

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ben H. Macks, et al, legal owners of the property situated 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 B-L zone to a B-M zone, for the following reasons:

1. That the original zoning was in error.
2. That for a variance from the sixty-three off-street parking spaces required to fifty-one off-street parking spaces (a reduction of twelve such spaces) on the ground that such requirement would result in practical difficulty and undue hardship to you- Petitioners.

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:

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: Lee Stuart Thomson, Esq., 414 Jefferson Building, Towson, Maryland 21204. Legal Owner: Ben H. Macks, et al, 8021 Harford Road, Baltimore County, MD 21234.

Protestant's Attorney: Lee Stuart Thomson, Esq., 414 Jefferson Building, Towson, Maryland 21204.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of February, 1971, 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 10th day of March, 1971, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

BRIEF TO ACCOMPANY PETITION OF BEN H. MACKS, ET AL, FOR RECLASSIFICATION FROM B-L TO B-M OF PROPERTY SITUATE AT 8019 ETC. HARFORD ROAD, AND VARIANCE. REASONS FOR ASSERTION OF ERROR IN ORIGINAL ZONING: 1. That upon the Petition of Plaza Corporation (predecessor in title to those Petitioners) an Order was passed by the Zoning Commissioner of Baltimore County on October 18, 1967, reclassifying the major portion of the property here sought to be reclassified from a B-L Zone to a B-M Zone, and granting a variance from the required 63 off-street parking spaces to 24 off-street parking spaces. 2. That following the passage of said Order a corporation in which certain of your Petitioners are principals began the use of the premises as an "Automobile Sales Room", a use permitted in a B-M zone, but not in a B-L zone. 3. That in June of 1971, your Petitioners acquired title to the subject property. 4. That upon an inspection of the most recently adopted Zoning Map, your Petitioners found that the B-M zoning which they previously had enjoyed had not been included in the aforesaid map and that there had been substituted therefor a B-L Zone. That your Petitioners' present use of the premises is not a permitted use in a B-L Zone.

REASONS FOR REQUESTING VARIANCE IN REQUIRED OFF-STREET PARKING: 1. The nature of the business conducted on the subject premises is such that the required off-street parking is unnecessary for the following reasons: a. A large portion of the retail area is taken up with the storage and display of new and used automobiles. b. An Automobile Sales Room attracts substantially fewer customers at any given time than the great majority of other retail uses.

Lee Stuart Thomson, Esq., 414 Jefferson Building, Towson, Maryland 21204. Attorney for Petitioners.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 N. E. CHURCH ST.
TOWSON, MARYLAND 21204
OLIVER L. MYERS
CHAIRMAN
MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. George E. Gavrellis, Director
Office of Planning & Zoning
Room 301, Jefferson Building
Towson, Maryland 21204

November 8, 1971

RE: Property Owner Ben H. Macks, et al
Location: SE 1/4 Harford Rd., 200' NE of Linwood Ave.
Present Zoning: B-L
Proposed Zoning: Reclass. to B-M
Variance 409.1b - parking
District: 14th Sector: Northeastern
No. Acres: .6924
Item 12

The following comments were compiled after a field investigation and an in-office review which will provide the Planning Board and/or the petitioner with pertinent information of possible development problems.

The subject property is located on the east side of Harford Road just north of Linwood Avenue. It is currently improved with an existing automobile showroom that deals in the sale of foreign cars. The entire frontage on both sides of Harford Road is existing commercial development. This property has previously been in for a reclassification (Petition #68-858A).

The plat as submitted does not show a proper entrance onto Harford Road, nor does the parking pattern meet all the requirements of the Zoning Regulations and the Dept. of Traffic Engineering.

Very Truly Yours,
Oliver L. Myers, Chairman

JOB:JD

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Lee Stuart Thomson, Esq.,
414 Jefferson Building
Towson, Maryland 21204

RE: Type of Hearings: Reclass. to B-M
Variance 409.1b - parking
Location: SE 1/4 Harford Rd., 200' NE of Linwood Avenue
14th District Petitioners Ben H. Macks, et al
Item 12

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made in its field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the east side of Harford Road just north of Linwood Avenue. It is currently improved with an existing automobile showroom that deals in the sale of foreign cars. The entire frontage on both sides of Harford Road is existing commercial development. This property has previously been in for a reclassification (Petition #68-858A).

