

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John S. Huff & Jane L. Huff, the 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:

And a Variance to Section 255.1 (2)(B)(3) (238.2) to permit side yard of 6' instead of the required 30'

See attached description

(2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, Service Garage

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, printing, 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.

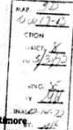
Contract purchaser John S. Huff
Address John S. Huff
Address Sparks, Maryland

Protestant's Attorney
Address James H. Clark
Address 409 Washington Avenue
Address Towson, Maryland 21204
Phone: 823-4111

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 had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1972, at 10:00 o'clock

James H. Clark
Zoning Commissioner of Baltimore County

(over)



ORDER RECEIVED FOR FILING
DATE November 9, 1972
BY John S. Huff

73-87-2A
44-8-62-7

RE: PETITION FOR SPECIAL EX-
CEPTION AND VARIANCE
W/S of York Road, 520' S of
Cockeysville Road - 8th District
John S. Huff - Petitioner
NO. 73-87-A (Item No. 7)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Special Exception for a Service Garage and a Side Yard Variance. Said Service Garage is located on the west side of York Road, five hundred and twenty (520) feet south of Cockeysville Road in the Eighth District of Baltimore County.

Testimony indicated that the site is presently improved with an abandoned service station that is to be removed upon construction of the new facilities. Metropolitan water and sewer are available to the site.

It was the Petitioner's opinion, that the removal of the existing building together with the proposed improvements would greatly benefit and tend to rejuvenate the community. The proposed improvements consist of a modern Goodyear Tire Store and Service Garage. The building will be set back a sufficient distance from York Road to adequately provide for an entrance and parking area at the front of the building.

Access is also provided to the site by way of an eighteen (18) foot private road (Roberts Avenue). This private road serves several of the businesses that do not have frontage on York Road, and is intended, to be utilized as a secondary entrance for the subject property.

The Petitioner's property is bisected by a M.L. -B.L. zone line which, in itself, creates setback difficulties in the development of the subject property. Other difficulties include the slope of the land as it drops off to the west and east, and the narrow width of the lot (97.85 feet).

The Petitioner also requested that, if granted, the Order include the right to utilize the existing building until such time as the new structure is complete.

ORDER RECEIVED FOR FILING
DATE November 9, 1972
BY John S. Huff

The Zoning Advisory Committee comments did not reflect any traffic, health or planning problems per se that would have an adverse effect on the granting of this Petition. However, they did make considerable comment with respect to the eighteen (18) foot private road that serves the properties to the rear of those that front York Road.

The Committee, with a certain amount of justification, felt that the eighteen (18) foot road should be widened along the side of the Petitioner's property. The Bureau of Engineering comments states in part:

"If widened and improved on a thirty (30) foot right of way (the road) would more effectively serve the present heavy vehicle use and traffic volume of the adjoining commercial-industrial complex and also provide more desirable access for this proposed service garage."

The Petitioner's plans indicate curb and gutter along his entire 270.62 foot property line that binds Roberts Avenue. However, from his point of view, any widening of the road from his side would further reduce the width of his narrow property making it very difficult, if not impossible, to develop for his proposed use.

Based on the above facts, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has satisfactorily met all requirements of Section 502.1 of the Baltimore County Zoning Regulations as well as his burden of proving hardship and/or practical difficulty with regard to the required side yard Variance.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this _____ day of November, 1972, that the herein described property or area should be and the same is hereby GRANTED a Special Exception for a Service Garage.

It is further ORDERED that a Variance to permit a side yard setback of six (6) feet instead of the required thirty (30) feet on the north side of said property should also be GRANTED subject to the following restrictions:

- 2 -

ORDER RECEIVED FOR FILING
DATE November 9, 1972
BY John S. Huff

1. Approval of a site plan by the Department of Public Works, State Highway Administration, and the Office of Planning and Zoning.
2. With the exception of the widening of Roberts Avenue, full compliance with the Zoning Advisory Committee comments.
3. The Petitioner may use the existing abandoned service station for his business for a period of twelve (12) months, or until the proposed building, as indicated on his plan, is completed whichever comes first.

James S. Huff
Deputy Zoning Commissioner of
Baltimore County

- 3 -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNanno, Zoning Commissioner Date: October 17, 1972

FROM: Norman E. Garber, Office of Planning

SUBJECT: Petition 73-87-2A, West side of York Road 520 feet South of Cockeysville Road. Petition for Special Exception for Garage, Service, Petition for Variance for Side Yard, John S. Huff and Jane L. Huff - Petitioner

8th District

HEARING: Thursday, October 19, 1972 (10:00 A.M.)

