

75-228-ASPH 15-228-ASPH PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Josef L. Gehring, et ux legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Section 232.1 to permit front yard setbacks of 8.5' ± 0.77' in lieu of the required 10'. Section 232.2 to permit a side yard setback on the street side (Estella Street) of 8' in lieu of the required 10'. Section 232.3 to permit a rear yard setback of 6' in lieu of required 20'. Section 409.2b (5) & (6) to allow 49 parking spaces in lieu of required 53 spaces. Section 409.2c (4) to permit a parking space setback of 1' and 0.5' from a street property line in lieu of required 21'.

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

Property is of very restricted shape due to FEMA taking for Padonia Rd. Parking setbacks and building setback along Padonia Rd. actually are against an existing improved paved drainage channel and not near the roadway or sidewalk area. Reduced setback is required along Estella Street to align with the parking setback to provide maximum on site garage parking under building.

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.

Contract purchaser Josef L. Gehring Legal Owner 313-1844
Address 1116 Linwood Drive Baltimore, MD 21224

Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day

of February 1975 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 21st day of March 1975, at 10:45 o'clock A.M.

Shirley D. Hession
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Josef L. Gehring legal owner(s) 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve off-street parking in a residential zone as provided for in Section 409.4 of Baltimore County Zoning Regulations.

See attached description

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

I, or we, agree to pay expenses of above Special Hearing 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 _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By the Zoning Commissioner of Baltimore County, this 28th day of February 1975, 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 31st day of March 1975, at 10:45 o'clock A.M.

Shirley D. Hession
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCES : BEFORE THE COUNTY BOARD OF APPEALS

and
PETITION FOR SPECIAL HEARING
NW/corner of York and Padonia Roads, Estella St.
and the S/S of Estella Street, 160' W
of York Road, 8th District : FOR BALTIMORE COUNTY

JOSEF L. GEHRING, et ux, Petitioners : Case No. 75-228-ASPH

ORDER

Upon the foregoing Petition by the People's Counsel for Baltimore County, the Board having noted that there are no other Appellants of record in said case, it is, this 13th day of May, 1976, by the County Board of Appeals for Baltimore County,

ORDERED that the foregoing Appeal of the People's Counsel for Baltimore County herein be and it is hereby DISMISSED with prejudice.

Walter A. Heller, Jr. Chairman
John A. Miller
Robert L. Gifford

RE: PETITION FOR VARIANCES : BEFORE THE COUNTY BOARD OF APPEALS

and
PETITION FOR SPECIAL HEARING
NW/corner of York and Padonia Roads, Estella St.
and the S/S of Estella Street, 160' W
of York Road, 8th District : FOR BALTIMORE COUNTY

JOSEF L. GEHRING, et ux, Petitioners : Case No. 75-228-ASPH

ORDER

PETITION FOR DISMISSAL

To the Honorable, Members of Said Board:

The Petition of the People's Counsel for Baltimore County respectfully represents, viz:

- That by his Order under date of April 4, 1975, and his Amended Order under date of April 8, 1975, the Deputy Zoning Commissioner for Baltimore County granted certain variances and a use permit for parking in a residential zone.
- That because of the concern of the Baltimore County Department of Traffic Engineering, expressed in its comment of February 26, 1975, to the Zoning Commissioner of Baltimore County, a photostatic copy thereof being attached hereto, marked "Petitioner's Exhibit No. 1," your petitioner on or about May 2, 1975, filed an Appeal from the said decisions of the Deputy Zoning Commissioner of Baltimore County to this Board.
- That your petitioner has now been informed by the Office of Planning and Zoning that additional property has been added to the site and has been incorporated into a revised plan which eliminates the apprehensions flowing from the original proposal; the original copy of a letter issued by the Office of Planning and Zoning under date of April 29, 1976 is attached hereto, marked "Petitioner's Exhibit No. 2."
- That in view of the foregoing, your petitioner is now content that the public interest no longer requires prosecution of this appeal and respectfully prays that it be dismissed.

AND AS IN DUTY BOUND, etc.,

John W. Hession, III
People's Counsel

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director
Wm. T. HALLER Deputy Traffic Engineer

February 26, 1975

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

Re: Item 131 - ZAC - January 7, 1975
Property Owner: Joseph L. Gehring
Location: Parcel A - NW/C of York Rd. & Estella St.
Parcel B - S/S of Estella St. 160' W of York Rd.
Existing Zoning: Parcel A - BL-CSA Parcel B - BL-CSA & D.R. 3.5
Proposed Zoning: SPECIAL HEARING to approve off-street parking. VARIANCES for front yard, side yard & parking space setbacks. VARIANCE to allow 49 parking spaces in lieu of 53 spaces.
No. of Acres: Parcel A - 0.326 Acres Parcel B - 0.133 Acres

Dear Mr. DiMenna:

The subject petition is for off street parking in a residential zone at a variance to the front yard, side yard, parking setbacks and the required number of parking spaces.

