# PETITION F R ZONING RE-CLAST FICATION AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: I, or we, Clarene Lone & Joan Lone legal owner... of the property situate in Beltimore 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 Raltimore County, from an \_zone; for the following reasons: 1.200 County, to use the herein described property, for... Service garage Property is to be posted and advertised as prescribed by Zoning Regulations posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning 5727 Reisterstown Road Baltimore, Maryland 21215

Mix. July ..., 197 3, 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-

BEFORE THE RF: PETITION FOR SPECIAL EXCEPTION : NE/corner of Charles Street and Eastern Avenue - 15th District Clarence Lowe - Petitioner NO. 74-41-X (Item No. 13) · DEPUTY ZONING COMMISSIONER

OF : BALTIMORE COUNTY

This Petition represents a request for a Special Exception for a service garage on a . 23 acre parcel of ground located on the northeast corner of Eastern Avenue and Charles Street, in the Fifteenth Election District of

Testimony was given on behalf of the request by Mr. Charles S. Ezrine, President of Exrine Auto Centers, Incorporated.

The service garage type operation will contain a small retail office area and a separate storage area. It will basically consist of tire. rber, muffler sales and installation, as well as front end alignments had a service garage and store at 7842 Eastern Boulevard for the last twenty (20) years. Due to the loss of this lease, the company has been actively seeking an acceptable location in the area for the past two (2) years.

Planning staff recommendations as to the proposed use of the property and its effect on the Comprehensive Zoning Map for this area, questioned the relation of the proposed building with regard to an adjoining flood plain and possible pollution thereof.

The State and County agencies, who reviewed the Petitioner's proposed development plan for compliance to their site development standards and requirements, commented as follows:

## Department of Public Works:

"Charles Street, a recorded 50 foot right-of way serving the purposed of storm drainage and utility easement, is not proposed to be improved as a public travelway.

The Petitioner must provide necessary drainage 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.

construction of any structure, including footings will be permitted within the 50 foot County right-of-way (Charles permitted within the 50 foot County right-of-way (Charles Street) a 'paper street' is erving as a drainage channel and utility easement. During the course of grading or con-struction on this site, protection must be afforded by the contractor to protect the channel and prevent any damages thereto. Any damage sustained would be the full responsi-bility of the Petitioner."

Water and Sanitary Sewer:

"Public water supply and sanitary sewerage are serving the present dwelling on this site."

#### Department of Traffic Engineering:

"- - - The 12 foot driveway on the east side of the site is inadequate for a service garage, which can be expected to have a constant turn over of vehicles. Vehicles larger than pick up trucks will experience problems manuvering on this site due to its tightness. The site plan should be revised to show service bays, toading areas, a 20 foot side driveway, and the existing driveway on the east property line of this site."

## State Highway Administration:

"The close proximity of the proposed entrance into the subject site will encourage a hazardous movement into the entrance, through the crossover from the east bound land of Eastern Blvd. To aleviate the situation, the entrance must be located at the west property line in order to provide a better alignment with the crossover (this would require the relocation of the fire Aydrant) or be located five feet off the east property line, providing a greater distance from the

The existing residential entrance must be closed with curb and side walk sections. The Proposed entrance will be subject to approval and permit from the State Highway Administration.

The average daily traffic count for this section of Eastern Blvd. is 42,400 vehicles."

- 2 -

## Department of Health:

"Water Resources Administration Comments: If jubrication work and oil changes are performed this location, revised

plans must be submitted showing method providing for the eleimination of waste oil in accordance with Water Resources Admin. requirement."

### Project Planning:

"The site plan as submitted must be revised to show the existing driveway to the east of this property.

The revised site plan must also show the location of the service bays in the proposed building and a minimum drive-way width of 20 feet along the side of the building."

There were no area residents or protestants present at the hearing. The Planning staff recommendation did not include any adverse comment with regard to the Petitioner's proposed use. However, other

agencies repeated request for revised site plans clearly indicate that the Special Exception can be granted only if the Petitioner deviates from his standard structure and complies with the various agencies' request for an acceptable revised site plan.

