

69-151-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Eugene B. Heilman, 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 for a Variance from Section 238.2 - To permit a side yard setback of 5 and 15 feet instead of the required 30 feet, and a rear yard setback of 1 foot instead of the required 30 feet for both. Section 238.1 - To permit a front yard of 2 feet instead of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Business has grown, we can expand only by adding to existing building as shown on plans, construction will not affect or obstruct visibility, since property adjoins denied access property of State Roads Commission.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser: Eugene B. Heilman, Legal Owner, Address: 508 Stamford Road, Baltimore, Maryland 21228
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of December, 1968, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of February, 1969, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.
(over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner and the Variance requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved.

the above Variance should be had, and it is further appearing that the reasons of:

to permit a side yard setback of 5 and 15 feet and a rear Variance yard setback of 1 foot instead of the required 30 feet, and to permit a front yard of 2 feet instead of the required 50 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of February, 1969, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to permit a side yard setback of 5 and 15 feet and a rear yard setback of 1 foot instead of the required 30 feet; and to permit a front yard of 2 feet instead of the required 50 feet, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

and it appearing that by reason of:

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of February, 1969, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



MCA ENGINEERS
DATE, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 391-823-6500

Letter Date: P.E.
John C. Childs, L.S.
Associates
Howard W. Hughes, L.S.
George W. Bunkley, L.S.
Robert W. Criss, P.E.
Leonard M. Glass, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Smith

DESCRIPTION

0.22 ACRE PARCEL

5545 BALTIMORE NATIONAL PIKE

ELECTION DISTRICT 1

BALTIMORE COUNTY, MARYLAND

THIS DESCRIPTION IS FOR YARD VARIANCES

Beginning for the same at a point in the south right of way of Baltimore National Pike where it is intersected by the east right of way line of Johnnycake Road; running thence binding on the south side of said Baltimore National Pike (1) easterly 110° 41' 12" then (2) S 13° 39' W 134' 41" then (3) N 76° 26' W 99' 12" to intersect the east Right of Way Line of said Johnnycake Road as shown on Maryland State Roads Commission Plat No. 5929, thence along said line (4) S 13° 56' 40" W 76' 12" to the place of beginning.

Containing 0.22 acres, more or less.

RL:smpl

J.C. 168171

10/22/68



Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Fire Protection ■ Planning ■ Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: Jan. 24, 1969

FROM: George E. Gravelle, Director of Planning

SUBJECT: Petition 69-151-A. Variance to permit a side yard of 5 and 15 feet and a rear yard of 1 foot instead of the required 30 feet and to permit a front yard of 2 feet instead of the required 50 feet. South side of Baltimore National Pike and the East side of the Right of Way Line of Johnnycake Road, Eugene B. Heilman, deceased and the Equitable Trust Co. and John C. Griffin, Trustees.

1st District

HEARING: None February 3, 1969 (10:00 A.M.)

The Planning staff questions whether or not the site as presently developed is capable of supporting the present operation and activity of the property. Will an expansion of the current service result in grossly inadequate off-street parking?

REG:ams

THE EQUITABLE TRUST COMPANY

BALTIMORE, MARYLAND

JOHN A. LUTHEMEYER
PRESIDENT OF THE BOARD

DAVID DALL H.
VICE PRESIDENT

IN REPLY REFER TO
TRUST DEPARTMENT

January 3, 1969

Mr. James E. Dyer,
Zoning Supervisor
Baltimore County Office of
Planning & Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Dyer:

We have received notices directed to Mr. Eugene B. Heilman who resided at 508 Stamford Road, Baltimore, Maryland, regarding his property at 5545 Baltimore National Pike. Mr. Heilman is now deceased and The Equitable Trust Company and John C. Griffin, are trustees under his Estate and owners of the property involved.

We would appreciate if you would send any future notices of hearing, applications, etc. to us in the future.

Very truly yours,

James H. Shallenberger
Assistant Trust Officer

JHS:ers



STATE OF MARYLAND STATE ROADS COMMISSION

COMMISSION MEMBERS
JEROME B. CHILDS
CHAIRMAN OF COMMISSION
AND DIRECTOR OF HIGHWAYS
B. WALTER BOTLEY, JR.
WALTER F. BRIDGES
LESLIE M. BEANE
JOHN W. HENNING
WILLIAM S. GIBSON
FRANK THOMP

November 20, 1968

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Committee
Meeting, November 19, 1968
Item: 12a
Property Owner: Eugene B. Heilman
Location: 5545 Baltimore National
Pike Route 10
Present Zoning: RM
Proposed Zoning: Var. 238.2
1st District
No. Acres: 0.22

Dear Mr. Rose:

This office has reviewed the subject plot plan and the following comments are with respect thereto:

An inspection was made which reveals that the site is being used as a tire sales and service facility. It was noted that the area between the building and the highway was filled with vehicles.

