M. WILLIAM ADELSON ATTORNEY AND COUNSELLOR AT LAW 1938 MARYLAND NATIONAL BANK BUILDING BALTIMORE, MARYLAND 21202

EUGENE P. SMITH ASSOCIATE TELEPHONE

July 3, 1969

County Board of Appeals County Office Building Towson, Maryland 21204

Re: Carter Holding Joint Venture
for SE - Used Motor Vehicle Outdoor
Sales Area
"variance from Section 238.2
W/S North Point Blvd. 235' S. of
New Battle Grove Road
15th District
Case No. 69-178-XA

Gentlemen:

Please enter the appeal in the above matter withdrawn.

Yours very truly,

EPS:DHB

lec'd 7/15/69-9:45am

RE: PETITION FOR SPECIAL EXCEPTION: for Used Motor Vehicles and Used Motor Vehicle Outdoor Sales Area, and: VARIANCE from Section 238.2 of the Bal timore County Zoning Regulations: West Side of North Point Boulevard 235 feet South of New Battle Grove Rd.: 15th District

Carter Holding Joint Venture Petitioner **BEFORE**

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 69-178-XA

ORDER OF DISMISSAL

Petition of Carter Holding Joint Venture for Special Exception for Used Motor Vehicles and Used Motor Vehicle Outdoor Sales Area and Variance from Section 238.2 of the Baltimore County Zoning Regulations, on property located on the west side of North Point Boulevard 235 feet south of New Battle Grove Road, in the 15th District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed July 18, 1969 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Petitioner-Appellant in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner-Appellant requests that the appeal filed on behalf of said Petitioner be dismissed and withdrawn as of July 18, 1969.

It is hereby ORDERED, this 2 day of July, 1969, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slowik

John A. Miller

MICROFILMED

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE (1)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Carter Holding Joint Venture

County and which is described in the description and plat attached herete and made a part hereof. hereby petition makes weeks statement at

Fetition for Variance from Section 238.2 - Side and Bear Yards - To permit a 3.3 foot side and rear yard setback instead of the required 30 feet.

See attached description

Map # 15 Pstaps:0 Neck SE - 3H Vov

158

XXXXXII) for a Special Exception, under the said Zoning Law and Zoning Regulations of County, to use the herein described property, forBale of used motor vehicles and used motor vehicle outdoor sales area.

Property is to be posted and advertised as prescribed by Zoning Regulations. rroperty is to be posted ann anvertised as prescribed by coning negulations.

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 posing, etc., upon ming of this period, and thinks agree of the Zoning Law for Baltimore regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore Carter Holding Joint Venture

Contract purchaser

By Carror Legal Owner Address /o M. William Adelson

M. William Adelson Petitioner's Attorney

Address Baltimore, Haryland 21202

ORDERED By The Zoning Commissioner of Baltimore County, this. 21st

ofn

64-21 Gar

00

15.57HOME

COUNTY OFFICE BUDG

Oliver L. Hyers

BOSEAU DE ENGRECENS

FURTABLE FOR

Participant DEVALORDESI

Dear Sir:

BUREAU OF ENGINEERING:

TRAFFIC ENGINEER

1035 Haryland National Bank Building

Baltimore, Maryland 21202

M. WILLIAM ADELBON TORNEY AND COUNSELLOR AT 1035 MARILAND MATIONAL SAME BUILDS BALTIMORE, MARYLAND MISSE

July 17, 1969

Hon. William S. Baldwin, Chairman County Board of Appeals County Office Building Towson, Maryland 21204

Re: Case No. 69-178-XA

Dear Mr. Baldwin:

In accordance with our telephone discussion of this morning, I enclose herewith copy of our July 3, 1995 letter to the County Board of Appeals, requesting that the appeal be withdrawn, which, you advise, never reached the Board. I regret the inconvenience caused.