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

If the proofs of Sec. 502.1 are met any future development should be conditioned to an approved site plan.

NEG:cm



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNanno Date: November 20, 1972
ATTN: Oliver L. Myers
FROM: Ellsworth H. Myers, P.E.

SUBJECT: Item #207 (1971-1972)
Property Owners: John S. and Jane L. Huff
W/S York Road, 520' from Cockeysville Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for Service Garage
District: 8th
No. Acres: 0.292 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.

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.

The status of the 18-foot right-of-way (Roberts Avenue) continuous to the south side of this property is unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify rights therein. The roadway, if widened and improved on a 30-foot private right-of-way would more effectively serve the present heavy vehicle use and traffic volume of the adjoining commercial-industrial complex and also provide more desirable access for this proposed service garage.

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.

A retaining wall with earth fill as indicated to the rear or west of the proposed building would further complicate the construction of required public utilities. The area, if not filled, would permit location of service bays in the rear lower level of the proposed building with direct access from the Roberts Avenue.

Storm Drains

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

Item #207 (1971-1972)
Property Owners: John S. and Jane L. Huff
Page 2
June 20, 1972

Storm Drains (Cont'd)

York Road (Md. 45) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

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.

Public storm drain facilities will be required, either piped or open channel. Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 50-year design storm.

A drainage and utility easement is required through this property along the north side, and offsite rights-of-way are necessary for the provision of public drainage facilities for this site, together with temporary construction strips.

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

The plan should be revised to indicate the existing and proposed storm drain facilities, and the right-of-way which will be required in connection with any grading or building permit application.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, will be permitted within the utility easements. During the course of grading or redevelopment of this site, protection must be afforded by the contractor to prevent damage to existing or proposed public utilities. The protection thereof and any damage sustained shall be the full responsibility of the Petitioner.

Water

Public water supply is available and serves this site. It appears that additional fire hydrant protection is required for this site and the adjacent commercial-industrial complex.

Sanitary Sewer

This property had employed private onsite sewage disposal.

Unless private sanitary sewerage is approved by the Health Department, public sanitary sewerage must be extended to serve this site and the adjoining area by construction of a public sanitary sewer extension approximately 850 feet in length from Manhole #1015 to the 15-inch sanitary sewer of this site and the Penn Central Railroad, see Drawing #68-1117, File 1. Utility easements, onsite and offsite, together with temporary construction strips are required for the sanitary sewer construction.

Item #207 (1971-1972)
Property Owners: John S. and Jane L. Huff
Page 3
June 20, 1972

Sanitary Sewer (Cont'd)

The plan should be revised to indicate the proposed public sanitary sewerage and the rights-of-way required, and any existing sewage facilities, wells, drains, fuel storage tanks, etc.

Ellsworth H. Myers
Ellsworth H. MYERS, P.E.
Chief, Bureau of Engineering

END: EAM: PWR:ms

cc: William M. Greenwalt

1-SE Key Sheet
67 NW 6 Position Sheet
NW 17 B Topo
51 Tax Map

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 23, 1972

James H. Cook, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Special Exception Petition
Item 207
John S. Huff & Jane L. Huff - Petitioners

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 property is located on the west side of York Road 150 feet north of Hillside Avenue, in the 8th District of Baltimore County. This business local - C1B zone is currently improved with a bi-level abandoned service station which fronts on York Road. This property is immediately adjacent to an 18 foot road known as Roberts Avenue, which is apparently a private road that services other commercial and industrial uses to the west of this site. The rear portion of this site is strewn with several junk automobiles and truck as well as miscellaneous junk. There is also a small wooded area through which a small stream flows.

The field investigation by this Committee revealed that although there is a definite slope from east to west, it was not severe enough to prohibit the construction of another bi-level building that would locate the sales area on the York Road level and the service bays under it with access from Roberts Avenue. We recommend that the petitioner consider this alternative in lieu of the present plan.

This office is withholding approval of this petition until revised plans are submitted that reflect the comments of the Bureau of Engineering, State Highway Administration, Health Department, and Project Planning Division, and also indicate whether or not any additional land is owned by the petitioner in this vicinity.

