

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 20, 1997

Ms. Janet Alibrandis 21320 Old York Road Parkton, MD 21120

> RE: Zoning Verification 21307 Old York Road Zoning Case 71-63-RX 7th Election District

Dear Ms. Alibrandis:

This is a response to your written request for review of the work under permit number B-309176, for removal and installation of tanks at the above referenced location.

A review of the zoning records and a site inspection by Mr. Schrack of the Code Enforcement Division of this office indicates that the new tank location is outside of the area approved for the service station site in zoning case 71-63-RX.

Section 405.6.A.2 of the Baltimore County Zoning Regulations requires that a public zoning hearing be held before the zoning commissioner to authorize expansion of the station beyond the confines of the site. This has apparently not occurred, and based on non-compliance with this regulation, Mr. Schrack is citing the owner with a violation to correct this non-compliance.

If you need further information or have any questions, you may contact Mr. Schrack at 410-887-3391.

Sincerely,

John L. Lewis Planner II

Zoning Review

JLL: rye

c: zoning case 71-63-RX Joe Schrack Councilman McIntire (attn. Mary Pat)

Enclosure



#71-63 RX PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

L or we MANOR ESTATES, INC. . . . legal owner. of the property situate in Baltimore 7 7 H County and which is described in the description and plat attached hereto and made a part hereot. DIST.
hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant zuse to an

B-L zone; for the following reasons:

See Attached Sheet

DIST MAD SEC. NW-38-E BL CP-DIST

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor County, to use the herein described property, for . (See separate Petition for

Zoning Redistricting and Special Exception)

Property is to be posted and advertised as prescribed by Zoning Regulations. Property is to be pointed and anywarene as presumed by soming magnetization. L, 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 rosing regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Contract purchase

Robert E. Carney Fr.

Address 408 Jefferson Building

Towson, Maryland 21204

197 Q, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Completion of Baltimore County in Room 106, County Office Building in Towson,

County, on the 26th

MANOR ESTATES, INC.

Richard A. Moore, Legal Owner

Vice-President Address 408 Jefferson Building...

Towson, Maryland 21204

. 1970 at 1:00 o'clock

#71-63 RX

PETITION FOR ZONING REDISTRICTING

County and which is described in the description and plat attached hereto and made a part hereof. Phereby petition (1) that the noning status of the herein described property be re-districted, pursuant /YW-38-Z

district; for the following reasons:

posting, etc., upon filing of this petition, and further agree to and are to be bound by the soming regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

BY Achard (Mire Legal Owner Address 408 Jefferson Building Towsen, Maryland 21204

Zoning Commissioner of Baltimore County.

DOLLENBERG BROTHERS

Resistand Professional Engineers & Land Surveyors

TOWSON MD 21204

Zoning Description

All that piece or parcel of land situate, lying and being in the Seventh Slaction Matrict of Baltimore County, State of Maryland and described as follows to wit:

and searched at lottow to write the same on the northeast right of way line of York Road at a soint at the distance of 1106.55 feet northwesterly measured along the northeast side of fork Road from the centerline of Old York Road from the centerline of Old York Road and Shannon on State Roads Commission of Maryland Flats Non-1104, and 1104 and

Containing 0.95 of an Acre of land more or less. Being a part of the property of the petitioners herein as shown on a plat filed in the office of the Zoning Department.

Parcel of land in Special Exception with C. R. District

#71-63RX AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY-

I, or we ... MANOR ESTATES, INC . . . legal owner .. of the property situate in Ba to the Zoniz Law of Baltimere County, from undistricted CR.DIS

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of County, to use the herein described property, for Automotive Service Station ----

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-districting and/or Special Exception

MANOR ESTATES, INC.

Rober E. Carney Jr.

ORDERED By The Zoning Commissione

WALK No HINNED!

#71-63 RX

MPP SEC.3-G DIST MAP SEC. NW-34-3 BL CR-315T

#71-63FA

7TH DIST

CEPTION

Vork Boad - 7th District

...

PETITION FOR RECLASSIFICATION, REDISTRICTING AND SPECIAL EX NE /S of York Road, 820' NW of Old or Estates, Incorporated -

BEFORE THE DEPUTY ZONING COMMISSIONER OF

BALTIMORE COUNTY

...

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The Petitioner seeks a Reclassification from an R-6 zone to a BL zone on two (2) parcels of land, one (1) consisting of 6.90 acres, more or less, and herein referred to as Parcel "A", and another consisting of . 98 of an acre of land, more or less, herein referred to as Parcel "B". The Petitioner further seeks a Reclassification from Undistricted to a C.R. District icial Exception for an automotive service station on Parcel "B"

testimony presented at the hearing, it is the Deputy Zoning Commissioner's opinion that the request for BL zoning on Parcel "A" is premature

As to Parcel "B", testimony indicated that there is an old nonconforming service station located thereon. The Legislative Enactment of the 1945 map was in error in not providing for commercial property in this area for use as a gasoline station or now known as an automotive service station. If this parcel were rezoned and redistricted, it would upgrade this land with the construction of a new service station, but it is not necessary that the full . 98 of an acre be utilized for a service station

