

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, Robert L. Hickey, legal owner... 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 ARCA zone...

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 used motor vehicles outdoor sales area (Parcel No. 1) and existing described R.R. Zone and Boat Yard (Parcel No. 2)

Contract purchaser: Robert L. Hickey, Legal Owner. Address: 4 Eastern Blvd., Baltimore, Maryland 21221

Protestant's Attorney: Ronald J. Kearney, 1760 Eastern Blvd., Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of March, 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County...

At N 11:00 o'clock A.M. on 11/16/69, the Zoning Commissioner of Baltimore County.

Re: Petition for Reclassification and Special Exception for Used Motor Outdoor Sales Area on Parcel No. 1 and Boat Yard on Parcel No. 2

Baltimore County, No. 69-222-RX

The petitioner requested reclassification, from R-6 Zone to B-R Zone, of property on the north side of Eastern Avenue 150 feet west of Wagner Avenue, in the Fifteenth District of Baltimore County and a special exception for Used Motor Outdoor Sales Area on Parcel No. 1 and for a Boat Yard on Parcel No. 2.

The petitioner proved change in the area, therefore, the reclassification should be granted.

As the petitioner has met requirements of Section 502.1 of the Baltimore County Zoning Regulations, the special exception for Used Motor Outdoor Sales Area on property described in Parcel No. 1 and for Boat Yard on Parcel No. 2, should be granted.

For the above reasons the reclassification and special exception should be granted.

It is this 10th day of April, 1969, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified from R-6 Zone to B-R Zone and a special exception for Used Motor Outdoor Sales Area, and Boat Yard should be granted.

The granting of the reclassification and special exception is subject to strict compliance with requirements as set forth in letter dated January 29, 1969 from the State Roads Commission as follows:

"The existing entrance is acceptable but the channelization is not in conformance with current State Roads Commission standards. Nothing exists to prevent vehicles from pulling onto the right-of-way of Eastern Avenue and the sidewalk. A permanent barrier must be erected along either the right-of-way line or the parking setback line. It is recommended that the barrier consist of a concrete curb. The plan should be revised to indicate the barrier."

ORDER RECEIVED FOR FILING DATE 4/16/69 BY J. C. HARRIS, CLERK

E. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21284

NEW CHESSAPEAKE MOTOR CO., INC. ZONING DESCRIPTION EXISTING R6 ZONE TO BR ZONE (BEING PARCEL 1)

BEGINNING for the same at a point on the westerly Right of Way line of Wagner Avenue, 30' wide, at the distance of 190' more or less, from the intersection formed by the westerly side of Wagner Avenue and the center of Eastern Avenue, 80' wide, thence leaving Wagner Avenue and running S64°10'22" W 150.00' to a point distant 190', more or less, measured northerly, from the center of Eastern Avenue, running thence S65°30'30"W 131.95' to a point distant 190', more or less, measured northerly, from the center of Eastern Avenue, running thence S65°59'30"W 246.19' to a point distant 190', more or less, measured northerly, from the center of Eastern Avenue and to intersect the 3rd or N9°09'30"W 93.96' line of the land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual Acceptance Corporation at the distance of 77.78' from the end of said 3rd line, thence leaving said 3rd line and running for a line of division N27°28'00"E 245.48' to the southerly Right of Way line of Wagner Avenue, 30' wide, and to intersect the 11th line in the aforesaid deed at the distance of 33.13' from the end of said 11th line, running thence on the southerly and westerly Right of Way line of Wagner Avenue and binding on a part of the 11th and all of the 12th, 13th and 14th lines in the aforesaid deed the four following courses and distances: 1) S82°01'00"E 33.13'; 2) N80°40'00"E 200.17'; 3) N73°39'00"E 104.40'; 4) S33°35'00"E 65.80' to the place of beginning.

CONTAINING 1.01 Acres of land more or less. BEING part of the land in the two following deeds: 1) Land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual

E. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21284

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Acceptance Corporation. 2) Land which by deed dated May 27, 1964 and recorded among the Land Records of Baltimore County in Liber RRG 4307, folio 442, was conveyed by Robert Lee Hickey and Leo John Bowen to County Mutual Acceptance Corporation.

