PETITION FOR SPECIAL HEARING

Jan # 166 27-or we, __1648_Squerstiem. ____legal owners__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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/o. Deputy Zoning

Commissioner should approve a use permit for parking in a residential zone.

See attached description

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

Types we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Faltimore County adopted pursuant to the Zoning La for Baltimore County.

Contract Purchaser

3648 Corporation

Arithm P Killer, President

Hatthew P, Kibler, President

Legal Owner Address 3648 Washington Boulevard

Beltimore, Maryland 21227

Protestant's Attorney Petitioner's Attorney

Address

ORDERED By the Zoning Commissioner of Baltimore County, this __ 28th __

MAR 28 '72 PM

FOR RECEIVED

ORDER

#

166

72-262-SFH

11.3/0/2

HEARING, SH

1:00/2

2 segn

RE: PETITION FOR SPECIAL Beginning 462, 84' E of Sutphur

Spring Road and 263' N of Sulphur Spring Road - 13th District 3648 Corporation - Peditioners NO. 72-262-SPH (I'em No. 166) COMMISSIONER OF

BEFORE THE

: BALTIMORE COUNTY

...

This Petition represents a request for a Commercial Parking U-e on a residentially zoned parcel (D.R.5.5), said parcel being located adjacent to and immediately to the rear of a parcel of ground which is presently zoned Business, Roadside (B.R.) and improved with a rather old motel The parcel is also bounded by the rears of residentially zoned and improved properties that front on Victory Avenue, Myrtle Avenue, and Sulphur Spring

The Petitioners submitted plans and gave testimony to the effect that the requested parking area, if granted, would be utilized to meet the parking requirements for the new motel that they plan to build on the site

The Petitioner's engineer, Mr. David Dallas, testified that Sulphur Spring Road was presently improved with curb and gutter and that no further improvements would be necessary at this time. All access to the parking area would be through the existing Business, Roadside (B.R.) zoned property. Mr. Dallas also pointed out that even thought water and sewer are available to the site at Sulphur Spring Road, it would not be feasible to velop the residentially zoned parcel with five (5) dwelling or apartment units that would be permitted. The cost of extending sewer, public roads, storm drainage, and other utilities to the rear property would not be economically justi-

Mattheu P. Kibler, President of the 3648 Corporation, which would build the new motel, gave tertimony to the effect that the maintance

people would be given sperific assignments of keeping the parking area, as well as the other areas, clean. He indicated that trash containers would be placed at strategic locations around the parking area. He also stated that drainage from the site would be done in such a manner as to meet all County

The Protestants were mostly concerned with the existing maintance of the property. They gave testimony and submitted pictures indicating that several junked cars, trash, and debris are presently being stored on the site of the existing motel. The site was also used as a pick-up point for transporter type trucks that drop-off and pick-up untaged cars for delivery to other points. There was also testimony that heavy construction equipment of various types was stored on the site of the existing motel.

The nature of the testimony by the Protestants was basically' that they did not object to the motel use per se but did object to the additional use that the property had been put to over the past years. They feared that if the use permit for parking in the residentially zoned parcel to the rear was permitted, these uses would be expanded onto that portion which is more or

The Zoning Advisory Committee comments indicated that the Petitioners' plan, as proposed, met all requirements of the various agencies mittee. However, they felt that the condition of the site warranted nts. They found seven (7) untagged vehicles, storage of various types of contractor's equipment, miscellaneous junk, and debris strewn about the grounds and piled inside the outbuildings

After giving careful consideration to the above testimony, it is the opinion of the Deputy Zoning Commissioner, that the Petitioners have met all the requirements for a parking permit in a residential zone and that the request should be granted. This opinion is based on the following. The exist

use per se are probably non-conforming and could coatinue for a number of years. The Petitioners' plans call for the removal of the existing motel and the construction of a new one hurdred and forty (140) unit motel with a four thousand (4,000) square foot restaurant and a swimming pool on the commercially zoned site. The Petitioners have submitted a site plan with the request, that for the first time, clearly sets forth the use that the property will be put to, i.e., motel, swimming pool area, and parking for the said motel. The plan also ir 'leates four foot (4') high screen fencing and djacent to all residential properties together with a lighting plan, for said parking areas. The plan, as proposed, would certainly be an improvement over the conditions that presently exist on the site, and if developed as proposed would be in keeping with the spirit and intent of the Zoning

