

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph B. McMaster, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an... zone to an... zone, for the following reasons:

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... a used motor vehicle outdoor sales area

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

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

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RE: PETITION FOR A SPECIAL EXCEPTION : BEFORE THE
W/S of York Road, 458' N of : DEPUTY ZONING
Texas Lane - 8th District : COMMISSIONER
Joseph B. McMaster - Petitioner :
NO. 73-8-X (Item No. 187) :
OF
BALTIMORE COUNTY

This Petition represents a request for a Special Exception for a Used Motor Vehicle Outdoor Sales Area on property located on the west side of York Road, four hundred and fifty-eight (458) feet north of Texas Lane. The property consists of .483 acres and is one (1) of three (3) parcels that make up the entire ownership of a tract of ground owned by the Petitioner, Mr. Joseph B. McMaster. The parcel is designated as Parcel A and is presently improved with an existing service station type building, that is proposed to be converted to a used car sales office with associated garage repair facilities.

Mr. Richard M. Sammis, testified as tenant and operator of the Used Motor Vehicle Outdoor Sales Area. His testimony was in effect as follows:

The business will consist strictly of selling used cars, and/or repairing cars that he sells. He does not intend to sell new cars nor does he intend to repair cars other than those he sells. No unoperable or wrecked cars will be stored on the property. All cars sold from the property will be first rate cars hand picked by him.

Mr. Sammis indicated that he had several years experience in the auto industry, and he intended to operate a neat well maintained lot. The existing service station building is to be repainted, and improved to a point compatible with the proposed restaurant building on the adjoining parcel.

Traffic is not expected to be a problem since the major business hours are basically between the hours of 7:00 A. M. and 9:00 P. M. during off traffic hours for York Road.

Parcel B and C are not part of this Petition, but do represent companion zoning petitions that are being heard concurrently herewith.

- 1 -

Mr. Hugh Gelston, a real estate appraiser and broker with many years experience in this area, testified on behalf of the Petitioner with regard to all three (3) parcels. In essence, his testimony was as follows:

The removal of the existing building, formally used as a radiator repair garage and the subsequent proposed improvements, should not in any way have an adverse effect on the surrounding area. The improvements would, in fact, benefit the property values of other businesses in the immediate vicinity.

Based on the above testimony, it is the opinion of the Deputy Zoning Commissioner of Baltimore County, that the Petitioner has met the requirements of Section 502.1 and the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of September, 1972, that the herein requested Special Exception for a Used Motor Vehicle Outdoor Sales Area should be Granted subject to the following conditions:

1. Prior to any occupancy of the used car lot, the operator of said car lot must submit four (4) copies of his site plan to the Office of Planning and Zoning for approval. The site plan shall indicate the following:

- All advertising is to be located on the property.
- The number and location of used car display spaces and a curb type barrier for said used cars, to be located not closer than ten (10) feet in back of the eight (8) foot widening proposed along the west side of York Road.
- The location and number of customer parking spaces.
- The type and height of lighting, and/or the lighting arrangement (string lighting of any type is prohibited).
- All other site planning factors normally required for approval, i.e., building location, entrances, exterior circulation, etc.

2. Only used cars that are to be sold and/or that have been sold from the subject used car lot, may be repaired on the site of this Special Exception.

- 2 -

3. The color or decor of the exterior of the building shall not be unharmonious or out of character with other buildings in the area.

4. All repair work must be accomplished inside the garage or bay area.

5. The hours of operation shall not begin before 7:00 A. M. and shall not extend beyond 9:00 P. M.

6. A change of occupancy permit shall be obtained prior to any use of the property.

7. The above mentioned site plan shall be approved by the Department of Public Works, State Highway Administration and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE September 12, 1972

BY [Signature]

ORDER RECEIVED FOR FILING

DATE September 12, 1972

BY [Signature]

ORDER RECEIVED FOR FILING

DATE September 12, 1972

BY [Signature]

- 3 -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: July 14, 1972
FROM: Norman E. Gerber, Office of Planning
SUBJECT: Petition 73-8-X, West side of York Road 458 feet, more or less, north of Texas Lane. Petition for special exception for a used motor vehicle outdoor sales area. Joseph B. McMaster - Petitioner
8th District
HEARING: Monday, July 17, 1972 (10:00 A.M.)

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

The official Guideplan, adopted June 14, 1972 by the Planning Board, earmarks an area of York Road frontage approximately one mile north of this location as being the appropriate location for commercial roadside uses such as used car lots to serve the general Cockeysville-Timonium area. The general area in which the subject property is located is designated by the map as a Community Center. Used car lots generally are not appropriate at Community Centers.

York Road is officially designated an arterial street by map entitled, "Freeways, Expressways, and Arterial Streets" adopted by the Baltimore County Planning Board, May 31, 1967 and amended June 13, 1967 and March 13, 1971. York Road also is designated a Class II Commercial Motorway by the County Council of Baltimore County by map included in Bill No. 23 adopted on May 23, 1968. Parcel "C" as identified by the petitioner's plan dated June 8, 1972 does not appear to meet the access requirements of Sec. 253.28.

