle Brown-Bur. of Engr.; C. Richard Moore-Bur. Traffic Engr.; Albert V. Gulsby-Project Planning; John Meyers-Roads Comm.; William Greenmitt-Health Dept.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: Special Exception & Variance
Petitioner: Joseph Bushmiller
Location of property: Northwest side York Road 309.12' N of Gerard Ave.
Location of Signs: Northwest side York Road 309.12' N of Gerard Ave.
Remarks:
Posted by: John G. Rose
Date of return: 1/22/68

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

No. 51743

DATE: Jan. 24, 1968

TO: James B. Nolan, Esq.,
204 W. Penna. Avenue
Towson, Md. 21204
By: _____
Zoning Dept. of Baltimore Co.

AMOUNT TO ACCOUNT NO. 68-682
QUANTITY
TOTAL AMOUNT
\$66.75
COST
\$6.75

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE
222-3000
EST. 1927

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

NO. 30884
DATE Jan. 4, 1968

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21286

FILED
Sealing Dept. of Baltimore County

TO: Joseph G. Rogers, Esq.,
2026, Parkers Ave.,
Towson, Md. 21286

REPORT TO ACCOUNT NO. <u>01-47</u>	RETURN THIS PORTION WITH YOUR REMITTANCE <u>20.00</u>	TOTAL AMOUNT <u>20.00</u>
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COPY
14	<u>Petition for Special Exception & Variance for Joseph Shullister</u> <u>222-30-24</u>	<u>20.00</u>

30 0000 00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

REPLY

OFFICE OF
THE BALTIMORE COUNTY

THE COMMUNITY NEWS
Rosedown, Md

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

January 8, 1968

THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rogers, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of ~~the~~ weekly newspapers published in Baltimore County, Maryland, once a week for one ~~two~~ weeks before the 8th day of January, 1968, that is to say the same was inserted in the issues of

January 4, 1968.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

PETITION FOR SPECIAL EXCEPTION AND VARIANCE IN DISTRICT ZONING: Petition for Special Exception for a Used Motor Vehicle Sales Area.

LOCATION: Northeast side of York Road 209.12 feet North of Grant Avenue.
DATE & TIME: MONDAY, JANUARY 22, 1968 at 2:00 P.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: Petition for Special Exception for a Used Motor Vehicle Sales Area.

Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard of zero feet instead of the required 30 feet. The Zoning Regulation to be excepted as follows: Section 222-2-Side Yard 30 feet.

All that parcel of land in the Ninth District of Baltimore County, beginning for the same at a point on the northwest side of York Road 100 feet wide said point being 309.12 feet, more or less, more easterly from the intersection of the west side of said York Road with the north side of the or-

iginal section to Towson Junior High School (opposite Fraternal Avenue), thence South 71 degrees 21' West 185.45 feet to the boundary of the Board of Education property known as Towson Junior High School and thence ending on said Board of Education property.

North 24 degrees 19' thence North 6 degrees 19' East 162.85 feet to a point on the west side of York Road, and thence ending on said York Road South 28 degrees East 60.00 feet to the point of beginning.

Containing 0.2114 acres, more or less.

Being the property of Joseph Shullister as shown on plat filed with the Zoning Department.

Hearing Date: Monday, January 22, 1968 at 2:00 P.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF JOHN G. ROGERS ZONING COMMISSIONER OF BALTIMORE COUNTY, Jan. 4.

CERTIFICATE OF PUBLICATION

TOWSON, MD. Jan 4 1968 1968

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time ~~successive weeks~~ before the 22nd day of January 1968, the first publication appearing on the 22nd day of January 1968.

THE JEFFERSONIAN

Richard L. Morgan
Manager

Cost of Advertisement, \$

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Being the property of Joseph Shullister as shown on plat filed with the Zoning Department. Hearing Date: Monday, January 22, 1968 at 2:00 P.M. Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. By order of JOHN G. ROGERS Zoning Commissioner of Baltimore County.