Therefore, it is ORDERED by the Deputy Zoning Commissione of Baltimore County, this 1474 of July, 1972, that the herein requester Parking Use in a Residential Area should be and the same is hereby Granted from and after the date of this Order, subject to the following:

- 1. Approval of the site plan by the Director of Planning or his authorized representative.
- All untagged and/or junked cars and debris removed from the site.
- utilized in the construction of the new building, be removed from the site.
- 4. Any use of the property not indicated on the Petitioners' plans submitted with this request must
- Prior to any occupance of the new motel the Petitioners must submit a request to this office for a site compliance inspection. All screening, planting, paving, lighting, etc. must be in place prior to any

Deputy Zoning Commess Baltimore County

- 3 -

FOR PARKING IN A RESTRIBATIAL ZONE

BEGINNING for the same at the beginning of the sewenth or north 31 degrees and 1.82 foot line of that tract of land which by deed dated June 1, 1771 and recorded smong the Land Records of Saltiance County in Liber 3190 foils 0.001 etc. was conveyed by Valket B. Sidvalait on Wife to 3468 Corporation said point of beginning being eletent the two following rourses and distances from the intersection of the center line of Sulphur Spring Road as-shown. An intilizate of Sulphur Spring Road (30 feet wide) as shown on Baltiance County Burvas of Sulphur Spring Road (30 feet wide) as shown on Baltiance County Burvas of Sulphur Spring Road (30 feet wide) as shown on Baltiance County Burvas of Sulphur Spring Road (30 feet wide) as shown on Baltiance County Burvas of Sulphur Spring Road (30 feet wide) as shown on Baltiance County Burvas of Sulphur Spring Road (30 feet wide) as shown on Baltiance Sounds assat 220 feet move or less and south 70 degrees 17 atmutes 30 seconds east binding on the southermost outline of the Victory Subdivision has Ellada mong the Land Racords of Baltiance County in Plat Rook 13 foils 21 (27.62 feet to the beginning of said soning description and to the division line batterns of the sighth lions of said deed and on the southermost outline of the Witch Subdivision in the Substance South 70 degrees 17 minutes 30 seconds east 123.04 feet and south 7 degrees 42 minutes 30 seconds east 123.05 feet, thence 123.45 feet and south 7 degrees 42 minutes 30 seconds east 163.05 feet, thence from the southermost outline of the fourth and part of the fifth lines of said deed the two following courses and distances north 7 degrees 20 minutes 30 seconds east 175.65 feet to the Substances and Substances

BEING part or that tract of 1snd which by deed dated June 1, 1971 and recorded among the Land Records of Baltimore County in Liber 5190 folio 001 etc. was conveyed by Walter B. Siwinski and wife to 3648 Corporation

DAVID W. DALLAS, IK CIVIL ENCINEER 8713 OLD HARFOXD RB. (301) 665 - 7422

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. S. Eric DiNenna, Zoning Commissioner Date May 17, 1972

FROM Mr. George E. Gavrelis, Director of Planning

SUBJECT.....Petition *72-262-5PH. Beginning 262, 82 feet east of Sulphur Spring Road and 263 feet, more or less, north of Sulphur Spring Road.
Petition for Special Hearing to permit off-street parking in a residential zone.
3648 Corporation - Petitioner

13th District

HEARING: Wednesday, May 17, 1972 (1:00 P.M.)

The staff of the Office of Fianning and Zoning has reviewed the subject petition and has the following comments to offer:

We endorse the concept by the use permit for parking in a residential zone here. The site plan seems, for a change, to given proper con-ideration to buffers, greenery, and landscaping.