Prior to the close of this hearing, the Petitioner and/or contract above and attempt to devise an acceptable site plan. Subsequent to the writing of this opinion, such a site plan was received and has been marked Petitioner's

Based on these findings, it is the opinion of the Deputy Zoning Commissioner that Section 502.1 of the Baltimore County Zoning Regulation: has been met and the Petitioner's request can be granted. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner

of Baltimore County this \_\_\_\_\_\_ day of September 1973, that the above requested Special Exception be and the same is hereby Granted, subject to the approval of and compliance to a site plan approved by the State Highway Administration, Department of Public Works, Department of Traffic Engineering, Department of Health and the Office of Planning and Zoning

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 18, 1973

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

3

Re: Tten 13 Tem. 13 Property Omer: Clarence and Joan Lowe ME Cor. Eastern Ave. & Charles St. Present Zoning: B.L. Proposed Zoning: Special Exception for Service Garage

15th 0.233 more or less

No effect on student population

Wory truly yours, W. Nick Petrovich Field Representative BALTIMORE COUNTY, MARYLAND

ORDER RECEIVED FOR FILING

BATE



DEPARTMENT OF TRAFFIC ENGINEERING

EVERNE J. CLUYOND. P.E.

September 18, 1973

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

Item 5 - Cycle Zoning V - April to October, 1973 Property Owner: Randallstom Symagogue Center, in Liberty, SE of Blair Avenue and 5/5 of Church Lane opposite Springdell Avenue Raclass, to D.R. 16 - Olstrict 2

The subject petition is requesting a change of DR 5.5 to DR 16 of approximately 6+ acres. This reclassification and special exception for offices can be expected to increase the trip de ty from 325 to 960 trips a day.

This petition is, therefore, undesirable due to the serious capacity problems along Liberty Road in this area.

Very truly yours.

C. Richard Moore
Assistant Traffic Engineer

DATE 080

ING

F0R

IVED



August 14, 1973

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

Comments on Item #13, Zoning Advisory Committee Meeting, July 17, 1973, are as follows:

Property Owner: Clarence and Jorn Lowe Location<sup>1</sup> NE/cor Eastern Ave. and Charles St. Present Zonling: B.L.
Proposed Zonling: Special Exception for Service Garage
District: 15
No. Acres: 0.233 more or less

The site plan as submitted must be revised to show the existing driveway to the east of this property.

The revised site plan must also show the location of the service bays in the proposed building and a minimum driveway width of 20 feet along the side of the building.

Very truly yours,

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

DEC 6 - 1973

## -RALTIMORE COUNTY. MARYLAND DEPARTMENT OF HEALTH-

July 19, 1973

Mr. S. Eric DiNenna. Zoning Commissioner Office of Pleaning and Zoning County Office Building Towson, Naryland 21204

Comments on Item 13, Zoning Advisory Committee Meeting July 17, 1973, are as follows:

Property Owner: Clarence and Joan Love Location: NE Cor. Eastern Ave. & Charles St. Present Zoning: B.L. Proposed Zoning: Special Exception for service garage. No. Acres: 0.233

Metropolitan water and sewer are available.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and ail fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Mygiene, Baltimore County Department of Health.

Whater Resources Administration Comments: If lubrication work and oil changes are performed at this location, revised plans must be substreed showing method providing for the elimination of wante oil in accordance with . er Resources Admin. requirement.

Very truly yours,

Chomo A. Londo:
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB: mne

cc: W.L. Phillips

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

C. MIN'TY OFFICE BLDG.
11 T. Chesapeste Ave.
Towner, Maniand 21204

Lawrence K. Ginsberg, Esq., 215 Dunkirk Building Baltimore, Maryland 21222

STATE ROADS COMME

BUREAU OF PIAL PREVENTION HEALTH DEPARTMENT

PRODUCT PLANNING CLIPING DEPARTMEN SOUND OF EDUCATION

TOWNS ADMINISTRATION DOUGHAL DESCRIPTION

Dear Mr. Ginsberg: 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with "commendations as to the appropriateness of the requested zoning.