Very truly yours,

OLIVER L. MYERS, Chairman

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

cc: JJD:JH
Enclosure



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

June 20, 1972

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

ATTN: Mr. J.L. Myers

Dear Mr. DiNenna:

This office has reviewed the captioned site and has the following comments regarding same:

1. The plan must be revised to indicate a proposed 82' right of way line centered on the existing highway.
2. If Roberts Avenue is upgraded to Baltimore County standards to serve the subject site and other sites. Their access to the property should be via Roberts Avenue and not York Road. If access is to be via Roberts Avenue, then our highway improvement requirements will be:
 - a. Concrete curb along that portion of the parking perimeter that fronts on York Road.
 - b. At the southern property corner, construct a 30' concrete curb and gutter radius return to be placed 24' from the existing centerline of York Road.
 - c. Construct concrete curb and gutter along the proposed northern edge of parking on Roberts Avenue. This curbing to extend to the proposed right of way line.
3. If Roberts Avenue is not upgraded to serve the subject site, and access is to be via York Road, then our highway improvement requirements will be as follows:
 - a. The entire frontage of the site must be improved with concrete curb and gutter placed 24' from and parallel to the centerline of existing highway.
 - b. Entrance to be of depressed type.
 - c. As lane a radius return as possible to be used at the intersection of Roberts Avenue, (private road).
 - d. Concrete curb on that portion of the parking perimeter that fronts on York Road.
4. Subject site will be subject to an entrance permit issued from the State Highway Administration.

THOMAS H. DEVLIN
State Highway Administration
and Bureau of Planning
THOMAS H. DEVLIN
BUREAU OF PLANNING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
#B-2331

Re: Item 207

June 29, 1972

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

Very truly yours,

Charles Lee, Chief
Development Engineering Sectionby: J. Kessler
Asst. Development Engineer

Baltimore County Fire Department



Towson, Maryland 21204
#B-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

Re: Property Owner: John S. and Jane L. Huff

Location: W/S York Road, 520' from Cockeysville Road
Item No. 207

Zoning Agenda Tuesday, June 13, 1972

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 4. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 5. Site plans are approved as drawn.
- () 6. The Fire Prevention Bureau has no comments at this time.

Reviewer: HTJ:EBJ Noted and Approved:
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPT. OF STATE AND COUNTY HEALTH OFFICES

June 20, 1972

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

Dear Mr. Myers:

Comments on Item 207, Zoning Advisory Committee Meeting
June 13, 1972, are as follows:

Property Owner: John S. and Jane L. Huff
Location: W/S York Road, 520' from Cockeysville Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for Service Garage
District: 8
No. Acres: 0.292

Metropolitan water is available to the site.

Complete soil evaluation must be conducted prior to issuance of building permit.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:nnf

BOARD OF EDUCATION
OF BALTIMORE COUNTY

ITEM # 207
June 13, 1972

TOWSON, MARYLAND - 21204

Property Owner HUFF

District 8

Present Zoning BL

Proposed Zoning SE FOR SERVICE GARAGE

No. Acres 0.292

NO BEARING ON STUDENT POPULATION

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRELIS
Director
Jefferson Building
Suite 301
Towson, Md. 21204
#B-2311

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 207, Zoning Advisory Committee Meeting, June 13, 1972, are as follows:

Property Owner: John S. and Jane L. Huff
Location: W/S York Road, 520' from Cockeysville Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for Service Garage
District: 8
No. Acres: 0.272 acres

Roberts Avenue serves several industrial and heavy commercial sites and should be widened and improved. The plan must be revised to show proper setbacks to reflect this change.

Very truly yours,

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

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON-4, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE C. HESSE, P.E. Director
WILLIAM T. HILLEN, P.E. Deputy Traffic Engineer

September 26, 1972

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

Re: Item 207 Revised - ZAC - June 13, 1972
Property Owner: John S. and Jane L. Huff
York Rd. - Cockeysville Road
Special exception for service garage

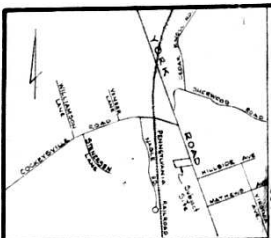
Dear Mr. DiNenna:

Although Roberts Avenue is a private road, it should still be widened to a minimum of 24 feet.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc



LOCATION MAP
SCALE 1"=1000'

EXISTING BLDG BUILDING
PRESENT ZONING - ML-IM
PRESENT USE - VARIOUS AUTOMOTIVE
SERVICE GARAGES



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
805 ALLESTREE AVE.
TOWSON 4, MARYLAND

VARIANCE REQUESTED TO SECTION 238.2 OF THE BALTIMORE COUNTY ZONING
REGULATIONS TO PERMIT A SIDE YARD OF 6 FEET IN A ML-IM
ZONE RATHER THAN THE REQUIRED 30 FEET.

