

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. & Mrs. Stephen Bugzierski, 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 _____ zone to an _____ zone; for the following reasons:

To enable contractor to perform his work from this location as in past years within the framework of the zoning commission and regulations thereof.

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 _____, parking of contractor's equipment.

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.

Contract purchaser _____ Legal Owner _____
Address _____ Address 7100 German Hill Road
Baltimore, Md. 21222
Petitioner's Attorney _____ Protestants' Attorney _____
Address _____ Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1972, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1972, at _____ o'clock P.M.

Zoning Commissioner of Baltimore County.

PHONE MU 7-6922

FRANK S. LEIS
1277 NEIGHBORHOOD AVENUE
BALTIMORE, MARYLAND 21227

October 13, 1971

#7100 German Hill Road
Northeast corner of German Hill Road and 51st Street
12th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the north side of German Hill Road with the east side of 51st Street and thence running and binding on the north side of German Hill Road North 05 degrees 27 minutes East 145.09 feet thence leaving German Hill Road for two lines of division as follows: North 4 degrees 00 minutes West 159.66 feet and South 06 degrees 50 minutes West 150.10 feet to the east side of 51st Street and thence running and binding on the east side of 51st Street the two following courses and distances viz: South 3 degrees 06 minutes East 144.48 feet and South 46 degrees 45 minutes East 13.96 feet to the place of beginning.

Containing 4,964 square feet of land more or less.

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
ME/corner of German Hill Road and 51st Street - 12th District
Stephen Bugzierski, et ux - Petitioners
NO. 72-196-RX (Item No. 22)
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners request a Reclassification from a B.L. Zone to a B.R. Zone, and, in addition thereto, request a Special Exception for a Contractor's Equipment Storage Yard, said property being located on the northeast corner of German Hill Road and 51st Street, in the Twelfth District of Baltimore County, containing 0.57 acres of land, more or less.

Evidence on behalf of the Petitioners indicated that the property has been owned by the Petitioners' family for approximately fifty (50) years. During the 1920's and 30's, the property was used to store building materials, etc. The property is presently used for the storage of trucks and a backhoe, and has a garage thereon, the size being approximately sixty feet (60') by sixty feet (60'). In not determining the non-conforming use of the property it is obvious to the Zoning Commissioner that the property has been used for many years as a Contractor's Equipment Storage Yard.

Evidence on behalf of the Petitioners, as to error on the part of the adoption of the Comprehensive Zoning Map on March 24, 1971, indicated that the Baltimore County Council was not aware of the use of the property, and, if it had, it would have granted B.R. zoning.

The property fronts on German Hill Road which has fifty foot (50') wide paving. It is across from a florist shop and adjoins a cemetery.

Without reviewing the evidence further in detail but based on all the evidence presented at the public hearing, in the opinion of the Zoning Commissioner, the Comprehensive Zoning Map

as adopted on March 24, 1971, was in error in placing this property in a B.L. classification. The long extended use of the property as a Contractor's Equipment Storage Yard and the continual growth of the area necessitates this property being reclassified into a B.R. classification. Furthermore, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations having been met and the use of the property not being detrimental to the health, safety, and welfare of the community, the Special Exception for the Contractor's Equipment Storage Yard should be granted.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of April, 1972, that the herein described property or area should be and the same is hereby reclassified from a B.L. Zone to a B.R. Zone, and a Special Exception for a Contractor's Equipment Storage Yard should be and the same is GRANTED, from and after the date of this Order, subject to the following:

1. That not more than six (6) trucks and/or similar construction equipment be stored thereon.
2. That all storage be in the garage or the enclosure now present on the property.
3. That screening be placed along German Hill Road in front of said garage and along the property line abutting the cemetery.
4. That no storage be in front of said garage.
5. That the site plan be approved by the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Stephen P. Bugzierski Brown
7100 German Hill Road
Baltimore, Md. 21222

October 15, 1971

Re: Reclassification from B. L. to B. R. with special exception.

Approximately 11 years ago the property in question had been zoned from residential to B. L. We are now conducting the same type contracting business as then and 10 years before the reclassification. Prior to this my father operated from this same location with basically the same type of business. This particular use of the property has now been in existence for approximately one-half a century.