E. F. Raphael Eugene F. Raphael No. 2246 Registered Land Surveyor



E. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21284

January 3, 1969

NEW CHESSAPEAKE MOTOR CO., INC. ZONING DESCRIPTION SPECIAL EXCEPTION TO R6 ZONE FOR BOAT SALES (BEING PARCEL 2)

BEGINNING for the same at a point on the southerly side of Wagner Avenue, 30' wide, at the distance of 823', more or less, measured along the westerly and southerly side of Wagner Avenue, from the intersection formed by the westerly side of Wagner Avenue and the center of Eastern Avenue, 80' wide, said point of beginning being also at the end of the 7th or N27°28'00"E 150.00' line of the land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual Acceptance Corporation, running thence on the southerly side of Wagner Avenue and binding on the 8th, 9th, 10th, and part of the 11th lines in the aforesaid deed the four following courses and distances: 1) S65°32'00"E 51.74'; 2) S73°23'00"E 49.94'; 3) S73°23'00"E 20.00'; 4) S82°01'00"E 107.77', thence leaving Wagner Avenue and running for a line of division S27°28'00"W 245.48' to the waters of Back River and to intersect the 3rd or N9°09'30"W 93.96' line of the land in the aforesaid deed at the distance of 77.78' from the end of said 3rd line, running thence on Back River and binding on a part of the 3rd and all of the 4th, 5th and 6th lines in the aforesaid deed the four following courses and distances: 1) N9°09'30" W 77.78'; 2) N51°41'00"W 76.20'; 3) S86°33'50"W 59.20'; 4) N62°32'00"W 50.60'; thence leaving Back River and binding on the 7th line in the aforesaid deed N27°28'00"E 150.00' to the place of beginning.

CONTAINING 0.805 Acres of land more or less. BEING part of the land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual Acceptance Corporation.

E. F. Raphael Eugene F. Raphael No. 2246 Registered Land Surveyor

E. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21284

January 3, 1968

NEW CHESSAPEAKE MOTOR CO., INC. ZONING DESCRIPTION SPECIAL EXCEPTION TO BR ZONE FOR USED CAR SALES (BEING PARCEL 1 AND EXISTING DESCRIBED BR ZONE)

BEGINNING for the same at a point on the north Right of Way line at Eastern Avenue, 80' wide, at the distance of 150', measured westerly, from the intersection formed by the north side of Eastern Avenue and the west side of Wagner Avenue, 30' wide, running thence and binding on the north Right of Way line of Eastern Avenue by a curve to the right with a radius of 11419.16' for distance of 147.13' (the chord of said arc being S64°54'35"W 145.13'), thence leaving Eastern Avenue and running N28°31'00"W 150.00' to a point, running thence at an average distance of 190.00' from the center of Eastern Avenue, S65°59'30"W 246.19' to the waters of Back River and to intersect the 3rd or N9°09'30"W 93.96' line of the land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual Acceptance Corporation at the distance of 77.78' from the end of said 3rd line, thence leaving Back River and leaving said 3rd line and running for a line of division, N27°28'00"E 245.48' to the southerly Right of Way line of Wagner Avenue, 30' wide, and to intersect the 11th line in the aforesaid deed at the distance of 33.13' from the end of said 11th line, running thence on the southerly and westerly Right of Way line of Wagner Avenue and binding on a part of the 11th and all of the 12th, 13th and 14th lines in the aforesaid deed the four following courses and distances: 1) S82°01'00"E 33.13'; 2) N80°40'00"E 200.17'; 3) N73°39'00"E 104.40'; 4) S33°35'00"E 65.80', thence leaving Wagner Avenue and binding on the 15th and 16th lines in the aforesaid deed the two following courses and distances: 1) S64°10'22"W 150.00'; 2) S33°35'00"E 150.00' to the place of beginning.

CONTAINING 1.975 Acres of land more or less. BEING part of the land in the two following deeds: 1) Land which by deed dated February 8, 1967 and recorded among the Land Records of Baltimore County in Liber OTG 4722, folio 366, was conveyed by Myrtle C. Buedel, widow, to County Mutual Acceptance Corporation.

E. F. RAPHEL & ASSOCIATES Registered Professional Land Surveyors 201 COURTLAND AVENUE TOWSON, MARYLAND 21284

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2) Land which by deed dated May 27, 1964 and recorded among the Land Records of Baltimore County in Liber RRG 4307, folio 442, was conveyed by Robert Leo Hickey and Leo John Bowen to County Mutual Acceptance Corporation.

