

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Sousa Enterprises, Inc., 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 235.1 of the Zoning Regulations - front yard

set back 15' and 40' from the centerline of the street instead of the required 15' and 40', respectively.

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

- 1) That the shape of the lot is unusual and the additional space is needed to make practical use of the lot.
- 2) That Hillen (Chesapeake Ave.) Road at this point will not be improved but plans indicate it will be by-passed.
- 3) For other reasons to be raised at the hearing on this Petition.

See attached description

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

Antone J. Sousa
Sousa Enterprises, Inc.

Contract purchaser BY: Antone J. Sousa, Pres. Legal Owner
Address: 9 E. Chesapeake Ave., Towson 21204

John J. Bishop, Jr. Petitioner's Attorney
Address: 600 E. Johns Rd., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

of November, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of JANUARY, 1973, at 10:00 o'clock

John J. Bishop, Jr.
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE
S/S of Hillen Road, 100' SW : DEPUTY ZONING
of Maryland Avenue - 9th District : COMMISSIONER
Sousa Enterprises, Inc. - Petitioner :
NO. 73-159-A (Item No. 59) :
: OF
: BALTIMORE COUNTY

The Petitioner has withdrawn this Petition, therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 12th day of December 1973, that the said Petition be and the same is hereby DISMISSED with prejudice.

John J. Bishop, Jr.
Deputy Zoning Commissioner of Baltimore County

ASSOCIATE
JERALD D. MAZER

AREA CODE BOX
825-801

LAW OFFICES
JOHN J. BISHOP, JR.
516 HUNDRED EAST JOPPA ROAD
TOWSON, MARYLAND 21204

November 20, 1973

Office of Zoning Commissioner
Baltimore County Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: My File #2831
Alleged Zoning Violation
Hillen Road (East Towson)
9th District
Towson Cab Company
#73-159-A

Dear Sir:

Please dismiss the above captioned Petition.

Sincerely yours,

John J. Bishop, Jr.
bcc



DOLLENBERG BROTHERS

Registered Professional Engineers & Land S. 1900
705 WASHINGTON AVENUE / 7 YORK ROAD
TOWSON, MD. 21204

September 7, 1972

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on or near the southwest side of Hillen Road (sometimes known as Chesapeake Avenue), distant 100 feet more or less measured northeasterly along the southwest side of Hillen Road from the intersection of the southwest side of Hillen Road with the centerline of Maryland Avenue, said point of beginning also being at the end of the first line of a parcel of land which by a deed dated September 30, 1957 and recorded among the Land Records of Baltimore County in Liber D.L.R. No. 1390 folio 297 was conveyed by Lillian W. Hook to Alexander Williams and running reversely on said first line and binding for a part within the right of way of the Hillen Road North 45 degrees 30 minutes west 91.16 feet and thence running reversely on the third and second lines of the parcel of land conveyed by Hook to Williams the two following courses and distances viz: South 50 degrees 05 minutes west 70.75 feet and South 61 degrees 12 minutes East 150.72 feet to the place of beginning.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 6, 1972

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

JOHN J. DILLON, JR.
Chairman

John J. Bishop, Jr., Esq.
600 E. Johns Road
Towson, Maryland 21204

RE: Variance Petition
Item 59
Sousa Enterprises, Inc. - Petitioners

Dear Mr. Bishop:

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 following comments are a result of this review and inspection.

The subject property is located on the southwest side of Hillen Road, 100 feet west of the intersection of Maryland Avenue, in the 9th District of Baltimore County. This business major property, which is triangular in shape, and has frontage of 91 feet on Hillen Road contains 0.07 acres of land and is proposed to be developed as a service garage and office in conjunction with a taxi cab company, now located in further west on Hillen Road, and the predominant use of Hillen Road at this time is of a residential nature. The property immediately to the rear is the old roadbed of the He and Pe Railroad and immediately adjacent to that is the warehouse buildings of the Stebbins Anderson Lumber Yard. This property has been the subject of several inquiries as to possible use of this site, at least one of which in the past has been for a service garage. It was felt because of the dimensions and shape of a lot that this particular property was not suitable for a service garage use. I base this on past experience in dealing with service garages for the Baltimore County area.