If the proofs of Sec. 502.1 are met for a portion or all of this property, any construction should be conditioned to conformance to an approved site plan.

NEG:cm

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRELIS
Director
Jefferson Building
Suite 901
Towson, Md. 21204
466-3311

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 N. Chesapeake Ave.
Towson, Md. 21204
466-3331

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 187, Zoning Advisory Committee Meeting, May 9, 1972, are as follows:

Property Owner: Joseph B. McMaster
Location: W/S York Road, 458' N of Texas Lane
Present Zoning: B.R.
Proposed Zoning: Special Exception for used car sales
District: 8
No. Acres: 21,059 square feet

This property may be processed through the Joint Subdivision Planning Committee prior to any building permit being issued.

Very truly yours,

[Signature]
Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Attn: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 187 - ZAC - May 9, 1972
Property Owner: Joseph B. McMaster
York Road N of Texas Lane
Special exception for used car sales
District 8

Date: May 10, 1972

This site appears to be small for a used car dealer. Since the site is so small, it should be restricted to only one entrance.

Michael S. Flanigan
Traffic Engineer Associate

MSF:mr



Samuel P. Fraum
Registered Land Surveyor No. 5627

June 8, 1972

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
ATTN: Oliver L. Myers
FROM: Ellsworth N. Diver, P.E.

Date: June 1, 1972

SUBJECT: Item #187 (1971-1972)

Property Owner: Joseph B. McMaster
W/S York Road, 458' N. of Texas Lane
Present Zoning: B.R.
Proposed Zoning: Special Exception for used car sales
District: 8th
No. Acres: 21,059 sq. ft.

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

General:

It appears that this site is one of several in an overall tract comprising approximately 2 acres. A revised plan of the overall property is required. Further, a preliminary plan, Public Works Agreement and subdivision plat for record may be required to be filed for approval in connection with the further development/improvement of the entire property.

Highways:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

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 stripping of top soil.

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

It is noted that the grading plan, dated February 25, 1972, submitted in connection with sediment control for Mac's Radiator Shop (B.L.D. #210-72) did not indicate the physical structures/features of the McMaster Property as they exist in the field.

Item #187 (1971-1972)
Property Owner: Joseph B. McMaster
Page 2
June 1, 1972

Storm Drainage:

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall.

Storm drain improvements will be required, either piped or open stream. Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 50-year design storm. However, a minimum width of 50 feet is required.

A storm drain utility easement/reservation will be required through this property.

Water:

Public water supply is available and serving this property.

Sanitary Sewer:

This property has been employing private onsite sewerage. Public sanitary sewerage can be made available by construction of a public sanitary sewer extension, approximately 600 feet in length from the existing sanitary sewer in Church Lane.

This sanitary sewer extension must traverse this property to serve the property to the north (the proposed Church Lane Square Shopping Center). A utility easement and temporary construction strip are also required for the sanitary sewer.

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:SAH:PAR:iss

V-SE Key Sheet
61 NW 5 Position Sheet
V-SE A & B Topo
51 Tax Map

cc: George A. Reiser
B.L.D. #210-72



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

LOCALITY ADDRESS: 600 N. YORK, BALTIMORE, MD. 21201

May 11, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

ATTN: Mr. O. L. Myers

Dear Mr. DiNenna:

The subject plan indicates property to be utilized for the Used Car Sales in addition to that which was formerly used commercially. Considering the foregoing, we must require that the entire frontage, along the proposed right of way line be curbed with standard concrete curb.

It is our opinion that the plan should be revised prior to a hearing date being assigned.

It is requested that if the petition be granted the order be made subject to the approval of the site plan by the State Highway Administration.

Very truly yours,

Charles Lee, Chief
Development Engineering
Section

John E. Myers
by: John E. Myers
Asst. Development Engineer

CLJ:EM:bbk



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

LOCALITY ADDRESS: 600 N. YORK, BALTIMORE, MD. 21201

June 19, 1972

Mr. DiNenna
Zoning Commissioner
Baltimore County Office Bldg.
Towson, Maryland 21204

ATTN: Mr. O. L. Myers

Dear Mr. DiNenna:

The revised plan properly indicates new curbing 24' from the existing centerline of York Road. However, new paving has not been properly shown. The plan should be revised to indicate new paving from the existing edge of paving to the face of the proposed curb line. The new paving will extend along the entire frontage of York Road with 25' tapers at each end of paving.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

John E. Myers
by: John E. Myers
Asst. Development Engineer

JK

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 6, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Revised comments on Item 187, Zoning Advisory Committee Meeting, May 9, 1972, are as follows:

Property Owner: Joseph B. McMaster
Location: W/S York Road, 458' N. of Texas Lane
Present Zoning: B.R.
Proposed Zoning: Special Exception for used car sales.
District: 8
No. Acres: 21,059 sq. ft.

Since this site will be served by the available metropolitan water and the proposed sanitary sewer extension, no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:man

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 11, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 187, Zoning Advisory Committee Meeting, May 9, 1972, are as follows:

Property Owner: Joseph B. McMaster
Location: W/S York Road, 458' N. of Texas Lane
Present Zoning: B.R.
Proposed Zoning: Special Exception for used car sales.
District: 8
No. Acres: 21,059 sq. ft.

