

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **HAROLD GOLDSMITH**, 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 _____ zone to an _____ zone; for the following reasons:

A request is made that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

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 **retail tire store and automobile service center** in a business local zone.

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.

SEVERAL SIGNERS
 By: **Milton Ernie**, Contract purchaser, Address: 5727 Reisterstown Road, 21215
 and **Harold Goldsmith**, Legal Owner, Address: 3006 Fallstaff Manor Court, 21215

WARTZMAN, ROMBRO, RUDD & OMANSKY
 and **Joseph H. Omansky**, Professional Attorney, Address: 34 Equitable Building, 21202

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1969, 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 _____ day of _____, 1969, at _____ o'clock _____ A.M.



11:00A
5/2/69
109

69-258-X-11

WHEREAS for the same as a spike as set in the top of a stone wall situate on the southeast side of Reisterstown Road (U. S. Route 2140) said spike being at a point at the east end of the third line of that parcel of ground as described in a deed dated July 28, 1913 and recorded among the Land Records of Baltimore County in Liber B.L.S. No. 1302 Page 95 conveyed by a Straw Man, Incorporated (Mary E. Lancaster, Etal - said place of beginning also being 114-1-195.56 feet northwesterly from the intersection of the north-south line of Caraway Road (60 feet wide) and Reisterstown Road (60 feet wide) - running thence and binding on the southeast side of Reisterstown Road (60 feet wide) South 84 degrees-20 minutes-36 seconds East and 196.56 feet to a stone on the southeast side of 12 foot right of way there situate and at the first line of said parcel thence running and binding on part of said first line and also binding on the southeast side of said 12 foot right of way with use thereof in common with others entitled thereto South 84 degrees-09 minutes-53 seconds East 254.20 feet to a pipe there set thence North 34 degrees-20 minutes-07 seconds East 199.12 feet to a pipe to intersect the foresaid third line and 199.12 feet to a pipe to intersect the foresaid third line North 86 degrees-06 minutes-55 seconds East 209.60 feet to the place of beginning.



The Nolan Company, Engineers, Dated February 19, 1969

RE: PETITION FOR SPECIAL EXCEPTION for Retail Tire Store and Automobile Service Center in B.L. zone South West Side of Reisterstown Road 695.56 feet NW of Caraway Road 4th District

BEFORE: COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Harold Goldsmith Petitioner
 Ernie Brothers Contract Purchaser

No. 69-258-XA

ORDER OF DISMISSAL

Petition of Harold Goldsmith (Ernie Brothers, contract purchaser) for Special Exception for Retail Tire Store and Automobile Service Center, on property located on the southwest side of Reisterstown Road 695.56' northwest of Caraway Road, in 4th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed February 24, 1970 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Petitioner-Appellants in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner-Appellants requests that the appeal filed on behalf of said Petitioner be dismissed and withdrawn as of February 24, 1970.

IT IS HEREBY ORDERED, this 24th day of February, 1970, that said appeal be and the same is Dismissed.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman
 John A. Miller
 Walter A. Ritter, Jr.

February 9, 1970

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

RE: Petition for Special Exception S/W/S of Reisterstown Rd., 695.56' NW of Caraway Rd. - 4th District Harold Goldsmith, et ux, Petitioners No. 69-258 X (Item No. 220)

ORDER OF DISMISSAL

Dear Mr. Baldwin:
 Please enter the appeal in the above subject case "Dismissed".

W. V. Yungling
 W. V. Yungling

Frank E. Cicone
 Attorney for Protestants

Rec'd 2-24-70
10:00 AM

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 7, 1969

Oliver L. Myers, Executive Director

Joseph H. Omansky, Esq., 44 Equitable Building, Baltimore, Maryland 21202

RE: Type of Special Exception for retail tire store and automobile service center in a business local zone located at Reisterstown Rd., 30' x 25' x 110' lot on 4th Street, Petitioner: Harold Goldsmith, Contract purchaser on March 11, 1969, Item 220.

