

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Brooks Buick, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an B.R. zone to an B.M. zone; for the following reasons:

That the subject property which has been in its present use for a continuous period of time, antedating the adoption of zoning regulations for Baltimore County, has been placed in two districts, the district line actually dividing the building which is on site, which makes it impracticable for the owner to redevelop subject property.

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 _____

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, 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
Brooks Buick, Inc. Legal Owner
Address: York Road & Washington Ave.
Towson, Maryland 21204

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

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of October, 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 5th day of March, 1973, at 10:00 o'clock

Alvin D. Thomas
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Brooks Buick, 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 (1) that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from an C3A to a B.M. district; for the following reasons:

That the subject property which has been in its present use for a continuous period of time, antedating the adoption of zoning regulations for Baltimore County, has been placed in two districts, the district line actually dividing the building which is on site, which makes it impracticable for the owner to redevelop subject property.

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 _____

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

I, or we, agree to pay expenses of above re-districting and/or Special Exception 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
Brooks Buick, Inc. Legal Owner
Address: York Road & Washington Ave.
Towson, Maryland 21204

Protestant's Attorney
James H. Cook
Address: 409 Washington Avenue
Towson, Maryland 21204
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Alvin D. Thomas
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION AND REDISTRICTING
NW corner of York Road and
Washington Avenue - 9th District
Brooks Buick, Inc. - Petitioner
NO. 73-202-R (Item No. 12)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request to reclassify and redistrict .73 acres from a B.R. Zone and a C.S.A. Zone and District to a B.M. and C.T. Zone and District. Said Property being part and parcel of a larger tract, located at the northwest corner of York Road and Washington Avenue, in the Ninth Election District of Baltimore County.

Testimony indicated that the Petitioner's property has been divided into two separate and distinct zoning categories which impairs future orderly development of the site. As of this date, the site, which is presently being utilized as a new car agency with associated outdoor storage areas, has not been affected by the split classification. However, since his business is being relocated, the Petitioner feels that the zoning error should be corrected placing the site in one zoning category, which will provide for its logical development.

Zoning Advisory Committee had no adverse comment with regard to the availability of water and sewer or traffic conditions. However, revised plans indicating entrance locations and planned major improvements for the widening of Washington Avenue was requested.

Planning Board recommendations with regard to the Petitioner's request were favorable.

After reviewing the above testimony, the Comprehensive Zoning Map, and recommendations by the County agencies involved, it is the opinion of the Deputy Zoning Commissioner that an error does exist, and the property should be placed in one zoning category.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 12th day of March, 1973, that the herein described property or area should be and the same is hereby Reclassified from a B.R. Zone to a B.M. Zone, and Redistricted from a C.S.A. District to a C.T. District, subject, however, to revised plans indicating defined entrance locations, and proposed improvements to Washington Avenue. Said plan to be approved by the Bureau of Engineering, Department of Traffic Engineering, the State Highway Administration and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE March 9, 1973

BY John P. Hays

ORDER RECEIVED FOR FILING

DATE March 9, 1973

BY John P. Hays

DOLLENBERG BROTHERS
Regional Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204
September 26, 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 at the corner formed by the intersection of the southeast side of York Road with the northwest side of Washington Avenue and running thence and binding on the northwest side of Washington Avenue South 51 degrees 04 minutes East 152.42 feet to the northeast side of Ware Avenue, thence binding on the northeast side of Ware Avenue North 60 degrees 45 minutes West 257 feet, thence leaving said avenue and binding on the outlines of the land of the petitioners herein the five following courses and distances viz: North 29 degrees 15 minutes East 184.42 feet, South 77 degrees 15 minutes East 37.83 feet, North 2 degrees 40 minutes East 126 feet, South 22 degrees 26 minutes West 232.2 feet and North 68 degrees 07 minutes East 90 feet to a point on the southeast side of the York Road and thence binding on the southeast side of said road South 22 degrees 26 minutes East 123.42 feet to the place of beginning.

Containing 1.33 Acres of land more or less.

Saving and excepting therefrom that portion of the above described parcel of land heretofore zoned SM-07.

Being the land of the petitioners herein as shown on a plat filed in the office of the Zoning Commission.



MEMORANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION AND REDISTRICTING FILED BY BROOKS BUICK, INC. AS REQUIRED BY BILL 72, SECTION 22-22(b).