August 10, 1973

1000 J. DILLON, 11 Chairman MEMBERS

RE: Special Exception Petition Item 13 Clarence & Joan Lowe - Petitioners

The subject property is located at the northeast corner of Eastern Avenue and Charles Street, which is selected, and is also adjacent to an existing session of the control of the control

Curb and gutter exist along Eastern Blvd. at this

The property is currently improved with an existing 1-1/2 story frame dwelling that has a garage and a rabbit huten in the rear yard.

Item #13 (1973-1974) Item #13 (1973-1974)
Property Owner: Clarence and Joan Lowe Page 2
July 26, 1973

## Storm Drains

Provisions for accommodating storm water or drainage have not been indicated

on the submittee plan.

The britineer must provide measurer drainage facilities (temporary or communet) to prevent creating any missance or desages to adjacent properties, aspecially by the concentration of surface waters. Correction of any problem within any result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Pottlidner.

responsibility of the Petitioner.

The Petitioner is cautioned that no encreasiment by construction of any structure, including footings will be permitted within the 50-foot Jounty right-of-way (Charles Street) a "paper street" service as a drainage channel and utility exceeds. During the course of grading or construction on this site, protection must be afforced by the contractor to protect the channel and prevent any damages threato. Any damage mustained weallow the thirty of the Petition.

Water and Sanitary Sewer: \* #4

Public water supply and sanitary sewerage are serving the present dwelling

E Murth W. Dies pur!
SLISHORFH N. DIVER, P.S.
Chief, Bureau of Engineering

END: EAM: FAR: SE

I-SW Key Sheet 6 NE 28 Pos. Sheet NE 2 G Topo 97 Tax Map

BALTIMORE COUNTY, MARYLAND ON BUILDING TOWSON, MARYLAND 2120



DEPARTMENT OF TRAFFIC ENGINEERING

August 2, 1973

Mr. S. Eric DiNemna County Office Building Towson, Mervland 21204

Item 13 - ZAC - July 17, 1973 Property Owner: Clarence and Joan Lowe NE corner Eastern Avenue and Charles Street Special Exception for Service Garage District 15

Dear Hr. DiMenne:

\*\*The subject petition is a special exception for a service garage. The 12 foot driveway on the east side of the site is inadequate for a service service service service that the service service

Michael S. Flanigan Traffic Engineer Associate

MSF/pl

Lawrence K. Ginsberg, Esq.,

Re: Clarence & Joan Low

August 10, 1973

Bernard M. Evans

The petitioner proposes to develop a 6-bay service garage for a tire company, and he is a providing twelve(12) outside service garage. The side proposed sate(6) spaces in the garage. The side proposed overhead doors to enter the building.

Revised site plans reflecting the comments of the Bureau of Engineering, Dept. of Traffic Engineering, State Highway Administration, and Project Planning must be submitted prior to the hearing.

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

JJDJr.:JD (Enclosure

cc: David W. Dallas, Jr. 8713 Old Harford Road Baltimore, Maryland 21234

Maryland Department of Transportation

Att. Mr. John Dillon

CI . IEM. de

July 20, 1973

Deat Mr. DiMennar
The close proximity of the proposed entrance into the subject site
Will encourage a hazardous movement into the antrance, through the crossover froughe east bound lane of Eastern Sivd. To alevitate the situation,
the entrance mgst he located at the usest property line in order to provide
a better alignment with the crossover (this sould rought the relocation
of the fire hydrant) or be located five feet off the east property line,
providing a greater distance from the crossover.

The existing residential entrance must be closed with curb and side walk sections. The proposed entrance will be subject to approvel and permit from the State Highway Administration.