The petitioner's site plan as submitted indicates that he proposes to construct a 1524 foot building which would contain an office and four service bays. He does not indicate any off street parking for cars awaiting service, nor does the plan indicate the circulation of automobiles waiting for gas at the proposed pump island.

On the day of the inspection by the Zoning Advisory Committee it was noted that a trailer is now located on the property and has

John J. Bishop, Jr., Esq.
Re: Sousa Enterprises, Inc.
Page 2
December 6, 1972

a permit for a temporary period of time. There was evidence that the lot had been graded and several cars were parked along the roadside of Hillen Road in front of this property. There was also a dumpster and vending machine placed in an area that could very well be within the right-of-way line of Hillen Road.

This petition is accepted for filing, however, a hearing date is being withheld until such time as revised site plans are submitted that indicate the following items:

1. Off street parking for automobiles not in use and for employees working within the service garage area.
2. At least two service spaces at the pump island.
3. All the requirements as outlined under Section 405A for service garages in the Zoning Regulations.
4. The proposed road alignment for the Towson-Towson Blvd. on the south side of the property.

The petitioner is advised to pay particular attention to the comments of the Bureau of Engineering, Department of Traffic Engineering, the Fire Department, and the Project Planning Office.

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,

John J. Dillon, Jr.
Chairman,
Zoning Advisory Committee

JJD:JD

Enclosure

ASSOCIATE
JERALD D. MAZER

AREA CODE BOX
825-801

LAW OFFICES
JOHN J. BISHOP, JR.
516 HUNDRED EAST JOPPA ROAD
TOWSON, MARYLAND 21204

March 9, 1973

Mr. James E. Dyer
Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance for Sousa Enterprises, Inc.
#73-159-A
My File #2752

Dear Mr. Dyer,

I am in receipt of your letter of March 8, 1973. I have recently received a letter from the Title Guarantee Co. with information concerning the title of Sousa Enterprises, Inc.'s property. I have furnished this information to Dollenberg Bros. in order for a determination to be made whether or not a variance is necessary.

Thank you.

Sincerely yours,

John J. Bishop, Jr.

JJB/sh



ONE RECEIVED FOR FILING

DATE: December 12, 1973

BY: John J. Bishop, Jr.

10. 88A
11/8/72

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF

November 9, 1972

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

Re: Item #59 (1972-1973)
Property Owner: Sousa Enterprises
S/W/S Hillen Road, Intersection of Maryland Avenue
Present Zoning: B.M.
Proposed Zoning: Variance from Section 235.1 to permit
a front yard setback of 0' from the property line and 15'
from the centerline of the street instead of required
15' and 40' respectively.
District: 9th No. Acres: 0.07 acre

Dear Mr. DiNenna:

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:

Hillen Road, an existing County street is proposed to be decommissioned in
conjunction with the future Towncenter Boulevard. Although final construction plans
have not been prepared, it appears that the project will indirectly affect this site,
as Hillen Road probably will not have an intersection with Jefferson Avenue. Further
information in this regard may be obtained from the Baltimore County Bureau of
Engineering.

No further highway improvements are required for Hillen Road at this time.
However, Hillen Road, which apparently has a 30-foot right-of-way width in this area,
would require a 40-foot, minimum width, right-of-way in the future if not closed or
relocated. In that event, no redevelopment of this site should allow for a 5-foot high-
way right-of-way widening along the frontage of this property.

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

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 #59 (1972-1973)
Property Owner: Sousa Enterprises
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November 9, 1972

Storm Drains:

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

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

WDS:SAH/PWR:as

N-W Key Sheet
3" NS & Position Sheet
NS 10 A Topo
70 Tax Map

cc: John J. Trenner

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.