E. F. Raphael Eugene F. Raphael Registered Land Surveyor



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 6, 1959

COUNCIL OFFICE BUILDING... Oliver L. Myers, Chairman

Ronald J. Kearns, Esq., 1760 Eastern Blvd., Baltimore, Maryland 21221

RE: Type of Hearings: Reclassification from an R-6 zone to an RR zone and Special Excavation for used motor vehicle outdoor sales area and boat yard... Location: N/E Cor. Eastern Blvd. & Wagner Ave.

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.

The subject property is presently improved entirely by an existing used car lot. The area for the extension of the used car lot and the proposed boat yard is presently unimproved, however, it has been graded and cleared of any debris. The properties immediately to the north are improved with one and a half story cottages, 20 to 30 years old, in fair condition.

BUREAU OF ENGINEERING

Highways: Eastern Blvd. is a State Road. Wagner Avenue shall be a 30' curb and gutter street on a 50' right-of-way.

Storm Drainage: Baltimore County record drawings show existing 30" and 42" storm drains running through this site. These drains should be shown.

Ronald J. Kearns, Esq., 1760 Eastern Blvd., Baltimore, Maryland 21221

February 6, 1959

Storm Drainage (Continued)

Any additional storm drains required to develop this site will be designed and constructed at the Developer's full cost. A storm drainage study will be required to determine the size of any proposed facility and to determine if existing drains are adequate.

The Developer must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or dangers to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, should be the full responsibility of the Developer.

Water: There is an existing 12" water main in Eastern Blvd.

County records do not show the 8" water main in Wagner Avenue shown on this plan.

Sewers: There is an existing 8" sanitary sewer in Eastern Avenue and an 18" sewer in Wagner Avenue (See Dig. 37-207, A-10)

PROJECT PLANNING DIVISION: Provided there are no accesses permitted into Wagner Avenue as per plan, there are no site-planning factors involved.

BUREAU OF TRAFFIC ENGINEERING: Review of the subject site indicates an entrance on Wagner Avenue at the first bend off Eastern Avenue. However, on the proposed plan no entrance are indicated on Wagner Avenue. If this is to be the case, this office sees no major traffic problems created by this use.

Health Department: Public water and sewers are available to the site.

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.

FIRE DEPARTMENT: This office has no comments.

BUILDING ENGINEER'S OFFICE: This office has no comment.

Ronald J. Kearns, Esq., 1760 Eastern Blvd., Baltimore, Maryland 21221

February 6, 1959

BOARD OF EDUCATION: Not enough acreage to effect student population.

INDUSTRIAL DEVELOPMENT: This office has no comment.

STATE ROADS COMMISSION: The existing entrance is acceptable but the channelization is not in conformance with current State Roads Commission standards. Nothing exists to prevent vehicles from pulling onto the right-of-way of Eastern Avenue and the sidewalk. A permanent barrier must be erected along either the right-of-way line or the parking setback line. It is recommended that the barrier consist of a concrete curb. The plan should be revised to indicate the barrier.

ZONING ADMINISTRATION DIVISION: In view of the comments by the Bureau of Engineering, this office is withholding a hearing date until such time as revised plans are submitted to this office in compliance with the above comments.

Very truly yours,

Oliver L. Myers, Chairman

OLM:JD Enc.

OFFICE OF THE ESSEX TIMES, SSEX, MD. 21221 April 1, 1959. TO: GEORGE E. GAVELLS, Director of Planning. FROM: JOHN G. ROSE, Zoning Commissioner. SUBJECT: Petition for Reclassification from R-6 to B.R. Zone, Petition for Special Exceptions for Used Motor Vehicle Outdoor Sales and a Board Yard, Robert L. Hickey - Petitioner.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE. Division of Collection and Receipts. COURT HOUSE TOWSON, MARYLAND 21204. No. 62113. DATE: March 24, 1959. TOTAL AMOUNT: \$46.00. PAYEE: Robert L. Hickey. \$46.00. Description: Petition for Reclassification and special Exceptions for Robert L. Hickey #69-222-RX.

CERTIFICATE OF PUBLICATION. TOWSON, MD. MAR 27 1959. 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 three consecutive weeks before the date of the hearing on the petition. The date of the hearing is April 15, 1959.