Dear Sir:
 The Zoning Advisory Committee has reviewed the plans submitted with the above referenced application and has some comments as a result of its review and inspection.

The subject property is presently improved with a one-story store approximately 60 years of age. The property surrounding the subject property is improved with two-story frame buildings 25 to 35 years of age in fair repair. The frontage of the site at the present time is not increased with curb and gutter. The 12 ft. right-of-way as shown on the petitioner's site plan is, on a common right-of-way serving eleven (11) properties.

BUREAU OF ENGINEERING

Highways: Reisterstown Road is a State Road.
Site Details: Any storm drains required are the developer's full responsibility.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage to adjacent properties, especially by the concentration of surface waters. Correction of any pre-existing drainage problem, due to improper grading or other drainage facilities, would be the full responsibility of the Developer.

Joseph H. Omansky, Esq., 44 Equitable Building, Baltimore, Maryland 21202, Item 220, April 3, 1969

Water: There is an existing 8" water line in Reisterstown Road. (See Drawing #36-311, A-4-c).

Sanitary Sewers: There is an existing 8" sanitary sewer thru easements to the rear of this property. (See Drawing #36-311, A-1).

PROJECT PLANNING DIVISION: Widening and improvement should be made along the 12' R/W known as Boxley Road, as it serves five or six homes to the rear.

BUREAU OF TRAFFIC ENGINEERING: The 12' right of way on the south and the 12' driveway on the north does not provide proper circulation. The driveways must be at least 24 ft.

BOARD OF EDUCATION: No hearing on student population.

BUILDING ENGINEER'S OFFICE: Must meet all requirements of the Baltimore County Building Code.

FIRE DEPARTMENT: Owner shall be required to comply to all Fire Department regulations, when plans are submitted for approval.

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 construction 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 ROADS COMMISSION: The frontage of the site must be curbed with combination curb and gutter. The roadside curb must be 12" high and parallel to the center line of Reisterstown Road. Either the ultimate 12' right of way line or the 60' parking setback line must be curbed with 12" x 24" concrete curb.

Joseph H. Omansky, Esq., 44 Equitable Building, Baltimore, Maryland 21202, Item 220, April 3, 1969

STATE ROADS COMMISSION: (Continued) There is a road bounding on the southeast property line which serves eleven properties, most of which are improved with driveways. Seven properties have no other means of access. It is our understanding that the road is not maintained by the County. However, because of the number of driveways served by the road, it is considered a public right by the State Roads Commission and it must be treated accordingly. It is felt that it would be extremely undesirable to have this volume of residential traffic using a commercial entrance, as proposed on the subject plan.

The road is approximately 12' wide at present. We feel that the road should be widened to a minimum of 24 ft.

The roadside curb must return into Boxley Avenue on a 30' radius. There must be a minimum of 10' from the F.C. of the radius return to the beginning of the depression transition of the southeast entrance.

The plan must be revised in accordance with the aforementioned comments prior to a hearing date being assigned.

The entrances will be subject to State Roads Commission approval and permit.

ZONING ADMINISTRATION DIVISION: Due to the comments by the State Roads Commission and Bureau of Traffic Engineering, this office is withholding a hearing date until such time as revised plans are received in conformance with their comments. It would appear that the proposed building for this site would be too large. If at all possible, it is suggested that the petitioner re-evaluate the lot for his needs.

Very truly yours,
 DELBERT T. HARRIS, Chairman

Enc.

FRANK E. CICONE, Attorney at Law, FIRST NATIONAL BANK BLDG, TOWSON, MARYLAND 21204, July 18, 1969



Mr. John C. Rose, Zoning Commissioner, Baltimore County Office of Planning and Zoning, County Office Building, Towson, Maryland 21204

RE: Petition for Special Exception S/W/S of Reisterstown Road, 695.56' NW of Caraway Road - 4th District Harold Goldsmith, et ux, Petitioners No. 69-258 X (Item No. 220)

Dear Mr. Rose:
 We hereby take an appeal to the County Board of Appeals on behalf of Mr. and Mrs. Charles E. W. Murray, South Lake Court, Reisterstown, Maryland, 21136, and Mr. W.V. Yungling, 8804 Barton Avenue, Philadelphia, Pennsylvania, Protestants, to the Order rendered in the above-entitled case on June 19, 1969.