It was further noted that there were many vehicles parked along the highway which appeared to be connected with the business.

During the inspection several vehicles entered and left the site. It was noted that due to the congestion there was such confusion in making these movements. It is assumed that the proposed addition will generate more traffic which can only add to the congestion at the site.

If the petitioned variance is granted and the proposed addition is constructed, then the westerly entrance which is in excess of the permitted width, must be reduced to 30' in width by extending the island that is located between the entrances. The plan should be revised prior to a hearing date being assigned.

Very truly yours,

Charles Leo, Chief
Development Engineering Section
By: John E. Meyers
Asst. Development Engineer

CLM:ers



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose Date: November 21, 1968

Zoning Department

FROM: Captain Charles F. Morris, Jr., Fire Bureau

SUBJECT: Item 12a - Zoning Agency, Tuesday, November 19, 1968
Property owner: Eugene B. Heilman
Location: 5545 Baltimore National Pike
District: 1st.

#1. Fire Bureau has no comments on this site at this time.

cc: Mr. Martin Jay Hanna,
Fire Protection Engineer



Comments - Zoning Plat

12a. Property Owner: Eugene B. Heilman
Location: 5545 Baltimore National Pike

District: 1st
Present Zoning: RM
Proposed Zoning: Var. 238.2
No. Acres: 0.22 ±

This zoning petition is for a Side Yard Variance. There is an existing service station with an existing building. No comments are required from the Bureau of Engineering.

RAM:aw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: JOHN G. ROSE
Zoning Commissioner
Date: November 21, 1968

FROM: PROJECT PLANNING DIVISION

SUBJECT: Zoning Advisory Agenda Item No. 124

November 19, 1968
Eugene B. Heilman
5545 Baltimore National Pike

This petition has been reviewed and there are no factors that require comment.

AVQ:VR

ALBERT V. QUINBY, CHIEF



Baltimore County, Maryland

BUREAU OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

EUGENE CLIFFORD
Traffic Engineer

To: Mr. John G. Rose
From: C. Richard Moore
Subject: Item 124 - ZAC - November 19, 1968
Property Owner: Eugene B. Heilman
5545 Baltimore National Pike
Variance to Section 236.2

On the date of inspection, 10 vehicles appeared to be connected with the site operation. The site plan indicates the developer is increasing the service area from 2 bays to 4 bays. This would indicate a doubling of the operation. With the shortage of parking presently existing, it would appear that the developer does not have sufficient parking for the increasing operation.

CRK:VF

C. Richard Moore
Engineer II

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 4, 1968

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

JAMES S. DYER
Chairman

MEMBERS

BUREAU OF
ENGINEERING
BUREAU OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
FIRE PREVENTION
NEAREST DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. Eugene B. Heilman
508 Stamford Road
Baltimore, Maryland 21228

RE: Type of Hearings: Variance for
sideway setback
Location: 5545 Baltimore Nat'l. Pike
District: 1st
Petitioner: Eugene B. Heilman
Committee Meeting of Nov. 19, 1968
Item 124

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

Subject property is improved with a two-bay service garage and a sales area. It is bounded on the south by commercial buildings utilized as a beauty salon; on the east by a Lincoln-Hercury dealer, outdoor display area, and on the west by the intersection of Johnnycake Road.

BUREAU OF ENGINEERING

This zoning petition is for a Side Yard Variance. There is an existing service garage with an existing building. No comments are required from the Bureau of Engineering.

PROJECT PLANNING DIVISION

This petition has been reviewed and there are no factors that require comment.

FIRE BUREAU

Fire Bureau has no comments on this site at this time.

BUREAU OF TRAFFIC ENGINEERING

On the date of inspection, 10 vehicles appeared to be connected with the site operation. The site plan indicates the developer is increasing the service area from 2 bays to 4 bays. This would indicate a doubling of the operation. With the shortage of parking presently existing, it would appear that the developer does not have sufficient parking for the increasing operation.

Mr. Eugene B. Heilman
508 Stamford Road
Baltimore, Maryland 21228
RE: Item 124

December 4, 1968

HEALTH DEPARTMENT

Since the existing building is connected to the public water and sewer lines, this office does not anticipate any health problems.

Standard Air Pollution Comments

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

STATE ROAD COMMISSION

This office has reviewed the subject plot plan and the following comments are with respect thereto:

An inspection was made which reveals that the site is being used as a tire sales and service facility. It was noted that the area between the building and the highway was filled with vehicles.

It was further noted that there were many vehicles parked along the highway which appeared to be connected with the business.

During the inspection several vehicles entered and left the site. It was noted that due to the congestion there was much confusion in making these movements. It is assumed that the proposed addition will generate more traffic which can only add to the congestion at the site.