EPS:DH

Read . 7/14/67 - 7:45 sm

RE: PETITION FOR SPECIAL EXCEP- : TION AND VARIANCES W/S of North Point Boulevard, 235'; of New Battle Grove Road - 15th

Carter Holding Joint Venture -Petitioner NO. 69-178-XA

BEFORE THE DEPUTY ZONING COMMISSIONER

OF

This Petition seeks setback Variances for side and rear vards as well as a Special Exception to use the subject property, currently zoned BR and consisting of 0,475 acre, as a used motor vehicle outdoor sales area The premises are now occupied as a used car lot, which replaced an abandoned casoline service station.

Without reviewing the evidence presented, the Deputy Zoning Commissioner feels that the Petitioner has failed to show practical difficulty or unreasonable hardship to justify the granting of the Variances and has failed to meet the requirements of Section 502. 1 of the Baltimore County Zon ing Pregulations concerning the granting of the Special Exception

For the aforegoing reasons. IT IS ORDERED by the Deputy issioner of Baltimore County, this _____ day of March. 969, that the Variances to permit a 3.3 foot side and rear yard setback instead of the required 30 feet be and the same is hereby DENIED and the Spe cial Exception for a used motor vehicle outdoor sales area be and the same is hereby DENIED. In view of this decision, it is further ORDERED that the esent used car operation shall cease operation within six months from the date of this Order

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

The Zoning Advisory Consittee has reviewed the plans whitted with the above referenced petition and has made a site field inspection of the property. The following ments are a result of this review and inspection.

The property is precently improved with an existing service garage for which a Change of Occupancy permit has been fasued. Immediately to the east of the subject site along the east site of North Point Blvd, exists a service station and tawers to the west exists one and a half story cotteges, 15 to 20 years old, in good repair; to the north exists a two story four stone house, 70 to 25 years old, in good repair; to the south lies wecant uniqueneed property along Morth Point Blvd.

Highways: Access is provided from North Point Blvd, and New Battle Grove Road. The closing of existing entrances shall be constructed according to County Standards and under County inspection.

Storn Breinst. The applicant must provide necessary draining facilities. (tenarray or otherwise) to measure treating any mustaness or damps to adjacent properties, especially by the concentration of surface sectors. Concentration of surface sectors. Concentration which may result, due to introper grading or etter draining fertilities, would be the full responsibility of the applicant.

M. William Adelson, Esq., 1035 Maryland National Bank Building Baltimore, Maryland 21202

January 30, 1969

RE: Type of Hearing: Special Exception for sale of used motor vehicles and used motor vehicle

vehicles and used motor vehicle outdoor sales area Location: 5/Cor, of North Pt, Blvd, & Nore Battle Crove Rd. Petitioner: Carter Helding Joint Venture Cownities Needing of January 21, 1969 Item 164 — District: 15th

RE: PETITION FOR SPECIAL EXCEPTION :

BALTIMORE COUNTY

for Used Motor Vehicles and Used Motor Vehicle Outdoor Sales Area, and : VARIANCE from Section 238.2 of the VAKIANCE from Section 236.2 of 19
Bal timore County Zoning Regulation
West Side of North Point Boulevard
235 feet South of New Battle Grove
15th District

Carter Holding Joint Venture

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

No. 69-178-XA

. ORDER OF DISMISSAL

Petition of Corter Holding Joint Venture for Special Exception for Used Motor Vehicles and Used Mon Vehicle Outdoor Sales Area and Variance from Section 238.2 of the Baltimore County Zoning Regulations, on property located on the west side of North Point Rouleward 235 feet south of New Rottle Grove Road, in the 15th District of Baltimore County

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed July 18, 1969 (a copy of which is attached hereto and made a part herec:), from the attorney representing the Petitioner-Appellant in the above entitled matter

WHEREAS, the gaid attorney for the gaid Petitioner-Appellant requests that the appeal filed on behalf of said Petitioner be dismissed and withdrawn as of July 18

