

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or 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 for a Variance from Section 238.2 to permit a 0 foot

side yard setback instead of the required thirty (30) feet, Section 238.1

To permit a front yard setback of zero (0) feet instead of the required twenty-five (25) feet. For Parcel "B".

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

(1) Practical difficulty and unreasonable hardship.

See attached description.

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

or we, agree to pay expenses of above Variance 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

Joseph B. McMaster

Legal Owner

Address

426 Shinnick Rd

Rockyville, Md 21030

James D. Nolan, Attorney

Protestant's Attorney

Address

204 West Pennsylvania Ave

Towson, Md. 21204 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of June 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 through-

out 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 17th day of July, 1972, at 10:00 o'clock

James D. Nolan

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric Dinanno, Zoning Commissioner

Date: July 14, 1972

FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition 73-10-A, West side of York Road 627 1/2 feet, more or less, north of Texas

Lane.

Petition for Variance for Front and Side Yards.

Joseph B. McMaster - Petitioner

Bth 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 16, 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 ZONING ADVISORY COMMITTEE

June 27, 1972

COUNTY OFFICE BLDG.
111 S. Calverton Ave.
Towson, Maryland 21204

JOHN J. DILLON, JR.,
ADMINISTRATIVE ASSISTANT

MEMORANDUM

TO: MR. DILLON, JR.

FROM: MR. GERBER

SUBJECT: VARIANCE PETITION

ITEM 187

JOSEPH B. MCMASTER - PETITIONER

James D. Nolan, Esq.,
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Variance Petition
Item 187
Joseph B. McMaster - Petitioner

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 attached comments are a result of this review and inspection.

The subject properties are located on the west side of York Road, approximately 450 feet north of Texas Lane, and are presently involved with an abandoned automotive service station, a radiator repair shop, and a one and one-half story frame dwelling.

Opposite the site and across York Road is an existing automotive service station, and to the rear of the site is a wooded area. The proposed Church Lane Square Shopping Center abuts the site on the north.

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 forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

JOHN J. DILLON, JR.,
Zoning Technician II

OLM:JDD:JD

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinanno

Date: June 1, 1972

FROM: Oliver L. Myers

Ellsworth M. Dwyer, P.E.

SUBJECT: Item #187 (1971-1972)

Property Owner: Joseph B. McMaster

W/S York Road, 450' N. of Texas Lane

Present Zoning: B-1

Proposed Zoning: Special Exception for used car sales

District: Bth

No. Acres: 21.059 sq. ft.

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.

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 re-zoning may be required to be filed for approval in connection with the further development/improvement of the entire property.

Highways:

York Road (MD. 15) is a State Road; therefore, all improvements, inter-sections 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 sedimentation problem, causing 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 recording of any record plat or the issuance of any grading or building permits.

It is noted that the grading plan, dated February 25, 1971, submitted in connection with sediment control for the Radiator Shop (Bth. #210-72) did not indicate the physical structures/features of the McMaster Property as they exist in the field.

DESCRIPTION OF PARCEL W/S - (0022 TO 10026 YORK ROAD.

BEGINNING for the same at a point on the west side of York Road (66 feet wide), said point being 627.12 feet, more or less, measured northerly along said west side of York Road from its intersection with the south side of Texas Lane (also known as Church Lane);

THENCE NORTH 76°15'00" WEST 391.44 feet;

THENCE SOUTH 11°45'00" EAST 199.80 feet;

THENCE NORTH 78°15'00" EAST 90.00 feet;

THENCE SOUTH 11°45'00" EAST 85.05 feet;

THENCE NORTH 89°35'20" EAST 113.52 feet;

THENCE NORTH 11°45'00" WEST 111.51 feet;

THENCE NORTH 78°15'00" EAST 120.70 feet; and

THENCE NORTH 50°05'40" EAST 36.31 feet to the place of beginning.

CONTAINING 49,105.65 SQUARE FEET OF LAND, MORE OR LESS.

Samuel P. Frahn

Registered Land Surveyor No 5817



Samuel P. Frahn

June 8, 1972

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 nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problems 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 run-off 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 so designated on the Baltimore County sewer extension plan, 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 striping also required for the sanitary sewer.

Ellsworth M. Dwyer, P.E.
Chief, Bureau of Engineering

END:SANITARY

1-50 Key Sheet
61 NW 5 Portion Sheet
VI 15 A & B Topo
51 Tax R-1

cc: George A. Reifer
H.D. #210-72



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

June 19, 1972

COMMUNICATIONS SECTION
STATE HIGHWAY ADMINISTRATION
AND STATE ROAD & TRANSPORTATION
THOMAS D. BAYTON
W. WALTER BOGLEY, JR.
WALTER P. BRIDGEMAN
WALTER B. BROWN
LESLIE H. CARR
ANTHONY R. FOLIO, JR.
FRANK THOMP

Re: ITEM 187 revised plans.