The site has all its access from Estella Avenue which is a paper street. Estella Avenue intersects York Road at the end of a merging lane; this is a sensitive area and development along Estella Avenue should be discouraged.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc.

NSP/bza

PETITIONER'S EXHIBIT NO. 1

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

April 29, 1976

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204

RE: Zoning Petition No. 75-228-ASPH

Dear Mr. Hession:

With respect to the subject Petition, please be informed that our concerns have been satisfied by the Petitioner. The parking variance is no longer a factor; additional property owned by the Petitioner has been incorporated into a revised plan submitted to Mr. James Dyer. I would appreciate your withdrawing the Appeal.

Thank you for your consideration.

Sincerely,

J. G. Howell
J. G. Howell
Planner

JGH:sh

cc: Mr. Joseph L. Gehring, Petitioner

PETITIONER'S EXHIBIT NO. 2

ZONING DESCRIPTION

N/W CORNER YORK ROAD AND ESTELLA STREET

VARIANCE FOR PARKING SPACES,
PARKING AND BUILDING SET-BACKS IN A

BL - CSA ZONE

BEGINNING for the same at the point formed by the intersection of the north-most side of Estella Street (30 feet wide) with the western-most side of York Road (variable width), thence binding on the western-most and southern-most sides of York Road and Padonia Road the three following courses and distances: north 71 degrees 11 minutes 23 seconds west 84.16 feet, north 55 degrees 38 minutes 22 seconds west 69.82 feet, and south 78 degrees 24 minutes 27 seconds west 65.00 feet, thence leaving the southern-most side of said Padonia Road (variable width) minutes 30 seconds east 144.51 feet to the northern-most side of said Estella Street, thence binding on the northern-most side of said street north 71 degrees 34 minutes 30 seconds east 112.03 feet to the place of beginning.

CONTAINING 0.326 acres of land more or less.

December 23, 1974

ZONING DESCRIPTION

USE PERMIT FOR PARKING
IN A RESIDENTIAL ZONE

BEGINNING for the same on the southern-most side of Estella Street (30 feet wide) at a point distant 160 feet measured westerly from the original center line of York Road (46 feet wide), said point being on the division line between BL-CSA and DR 3.5 Zoning, thence binding on the southern-most side of said Estella Street south 71 degrees 34 minutes 30 seconds west 45.00 feet to the division line between Lots 39 and 40, Block I as shown on the Plat of Timonium Heights, Plat Book 3-82, thence binding on said division line south 18 degrees 05 minutes 30 seconds west 126.00 feet to the center of a 12 foot wide alley, thence binding on said alley north 71 degrees 34 minutes 30 seconds east 45.00 feet to intersect said Zoning division line, thence binding on said Zoning line north 18 degrees 05 minutes 30 seconds west 126.00 feet to the place of beginning.

CONTAINING 0.130 acres of land more or less.

December 23, 1974

James D. Hallas, Jr.
DAVID H. HALLAS, JR.
CITY ENGINEER
2713 EPHRAIM ROAD
BAYVIEW, MD. 21214
(301) 665-7422

James D. Hallas, Jr.
DAVID H. HALLAS, JR.
CITY ENGINEER
2713 EPHRAIM ROAD
BAYVIEW, MD. 21214
(301) 665-7422

James E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of May, 1976, a copy of the foregoing Petition with attached Exhibits 1 and 2, as well as the accompanying Order was mailed to Mr. Josef L. Gehring, 1116 Linkside Drive, Baltimore, Maryland 21234, Petitioner.

James E. Kountz, Jr.

RE: PETITION FOR VARIANCES AND : BEFORE THE
SPECIAL HEARING : DEPUTY ZONING
NW/corner of York and Padonia :
Roads and the S/S of Estella Street, : COMMISSIONER
160' W of York Road - 8th Election :
District : OF
Joseph L. Gehring - Petitioner :
NO. 75-228-ASPH (Item No. 131) : BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 8th day of April, 1975, that the Order dated April 4, 1975, passed in this matter, should be and the same is hereby AMENDED to read as follows:

"... that the herein requested Variances: Section 232.1, to permit front yard setbacks of 8.5 feet and 0.7 feet in lieu of the required 10 feet; Section 232.2b, to permit a side yard setback on the street side (Estella Street as proposed to be widened to 40 feet) of 8 feet in lieu of the required 10 feet; Section 409.2b (5) and (6), to allow 49 parking spaces in lieu of the required 53 spaces; and Section 409.2c (4), to permit parking spaces to be setback 1 foot and 0.5 feet from a street property line in lieu of the required 8 feet should be and the same is hereby GRANTED..."