On May 27, 1971 I received a notice of a zoning violation and a hearing was held on June 11, 1971 before Zoning Commissioner Di Nenna. The complainant was John Gomer whose complaint was that I was conducting a contracting business at 7100 German Hill Road on residential property. It was called to the attention of Mr. Di Nenna that I do park my trucks and tractor on the property. At that time Mr. Di Nenna said the classification of zoning is not proper for this particular use. In his letter of Sept. 16, 1971 Mr. Di Nenna stated that I am no longer able to park on this property.

This property is in the vicinity of several cemeteries and florists which are located on German Hill Road near me. One cemetery is at 7110 German Hill Rd. which is next to my property. Other cemeteries are at 7300, 7401 and 7501 German Hill Road. They all have tractors and dump trucks. The florists each have tractors and trucks. One florist is located directly across the street from me at 7401 German Hill Road.

A permit was given to me and plans were approved by the Court, for me to build a storage garage in 1959. If I had known I could not keep my trucks here and operate from this location, I would not have gone to the expense of building.

These are my reasons for the petition to reclassify and bring the property to a B. R. classification with special exception, so that I may be able to conduct my business within the framework and guidelines of the Zoning Commission.

Stephen P. Bugzierski Brown

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Mr. Stephen Bugzierski
7100 German Hill Road
Baltimore, Maryland 21222

RE: Type of Hearing: Reclass. to B.R., Spec. Ex. for contractor's storage yard.
Location: N/E Cor. German Hill Road and 51st Street
Petitioners: Stephen Bugzierski, et ux
Item #22

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 located on the northeast corner of German Hill Road and 51st Street. The property is improved with a 1 1/2 story ranch style dwelling and a one-story brick and block storage building that is used as a contractor's equipment storage yard. The entire storage yard area is enclosed with a wall and stockade fence. To the rear of the subject site is a cemetery with home located on 51st Street. The property to the east is also used as a cemetery. There is existing curbing along German Hill Road at this location.

BUREAU OF ENGINEERING

The following comments are furnished in regard to the plat submitted in this office for review by the Zoning Advisory Committee in connection with the subject item.

Comments:

The subject property has been improved. The only apparent public improvements to the property incomplete as of this date are the improvements of 51st Street with curb and gutter, sidewalks and a 30-foot cross section on a 50-foot right of way.

Public water and sanitary sewer facilities are available to this property.

PHILIP OGLE TILGHMAN
ATTORNEY AND COUNSELLOR AT LAW
808 DOWLEY AVE.
TOWSON, MARYLAND 21204

TELEPHONE 621-7000

March 9, 1972

S. Eric Dinenna, Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Item No. 22 12th District
Petitioners - Stephen Bugzierski (Brown) and wife
N.E. Corner German Hill Road and 51st St.
Hearing held on March 3, 1972

Dear Mr. Dinenna:

If your decision on the above petition should be to grant the requested reclassification to B.R. with special exceptions, the Petitioners are agreeable to the imposition of reasonable restrictions such as you outlined at the hearing, that is, not more than six trucks to be kept on the property, all storage to be inside the garage or the enclosure, no storage other than vehicles in front of the garage, and screening in front of the garage facing German Hill Road and on the side adjacent to the cemetery.

There is already a stockade fence screening the cemetery side and part of German Hill Road is screened by the stone wall and bank on which the house is built, and of course, the 51st Street side is well screened by the house and shrubbery.

Very truly yours,

Philip O. Tilghman

PT/ag

Mr. Stephen Bugzierski
Page 2
Item 22

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

DEPT. OF TRAFFIC ENGINEERING:

The subject reclassification should have no major effect on traffic.

BOARD OF EDUCATION:

No bearing on student population.

FIRE PREVENTION:

This office has no comment on the proposed site.

HEALTH DEPARTMENT:

Since metropolitan water and sewers are available to this site, no health hazards are anticipated.

Air Pollution Control: 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.

ZONING ADMINISTRATION DIVISION:

The site plan as submitted appears to meet the Zoning Commissioner's rules of procedure.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, when will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYER, Chairman

JJO JD
Enc.