I am enclosing herewith a check to cover the cost of this appeal.

Very truly yours,
 Frank E. Cicone, Attorney for Protestants

FR:kc
 Enc:1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: May 16, 1969

FROM: George E. Gavelis, Director of Planning

SUBJECT: Petition #69-258-XA. Special Exception for a Retail Tire Store and Automobile Service Center. Southwest side of Reisterstown Road 695.56 feet northwest of Caraway Road. Harold Goldsmith, Petitioner

4th District

HEARING: Monday, May 20, 1969 (11:00 A.M.)

The Planning staff opposed the commercial zoning request (Petition #69-101-R) embracing the subject property at an earlier date. Business Local zoning was created with some indication on the petitioner's site plan that the property would be used for neighborhood shopping needs. From a Planning viewpoint, the Special Exception for an automotive service center seems inconsistent with the objectives of the earlier petition and not compatible with the general character of the neighborhood.

If granted, the granting should be conditioned upon final approval of site plans including details of screening and lighting by the appropriate County agencies. We note that significant portions of the proposed facilities are indicated on the site plan for storage purposes. If these areas change, there will be insufficient parking on the tract for the degree of improvement being proposed.

GEG:dms

BUREAU OF ENGINEERING

Zoning Plat - Comment

220. Property Owner: Harold Goldsmith
Location: S/S Reisterstown Rd., 300' ±
S/E of Walstan Road

District: 4th
Present Zoning: RL
Proposed Zoning: RL with S.E. for retail tire store and automobile service center

No. Acres: 1.0233 ±

Highways:

Reisterstown Road is a State Road.

Storm Drains:

Any storm drains required are the Developer's full responsibility.

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

Water:

There is an existing 8" water line in Reisterstown Road. (See Drawing #35-311, 4-4-c)

Sanitary Sewer:

There is an existing 8" sanitary sewer thru easements to the rear of this property. (See Drawing #66-1115 (1))

HMS:ew

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: JOHN C. ROGE, Zoning Commissioner Date: March 27, 1969

FROM: PROJECT PLANNING DIVISION

SUBJECT: Zoning Advisory Agenda Item #220

March 25, 1969
Harold Goldsmith
S/S Reisterstown Rd., 300' ±
S/E of Walstan Rd.

Widening and improvement should be made along the 12' R/W known as Bosley Road, as it serves five or six houses to the rear.

RBW:vh

RICHARD B. WILLIAMS
Planner

INTER-OFFICE CORRESPONDENCE

BUREAU OF TRAFFIC ENGINEERING

Baltimore County, Maryland

Towson, Maryland, 21284

TO: Mr. John G. Ross Date: April 3, 1969
Attn: Oliver L. Myers

FROM: C. Richard Moore

SUBJECT: Item 220 - ZAC - March 18, 1969
Property Owner: Harold Goldsmith
S/S Reisterstown Rd., SE of Walstan Rd.
BL with S.E. for retail tire store and automobile service center

The 12' right of way on the south and the 15' driveway on the north does not provide proper circulation. The driveways must be at least 24 feet.

C. Richard Moore
Engineer II

CRM:nc

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING
OF MARCH 18, 1969

Petitioner: Harold Goldsmith
Location: Reisterstown Rd.
District: 4
Present Zoning: RL
Proposed Zoning: RL with S.E.
No. of Acres: 1.0233

Comments: NO REVIEW BY STUDENT REPRESENTATIVE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Ross, Zoning Commissioner Date: March 19, 1969
Attention: Mr. G. L. Hoyart

FROM: John Francis

SUBJECT: 220 - Harold Goldsmith

Must meet all requirements of the Baltimore County Building Code.