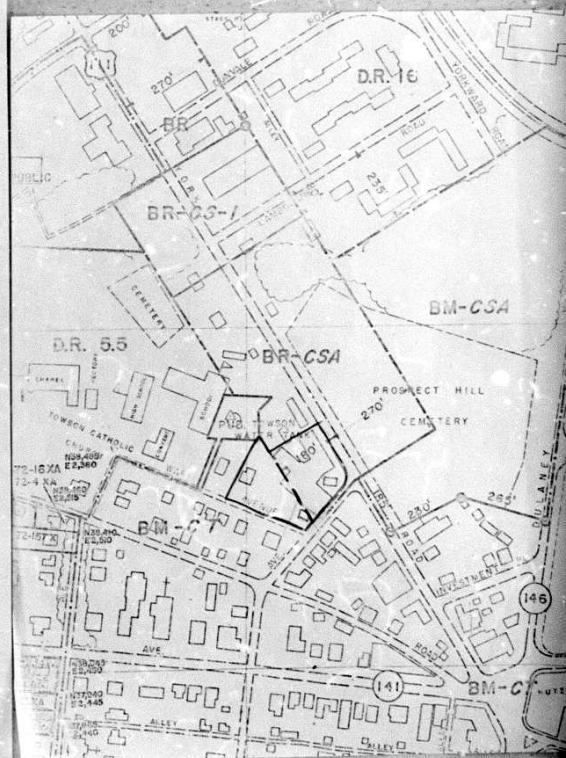
Now comes Brooks Buick, Inc., a body corporate, legal owner of the within property sought to be reclassified, and redistricted, by James H. Cook, its attorney, and in accordance with the provisions of Bill 72, Section 22-22(b) states that the reclassification and redistricting which is requested should be granted, and for reasons says:

1. That the Baltimore County Council committed error at the time of the adoption of the Land Use Map on March 24, 1971 when it extended a zoning and districting line through the center of Petitioner's property, and through the existing buildings, resulting in the going business owned and operated by the Petitioner being divided into two parcels, thus impairing future orderly development of the site.
2. The appropriate officers and officials of Baltimore County had actual and/or constructive knowledge of the plans and intentions of the Petitioner to remove its business to another location at West Road and Kenilworth Avenue in Towson, Maryland; and the County Council, having reaffirmed the zoning which your Petitioner obtained on its property at West Road and Kenilworth Avenue in order to move the location of its business (said zoning being obtained by the petition process under Zoning Petition 68-104R in preparation for said move), erred in failing to place all of the Petitioner's property located at York, Washington, and Ware Avenues in the same Business Major Zone and CT District so as to provide for an

orderly redevelopment of Petitioner's land at York Road and Washington Avenue once its business, now being used thereon, is relocated to West Road and Kenilworth Avenue.

3. That the zoning and districting line of demarcation that divides the Petitioner's property is an artificial line which does not appear to meet any planning criteria, yet, at the same time, imposes an undue hardship on your Petitioner.

James H. Cook
Attorney for Petitioner



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 12th day of October 1972.
The attached Petition for a Special Exception will be accepted on the 15th day
of January, 1973.

[Signature]
ERIC DIENNA,
Zoning Commissioner

Petitioner: Brooks Buick, Inc.

Petitioner's Attorney: James H. Cook

Reviewed by *[Signature]*
Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1972

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

Re: Reclassification Petition
Item 12
Brooks Buick, Inc.

Dear Mr. Cook:

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 northwest corner of
York Road and Washington Avenue, in the 9th District of Baltimore
County. The subject property is currently improved with the
Brooks Buick showroom, offices and service garage building
that has been in existence on this corner for many years. Although
concrete curb and gutter exists along Washington Avenue and
York Road in this location, it is not in keeping with today's
standards.

The petitioner is requesting a Reclassification from Business
Roadside to Business Major and Redistricting from a CSA District
to a CT District. However, no proposed changes to the existing use
have been indicated on the submitted site plan that would take
advantage of the CT District potential. This property is located
within the town center area, as designated by the Planning Board
on the Town Center Maps for Towson. The petitioner is advised to
pay particular attention to the comments of the Bureau of Engineering
and State Highway Administration.

This petition is accepted for filing on the date of the enclosed
filing certificate. However, all corrections to site plans as
requested shall be submitted to this office prior to Thursday,
February 1, 1973 in order to allow time for advertising. Failure
to comply may result in this petition not being scheduled for a
hearing. Notice of the hearing date and time, which will be between
March 1, 1973 and April 15th, 1973 will be forwarded to you in the near
future.