The average daily traffic count for this section of Eastern Blvd. is  $b^-$  ioO vehicles.

RE: Z.A.C.Meeting, July 17, 1973 Property Owner: Clarence Joan Lowe Location: ME/Cor. Eastern Ave. (Rts. 150) & Charles St.

(Rte. 190) & Charles St.
Present Zonings B.L.
Proposed Zonings Special Exception
for Service Garage
District 15th
No. Acress 0.233 more of Less
Item No. 13

Re: Item #13 (1973-1974) Item #13 (1973-1974)
Froperty Omers: Clarence and Joan Love
#75 core. Sentern Avenue and Charles St.
Freesant Zoning: S.L.
Synotal Exception for Service Garage
Districts 15th No. Acres: 0.155 acre.

Dear Mr. DiMenna.

Bareau of Engineering

ELLIWORTH N. DIVER. P. E. CHIEF

Pr. S. Eric DiNenna Loning Commissioner County Office Building Towson, Maryland 2120h

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

Baltimore County, Maryland

Bepartment Of Bublic Borks COUNTY OFFICE BUILDING

July 26, 1973

The plan must be revised to indicate the existing driveway which lies within or adjacent to the easternmost outline of this site.

Eastern Avenue (Md. 151) is a State Boad; therefore, all improvements, inter-sections, outrances and drainage requirements as they affect the road come under the furiodiction of the Noryland Highway Administration. Any utility construction within the State Boad right-or-may will be subject to the standards, specifications and springed of the State in addition to those of Balticere County.

things and utility essence, is not proposed to be improved as a public travelvay.

The alley, to conform with Raitinere County Standards, must be widened and improved as a 20-feet commercial alley. Right-of-way widening for this alley will be required in connection with any grading or building permit application. The plan should be revised accordingly.

Development of this properly through stripping, grading and stabilization could result in a sudiant pollution problem, damaging private and public holdings downstrom of the property. A grading permit 19, therefore, possessay for all grading, including the stripping of top soil.

Baltimore County Fire Department



Office of Planning and Zoning Britimore County Office Luilding Towson, Haryland 21204

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: Clarence and Joan Lowe Location: NE/Cor. Eastern Ave. & Charles St.

Zoning Agenda Tuesday, July 17, 1973

Gentlenen:

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. Pire 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 Morks.
( ) 2. A second means of vehicle access 'n required for the site.
( ) 3. The vehicle dead-end condition shown at

EXCEEDS the maximum allowed by the Fire Department,

() 4. The site shall be made to comply with all applicable parts
of the Fire Prevention Code prior to occupancy or beginning
of operations.

of the Fire Prevention Code prior to occupancy or beginnin of operations.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Mational 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 Sureau ha. no comments at this time.

Reviewer: ARCON MINEL M. Noted and Paul H. Reuche Approved:
Planning/Ascoup Division Deputy Chief Pire Prevention Bureau

mls 4/16/73

Very truly yours. Charles Lee, Chief Development Engineering Section

John E. Meyers
by John E. Meyers
Asst. Bevelopment Engineer

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

IN A B L ZONE

BECINIZE for the same at the point formed by the intersection of the northernment aids of Eastern Assume (80 feet wide) with the easternment aids of Charles Street (50 feet wide) as above on the revised plat of the Property of the Taylor Land Co. as recorded smean the Land Records of Baltimers County in 18st Book 16. 9 folic 74 and 75 said point being the southwesternment coreser of Black C as shown on said plat, thence binding on the northernment saids of said Eastern Assume north St degrees 32 minutes 15 seconds east 70,00 feet, thence leaving asid Areass and running for a line of division sorth 27 dagrees of Minutes 45 seconds west 15,00 feet to the seath side of a 16 feet lay south 52 degrees of 22 minutes 15 seconds west 70,00 feet to the seath side of a 16 feet lay south 52 degrees of 22 minutes 15 seconds west 70,00 feet to the saternment aids of And Charles Street, thence binding on the seat side of said interest south 27 degrees of 9 minutes 45 seconds seat 145,00 feet to the place of beginning.