John Francis
Building Inspector

JF:rc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: 3/20/69

FROM: Captain Charles Morris, Sr., Fire Department

SUBJECT: Property Owner - Harold Goldsmith

Item # 220 Zoning Agenda, March 18, 1969
Location: S/S Reisterstown Road, 300 ft. and SE of Walstan Rd.
District: 4th

1 - Owner shall be required to comply to all fire department regulations, when plans are submitted for approval.

cc: Mr. Jay Hanna
Fire Protection Officer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver L. Myers Date: March 19, 1969

FROM: William M. Greenwalt

SUBJECT: Item 220 - Zoning Advisory Committee Meeting, March 18, 1969

Health Department Comments:

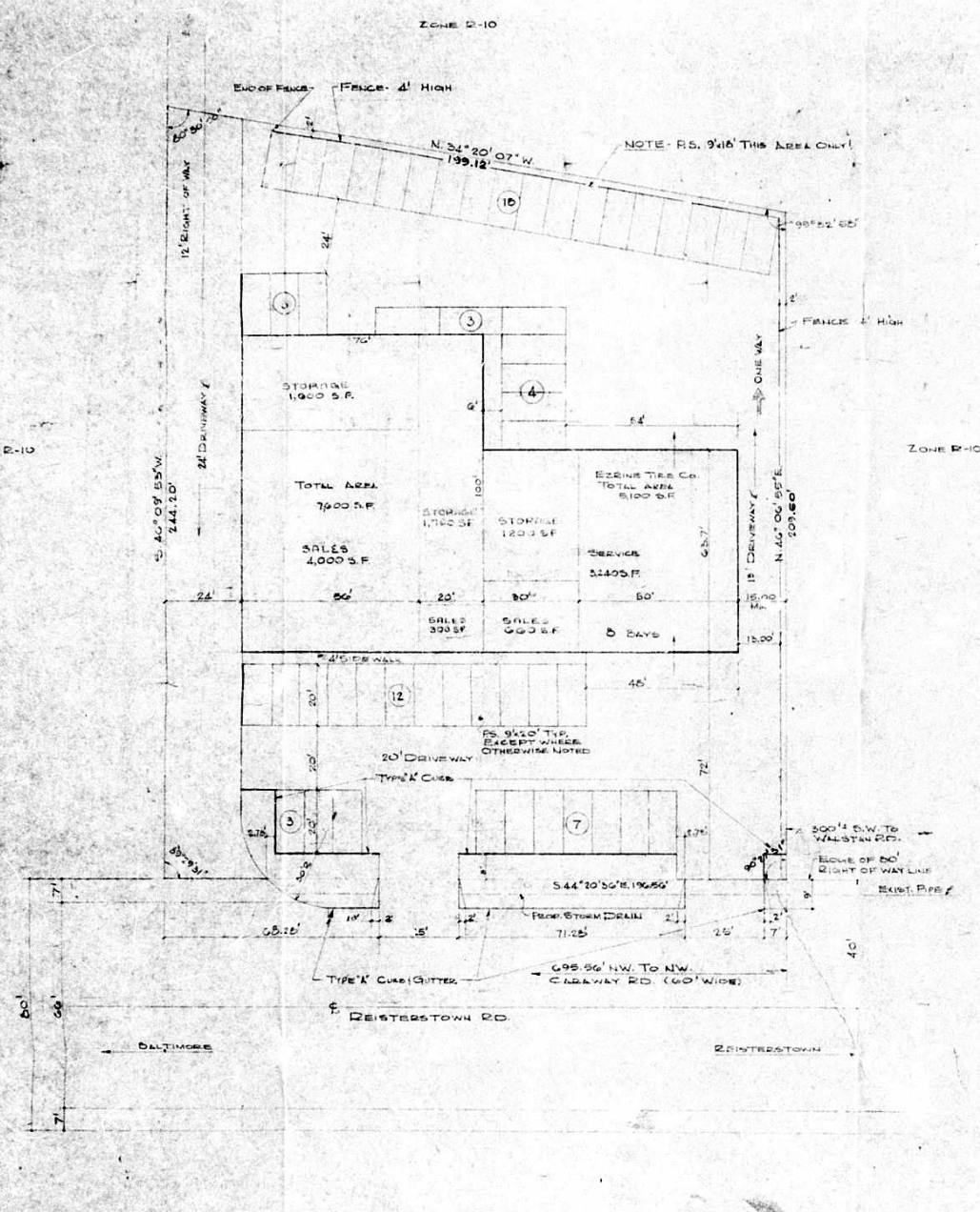
220. Property Owner: Harold Goldsmith
Location: S/S Reisterstown Rd., 300' ± SE of Walstan Rd.
District: 4th
Present Zoning: RL
Proposed Zoning: RL with S.E. for retail tire store and automobile service center
No. Acres: 1.0233 ±