Very truly yours,
[Signature]
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJD:JD
Enclosure

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

October 20, 1972

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

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

Re: Item #12 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Brooks Buick, Inc.
S/S York Rd., NAC Washington Ave.
Present Zoning: B.R.
Proposed Zoning: Reclass. from B.R. to B.M. and Redistrict
from CSA to CT
District: 9th No. Acres: 1.33 acres

Dear Mr. Dienna:

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.

Highway Comments:

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

Washington Avenue is an existing County street which has been previously improved
with a 22-foot closed roadway section within a 40-foot right-of-way. In conjunction
with the overall development of the Towson Business Area, Washington Avenue is proposed
to be further improved as a major thoroughfare within an 87-foot right-of-way. The
proposed roadway section would consist of a 33-foot southbound lane (three moving lanes)
and a 22-foot northbound lane (two moving lanes) separated by a 4-foot concrete median.
The proposed right-of-way would be centered about the centerline of the existing 40-foot
right-of-way. Therefore, a 23.5-foot highway right-of-way widening would be required
in connection with any further development of this property.

Ware Avenue is an existing County street which has been previously improved as
a 28-foot closed roadway section within a 50-foot right-of-way. Ware Avenue is proposed
to be further improved as a 40-foot closed roadway section within the existing 50-foot
right-of-way. No further highway right-of-way is required except for a 4-foot at the
intersection with Washington Avenue, which would be included in the acquisition of the
right-of-way for Washington Avenue. No further highway pavement improvements are
required at this time; however, standard Baltimore County commercial entrances and public
sidewalk are required along Ware Avenue and are the full responsibility of the Petitioner.

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

Item #12 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Brooks Buick, Inc.
Page 2
October 20, 1972

Storm Drain Comments:

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

The plan does not indicate any existing onsite drainage facilities; however,
a storm drainage study and facilities will be required in conjunction with any further
development of this property.

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.

Sediment Control Comments:

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings down-
stream of the property. A grading permit is, therefore, necessary for all grading,
including the stripping of top soil.

Water and Sanitary Sewer Comments:

Public water and sanitary sewerage are available to serve this property;
however, any further development of this property may be restricted due to inadequacies
in the overall sewerage system.

The subject plan must be revised to indicate the highway improvements proposed
for Washington Avenue and as shown on the attached print.

Very truly yours,

[Signature]
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

FDD:RAM:RND:iss

Attachment

N-W Key Sheet
39 NE 2 & 3 Position Sheet
NE 10 A Topo
70A Tax Map
cc: J. Trenner

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

ELLSWORTH M. DIVER, P.E. W. T. MALLER
DIRECTOR DEPUTY TRAFFIC ENGINEER

October 26, 1972

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

Re: Cycle Zoning IV
Item 12 - ZAC - Oct. 72 to Apr. 73
Property Owner: Brooks Buick, Inc.
York Road NWS Washington Avenue
Reclass. from B.R. to B.M. & Redistrict from CSA to CT
District 9

Dear Mr. Dienna:

The subject petition is requesting a zoning change from BM-CT
and BR-CSA to BM-CT. Trip density of this site is not expected to change.
The site should be designed in such a manner to give better on site circula-
tion of vehicles.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc



Maryland Department of Transportation

State Highway Administration

Harry R. Hughes
Secretary
David H. Fisher
Assistant Secretary

October 12, 1972

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

Re: Reclassification Oct. 1972
Property Owner: Brooks Buick
Location: S/S York Road
(Route 45) N/W/S Washington
Ave., Present Zoning: B.R.
Proposed Zoning: Reclass. from
B.R. to B.M. and Redistrict
from CSA to CT
District 9
Acres: 1.33

Dear Mr. Dienna:

The York Road frontage of the subject property at
Washington Ave. is completely open with no defined entrance. At such time
as changes might be made to the property it will be necessary for the
developer to construct a proper entrance and improve the frontage with
concrete curb.

The 1971 average daily traffic count for this section
of York Road is 26,000 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
[Signature]
By John E. Meyers
Asst. Development Engineer

CLJ:JEN:bk

Baltimore County Fire Department



J. Austin Deitz
Chief

Towson, Maryland 21204

928-7316

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

Attention: Mr. *[Signature]* Acting
Zoning Advisory Committee

Re: Property Owner: Brooks Buick, Inc.

Location: S/S York Road, N/S/S Washington Avenue

Item No. 12

Zoning Agenda IV ZONING CYCLE
October 1972 - April 1973

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.

- () 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.
- (x) 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.

Reviewed by: *[Signature]* Noted and
Planning Group Approved:
Special Inspection Division Deputy Chief
Fire Prevention Bureau

ms
4/25/72