If the petitioned variance is granted and the proposed addition is constructed, then the westerly entrance, which is in excess of the permitted width, must be reduced to 30' in width by extending the island that is located between the entrances. The plan should be revised prior to a hearing date being assigned.

ZONING ADMINISTRATION DIVISION

The above comment by the State Road Commission must be complied with prior to any further processing of this petition. The petition should also be revised to request a front yard variance.

If you have any questions concerning this, please contact the writer at your earliest convenience.

Very truly yours,

JAMES S. DYER, Chairman

JED:JD

Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Rose
Date: November 20, 1968

FROM: William M. Greenwalt

SUBJECT: Item 124 - Zoning Advisory Committee Meeting, November 19, 1968

124. Property Owner: Eugene B. Heilman
Location: 5545 Baltimore National Pike
Present Zoning: BR
Proposed Zoning: Var. 236.2
District: 1st
No. Acres: 0.22 ±

Since the existing building is connected to the public water and sewer lines, this office does not anticipate any health problems.

Standard Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

William M. Greenwalt
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

WME/CA

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
Invoice No. 60770
DATE: Jan. 10, 1969

TO: C. S. Elmer & Co.
3700 and Randolph
Baltimore, Md. 21201

REPORT TO ACCOUNT NO. 61-682

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT
1	Petition for Variance for Eugene B. Heilman, 5545-124	25.00	25.00

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Mr. Eugene B. Heilman
508 Stamford Road
Baltimore, Maryland 21228

Your Petition has been received and accepted for filing this
19th day of December, 1968.

John G. Rose
Zoning Commissioner

Petitioner: Eugene B. Heilman
Petitioner's Attorney: _____
Reviewed by: _____
Chairman of Advisory Committee

PETITION FOR VARIANCE
IN DISTRICT
ZONING: Petition for Variance for Side Yard Setback
LOCATION: South Side of Baltimore National Pike and the East Side of West Lane of Johnnycake Road
DATE & TIME: Monday, February 19, 1969, 10:00 A.M.
FILING: Petitioner: Eugene B. Heilman, 5545 Baltimore National Pike, Towson, Md.

The Zoning Commission of Baltimore County, Maryland, hereby certifies that the above petition was filed with the Zoning Department of Baltimore County, Maryland, on the date and at the time stated above.

The Zoning Commission is to be held at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on the date and at the time stated above.

At the hearing of the petition, the following facts were presented:

Section 236.2 - Side and Rear Yard Setback
Section 236.3 - Side and Rear Yard Setback
Section 236.4 - Side and Rear Yard Setback
Section 236.5 - Side and Rear Yard Setback
Section 236.6 - Side and Rear Yard Setback
Section 236.7 - Side and Rear Yard Setback
Section 236.8 - Side and Rear Yard Setback
Section 236.9 - Side and Rear Yard Setback
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Section 236.99 - Side and Rear Yard Setback
Section 236.100 - Side and Rear Yard Setback

CERTIFICATE OF PUBLICATION
TOWSON, MD. JAN. 10, 1969

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, commencing on the day of January, 1969, the day of February, 1969, the day of January, 1969, appearing on the 10th day of January, 1969.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

ORIGINAL
OFFICE OF
THE COMMUNITY TIMES
RANDALLSTOWN, MD. 21133 January 20, 1969

THIS IS TO CERTIFY that the annexed advertisement of John V. Rose, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 20th day of Jan., 1969 that is to say, the same was inserted in the issue of January 16, 1969.