If this permit is granted it should be conditioned upon compliance with the screening, lighting, and access provisions of the plan which has been submitted with this petition.



ORDER REC

S. Eric DiNenna, Zoning Commissioner Attention: Mr. Myers

DATE: April 4, 1972

SUBJECT: Property Owner: 3648 Comporation

Location: 250° N. of Sulphur Spring Road, 150° E. of Sulphur Spring Rd, Relocated Zoning Agenda:

() 1. Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of _____feet along an approved road.

() 2. A second means of access is required for the site. () 3. The dead-end condition shown at

exceeds the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable requirements of the National Fire Protection Armodiction Standard No. 101, "The Life Safuty Code", Books full tion, and the Fire Provention Code prior to occupancy of connecessant of operations.
- (x) 5. The owner shall comply with all applicable requirements of the National Fire Protection Association Standard St. 161, "The Life Safety Code", "emmy Edition, and the Fire Provetion Code when construction plans are cuberitied for approval.
- () 6. The Fire Department has no commert on the proposed site.
- () 7. Site plans approved as shown.

Note: Above comments indicated with a check apply.

BALTIMORE COUNTY, MARYLAND

PARTMENT OF TRAFFIC ENGINEER
JEFFERSON BUILDING
TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE

Michael S. Flanigan SUBJECT: Item 166 - ZAC - April 4, 1972
Property Owner: 3548 Corporation
Sulphur Spring Road E. of Sulphur Spring Road relocated
Special hearing for off street parking in a residential zone
District 13

No traffic problems are anticipated at this site

Michael S. Flanigur
Traffic Engineer Assoc ate

D. te___ Hay 4, 1972

FOR

IVED

8

AUG 22 1972

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

3649 Corporation 3643 Washington Boulevard Baltimore, Maryland 21227

Attention: Mr. Matthew P. Kibler, President

RE: Special Hearing Item 166
Petitioner: 3648 Corporation

May 12, 1972

3648 Corporation Item 166

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing on the date of the enclosed filing certificate. Notice 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 formarded to you in the near future.

BALL JORE COUNTY, MARYL. D

INTER-OFFICE CORRESPONDENCE

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

Zoning Advisory Agenda Item 166

Date____April 7, 1972

April 4, 1972

3648 Corporation 250' N of Sulphur Spring Road 150' E. of Sulphur Spring Rd relocated.

Very truly yours,

Oliver & Migas OLIVER L. MYERS, Chairman

JOHN J. DILLON, JR., Joning Tech. II

Un Alder

Page 2 Hay 12, 1972

CLM:JJD:JD

Enc.

S. Fric DiNenna

Zoning Commissioner

FROM Project Planning Division

SUBJECT_

Gentlemen:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced potition and has made an on site field inspection of the property. The attached comments are a result of this review and inspection.

The subject property is located at the rear of an existing motel that is located on the mortheast corner of Sulphur Siring Moad and Sulphur Spring Moad relocated in the 13th district of Saltiners County. The spring most of the superty that is the subject of this patition is partimeroused \$2.50 to which contains 1.58 eners of lone. This property is virtually surrounced by existing residential chellings with the exception of the motal.

the exception of the motel.

Althrough the upif it petition annears to meet the redurements of the Jonin, Committee rules of necedure, we feel that a common repairful the existing use and condition of the premises is werranted at this time. The day the Z.-i.C. inspected the property we found seven untapped vehicles marked around the property, is well as the storage of verious types of contracting was stream about the proposition of the finishment of the property. All of this has no relation to the ownerston of a motel. Although we have not received any formal commission that this, our office has received numerous cells reparding the celebratic control of a motel. Although we have not received any formal commission and this, our office has received numerous cells reparding the celebratic country of the colored of this health of the colored of the section of the colored of the colored of the section of the colored of the section of the colored of the col

Revised plans will not be necessary at this time, however, the petitioner is advised to concern himself with the comments of the Baltimore County Fire Department and the Bureau of Engineering prior to any developments of this site.