WM. T. MILLER

DEPUTY TRAFFIC ENGINEER

November 9, 1972

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

Re: Item #59 - ZAC - October 3, 1972
Property Owner: Sousa Enterprises
Hillen Road at Maryland Avenue
Variance from Section 235.1 to permit a
front yard setback of 0' from the property
line and 15' from the centerline of the
street instead of required 15' & 40' respectively
District 9

Dear Mr. DiNenna:

The petitioner is requesting a variance for a front yard setback.
Parking space (1) will be very difficult to use, especially when the
proposed gas pumps are in use. One of the purposes of a setback require-
ment is to provide sight distance along the frontage of the site and to
decrease the setback requirement to 0 will only increase the accident
potential at this site.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:mc

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
873-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: Sousa Enterprises

Location: S/W/S Hillen Road, Intersection of Maryland Avenue

Item No. 59 Tuesday
Zoning Agenda October 3, 1972

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below marked with an "X" are applicabl
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 _____ 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 _____
- () 4. 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.
- () 5. 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.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

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

nl.
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 4, 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:

Comments on Item #59, Zoning Advisory Committee Meeting
October 3, 1972, are as follows:

Property Owner: Sousa Enterprises
Location: S/W/S Hillen Road, Intersection of Maryland
Avenue
Present Zoning: B.M.
Proposed Zoning: Variance from Section 235.1 to permit
a front yard setback of 0' from the property line
and 15' from the centerline of the street instead
of required 15' and 40' respectively.
District: 9
No. Acres: 0.07

Since metropolitan water and sewer are available to the
site, no health hazard is anticipated.

Very truly yours,

Thomas N. Mevlin
THOMAS N. MEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mc

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quinby
Acting Director
JEFFERSON BUILDING
TOWSON, MD. 21204
#6-3211

October 31, 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 #59, JV Zoning Cycle, October 1972-April 1973, are as follows:

Property Owner: Sousa Enterprises
Location: S/W/S Hillen Road, Intersection of Maryland Avenue
Present Zoning: B.M.
Proposed Zoning: Variance from Section 235.1 to permit a front yard setback of 0'
from the property line and 15' from the centerline of the street
instead of required 15' and 40' respectively.
District: 9
No. Acres: 0.07 acres

The site plan should be revised to clarify the use of the property and to indicate
all requirements of Section 405A of the Zoning Regulations.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

Baltimore County, Maryland
OFFICE OF THE BUILDINGS ENGINEER
DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

BERNARD J. DITTE
DIRECTOR

October 5, 1972

G. Elmer Hoppert, Jr.
DEPUTY DIRECTOR

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 #59, Zoning Advisory Committee Meeting, October 3, 1972
are as follows:

Property Owner: Sousa Enterprises
Location: S/W/S Hillen Road, Intersection of Maryland Avenue
Present Zoning: B.M.
Proposed Zoning: Variance from Section 235.1 to permit a front
yard setback of 0' from the property line and 15' from the centerline
of the street instead of required 15' and 40' respectively.
District: 9
No. Acres: 0.07 Acres

"When any amendments are to be considered, the Petitioner shall comply with
all applicable requirements of Baltimore County Zoning Regulations
and Regulations".

Sincerely,

G. Elmer Hoppert, Jr.
G. Elmer Hoppert, Jr.
Buildings Engineer, (Acting)

BERNARD J. DITTE
DIRECTOR

AMEL CODE MC
8-2-72

LAFF OFFICE
JOHN J. BISHOP, JR.
SIX HUNDRED EAST JOPPA ROAD
TOWSON, MARYLAND 21204

May 18, 1973

Zoning Commissioner of Balto. County
County Office Building
Towson, Maryland 21204

Re: Petition for Variance for Sousa Enterprises, Inc.
#73-159-A
My File #2831

Gentlemen:

This matter had been set for hearing on January 8,
1973. At that time we discovered that there was a possibility
that it would not be necessary to pursue this Petition because of
some additional property which the Petitioner did not realize he
owned at the time of filing of the Petition. This appears to be true,
however, we wish to wait until a title insurance policy is issued,
so that we can be absolutely sure of our position. For this reason
it would be greatly appreciated if you would further hold this matter
in abeyance for another 45 to 60 days.

If you have any questions, please do not hesitate to
contact me.