Bureau of Engineering:

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

Highways:

Harford Road is a State road. The Petitioner does not show any access to Harford Road.

Sublots A and B are an existing County Rd. which shall ultimately be improved as a 25-foot wide right-of-way on a 40-foot right-of-way, as shown on Construction Drawing #74-1212 (File 12).

The 25-foot wide right-of-way shown on the submitted plat enters Sublot A from the north and is shown as a private residence.

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Storm Drainage:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Water:

Public water is available to serve this property. There is an existing 12-inch water main in Harford Road.

Sanitary Sewers:

There is an existing sewer service connection to the automobile showroom from DuBois Avenue.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers no comment.

DEPT. OF TRAFFIC ENGINEERING:

The reclassification from B-L to B-M should not create any major change in trip density. However, the grading and/or striping could result in a parking problem in the future. Should volumes get sufficiently heavy on Harford Road, then parking will be needed.

STATE HIGHWAY ADMINISTRATION:

The subject site plan shows access to Harford Road that is open to the public, therefore, this office has no comment.

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BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

HEALTH DEPARTMENT:

Metropolitan water and sewers are available to the site, therefore, no health hazards are anticipated.

ZONING ADMINISTRATION DIVISION:

The plat as submitted does not show a proper entrance onto Harford Road, nor does the parking pattern meet all the requirements of the Zoning Regulations and the Dept. of Traffic Engineering.

This petition is accepted for filing on the date of the enclosed filing certificate. Notices of the hearing date and time, which 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. Myers, Chairman

JOB:JD
Enc.