CONTAINING 0.233 acres of land more or less.

BEING part of Block C as shown on the revised plat of the Property of the Taylor land Co. as recorded among the Land R-cords of Baltimore County in Plat Book No. 9 folio 74 and 75.

June 28, 1973





1 October 1 9 7 3

74-41-x (Sten #13) Clarence Forme - Pet,

Dear Mr. Dyers

STATE OF MARYLAND

As the contract purchaser of the above referred purcel of land, I will accept any responsibility and costs resulting from any such appeal taken against the special exception granted by the Zoning Commission.



DCT 2 772 6M -

of October, 1973, before me, a Notary Public of said In Testimony Whereof, I have hereunts set my hand, and affirmed, my official seal.

Rowrise M. Scharfeld, sofary Public

My Commission Expires July 1, 1974

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Lute. August 17, 1973

FROM William D. Fromm, Director

Office of Planning and Zoning
SUBJECT Patition #74-41X. Northeast corner of Charles Street and Eastern Ave. Petition for Special Exception for Garage, Service. Petitioner - Clarence and Joan Lowe

#### 15th District

HEARING: Monday, August 20, 1973 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject patition and has the following comments to make.

The staff questions the extent of the flood plain on the stream adjacent to this property. It is concerned with the relationship of the proposed building to that flood plain and whether or not it will be sufficient safeguard to prevent pollution to that stream by activities carried on in the building.

If the proofs of Section 502.1 are met, any construction should be conditioned to conformance to an approved site plan.

William D. Fromm, Director Office of Planning and Zoning

WDF:NEG:rw



PETITION MAPPING PROGRESS SHEET FUNCTION Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Reviewed by: FTH Revised Plans: Change in outline or description\_\_\_Yes Previous case: Map #

1000		05/01/01/07		
	RE COUN			No.
	FINANCE - R			
MISCELL	ANEOUS C	ASH RE	CEIPT	
				1
DATE	Aug. 20	. 1973	ACCOUNT 01	-662 '
			AMOUNT	\$57.2
				THE RESERVE
			IBUTION	
WHITE - C			- AGENCY	YELL
	00 S. Bur			
De 144	spring Avenue, Mi.	21208	that wee t	
		ELECU	6 M. B. 21	
Advert				

Posted by Must		rak y Brish	
Signature	2	- Date of return:	ug - 9- 7
	F THE COUNTY OFFE	CE OF PLANNING A 320	NING POL
Larrence E. Ginchery, 215 Dunkirk Building Baltimore, Md. 21222	111 V. Che	loe Building sepaste Avenue ryland 21204	
	Your Petition has	been received and ac	ceuted for filln
this	esy of	() <del>***</del>	_1973.
		10	1.21
1.4			
		S. ERIC DINENNA Zaning Commissi	oner
		S. ERIC BINEMA Zoning Commissi	and F

CENTIFICATE OF POSTE

#74-41-X

Date of Parties aug 2-73

Guy 21. 1973 @ 1180 PM



## CERTIFICATE OF PUBLICATION

August 2

10...72

Cost of Advertises

ORIGINAL OFFICE OF @ESSEXTIMES ESSEX, MD. 21221 THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one 380000 week/ before the 6th day of August 1973, that is to say, the same was inserted in the issue of August 2, 1973.

STROMBERG PUBLICATIONS, Inc.

BALTIMORE COUR	ITY, MARYLAND	Ma. 11172	
OFFICE OF FINANCE - F		1	
DATE Aug. 20	, 1973 ACCOUNT 01-	662	
	AMOUNT	151.25	
WHITE - CASHIER	DISTRIBUTION PNN - AGENCY	YELLOW : CUSTOMER	<b>9</b> 11.

BALTIMORE COUNTY, MARYLAND No. 11135 41-1 28771FAL 27 50.00 msc

by Godsham Rentractory FT