BA. . MORE COUNTY, MARY. ND

INTER-OFFICE CORRESPONDENCE

Date April 6, 1972

FROM H.V. bonner SUBJECT Item 166 - Zoning Advisory Committee Meeting, April 4, 1972

166. Property Owner: 3648 Corporation
Location: 250° N. of Sniphur Spring Road,
150° E. of Sniphur Spring Road, relocated
Proposed Zoning: Special Hearing for off-street
parking in a residential zone.
District: 13
No.Acres: 1.284

Metropolitan water and sewer are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Frotection, Baltimore County Department of Health, for review and approval.

Air Poliution Comments: The building or buildings on this site may be subject to resistration 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.

Al. plans for Swimming Pool must be submitted to the Division of Community Hygicae prior to issuance of permit.

Sanitarian II Water and Sever Section Division of Sanitary Engineering

BALTIMORE COUNTY, MARYL. ND

FROM Ellsworth N. Diver, P.E.

SUBJECT_Item #166 (1971-1972)...

. Res. 8166. (1973-1932).
Fromerty Owner: 3648 Corporation
250 1'. of Sulphur Spring Rd., 150' E. of Sulphur Spring Rd., relocated
Present Coming: D.R. 5.5
Proposed Coming: Special Hearing for off-street parking in a residential

Date__ May_3,_ 1972-----

District: 13th
No. Acres: 1.28; acres

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.

Sulphur Spring Road, as recently relocated, is a County road constructed as a No-foot closed-type roadway cross-section on a So-foot right-ol-way. Goe Frawing 670-702, Pile 5) No further nighway improvements are required for this road at this time. Any replacement of concrete curb and getter, ridwalk, entrances or aproxo will be the All responsibility of the Pritioner.

(01d) Sulphur Spring Road, an existing County road, is partially improved as a 30-foot closed-type reasury cross-section on a 50-foot right-of-way. Similar highway improvements and right-of-way will be required along the southwestermanof frontage of this property in connection with any grading

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

The status of Lawsen Avenue, to the south of this property, the 10-foot alley, and the 12-foot ight-of-way glong the northern outline, is unknown. It is the responsibility of the Pettioner to ascertain and clearify rights

Sediment Control:

Development of this property through stripping, 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 stripping of top soil.

Item #156 (1971-19) Property Owner: 3. Corporation Page 2 May 3, 1972

Sediment Control: (Cont'd)

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

Storm Brains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permannal) to prevent oresting any mulesmose or damages technities (resporary or permannal) to prevent oresting any mulesmose or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which say result, due to largeous grape or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Mater and Sanitary Sewer:

Fublic water supply and sanitary sewerage is available and serving this property. A sanitary sewerage study will be required in connection with any subsequent building peroft application.

Security Dijar ELISTORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR:

cc: John J. Trenner Samuel A. Bellestri

G-SW Key Sheet 19 SW 11 Position Sheet

BALTIMORE COUNTY B OF EDUCATION

ZONING ADVISORY COMMITTER MEETING OF APRIL 4, 1971 166

Petitioner: 36 48 Cucrocation

Location:

District:

Present Zoning:

Proposed Zoning

Comments: NO BEARING ON STUDENT POPULATION

S. Eric DiNenna, Zoning Commissioner DATE: April 4, 1972 FROM: Fire Prevention Bureau Fire Department SUBJECT: Property Owner: 3648 Corporation Location: 250° N. of Sulphur Spring Road, 150° E. of Sulphur Spring Rd, Relocated

ITEM # Zoning Agenda:

 1. Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of _____ feet along

() 2. A second means of access is required for the site. () 3. The dead-end condition shown at

exceeds the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable require-No. 1C1, "The Mational Pire Protection Association Standard No. 1C1, "The Miss Safety Code", "Feltion, and the Pire Prevention Code prior to occupancy of commencement of operations.

(x) 5. The owner shall comply with all applicable requirements of the Mational Pire Protection Accounting Stundard No. 101, "The Like Safety Code", " Division, and the Pire Prevention Code when construction plans are submitted for approval.