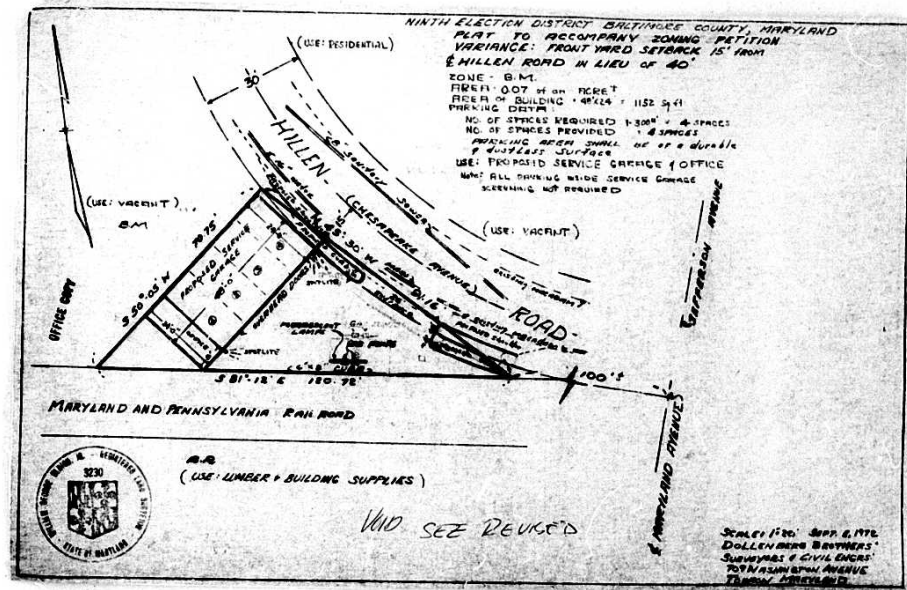
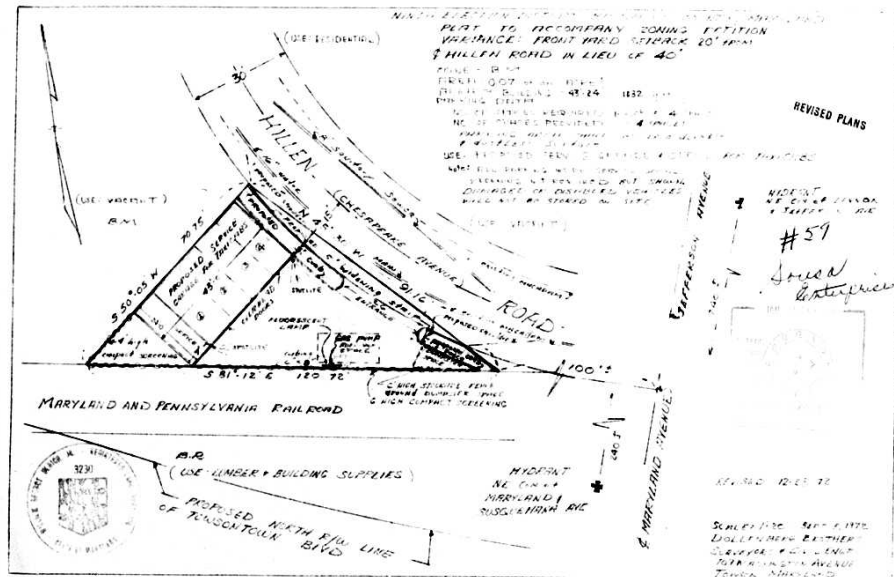
Thank you very much for your past courtesy and consideration.