PRESENT USE - OFFICE & CONTRACTORS EQUIPMENT STORAGE YARD
 PROPOSED USE - SAME
 PRESENT ZONING - R-2
 PROPOSED ZONING - R-2 WITH SPECIAL EXCEPTION FOR CONTRACTORS EQUIPMENT STORAGE YARD
 AREA OF BLDG - 3468 SQ. FT.
 AREA OF LOT - 24,964 SQ. FT.
 PARKING DATA
 REQUIRED 1 PER 3 EMPLOYEES - DEMONSTRATES - 3 SPACES
 SHOWN - 6 SPACES

12th DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE - 1" = 50'

FRANK S. LEE
 1277 NEIGHBORS AVE.
 BALTIMORE, MD. 21227

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
 12th DISTRICT

ZONING FROM R-2 to R-2C Zone.
 Petitioner: Stephen P. Brown, 7100 German Hill Road, Baltimore, Md. 21222.
 LOCATION: Northeast corner of German Hill Road and 51st St.
 DATE & TIME: FRIDAY, MARCH 3, 1972 at 1:00 P.M.
 PUBLIC HEARING: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
 Present Zoning: R-2.
 Proposed Zoning: R-2C.
 Petitioner for Special Exception for Contractor's Equipment Storage Yard.
 All that parcel of land in the Twelfth District of Baltimore County, Maryland, for the same as the corner formed by the intersection of the south side of German Hill Road with the east side of 51st Street and there running and then on the north side of German Hill Road North 55 degrees 27 minutes East 150.00 feet three feet leaving German Hill Road for two lines of definition as follows: North 4 degrees 22 minutes West 150.00 feet and South 84 degrees 54 minutes West 150.00 feet to the east side of 51st Street and thence running and thence on the east side of 51st Street the two following courses and distances viz: South 3 degrees 48 minutes East 14.48 feet and South 48 degrees 49 minutes East 12.98 feet to the place of beginning.
 Containing 24,964 square feet of land more or less.
 Being the property of Stephen P. Brown, as shown on plat filed with the Zoning Department.
 Hearing Date: Friday, March 3, 1972 at 1:00 P.M.
 Public Hearing: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 BY ORDER OF
 S. ERIC DIVONNA
 ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
 Dundalk, Md. 21222

Feb. 17 19 72

THIS IS TO CERTIFY, that the annexed advertisement of ZONING COMMISSIONER OF BALTIMORE COUNTY was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for successive weeks before the 11th day of February 1972; that is to say, the same was inserted in the issues of February 10, 15, 22

Kimbel Publication, Inc.
 Publisher.
 By *Kimbel & Co.*

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 S. ERIC DIVONNA
 ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 10, 1972.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. successive weeks before the 11th day of March 1972; that is to say, the same was appearing on the 10th day of February 1972.

THE JEFFERSONIAN
Stephen P. Brown
 Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 12th Date of Posting 2-10-72
 Posted for Hearing Friday, March 3, 1972, 1:00 P.M.
 Petitioner Stephen P. Brown
 Location of property Notice of Hearing Red Rd & 51st St.
 Location of Signs 2 Posted on 51st Street 2 Posted on German Hill Rd
 Remarks Mark & Nelson
 Posted by Mark & Nelson Date of return 2-12-72

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>[Signature]</i>			Revised Plans: Change in outline or description	Yes	No					
Previous case			Map #							

Mr. Stephen Bugzarski
 7100 German Hill Road
 Baltimore, Maryland 21222

Item 22

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing
 this 25th day of January 1972

Stephen P. Brown
 Zoning Commissioner

Petitioner: Stephen Bugzarski, et al
 Petitioner's Attorney Stephen P. Brown reviewed by Stephen P. Brown
 Chairman of Advisory Committee

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 1418

DATE Nov. 29, 1971 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER
 Stephen P. Brown
 7100 German Hill Road
 Baltimore, Md. 21222

DISTRIBUTION
 YELL - CUSTOMER

Petitioner for Reclassification 500.00

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 1564

DATE March 3, 1972 ACCOUNT 01-662

AMOUNT \$130.25

WHITE - CASHIER
 Stephen P. Brown
 7100 German Hill Road
 Baltimore, Md. 21222

DISTRIBUTION
 YELL - CUSTOMER

Advertising and posting of property 130.25