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.

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

WMD/ca



PLOT PLAN
SCALE: 1"=20'

AREA OF PROPERTY 15,600

BUILDING DATA

| SPACE | AREA | PARKING REQ'D. |
|-----------------------------|---------------------|-----------------|
| SALES | 4990 S.F. @ 1/200'± | 25 |
| SERVICE | 2140 S.F. @ 1/500'± | 11 |
| STORAGE | 4800 S.F. @ 1/500'± | 18 |
| TOTAL PARKING REQ'D. | | 54 |
| TOTAL PARKING SHOWN | | 55 TOTAL |
| (INCLUDE 8 INT. SPACES) | | |

PROPERTY LOC. 720 REISTERSTOWN ROAD
FOURTH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
ZONED RL 4th DIST.
EXISTING BUILDINGS TO BE RAZED 30 X 40

#69-258XA

OFFICE COPY

MAP #4
SEC. 1-D
NW-15-J
"XA"

The Melan Company,
Engineers,
Dated: February 19, 1969.

REVISED PLANS
OFFICE COPY # 220

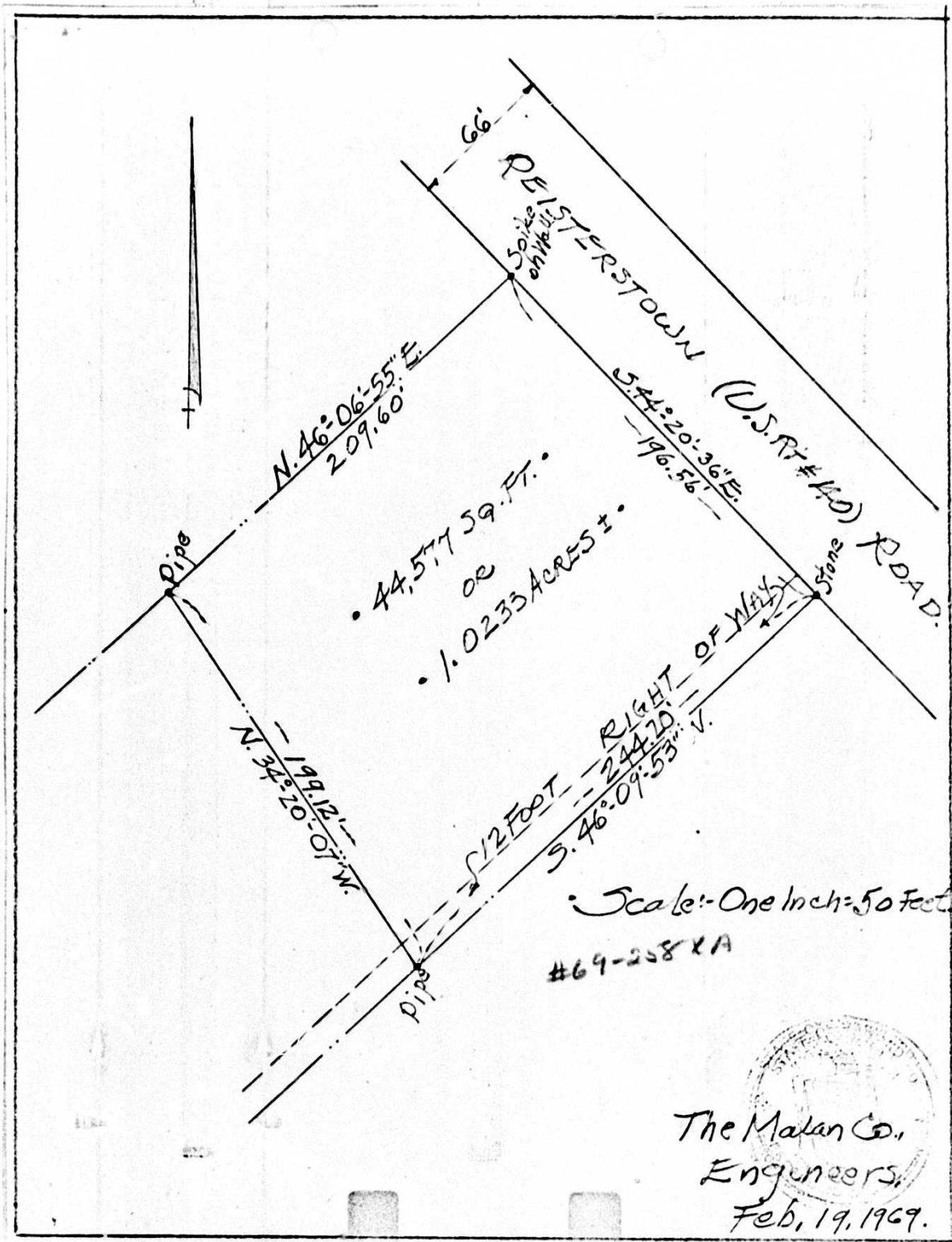
REV. 4-25-69 S.F.
REV. 5-15-69 S.F.

OWNER:
EZZINE TIRE COMPANY
720 REISTERSTOWN RD.

CONTRACTOR:
CORNBLATT CONSTRUCTION COMPANY
51 E. ST. PAUL ST. - BALTO., MD.