PARKING TABULATION

PARKING REQUIRED WHOLE SERVICE AREA @ 1 SPACE PER 300 SQ. FT. (6100 SQ. FT.) = 21 SPACES
PARKING REQUIRED SALES AREA @ 1 SPACE PER 200 SQ. FT. (400 SQ. FT.) = 7 SPACES
TOTAL PARKING REQUIRED = 28 SPACES

PROPOSED PARKING BITUMINOUS PAVED AREA = 22 SPACES
PROPOSED PARKING SERVICE BAY AREAS = 7 SPACES
TOTAL PROPOSED PARKING = 29 SPACES

ABOVE PARKING DATA BASED ON SECTION 409.2 SUBPARAGRAPHS b-5, b-6 & b-7 RESPECTIVELY OF THE BALTIMORE
COUNTY ZONING REGULATIONS.

GENERAL NOTES

SANITARY SEWER CONSTRUCTION OF PROPOSED 8" SANITARY SEWER ALONG WITH NECESSARY EASEMENT AREA TO BE
COMPLETED PRIOR TO APPLICATION FOR BUILDING PERMIT.
STORM DRAIN EXISTING ON SITE DITCH TO BE ENCLOSED AND EXTENDED WESTERLY TO A SUITABLE OUTFALL,
EASEMENT AREA TO BE ESTABLISHED BEFORE APPLICATION FOR BUILDING PERMIT.
YORK ROAD CURB SHARED PORTION OF PROPOSED CURB SHOWN HEREON TO BE CONSTRUCTED AS STANDARD TYPE 'A' CONCRETE
CURB AND GUTTER IN COMPLIANCE WITH STATE HIGHWAY ADMINISTRATION SPECIFICATIONS.
PRIVATE DRIVE THE EXISTING 15' FOOT RIGHT OF WAY SHOWN HEREON AND KNOWN AS ROBERTS AVENUE IS PRIVATE,
TOGETHER WITH THE FRONT AND USE IN COMMON WITH OTHERS. THERE IS NO RECORD OF COUNTY
MAINTENANCE OR FUTURE IMPROVEMENT.
LIGHTING PROPOSED LIGHTING SHALL BE SO ERRECTED AS TO REFLECT RAYS AWAY FROM RESIDENTIAL LOTS AND TRAFFIC

PLAT TO ACCOMPANY ZONING PETITION FOR

SPECIAL EXCEPTION FOR PROPOSED SERVICE GARAGE
IN EXISTING BL-CNS ZONE AND ML-IM ZONE

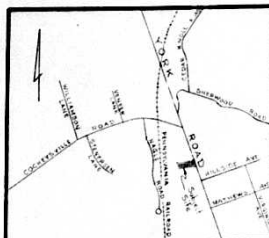
WEST SIDE YORK ROAD
COCKEYSVILLE

BALTO. CO., MD.
SCALE 1"=20'