Revised plans must be submitted showing existing septic systems of both the present dwelling and the present vacant building on the site.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:man

BOARD OF EDUCATION
OF BALTIMORE COUNTYITEM # 187
May 9, 1972

TOWSON, MARYLAND 21204

Property Owner: Joseph B. McMaster

District: 8

Present Zoning: B.R.

Proposed Zoning: S.E.

No. Acres: 21,059

NO BEARING ON STUDENT POPULATION

McMASTER

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: <i>[Signature]</i>					Map # _____					

PETITION FOR
SPECIAL EXCEPTION
2nd DISTRICT

ZONING: Petition for Special
Exception for a Used Motor
Vehicle Outside Sales Area.

LOCATION: West side of York
Road 400 feet, more or less, North
of Tunes Lane.

DATE & TIME: MONDAY,
JULY 17, 1972 at 10:00 a.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of
Baltimore County, by authority of
the Zoning Act and Regulations of
Baltimore County, will hold a
public hearing.

Petition for Special Exception for
a Used Motor Vehicle Outside
Sales Area for Parcel "A".

All that parcel of land in the
Eighth District of Baltimore
County.

DESCRIPTION OF PARCEL
"A"

BEGINNING for the same at a
point on the west side of York Road
85 feet wide, said point being 416
feet, more or less, measured
northerly along said west side of
York Road from its intersection
with the south side of Tunes Lane
taken known as Church Lane;

THENCE SOUTH 89° - 25' - 30"
WEST 150.02 feet;

THENCE NORTH 11° - 45' - 00"
WEST 121.51 feet;

THENCE NORTH 78° - 15' - 00"
EAST 180.00 feet;

THENCE NORTH 50° - 03' - 40"
EAST 36.31 feet to said west side of
York Road;

THENCE SOUTH 11° - 45' - 00"
EAST 168.12 feet to the place of
beginning.

CONTAINING 21,089 SQUARE
FEET OF LAND, MORE OR
LESS.

Being the property of Joseph B.
McMaster as owner on plat plan
filed with the Zoning Department.

Hearing Date: Monday, July 17,
1972 at 10:00 a.m.

Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINEMAN
ZONING COMMISSIONER
OF BALTIMORE COUNTY

June 29.

ORIGINAL

OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204

July 3 - 19 72

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dineman
Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for ~~one~~ ~~seventeen~~
weeks before the 3rd day of July 1972 that is to say, the same
was inserted in the issue of June 29, 1972.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR SPECIAL
EXCEPTION - 2nd DISTRICT

ZONING: Petition for Special
Exception for a Used Motor Vehicle
Outside Sales Area.

LOCATION: West side of York
Road 416 feet, more or less,
North of Tunes Lane.

DATE & TIME: Monday, July 17,
1972 at 10:00 A.M.

PUBLIC HEARING: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson Maryland.

The Zoning Commissioner of Baltimore
County, by authority of the
Zoning Act and Regulations of Baltimore
County, will hold a public
hearing.

Petition for Special Exception for
a Used Motor Vehicle Outside
Sales Area for Parcel "A".

All that parcel of land in the
Eighth District of Baltimore County.

DESCRIPTION OF PARCEL "A"

BEGINNING for the same at a
point on the west side of York
Road (45 feet wide), said point
being 416 feet, more or less,
measured northerly along said west
side of York Road from its inter-
section with the south side of
Tunes Lane (also known as Church
Lane); Thence South 89° 25' 30"
West 150.02 feet; Thence North
11° 45' 00" West 121.51 feet; Thence
North 78° 15' 00" East 180.00 feet;
Thence North 50° 03' 40" East 36.31
feet to said west side of York Road;
and Thence South 11° 45' 00" East 168.12
feet to the place of beginning.

Containing 21,089 square feet
of land, more or less.

Beginning the property of Joseph
B. McMaster as shown on plat plan
filed with the Zoning Department.

Hearing Date: Monday, July
1972 at 10:00 A.M.

Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Md.

By order of
S. ERIC DINEMAN,
Zoning Commissioner of
Baltimore County

June 29.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 29, 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., ~~once a week~~
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1972.

THE JEFFERSONIAN

L. Frank Butler
Manager.

Cost of Advertisement, \$_____

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

No. 3716

DATE June 26, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
Sammis Texaco Center
2127 York Road
Timonium, Md. 21093
Petition for Special Exception for Joseph B. McMaster
#73-8-X

PINK - AGENCY
YELLOW - CUSTOMER

50.00

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

No. 3743

DATE July 10, 1972 ACCOUNT 01-662

AMOUNT \$12.50

DISTRIBUTION
WHITE - CASHIER
Messrs. Callahan, Calwell and Landman
Balto. Federal Building
19 E. Fayette St.
Baltimore, Md. 21202
Advertising and posting of property for Jos. McMaster
#73-8-X

PINK - AGENCY
YELLOW - CUSTOMER

12.50