It is hereby ORDERED, this 2 4 day of July, 1969, that said app be and the same is DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairma

January 30, 1969

M WILLIAM ADELBON

PARM THE OFFICE OF

130 feat wids, said point being distant 235 feet more or less southerly from the

of North Point Souleward, first North 29° 13' 40" West 139.80 feet, second

meering of South 87° 14' 50" West for 53.77 feet to intersect the

ide of New Battle Grove Road, 50 feet wide, third binding on the south-

of New Battle Grove Road South 23° 43' 20" West 127.70 feet to a point at

ning of the fourth line of that percel of land as described in a deed from

ng the Land Records of Baltimore County, Maryland in Liber G.L.B. 2289

ribed in a deed from The Garter Molding Company to Guarantee Title

lequard, et al to The Carter Holding Company deted Hay 8, 1953 and

Folio 472, fourth byfiding on a part of said above mentioned fourth line South 29°

13' 40" East 86.80 feet to the end of the second or South 60" 46' 20" West 150 foot

Holding Company dated May A, 1953 and recorded among the Land Records of Baltimore

Sounty, Maryland in Liber G.L.S. 2289 Folio 475, fifth binding reverally on said

Containing 0.475 Acres of land more or less

of Saltimore County, Harvland in Liber G.L.B. 2289 Folio 472

ad line of the second mentioned deed North 60° 46' 20" East 150.00 feet to the

Being part of that parcel of land described in a deed dated May 8, 1953 from

Julius H. Requard et al to The Carter Holding Company and filed among the Land Records

at a point on the west side of North Point Boulevare

Hon. John G. Rose Zoning Commissioner of Baltimore County County Office Building To-son, Maryland 21204

Re: Case No. 69-178-XA Petition for Special Exception and Variances

Dear Mr. Rose

Yours very truly.

M. William Adelson. M. William Adelson, Actorney for Petitioner and Appellant, Carter Holding Joint Venture,

Logal Owner of the Property Involved

SALTIMORE MARYLAND SIES

April 16, 1969

and Variances
W/S North Point Boulevard, 235'
S of New Battle Prove Road
Fifteenth election District
Carter Holding Joint Venture, Petitioner

Please enter an appeal to the County Board of Appeals from the Order and Decision of the Deputy Zoning Commissioner of Baltimore County, dated March 18, 1969, denying the variance and special exception requested by the Petition filed in the above entitled case. This appeal is taken pursuant to Section 23-26, Title 23 of the Baltimore County Code. A check for \$70.00.is enclosed herewith to cover the cost of the appeal.

44 16 64 H -DATE OF THE STATE LA T

Very truly yours.

This petition is accepted for filing on the date of the enclosed filing certificate. Natice of the hearing date and time, which will be held not less than 30, nor care than 90 days ofter the date on the filing certific will be forwarded to you in the woor fatter.

- Page 2 -

Vater and Sewer: There are existing water and sewer facilities in New Battle Grove Boad.

PROJECT F. Anding DIVISION: This plan has been reviewed and there are no site planning factors

The plan indicates a 10 foot settack line for storage and display vehicles. However, on field inspection, the County minimum 8 foot setback was not maintained.

HEALTH DEPARTMENT: The existing building is connected to public water and sewers.

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

FIRE DEPARTMENT:
Damer shall be required to comply to all Fire Department regulations
for used cor lots.

STATE ROADS COUNTSSION: This office has reviewed the subject plot plan and finds that the entrance channelization as indicated on the plan is acceptable to the State Roads Commission. The entrance will be subject to the Commission's approval and entrance permit.

BUREAU OF TRAFFIC ENGINEERING: The proposed used car lot is resently in use as a car lot.