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

ATTN: Mr. O.L. Meyers

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 must 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

by: Jim Kessling
Asst. Development Engineer

JK



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

May 11, 1972

COMMUNICATIONS SECTION
STATE HIGHWAY ADMINISTRATION
AND STATE ROAD & TRANSPORTATION
THOMAS D. BAYTON
W. WALTER BOGLEY, JR.
WALTER P. BRIDGEMAN
WALTER B. BROWN
LESLIE H. CARR
ANTHONY R. FOLIO, JR.
FRANK THOMP

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

by: John E. Meyers
Asst. Development Engineer

CLJEM:bk



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

July 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, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:nn

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON 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 and 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, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:nn



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. CARVELL
Director
Jefferson Building
Towson, MD.
Towson, MD. 21204
(410) 321-1100

June 29, 1972

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 must be processed through the Joint Subdivision Planning Committee prior to any further building permit being issued.

Very truly yours,

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

ITEM # 187
May 9, 1972

Property Owner: Joseph B. McMaster

District: 8

Present Zoning: B.R.

Proposed Zoning: S.E.

No. Acres: 21,059 sq. ft.

NO BEARING ON STUDENT APPLICATION

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:rr

ORIGINAL

THE TOWSON TIMES

TOWSON, MD. 21204 July 3 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week 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.

Rich Morgan

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 for one time one week before the 29th day of June 1972, the same publication appearing on the 29th day of June 1972.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.....

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

No. 3760

DATE: July 20, 1972 ACCOUNT: 01-662

AMOUNT: \$51.50

WHITE - CASHIER
JAMES D. HOLAN, Esq.
204 V. Puma Ave.
Towson, Md. 21204
Advertising and posting of property for Jon. McMaster
873-10-A

DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

315 CMC

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

No. 3717

DATE: June 26, 1972 ACCOUNT: 01-662

AMOUNT: \$25.00

WHITE - CASHIER
Messrs. Holan, Flumloff & Williams
204 V. Puma Ave.
Towson, Md. 21204
Petition for Variance for Joseph B. McMaster
873-10-A

DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

515 CMC

OCT 27 1972

TEXAS
(CHURCH) LANE

INDUSTRY LANE

CHURCH LANE SQUARE
SHOPPING CENTER
(ATG 35/22)
4.1818 AC. ±

ROAD
HALEWORTH

YORK ROAD & TEXAS LANE
COMMERCIAL CENTER
(ATG 33/19)

T. OSBORNE ENSOR & WIFE
(C.H.N. 1191/92)

ROBERT BOUTWELL & WIFE
(4611/319)

EXISTING ZONED ML & BR
OWNER: JOSEPH B. McMASTER 184250-128
AREA A = 21,059.00 (0.483 AC)
AREA B = 49,145.55 (1.127 AC)
AREA C = 6,842.25 (0.157 AC)
IN YORK RD = 5,436.50 (0.125 AC)
TOTAL SITE AREA = 1.892 ACRES ±

PARKING SPACES DATA		
REQUIRED	PROVIDED	AREA
7	7	A
77	116	B
6	7	C
90	130	TOTAL

AREA "ATTENTION"
A - SPECIAL EXCEPTION FOR USED CAR LOT
C - SPECIAL EXCEPTION FOR SERVICE GARAGE
D - VARIANCE FOR 6 FOOT SIDE YARD

ALL SPACES 9'x10'
MINIMUM AISLE = 22' WIDE



Samuel P. Fromme
Samuel P. Fromme, Md. Reg. L.S. N° 5017

NOTE: THIS PLAT WAS PREPARED FROM ALL AVAILABLE RECORDED DATA AND IS NOT INTENDED TO ESTABLISH PROPERTY LINES.