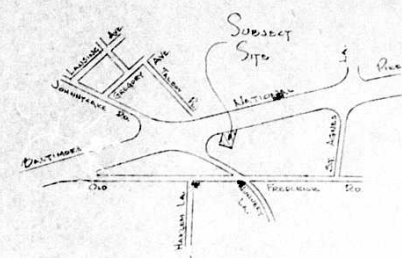
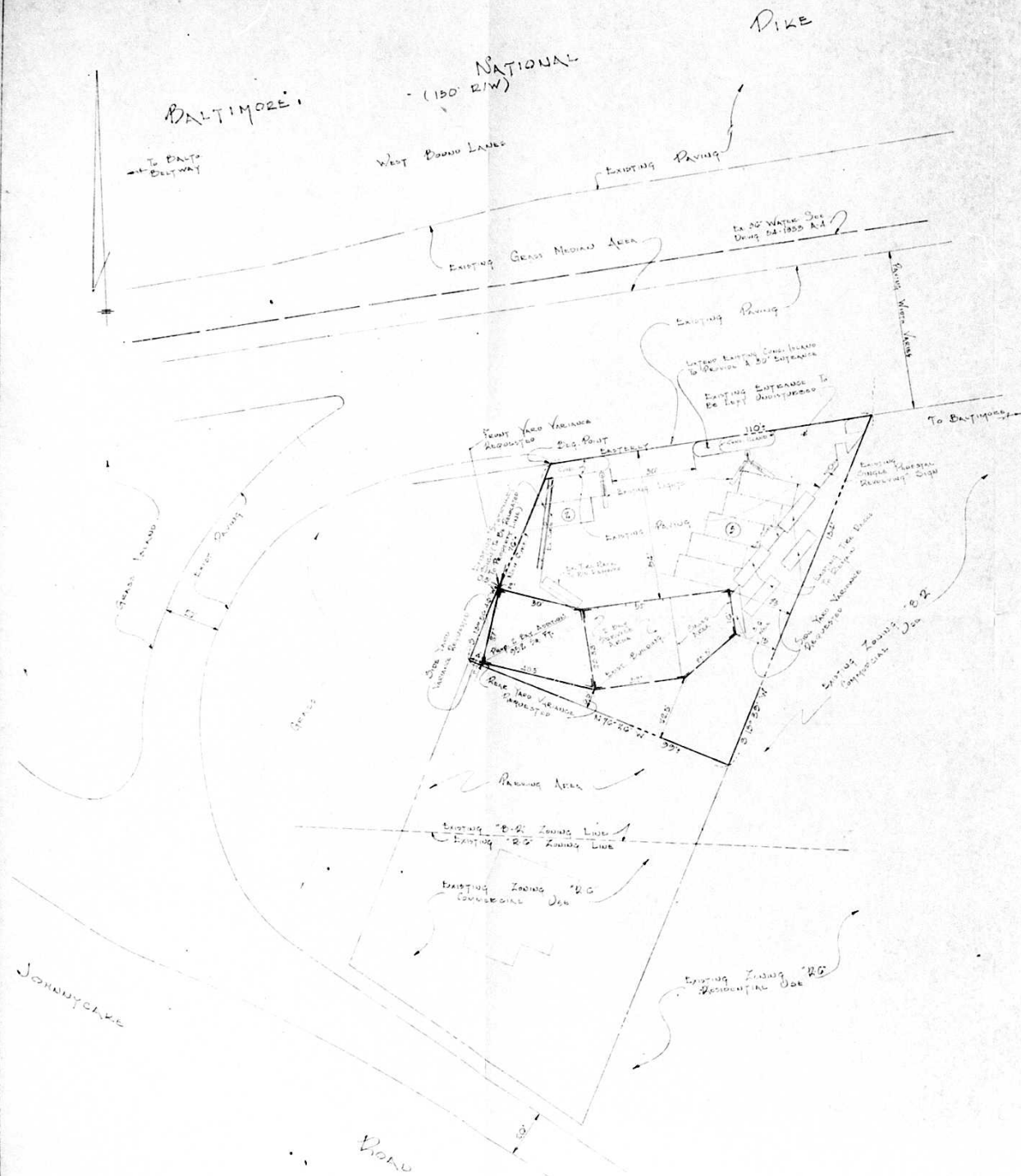
STROMBERG PUBLICATIONS, Inc.
By Ruth Morgan

1 Sign 69-151-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: DANIEL
Petitioner: E. S. Marlboro & Sp. John, Castle, Trustees
Location of property: 3/4 of 2nd St. N. E. & 1st St. N. E. - Towson, Md.
Location of Signs: In window of Tire Sales Co. located on these property

Remarks: _____
Posted by: _____
Date of return: 1-23-69



LOCATION PLAN
Scale: 1"=100'

GENERAL NOTES

1. Area of Parcel Equals 0.22 Acres:
2. Existing Zoning of Parcel "B-2"
3. Existing Use of Parcel "Automotive Service Garage" - "Tire Sales"
4. Petitioner is Requesting A Variance To Section 220.1 of The Zoning Code To Permit A Front Yard of 2' Instead of The Required 50'
5. Petitioner is Requesting A Variance To Section 220.3 of The Zoning Code To Permit Side Yards of 0', 4', 10' & 22' Instead of The Required 50'.
6. Petitioner is Requesting A Variance To Section 220.2 of The Zoning Code To Permit Rear Yards of 1' & 22.5' Instead of The Required 50'.
7. Off-Street Parking Requirements:
 - A. Total Parking Area Equals 305 Sq. Ft. Requiring 3 Parking Units
 - B. Total Service Area Equals 1030 Sq. Ft. Requiring 6 Parking Units
 - C. Parking Units Proposed Equals 3
 - D. Parking Units Proposed Equals 7 + 4 = 11. Log For Total of 11
8. Site is Perpetually Divided By A Connection To The Existing 5' Sanitary Sewer In Old Frederick Road.



REVISED PLANS

PLAT TO ACCOMPANY PETITION
FOR
YARD VARIANCES
AT
5545 BALTIMORE NATIONAL PIKE
ELECTION DISTRICT 1
BALTIMORE CO., MD.
Oct 21, 1968
Revised Dec. 19, 1968