M. William Adelson, Esq., 1035 Maryland National Bank Building Baltimore, Maryland 21202 RC: Item 164

BUREAU OF ENGINEERING: (Continued)

BUILDING ENGINEER'S OFFICE:

BOARD OF EDUCATION: No affect on school population

ZONIEG ASSISTSTEATION DIVISION:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date February 14, 1969

FROM George E. Gavrelis, Director of Planning

SUBJECT. Petition #69-178-XA. Special Exception for Used Motor Vehicles and Used Motor Vehicle Outdoor Sales Area. West side of North Point Boulevard 235 feet South of New Battle Grove Road. Carter Holding Joint Venture, Petitioners.

15th District

HEAKING: Monday, February 24, 1969 (2:00 P.M.)

If granted, the granting should be conditioned upon compliance with an approved site plan detailing location and parking arrangement for all whicles. The proposed conservic cuts should be moved from the edge of the right of voy line to the edge of the vehicle display area 10 feet inside the property line. String I(1⁻¹) should be prohibited.

	- SALTI	County	FFICE OF PLA Office Build	ing	MING	
			Chesapeake A Maryland 21			
	Your	Petition her	been receiv	ed and eccep	ted for filing	this
	2102	day of	doubcy		_, 1969.	
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				Zoning	Commissioner	
titioner_Cort		Joint Ventur				
	100000000000000000000000000000000000000	Litter Adelse		11	-In	Luc

TO:	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Dirities of California and Recipia COUNTY (MOSS) TOWSON, MARYLAND 21204 2007ing Capt. of Salte. Co.	
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7300		

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

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TELEPHONE 823-3000 EXT. 367	BALTIMORE COUNTY, MAR	YLAND % 6	2200
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10	, wattamdeison, E.Sq., 35 Maryland National Bank Bidg., aitimore, Md. 21202	Baltimore, Md. 21204	
DEPOSIT TO	ACCOUNT NO. 01-622 RETURN THE	PORTION WITH YOUR REMITTANCE	TOTAL SHOUNT
QUANTITY	DETACH ALONG PERFORATION AND KEEP	THIS PORTION FOR YOUR RECORDS	COST
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	Cost of posting Carter Holding Joint Venture	property l sign	\$5.00
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PETITION FOR SPECIAL EXCEPTION AND VARIANCE

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ZONING Patition for Special Exception by Underland Patients Patients and Patients Pa

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r loss. g part of that parcel of la ed in a deed dated May rom Julius H. Requard et

t Venture, as shown on ited with the Zoning

@ESSEXTIMES

ESSEX, MD 21221 February 10, 19 69

THIS IS TO CERTIFY, that the annexed advertisement of John G. Mose, Zoning Commissioner of Emlinore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for Sne management weeks before the 10th day of Feb., 1'69 that is to say, the same was inserted in the issue/of February 6, 1969.

STROMBERG PUBLICATIONS, Inc.

By Cuthe Margane

CERTIFICATE OF POSTING ARTMENT OF BALTIMORE COUNTY #69-172-XA. I Lysis District 15 W Date of Posting Feb. 7" 1769. Posted for Leaving mon Jul 24, 1969 @ 2'co PM Petitioner Carles Helling Joset Vartice, Location of property. W.L.S. Recht. Good Stale 23 Soft New Battle Stron RS Location of Signe Q Post 1 in West of Station Group Most Good Blut Posted by Brash X New Date of return Pub-14-69

CERTIFICATE OF PUBLICATION

TOWSON, MD FEB 6 1969 19-

THIS IS TO CERTIFY, that the annuard advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed of one time ... successive weeks before the appearing on the .6thday of ... February

> THE JEFFERSONIAN, D. Leank Structur

Cost of Advertisement, \$

OFFICE OF GESSEXTIMES ESSEX, MD. 21221 February 10, 19 69 THIS IS TO CERTIFY, that the annexed advertisement of

John G. Wose, Soning Commissioner of Baltimore County inserted in THE ESSEX TIMES, a weekly newspaper published in

week before the 100h day of Feb., 1959 that is to see the sai was inserted in the issues of February 6, 1969.

STROMBERG PUBLICATIONS, Inc.

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