Accordingly, IT IS ORDERED by the Deputy Zoning Commis sioner of Baltimore County this _____ day of October, 1970, that the Reclassification of the subject property known as Parcel "A" be and the same is hereby DENIED and that this parcel of land be and the same is hereby continued as and to remain an R-6 zone

It is further ORDERED that that portion of the subject proper ty, herein known as Parcel "B", parallel to and two hundred (200) feet from, measured at right angles from the east side of York I oad, should be and the

(6)

#71-63 FX

same is hereby reclassified from an R-6 zone to a 3L zone; that the prerequisites of Section 259. 2. A. of the Baltimore County Zoning Regulations having been met, Parcel "B", as herein described, should be and the same is hereby Redistricted from Undistricted to a C. R. District; and, further, that the prerequisites of Sections 405. 3 and 502. 1 of the Baltimore County Zoning Regulations having been met, the Special Exception for an automotive service station, on Parcel "B", as described herein, should be and the same is GRANTED, from and after the date of this Order.

The site plan is subject to the approval of the State Roads Commission, the Bureau of Public Services and the Office of Planting and

PROT RECEIVED FOR FILING

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- 2 -

6.90 Acres East side of York Road Manor Estates, Inc.

REASONS FOR REQUESTED RECLASSIFICATION

1. Change in character of Neighborhood

The following zoning changes have occurred since the n of the Zoning Map applicable to the subject property

See Zoning Case 1276 - Located on the East side of York Road 490 fact North of Old York Road and extending northerly on the East side of York Road for a distance of 537 feet with a dept of 150 feet. Changed from A Zone to an E Commercial Zone (now a B. L. Zane) August 24, 1948.

2.) See Zoning Case 65-296 RX- Located on the East side of Old York Road Southeast of York Road also 707 feet Northwest of Lentz Road. Changed from R. 6 Zone to a M. L. Zone. April 26, 1965.

B.) In addition to the Zoning changes that have occurred there overal non-conforming business uses in the neighborhood. Also the construction of the Harrisburg Expressway to the East of the subject property changed the road patterns and the character of the neighborhood.

C.) For such other and further reasons to be shown at the time of the hearing to be held on this petition.

D.) Part of the subject property is being used as a gasoline station under a valid non-conforming use.

BALTIN DRE COUNTY, MARYLAN

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hordesty, Date.
Zoning Commissioner
Mr. George E. Govrelis, Director of Planning Date.... August 25, 1970

SURJECT Petition #71-438X. Nurtheast side of York Road 820 feet northwest of Old York Road.

Resistion for Reclassification from R-6 to 8.1. Zone.

Petition for Redistricting from Undistricted to C.R. District
Petition for Special Exception for Automotive Service Station
Manor Estates, Inc. - Petitioners

7th District

HEARING: Wednesday, August 26, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject patition for reclassification from Re-6 to 8.1. zoning tagether with a request for C.R. districting. In making its recommendations for comprehensively, soning this area, the Planning Board sought to expand the existing node of commercial activity and soning just to the north. In diding so, it noted that property clearly zoned for commercial purposes at Maryland Line was vacant and undeveloped. The Planning that the staff feel that there is sufficient commercially zoned and existing in the nearby so and to justify the exception of yet additional commercial zoning away from the property clear under cut and control of the Staff control of the Sta

We object to this petition and feel that it constitutes spot zoning - it is not in accordance with the plan, it offers no apportunities for services which could not be reasonably provided within this conset of already estiting zoning, and it sets up potentials for this property which are not in accord with those of its

GE G:ms

DOLLENBERG BROTHER egistered Professional Engineers & Land Surveyor TOO WASHINGTON AVENUE AT YORK ROAD TOWSON, MD. 21204

April 30, 1970

Zoning Osseription

Parcel of land to be Zoned B.L.

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All that piece or parcel of land situate, lying and being in the Seventh Election Mistrict o Baltimore County, State of Maryland and described as follows to wit:

described as follows to wit:

Seginning for the same on the northear right of way line of York Road selection to the allasmes of 200 feat orthwesterly measured along the northeast right of way line of for load from the centerline of Old fork Road as shown on State Roads Comelasion of Airyland Plats Hos. 10194 and 10195 and runnin, thence and tollowing coursey and distances right of way line of fork Road the five following coursey and distances right of way line of fork Road the five following coursey and distances of the read of

Containing ... 90 Acres of land more or less.

Being the land of the petitioners herein as shown on a plat filed in the office of the zoning department.



April 30, 1970

12 3-70

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Charmen

MENNERS BUREAU OF INCINEERING

DARARTMENT OF SAFFIC ENGINEERING STATE BOXDS COUNTS BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT PROJECT PLANSING NUMBER OF PARTIES ZUNING ADMINISTRATE Report E. Carney, Jr., Esquire NOS Jerferson Estains Townen, Marylani 2120h

R: Oyse of Hearing: Reclassification Location: J/S York Read, 2007 to CAC York Read Pattetone: Innovitation, Inno-Constitute Notating of May 26, 1970 Ten Mattets Lieu 2015

The tomine Advisory Cornittes has reviewed the plans submitted with above referenced polition and has made an on rite field imposition the property. The following cornents are a result of this review and

The subject presenty is improved of the an existing sortice station with the property to the south and southeast an unimproved tract of land which is proposed for a picele area. The property is the north, contained the west is reclaimed all in character with some farm une. You've land in this location is not improved as far an concrete curb and gutter are presented. are concerned.