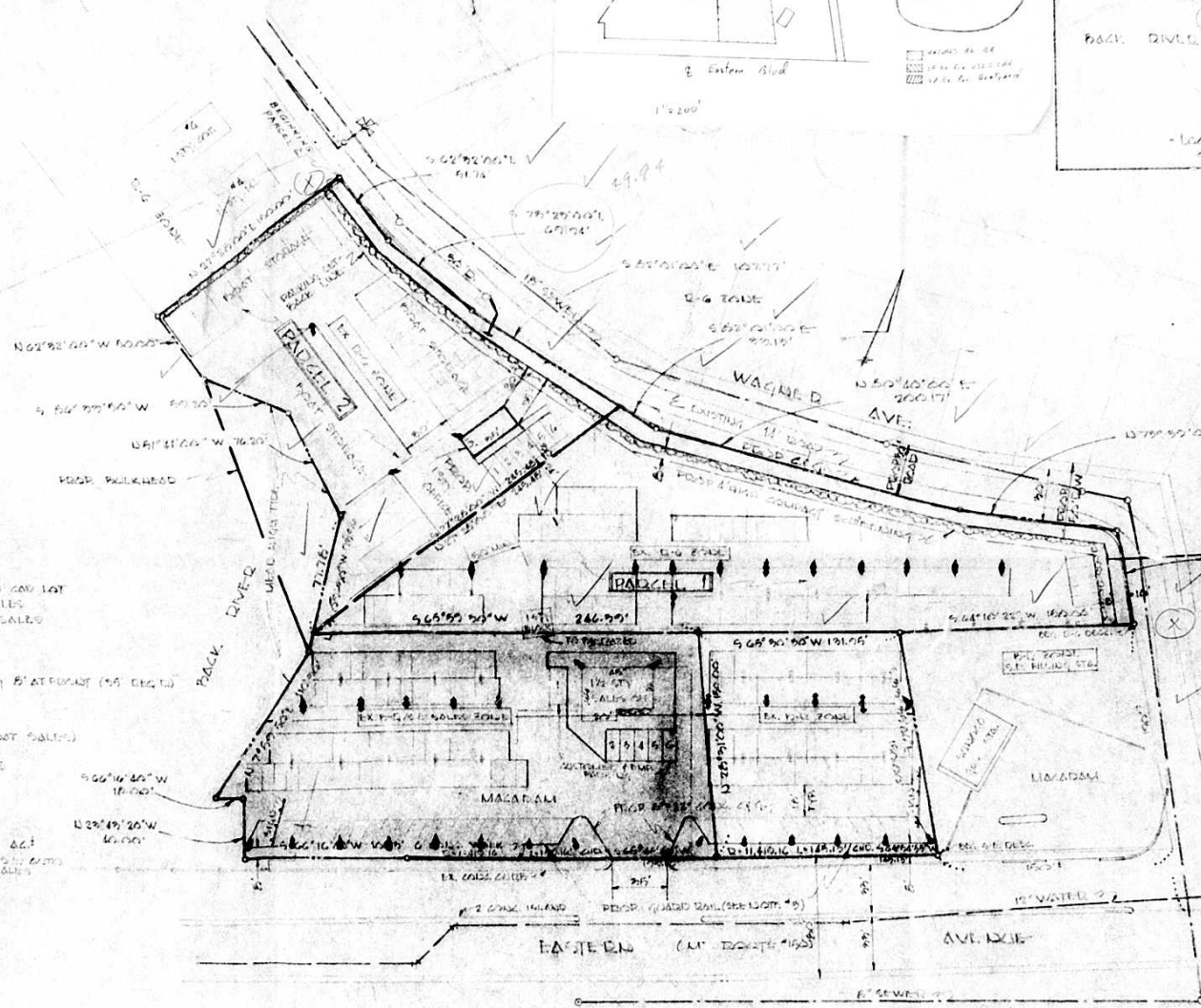
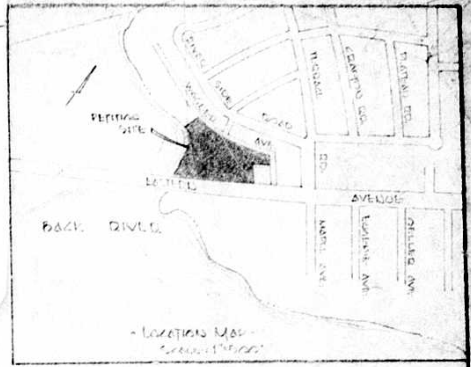
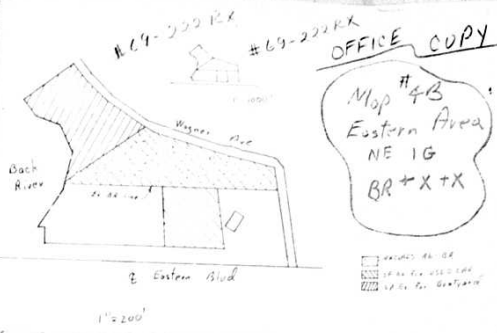
THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of three consecutive weeks before the date of the hearing on the petition. The date of the hearing is April 15, 1959.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE. Division of Collection and Receipts. COURT HOUSE TOWSON, MARYLAND 21204. No. 62159. DATE: April 15, 1959. TOTAL AMOUNT: \$46.00. PAYEE: Robert L. Hickey. \$46.00. Description: Advertising and posting of property for Robert L. Hickey #69-222-RX.