Reiner Environmental Systems, Inc.
CONSULTING ENGINEERS

ONE VILLAGE SQUARE
BALTIMORE, MD 21210

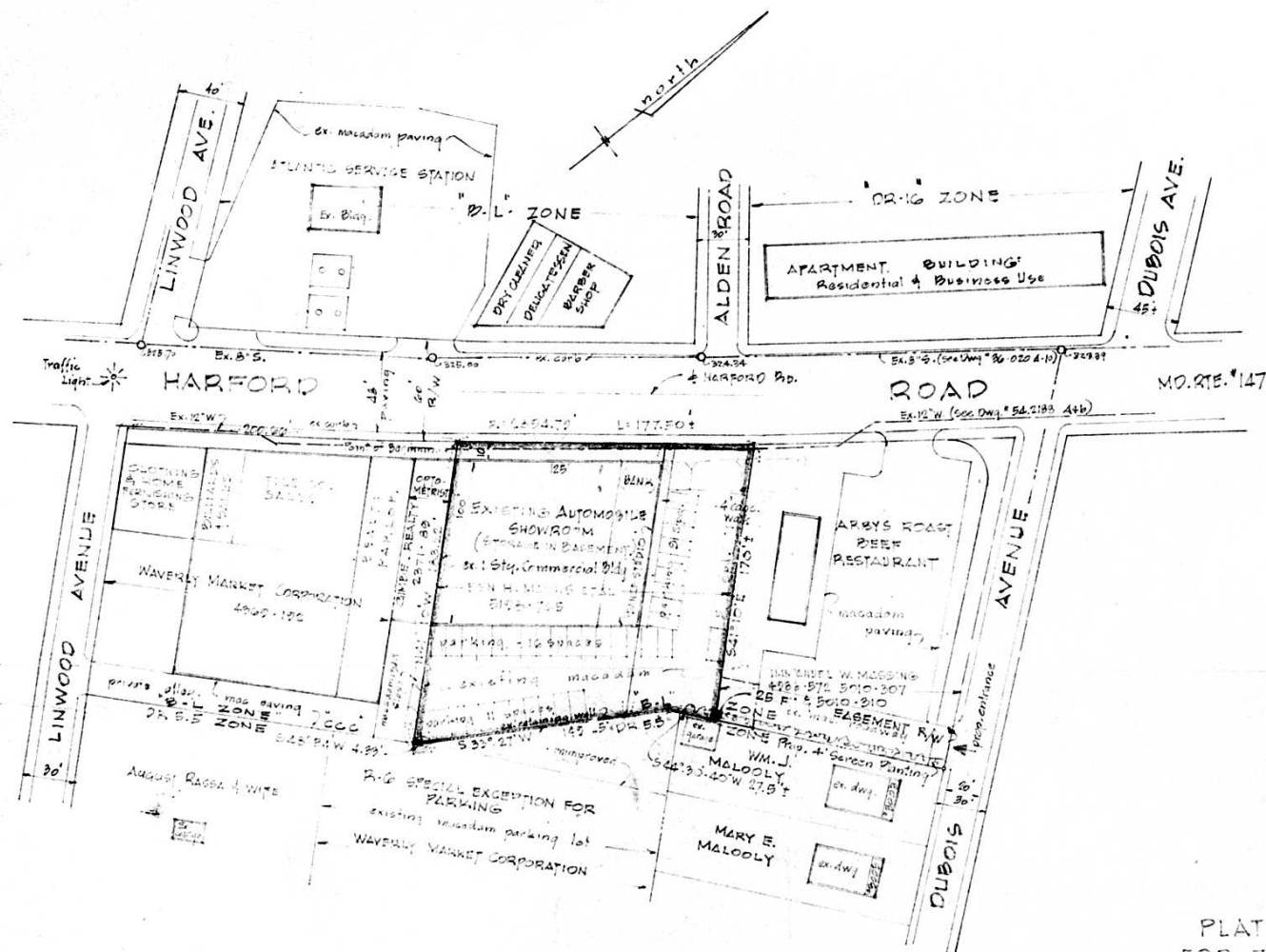
October 13, 1971

Description of
8019-8029 Harford Road to be
Reclassified from "B-L" to "B-M" Zone

Beginning for the same at a point on the east side of Harford Road, 60 feet wide, said point being distant 200.66 feet northeasterly from the northeast corner of Linwood Avenue, 30 feet wide, thence binding on the easternmost side of said Harford Road by a curve to the left with a radius of 2891.79 feet an arc distance of 177.50 feet more or less, thence leaving said Harford Road South 41° 10' East 170 feet more or less thence South 41° 30' 40" West, 27.5 feet, thence South 33° 27' West, 149.25 feet, thence South 48° 34' West, 4.33 feet and thence North 41° 10' West, 183.22 feet to the place of beginning.

Containing 0.6924 Acres of land, more or less.





PLAT TO ACCOMPANY PETITION
FOR ZONING RECLASSIFICATION
FROM "D.L. ZONE" TO "D.M. ZONE"
8019-8029 HARFORD ROAD
14TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1"=50' OCTOBER 17, 1971

Notes: Information shown herein is taken
from deeds, and does not imply a
recent survey.