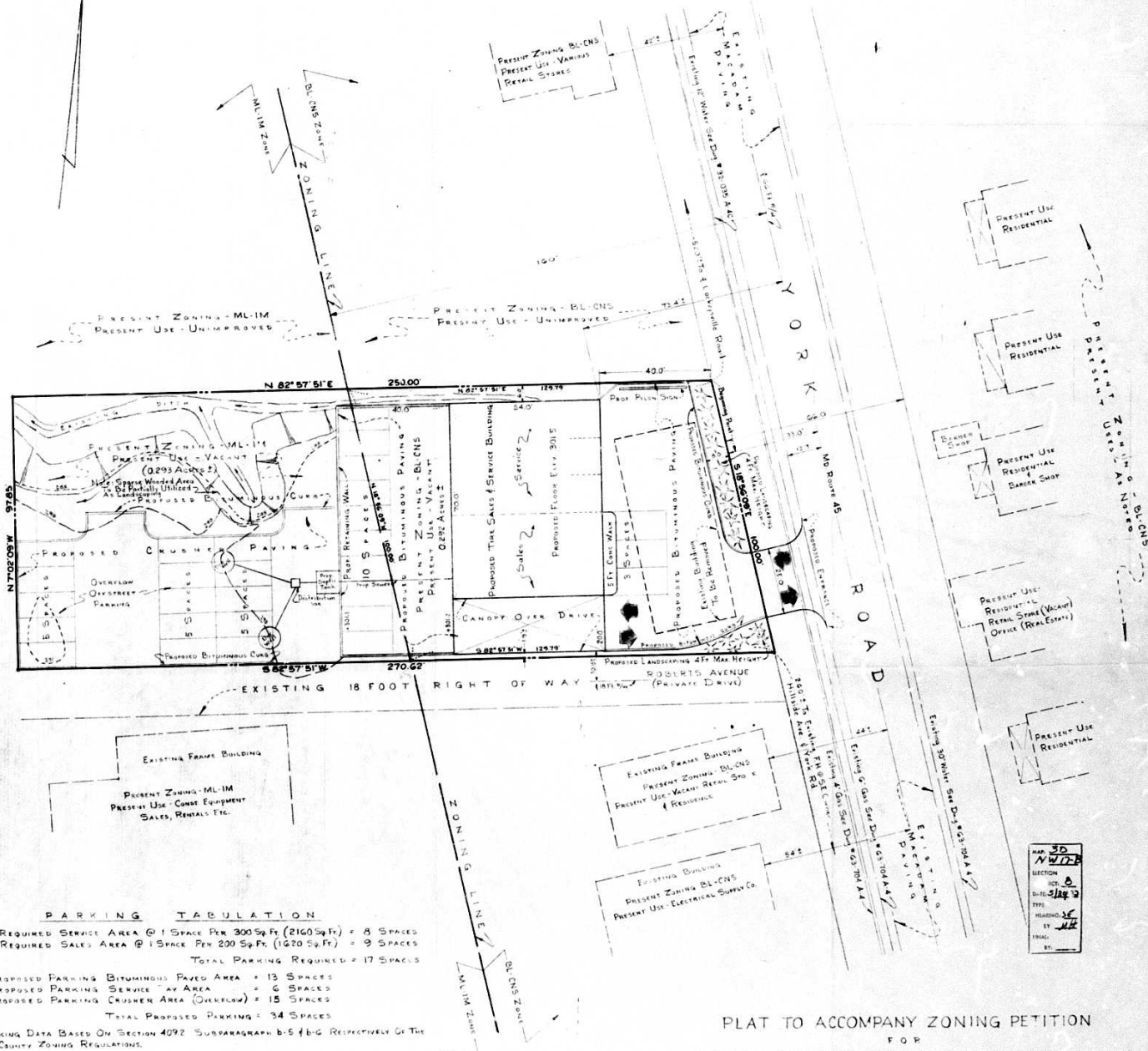
Revised August 6, 1972

ELECT. DIST. N-8
AUG. 30, 1972

PN 2667



LOCATION MAP
SCALE: 1"=100'



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
800 ALLSHEPP AVE.
TOWSON & BALTIMORE



PARKING TABULATION

PARKING REQUIRED SERVICE AREA @ 1 SPACE PER 300 SQ. FT. (2160 SQ. FT.) = 8 SPACES
PARKING REQUIRED SALES AREA @ 1 SPACE PER 200 SQ. FT. (1620 SQ. FT.) = 9 SPACES
TOTAL PARKING REQUIRED = 17 SPACES

PROPOSED PARKING BITUMINOUS PAVED AREA = 13 SPACES
PROPOSED PARKING SERVICE WAY AREA = 6 SPACES
PROPOSED PARKING CRUSHER AREA (OVERFLOW) = 15 SPACES
TOTAL PROPOSED PARKING = 34 SPACES

ABOVE PARKING DATA BASED ON SECTION 4092 SUBPARAGRAPH b-5 & b-6 RESPECTIVELY OF THE BALTIMORE COUNTY ZONING REGULATIONS.

GENERAL NOTES

SURFACE - PROPOSED PAVING EXCLUDING BITUMINOUS AREA SHALL PROVIDE A DURABLE AND DRAINLESS SURFACE AND SHALL BE PROPERLY DRAINED.
LIGHTING - PROPOSED LIGHTING SHALL BE SO ERRECTED TO REFLECT RAYS AWAY FROM RESIDENTIAL LOTS AND TRAFFIC.
SEWAGE SYSTEM - PROPOSED SYSTEM SHALL COMPLY TO BALTIMORE COUNTY STANDARDS.
ENTRANCE - PROPOSED ENTRANCE DRIVEWAY, INGRESS & EGRESS TO YORK ROAD SHALL BE IN CONFORMANCE WITH STATE HIGHWAY ADMINISTRATION SPECIFICATIONS.
PRIVATE DRIVE - THE EXISTING 18 FOOT RIGHT OF WAY SHALL BE MAINTAINED AS PRIVATE DRIVE, TRAFFIC WITH THE HOUSE AND USE BY COMPANY WITH OTHERS. THERE IS NO RECORD OF COUNTY MAINTENANCE OR FUTURE IMPROVEMENT.

PLAT TO ACCOMPANY ZONING PETITION
FOR
SPECIAL EXCEPTION FOR PROPOSED SERVICE GARAGE
IN EXISTING BL-CNS ZONE
WEST SIDE YORK ROAD
COCKEYSVILLE

BALTO CO, MD
SCALE: 1"=20'

ELECT DIST NO 8
MAY 19, 1972