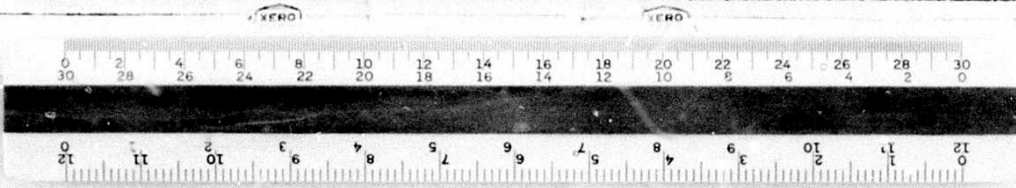
DWN. B. PAGE DATE: 2-5-69 SHEET 10-1





Scale: - One Inch = 50 Feet
 #69-258XA

The Malan Co.
 Engineers
 Feb. 19, 1969.



Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502, 1 of the Baltimore County Zoning Regulations having been met

~~the above re-classification should be had, and it further appearing that by reason of~~

a Special Exception for a Retail Tire Store and Automobile Service Center should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19 day of June, 1969, that the herein described property or area should be and

~~the same is hereby reclassified from a~~

~~zone and/or a Special Exception for a Retail Tire Store and Auto~~ mobile Service Center

granted, from and after the date of this order, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

Edward D. Harkety
DEPUTY Zoning Commissioner of Baltimore County

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

ORDER RECEIVED FOR FILING

DATE 6/19/69 - JC Harris clk

BY _____
ADMINISTRATIVE ASSISTANT