



Baltimore County
Department of Permits and
Development Management

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,

A handwritten signature in dark ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:rye

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

Enclosure



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **MANOR ESTATES, INC.**, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an **R-6** zone to an **S-1** zone; for the following reasons:

See Attached Sheet

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore 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. I, or we, agree to pay expenses of above reclassification 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.

MANOR ESTATES, INC.
Contract purchaser
by **Richard A. Moore, Jr.**, Legal Owner
Vice-President
Address **408 Jefferson Building**
Towson, Maryland 21204

Robert E. Carney, Jr.
Petitioner's Attorney
Address **408 Jefferson Building**
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this **14th** day of **July**, 1970, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the **26th** day of **August**, 1970, at **1:00** o'clock

Edward D. Hordesty
Zoning Commissioner of Baltimore County

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **MANOR ESTATES, INC.**, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an **Undistricted** zone to an **S-1** zone; for the following reasons:

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore 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 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

MANOR ESTATES, INC.
Contract purchaser
by **Richard A. Moore, Jr.**, Legal Owner
Vice-President
Address **408 Jefferson Building**
Towson, Maryland 21204

Robert E. Carney, Jr.
Petitioner's Attorney
Address **408 Jefferson Building**
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this **14th** day of **July**, 1970, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the **26th** day of **August**, 1970, at **1:00** o'clock

Edward D. Hordesty
Zoning Commissioner of Baltimore County

(over)

PETITION FOR RECLASSIFICATION, REDISTRICTING AND SPECIAL EXCEPTION
NE 1/4 of York Road, 820' NW of Old York Road - 7th District
Manor Estates, Incorporated - Petitioner
NO 71-63-RX (Item No. 341)
BALTIMORE COUNTY

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 C. R. District and a Special Exception for an automotive service station on Parcel "B".

Without reviewing the testimony in detail, but based on all the 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 non-conforming 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 Commissioner of Baltimore County this **7c** 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 property, herein known as Parcel "B", parallel to and two hundred (200) feet from, measured at right angles from the east side of York Road, should be and the

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

REASONS FOR REQUESTED RECLASSIFICATION

1. Change in character of Neighborhood

A.) The following zoning changes have occurred since the adoption of the Zoning Map applicable to the subject property.

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

DOLLENBERG BROTHERS

Regional Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

Zoning Description

Parcel of land to be Zoned S-1.

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

Beginning for the same on the northeast right of way line of York Road at a point at the distance of 620 feet northwesterly measured along the northeast right of way line of York Road from the centerline of Old York Road as shown on State Roads Commission of Maryland Plats Nos. 10194 and 10195 and running thence and binding on the northeast right of way line of York Road the five following courses and distances viz: North 27 degrees 36 minutes 04 seconds East 20 feet; North 27 degrees 36 minutes 04 seconds West 20 feet; South 02 degrees 23 minutes 56 seconds West 20 feet and North 27 degrees 36 minutes 04 seconds West 340.12 feet; thence leaving said right of way line and running the eleven following courses and distances viz: South 53 degrees 42 minutes 39 seconds East 2.17 feet; North 47 degrees 02 minutes 21 seconds East 291 feet; South 47 degrees 42 minutes 39 seconds East 199.57 feet; North 45 degrees 40 minutes 21 seconds East 206.92 feet; South 49 degrees 09 minutes 04 seconds East 129.52 feet; South 51 degrees 10 minutes 10 seconds East 294.91 feet; South 51 degrees 36 minutes 13 seconds East 44.70 feet; South 51 degrees 11 minutes 13 seconds West 450.04 feet; North 39 degrees 55 minutes 59 seconds East 112.62 feet; North 27 degrees 36 minutes 04 seconds West 125 feet and South 57 degrees 11 minutes 26 seconds East 101.25 feet to the place of beginning.

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.