CERTIFICATE OF POSTING #69-222-RX. ZONING DEPARTMENT OF BALTIMORE COUNTY. District: 15N. Date of Posting: March 25-69. Posted for: Hearing Held April 16, 1959 @ 11:00 A.M. Petitioner: Robert L. Hickey. Location of property: N/E Cor. Eastern Blvd. 152' W. of Wagner Ave. Location of Signs: 1 at corner and 1 on back facing Wagner Ave. 1 at special young Eastern Ave. Remarks: None. Posted by: [Signature] Date of return: 4-2-69.

THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of three consecutive weeks before the date of the hearing on the petition. The date of the hearing is April 15, 1959.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE. TO: Mr. John G. Rose, Zoning Commissioner. DATE: April 3, 1959. FROM: George E. Gavelles, Director of Planning. SUBJECT: Petition #69-222-RX. North side of Eastern Avenue 150 feet West of Wagner Avenue. Petition for Reclassification from R-6 to B.R. Zone, Petition for Special Exceptions for Used Motor Vehicle Outdoor Sales and a Board Yard, Robert L. Hickey - Petitioner. 15th District. HEARING: Wednesday, April 16, 1959 (11:00 A.M.). Any possible granting of this petition should be conditioned upon compliance with a development plan approved by the appropriate County agencies.



**GENERAL NOTES:**

- PARCEL 1:**  
 AREA OF PARCEL 1 - 1.1941 AC.  
 EXISTING ZONE - D-3  
 PROPOSED ZONE - EX/RE USED CAR LOT  
 EXISTING USE - VACANT & SALES  
 PROPOSED USE - USED CAR SALES  
 PARKING (ON EXIST. PAVEMENT)  
 PROVIDED - 0  
 VARIATION - 20% TO BEHIND DISPLAY 5' AT FRONT (59' REQ'D)
- PARCEL 2:**  
 AREA - 0.805 AC.  
 EXISTING ZONE - D-3  
 PROPOSED ZONE - EX/RE (POST OFFICE)  
 EXISTING USE - VACANT  
 PROPOSED USE - POST OFFICE  
 PARKING:  
 REQUIRED - 0  
 PROVIDED - 0
- AREA EXISTING PAVED DRIVE - 0.474 AC.  
 PROPOSED DRIVE - 0.125 AC.  
 TOTAL DRIVE AREA - 0.599 AC.

#69-222RX

OFFICE COPY

MAP  
4-B  
EASTERN  
AREA  
NE-1-G  
BR-X+X



*E.F. Rappell*

E.F. RAPPELL & ASSOCIATES  
 registered surveyors  
 2011 MOUNTAIN AVE.  
 FOWERS 4, MARYLAND

**NOTES:**

1. ALL INTERIOR LINES TO BE A BUILDING CONSTRUCTION EQUIPMENT
2. ALL MEDICAL VEHICLE LIGHTS - 20' MAXIMUM HEIGHT
3. A GUARD RAIL SHALL BE INSTALLED ALONG EITHER FRONT PARKING OR REAR DRIVE WHERE VEHICLES ARE TO BE DISPLAYED
4. EXISTING 48" DIA. STORM DRAINS ARE TO EXTENDED ASSOCIATION TO ENFORCEMENTS OF THE STORM DRAIN STUDY AT DEVELOPER'S COST.

PLAT TO ACCOMPANY ZONING PETITION APPLICATION  
 OF  
 THE NEW CHESAPEAKE MOTOR CO. INC.

ELECTION DISTRICT NO. 15  
 SCALE: 1"=60'

BALTIMORE CO., MARYLAND  
 DECEMBER 16, 1968

ENVELOPE 12 31-68 3-6-69  
 1-3-69 5-5-69  
 1-15-69