DENSITY CALCULATIONS

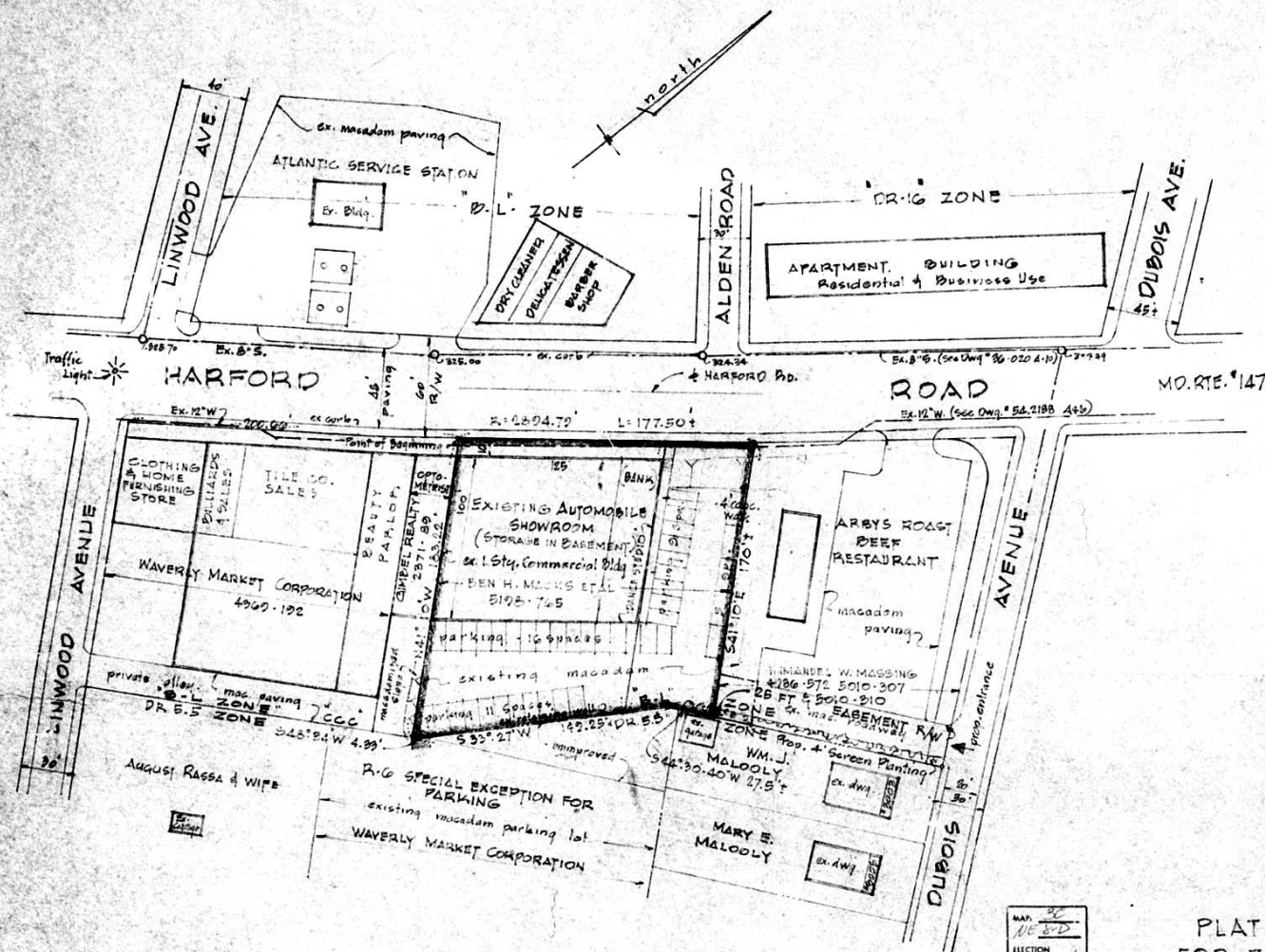
GROSS AREA OF TRACT: 0.8144 Ac. ±
NET AREA OF TRACT: 0.6924 Ac. ±
EXISTING ZONING: "D.L. CCC"
PROPOSED ZONING: "D.M."

PRESENT USE: NEW CAR DISPLAY & SALES
PARKING REQUIRED: 60 SPACES
PARKING PROVIDED: 51 SPACES (VARIANCE REQUESTED FOR 10 SP.)

OWNER:
DEN H. MACKS ETAL
8021 HARFORD ROAD
BALTIMORE, MD. 21234

ENGINEERS:
GREENER ENVIRONMENTAL SYSTEMS
VILLAGE SQUARE, VILLAGE OF CROSS KEYS,
BALTIMORE MD. 21210





Note: Information shown hereon is taken from deeds, and does not imply a recent survey.

DENSITY CALCULATIONS

GROSS AREA OF TRACT: 0.8144 Ac.±
 NET AREA OF TRACT: 0.6924 Ac.±
 EXISTING ZONING: B-L-CCC
 PROPOSED ZONING: B-M

PRESENT USE: NEW CAR DISPLAY & SALES
 PARKING REQUIRED: 63 SPACES
 PARKING PROVIDED: 51 SPACES (VARIANCE REQUESTED FOR 12 SPA)

PLAT TO ACCOMPANY PETITION
 FOR ZONING RECLASSIFICATION
 FROM "B-L" ZONE TO "B-M" ZONE
 8019-8029 HARFORD ROAD
 14TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
 SCALE: 1"=50' OCTOBER 19, 1971

OWNER:
 BEN H. MACKS ET AL
 8021 HARFORD ROAD
 BALTIMORE, MD. 21234

ENGINEERS:
 GREINER, ENVIRONMENTAL SYSTEMS
 1 VILLAGE SQUARE, VILLAGE OF CROSS KEYS
 BALTIMORE MD. 21210