DOLLENBERG BROTHERS

Regional Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

Zoning Description

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

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

Beginning for the same on the northeast right of way line of York Road at a point at the distance of 1105.53 feet northwesterly measured along the northeast side of York Road from the centerline of Old York Road as shown on State Roads Commission of Maryland Plats Nos. 10194 and 10195 and running thence and binding on the northeast right of way line of York Road, North 27 degrees 36 minutes 04 seconds West 142.26 feet, thence leaving said road and binding on the outlines of the property of the petitioners herein the three following courses and distances viz: South 52 degrees 42 minutes 39 seconds East 2.17 feet; North 47 degrees 02 minutes 21 seconds East 291 feet; South 47 degrees 42 minutes 39 seconds East 199.57 feet and thence South 47 degrees 02 minutes 21 seconds West 340.26 feet to the place of beginning.

Containing 0.98 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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: **Mr. Edward D. Hordesty**, Zoning Commissioner
FROM: **Mr. George E. Gavrellis**, Director of Planning

SUBJECT: **Petition #71-63RX**, Northeast side of York Road 820 feet northwest of Old York Road. Petition for Reclassification from R-6 to S-1 Zone. Petition for Redistricting from Undistricted to C. R. District. Petition for Special Exception for Automotive Service Station Manor Estates, Inc. - Petitioners