Ref. #1



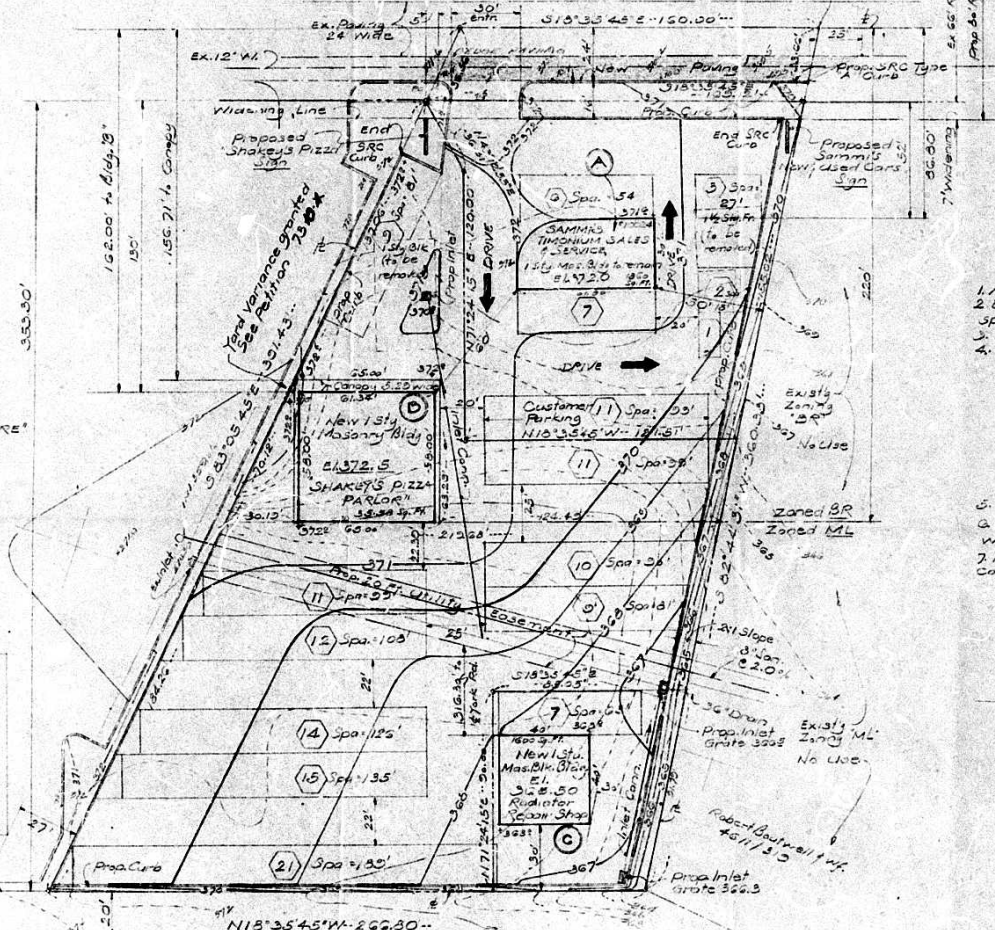
"CHURCH LANE SQUARE"
SHOPPING CENTER
C.T.G. 3/5/22

Proposed Stores

Ex. Bldg.

T. Osborne Ensor & wife
CHK 112/102

YORK ROAD



LOCATION PLAN
Scale: 1"=300'

GENERAL NOTES

1. Area of Property equals 1.352 Acres
2. Existing Zoning of Property: ML with Special Exception for BR with Special Exception for Side Yard Variance
3. Proposed Use of Property: Auto Sales, Parts, Restaurant, Night Bar
4. Off-Street Parking:
 - A. Area 'A' Reg'd. Parking: 7 Spas (Bldg. Area 1.032 AC)
 - Area 'A' Proposed Parking: 50 Spas Total (11 on East, 39 on West)
 - B. Area 'B' Reg'd. Parking: 71 Spas (Bldg. Area 1.332 AC)
 - Area 'B' Proposed Parking: 112 Spas (21 on East, 91 on West)
 - C. Area 'C' Reg'd. Parking: 5 Spas (Bldg. Area 1.032 AC)
 - Area 'C' Proposed Parking: 7 Spas
- Total Required Parking: 54 Spas
- Total Proposed Parking: 142 Spas
5. Entrances allowed: 1
6. All on site utility work shall be in conformance with Baltimore County Specifications
7. Interior Curb along R/W Line of York Rd. shall be in conformance with Md. S.R.C. Standards & Specifications

OWNER of Property:

Joseph B. Master, Lib. #350 Folio 128
Area 'A': 21,553.00 S.F. = 0.493 AC
Area 'B': 43,106.00 S.F. = 0.987 AC
Area 'C': 23,422.25 S.F. = 0.537 AC
In York Rd. 2,125 AC
Total 1.352 AC

Notes:

All Advertising Sign Locations and Type/Dimensions & all Site Lighting shall be in conformance with requirements of Permit for Special Exception No. 73-B-X (Item 187)

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *AK/Quincy*
DATE: 10/10/72

DEVELOPMENT PLAN
10022 - 10026 YORK ROAD

Election District No. 3 Baltimore Co., Md.
Scale: 1"=30'
Sept. 2, 1972
Revised Oct. 21, 1972

Developer:
Joseph B. Master

Matz Childs & Associates
620 Cromwell Bridge Rd.
Towson, Md.

MATZ, CHILDS & ASSOCIATES
1000 GUNNELL DRIVE, SUITE 100
BALTIMORE, MARYLAND 21201
72-107-02 10/10/72



WA 2526

JA 72107 72-7