Sincerely yours,

John J. Bishop, Jr.
John J. Bishop, Jr.
JJB/sb

cc: Mrs. Bea Anderson, Office of Planning & Zoning





PLANS APPROVED
OFFICE OF PLANNING & ZONING

BY S.E. 466

PLANNING

DATE 11/6/73

BY James B. Byrnes

ZONING COMMISSIONER

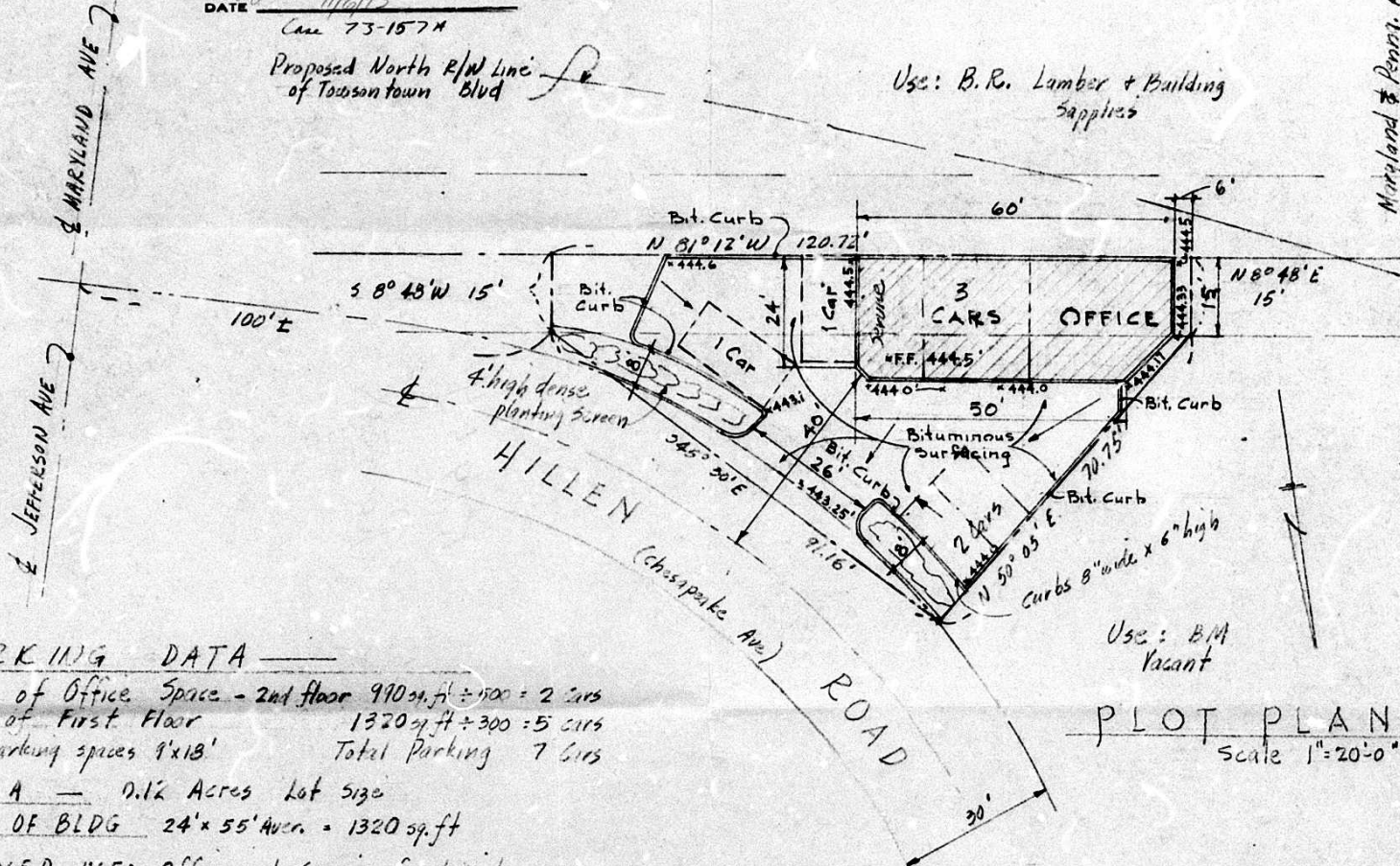
DATE 11/6/73

Case 73-157H

Proposed North R/W Line
of Towson town Blvd

Use: B.R. Lumber & Building
Supplies

Maryland & Penn. Railroad
Abandoned



PARKING DATA

Area of Office Space - 2nd floor 910 sq. ft. ÷ 450 = 2 cars

Area of First Floor 1320 sq. ft. ÷ 300 = 5 cars

Car parking spaces 9' x 13' Total Parking 7 cars

AREA — 0.12 Acres Lot size

AREA OF BLDG 24' x 55' Area = 1320 sq. ft.

PROPOSED USE: Office and Service for taxicabs

ZONE — B.M.

PARKING SURFACE: Bituminous Tapping

Evans, Hagan & Holdrege &

Data taken from Plat by Dollenberg Brothers
dated March 26, 1973 - Compiled from deeds



PROPOSED BUILDING FOR
SOUSA ENTERPRISES, INC.

HILLEN ROAD - 9th ELECTION DISTRICT - BALTO. CO., MD
CHARLES VAUGHAN PIPPEN - ARCHITECT

Revised 10/25/73

Revised 11/5/73

5/24/73