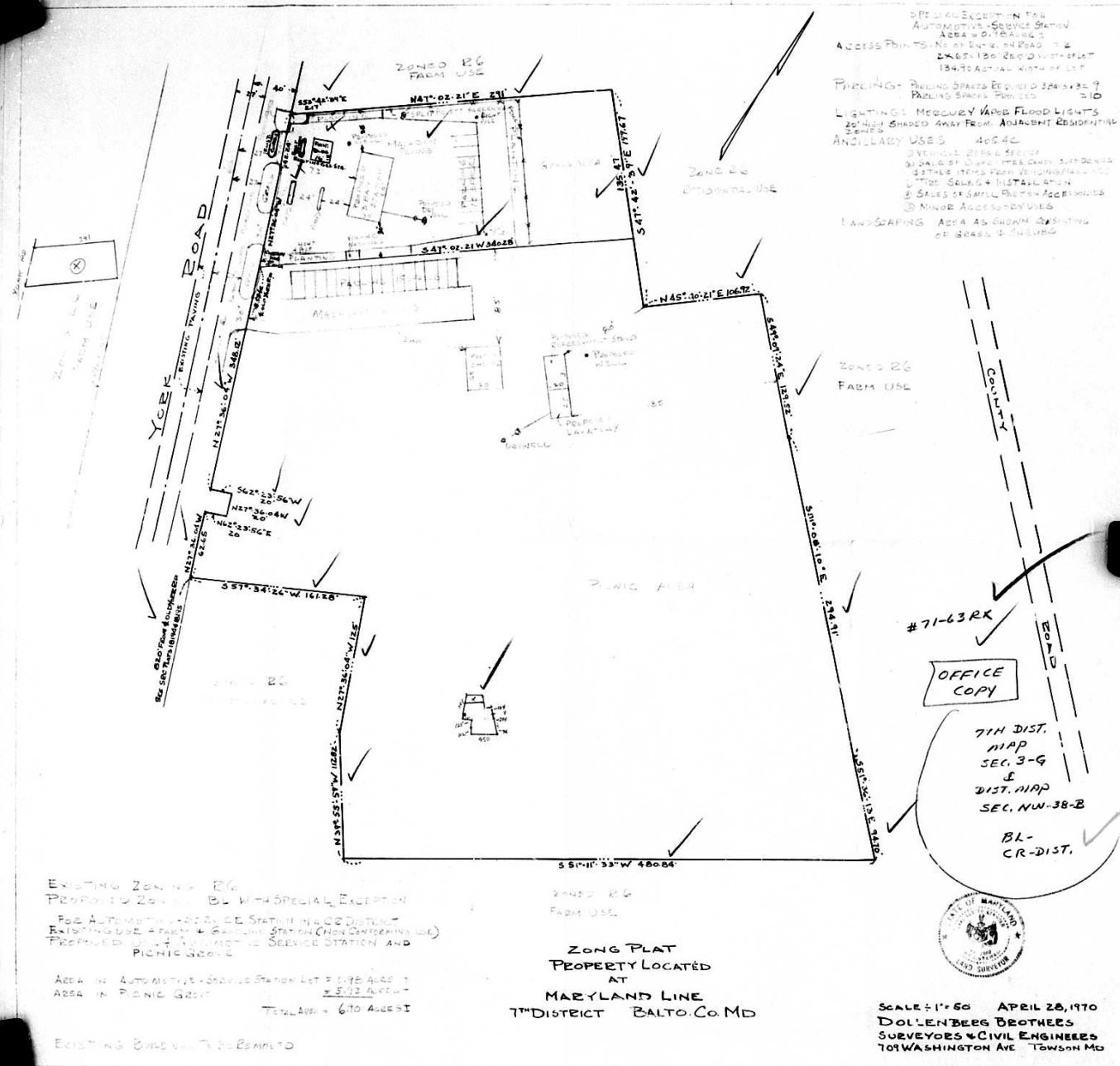
7th District

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

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to S-1 zoning together with a request for C. R. Districting. In making its recommendations for comprehensively zoning this area, the Planning Board sought to expand the existing mode of commercial activity and zoning just to the north. In doing so, it noted that property already zoned for commercial purposes of Maryland Line was vacant and undeveloped. The Planning Board and the Staff feel that there is sufficient commercially zoned land existing in the nearby area so as not to justify the creation of yet additional commercial zoning away from the prospective rural center at Maryland Line.

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

GE:gmh



SPECIAL EXCEPTION FOR
 AUTOMOTIVE SERVICE STATION
 ADDRESS PRINTS: No. 24-42, ON ROAD 7-2
 24-65-120-25-00 DIST. 134.70
 134.70 ACTUAL WIDTH OF LOT

PARKING: PARKING SPACES REQUIRED 324.52 x 9
 PARKING SPACES PROVIDED 310

LIGHTING: MERCURY VAPOR FLOOD LIGHTS
 20' HIGH SHAD. AWAY FROM ADJACENT RESIDENTIAL

ANCILLARY USES: 405.42
 1. OVERHEAD STORAGE
 2. SALE OF CARB. FUEL, OIL, SUPPLIES
 3. TIRE REPAIR, WAXING, POLISHING
 4. TIRE SALES & INSTALLATION
 5. SALES OF SIMILAR MOTOR ACCESSORIES
 6. MINOR ACCESSORY USES

LANDSCAPING: AREA AS SHOWN CONSISTING
 OF GRASS & TREES

EXISTING ZONING 26
 PROPOSED ZONING BL WITH SPECIAL EXCEPTION
 FOR AUTOMOTIVE SERVICE STATION IN 400 DISTRICT
 EXISTING USE: FARM & RESIDENTIAL (NON-CONFORMING USE)
 PROPOSED USE: AUTOMOTIVE SERVICE STATION AND
 PICNIC GROUNDS

AREA IN AUTOMOTIVE SERVICE STATION LOT 2.575 ACRES
 AREA IN PICNIC GROUNDS 5.112 ACRES
 TOTAL AREA 7.687 ACRES

ZONING PLAT
 PROPERTY LOCATED
 AT
 MARYLAND LINE
 7TH DISTRICT BALTO. CO. MD

#71-63RX
 OFFICE COPY

7TH DIST.
 MAP
 SEC. 3-6
 &
 DIST. MAP
 SEC. NW-38-B
 BL-
 CR-DIST.



SCALE 1"=60' APRIL 28, 1970
 DOLLENBERG BROTHERS
 SURVEYORS & CIVIL ENGINEERS
 709 WASHINGTON AVE. TOWSON MD