() C. The Fire Department has no comment on the proposed site.

() 7. Site plans approved as shown.

Note: Above comments indicated with a check apply.

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CERTIFICATE OF PUBLICATION BALTHORE COUNTY. MD. May, 4, 1972. THIS IS TO CERTIFY. That the cruseed advertisement was published in THE TIMES. a weekly non-paper printed and published in Baltimere County. Md. once in each of othe successive weeks before the 17th day of May, 1979, the first publicating appearing on the £7th day of April, 1972.	
THE TIMES, Then In Market Manager. John M. Markin Fo J 9672 Pag. No. 6 948	

72-262 SPH

1516N CERTIFICATE OF POSTING

Location of property: 268.82' F. OF SULPHYR SPRING 124. Aux 1262 FT.

Location of Signs: E/S OF SULFSUR SPRING P.d. SOFT. + - EOF

Posted by Clarke 21 91.00 Date of return H415- 1913

Posted for SPECIAL HEARING Petitioner: 3648 CORP.

N OF SUPHUR STUNG DS.

RT. 1 WASHINGTON Blud

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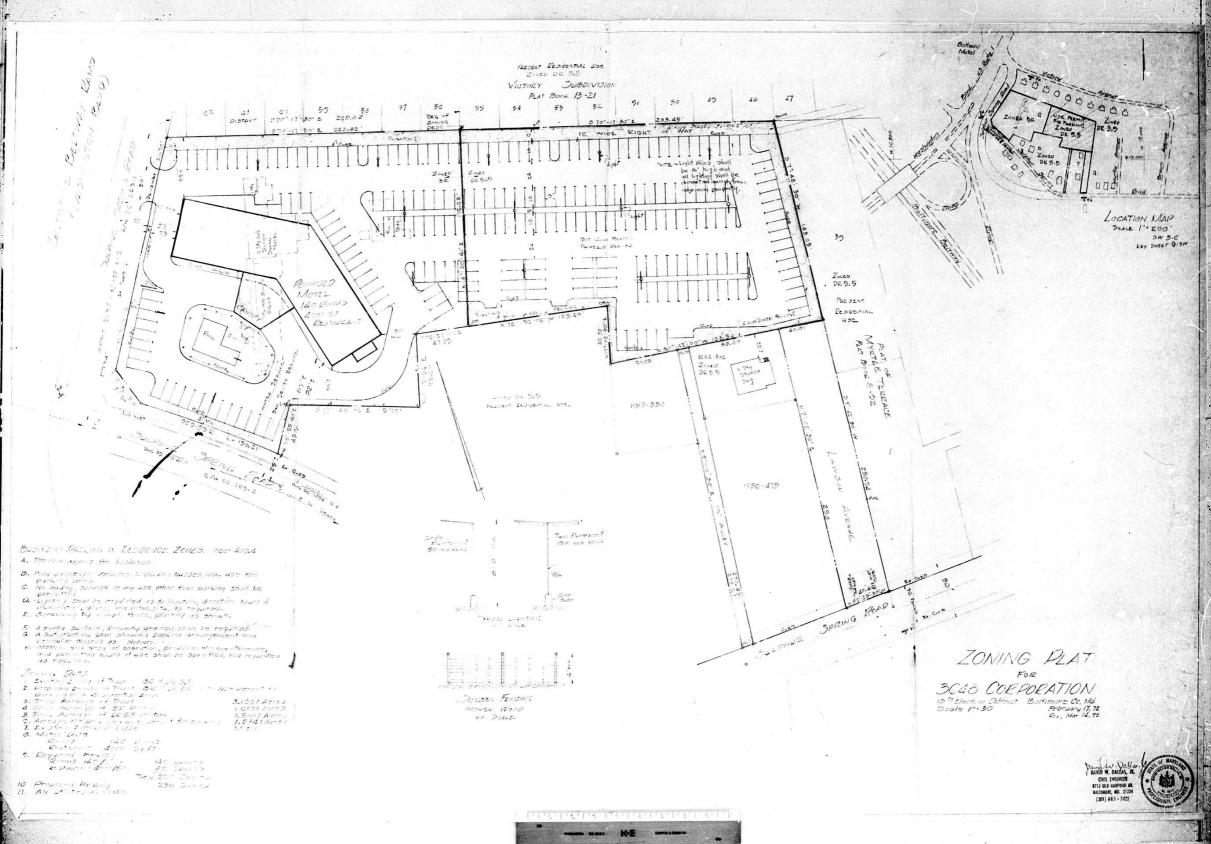
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PETITION	MAPPING		PROGRESS		SHEET						
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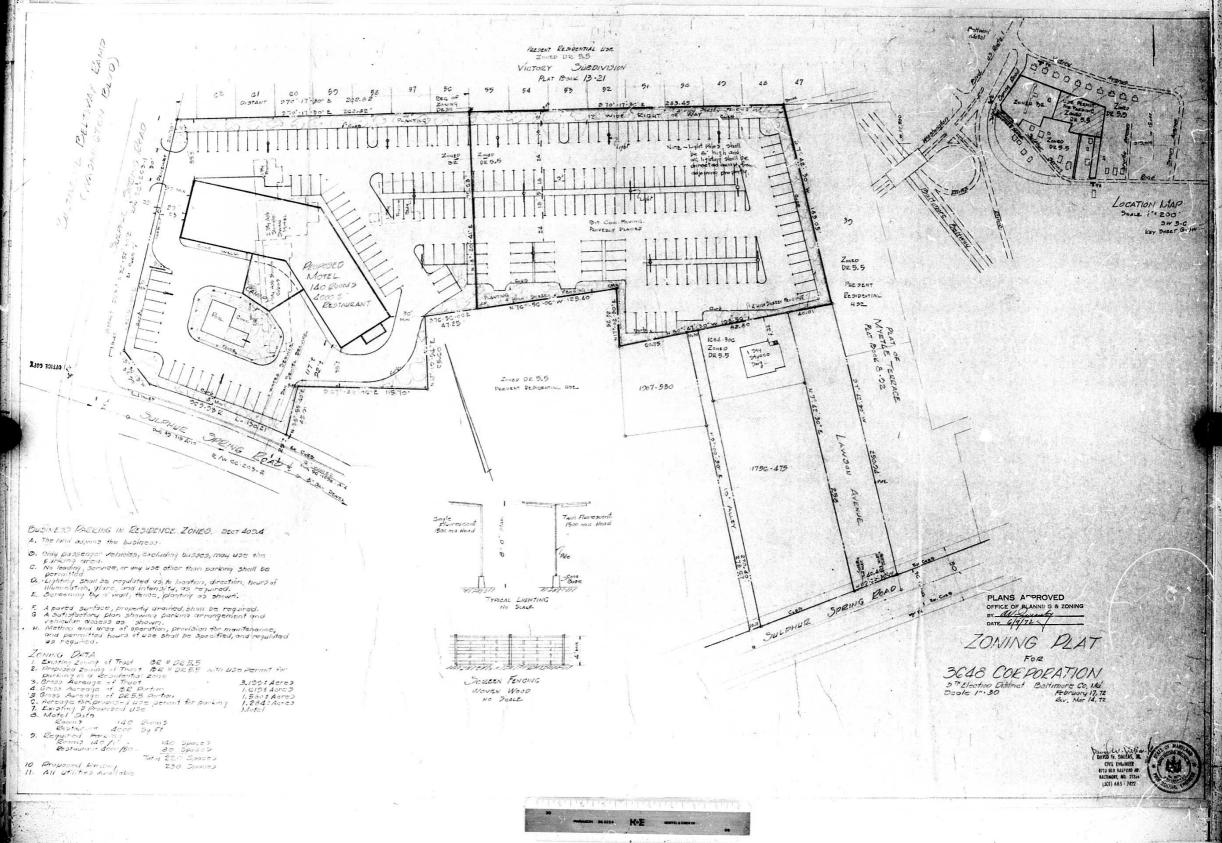
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