James E. Kountz, Jr.
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE April 8, 1975

BY John R. Dyer

RE: PETITION FOR VARIANCES AND : BEFORE THE
SPECIAL HEARING : DEPUTY ZONING
NW/corner of York and Padonia :
Roads and the S/S of Estella Street, : COMMISSIONER
160' W of York Road - 8th Election :
District : OF
Joseph L. Gehring - Petitioner :
NO. 75-228-ASPH (Item No. 131) : BALTIMORE COUNTY

This Petition represents a request for Variances to front, side, and rear building setback requirements; to permit 49 parking spaces in lieu of the required 53 spaces; and to permit parking spaces to be within one-half foot of a street property line in lieu of the required 8 feet. The Petition is also accompanied by a request for a Special Hearing to permit off-street parking in a residential zone. The property in question encompasses two parcels of land; the first being commercially zoned, Business, Local (B.L.), and being situated on the southwest corner of York and Padonia Road; and the second containing .133 acres and being situated on the south side of Estella Street, 113.65 feet west of York Road. Both parcels are situated in the Eighth Election District of Baltimore County.

Testimony and evidence presented at the hearing established that a practical difficulty existed as a result of a rather substantial right-of-way widening for Padonia Road that included a flood plain area adjacent to said road. The widening left the Petitioner's property in an irregular shape, making it difficult to construct a building of an economical size that could have otherwise been constructed on the site.

The granting of the requested Variances along the frontages of York and Padonia Roads and Estella Road, as proposed to be widened to 40 feet, would, however, provide the relief necessary to develop this property in a manner

ORDER RECEIVED FOR FILING

DATE April 4, 1975

BY John R. Dyer

consistent with the spirit and intent of the Zoning Regulation's involved. The Variance to permit a rear yard setback of 6 feet will, for this reason, be denied.

The use permit for parking in a residential zone was described as being primarily, however not exclusively, intended for offices on the second and third floors of the proposed three story building, which is to be elevated with a parking area for retail customers at ground level. Said parking area would not, for this reason, be intensively used and would be lighted for short periods of time only. As such, the parking area would benefit the general area by providing for overflow, off-street parking and would serve as a buffer between commercial properties fronting York Road and residential properties to the west.

The hearing was attended by the Petitioner, his engineers, and a realtor. There were no protestants present. The Peoples Counsel entered his appearance requesting to be notified of hearing dates and of any Orders, but did not attend the hearing.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 4th day of April, 1975, that the herein requested Variances: Section 232.1, to permit front yard setbacks of 8.5 feet and 0.7 feet in lieu of the required 10 feet; Section 232.2b, to permit a side yard setback on the street side (Estella Street as proposed to be widened to 40 feet) of 8 feet in lieu of the required 10 feet; Section 409.2b (5) and (6), to allow 49 parking spaces in lieu of the required 53 spaces; and Section 409.2c (4), to permit parking spaces to be setback 1 foot and 0.5 feet from a street property line in lieu of the required 8 feet. The granting of said Variances shall be subject to:

ORDER RECEIVED FOR FILING

DATE April 4, 1975

BY John R. Dyer

1. The use of the two upper floors for offices only.
2. Approval of a site plan by the Department of Public Works, State Highway Administration, Department of Traffic Engineering, and the Office of Planning and Zoning.

It is further ORDERED that the Variance to Section 232.3b, to permit a rear yard setback of 6 feet in lieu of the required 20 feet be and the same is hereby DENIED.

It is further ORDERED that the herein requested use permit for parking in a residential zone should be and the same is also GRANTED. Said granting is to include the following restrictions:

1. The parking area shall be paved with bituminous concrete paving.
2. All adjacent residentially zoned or used premises shall be screened with a four foot high screen fence.
3. The parking lot is to be kept clean and otherwise properly maintained at all times.
4. The lot shall be kept closed at all times when the offices are not in use.
5. Approval of and compliance with a site plan approved by the Office of Planning and Zoning.

James E. Kountz, Jr.
Deputy Zoning Commissioner of
Baltimore County

William D. Fromm
Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(201) 694-3211

WILLIAM D. FROMM
DIRECTOR

April 29, 1975

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204

Dear Mr. Hession:

With respect to the subject Petition, please be informed that our concerns have been satisfied by the Petitioner. The parking variance is no longer a factory additional property owned by the Petitioner has been incorporated into a revised plan submitted to Mr. James Dyer. I would appreciate your withdrawing the Appeal.

Thank you for your consideration.