BUTCAU CT STOST STING:

Hichmays:

York Road is a State Road; therefore, all improvements, interestrions, entrances on this road will be subject to State Roads Corrisation

to provisions for secondating storm water or drainage here teen indicated on the subject plan; however, a storm draining around and drainage facilities only or set will be required in connection with any authority product providing providing providing plants.

The meditioner must provide measurer unimage facilities (turnous / or permanni) to prevent greating are minimized or damages to the adjacent properties, so stally by a communication of surface where. Communication of any problem which can result due to improper grading or improper installation of marinal instituter, would be the full responsibility or the polithour.

MICROFILMED

Robert L. Carrey, Jr., Lequire Itom 3h1

York Road is a State Read. Therefore, dealmage requirements as they affect the road core under the jurisdiction of the Novyland State Reads Convisation.

Development of this property through stringing, grading and stabilization could result in a codison pollution problem, strugging private and public holdings domains on of the property. A grading point is, therefore, necessar for all grading, including the stripping of up soil.

Orading statios and addingnt control depains will be necessary to be reviewed and approved prior to the insuance of any grading or building permits.

Fublic sewers are not available to serve this property; therefore, private sewage systems must be provided. Sell tests must be contacted on the site prior to currowed of any subsequent grading or behaling permit applications in accordance with Department of Bealth requirements.

Public water is not available to serve this property. Therefore, private well systems must be provide. in conformance with Health Department requirement

The proposed readmide curb at the subject site is to be 2h' from and parallel to the center line of York Road.

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

A private water supply is proposed.

Soil percolation tests must be conducted to determine the suitability of the soil for underground disposal.

Tood Service Cornents: Prior to construction, removation and/or installation of onlinear for this food service Carliny, complete plans and specifications must be substituted to the Distriction of Food Control, Dilitore County Experiment of Health for review and approval.

Air follation Corporat: The building or buildings on this site may be subject to rejustration and compliance with the Maryland State Health Air Follation Control Regulations. Additional information may be obtained from the Edvision of Air Follation; Buildings County Experience of Challe.

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Robert E. Carney, Jr., Esquire

The owner shall be required to emply with all amplicable requirements of the 101 life Safety Code, 1967 edition, and the Mire Prevention Date when construction plans are sub-sitted for approval.

-3- -

BUILDING EXPRESSION OFFICE.

Politioner to comply with all applicable requirements of Baltimore County Building Code and Regulations. Also see Section 169,5 uni 911.1. on service stations.

The subject polition is requesting a charge from R-6 to HL of 6.9 acros. This should increase the trip density from 350 trips to 3500 trips per day.

It would appear that since 6 acres of the subject site are to be used as a sicule area instead of commercial, 3-6 would be more appropriate and decrease the trip density to 800 trips per day.

Would not increase student population.

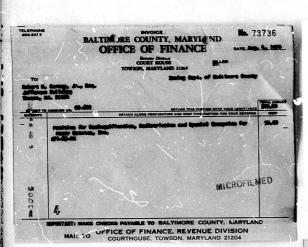
ZOMING ADTHISTRACTION DIVISION:

The politioner is required to submit revised plans, reducing the height of the lights in accordance with Mill [6]. The northern most light beight list tation will be 6 feet. The two (2) southern most lights will be limited to a fifteen (15) foot height.

This potition is accepted for filing on the date of the evaluated filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor now than 90 days after the date on the filing certificate, will be forwarded to you in the mear future.

Mine & Hyers OLIVER L. MYERS Chairman

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#71-63-RX Date of Posting aug 61 1920 Posted for Hearing Med Aug 26. 1920 C. L'and Port.
Posted for Waren Catalin Dec. Location of property M. E. Isid Jord Road 820' MW. of sell york Pd must 4 Yess Date of return: aug 13 - 1920

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|--------------------|--|--|
| To: | Mark Self- | Section Triple of Columns County Section Triple Post On State Section Columns ALDRES TRIPLE POST ON THE SECTION THE SECTION COLUMNS SECTION CONT. ALDRES TRIPLE POST ON THE SECTION FIRST SOURS SECTION CO. S. C. |
| 845 DH | Application and pressing of all-63-82 | property for Year Schools, Smith |
| 9000000 | 4 | MICROFILMED |

MAIL TO OFFICE OF FINANCE, REVENUE DIVISION MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF PUBLICATION

L. Leank Street

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TOWSON TO IMES

THIS IS TO CERTIFY, that the anaexed advertisement of Edward D. Hardesty
Zoning Commissioner of Baltimore County
TOWN
was inserted in THE DEXEMBER TIMES, a weekly newspaper published

weeks before the 10th day of August 19 70, that is to say, the same was inserted in the issue of August 5, 1970.

STROMBERG PUBLICATIONS. Inc.

By Buth mr. gan MICROFILMED