Sincerely,

J. G. Howell
J. G. Howell
Planner

JGHsh

cc: Mr. Joseph L. Gehring, Petitioner



May 7, 1975

Mr. Joseph L. Gehring
1116 Linkside Drive
Baltimore, Maryland 21234

RE: Petition for Variances and Special Hearing
NW/corner of York and Padonia Roads and the S/S of Estella Street, 160' W of York Road - 8th Election District
Joseph L. Gehring - Petitioner
NO. 75-228-ASPH (Item No. 131)

Dear Mr. Gehring:

Please be advised that an appeal has been filed by John W. Hession, III, Esquire, People's Counsel, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,

S. ERIC DI NENNA
S. ERIC DI NENNA
Zoning Commissioner

SED/arl

April 8, 1975

Mr. Joseph L. Gehring
1116 Linkside Drive
Baltimore, Maryland 21234

RE: Petitions for Variances and Special Hearing
NW/corner of York and Padonia Roads and the S/S of Estella Street, 160' W of York Road - 8th Election District
Joseph L. Gehring - Petitioner
NO. 75-228-ASPH (Item No. 131)

Dear Mr. Gehring:

I have this date passed my Amended Order in the above referenced matter. Copy of said Amended Order is attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/scw

Attachment

cc: John W. Hession, III, Esquire
People's Counsel
Jefferson Building
Towson, Maryland 21204

RE: PETITION FOR VARIANCES
AND SPECIAL HEARING
NW/corner of York and Padonia
Roads and the S/S of Estella Street,
160' W of York Road - 8th District
Joseph L. Gehring - Petitioner
No. 75-228-ASPH (Item No. 131)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

ORDER FOR APPEAL

Mr. Commissioner:

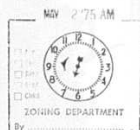
Please note an Appeal from the decision of the County Zoning
Commissioner in the case of Joseph L. Gehring to the County
Board of Appeals and forward all papers in connection therewith
to said Board for hearing.

John W. Hessian, III
John W. Hessian, III
People's Counsel

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3212

I HEREBY CERTIFY That a copy of the foregoing Order
for Appeal was mailed this 26th day of May, 1975 to Josef L.
Gehring, 1116 Linkside Drive, Baltimore, Maryland 21234, Legal
Owner.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.



RE: PETITION FOR VARIANCE
FOR FRONT, SIDE AND REAR
YARD, AND OFF-STREET
PARKING.
PETITION FOR SPECIAL
HEARING FOR OFF-STREET
PARKING IN RESIDENTIAL
ZONE.
Northwest corner of York
Road and Estella Street,
South side of Estella
Street, 160 Feet West of
York Road, 8th District

JOSEPH GEHRING

Case No. 75-228-ASPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of
The Baltimore County Charter, I hereby enter my appearance in
this proceeding. You are requested to notify me of any hearing
date or dates which may be now or hereafter designated therefore,
and of the passage of any preliminary or final Order in connection
therewith.

Charles E. Kountz, Jr.
CHARLES E. KOUNTZ, JR.
Deputy People's Counsel

John W. Hessian, III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was
mailed this 26th day of March, 1975, to Josef L. Gehring,
1116 Linkside Drive, Baltimore, Maryland, 21234, Petitioner.

John W. Hessian, III
JOHN W. HESSIAN, III

I WILL NOT ATTEND.



May 9, 1975

Case No. 75-228-ASPH (Item No. 131) - Joseph L. Gehring

NW/corner of York and Padonia
Roads and the S/S of Estella
Street, 160' W of York Road -
8th Election District

Petitions for Variances and Special Hearing

Descriptions of Property

Plat of Subject Property, dated December 19, 1974

Zoning Plans Advisory Committee Comments, dated March 25, 1974

Comments from William D. Fromm, Director of Planning, dated
March 26, 1975

Two (2) Photographs

Certificates of Publication

Certificate of Posting (Two (2) Signs)

Order of the Deputy Zoning Commissioner, dated April 4, 1975 - Variances
GRANTED in part, DENIED in part; Special Hearing GRANTED (Subject
to Restrictions), with an Amended Order, dated April 8, 1975

Order for Appeal from John W. Hessian, III, Esquire, People's Counsel,
received May 2, 1975

Mr. Joseph L. Gehring
1116 Linkside Drive
Baltimore, Maryland 21234

Petitioner

John W. Hessian, III, Esquire
People's Counsel

People's Counsel

April 4, 1975

Mr. Joseph L. Gehring
1116 Linkside Drive
Baltimore, Maryland 21234

RE: Petitions for Variances and
Special Hearing
NW/corner of York and Padonia
Roads and the S/S of Estella Street,
160' W of York Road - 8th Election
District
Joseph L. Gehring - Petitioner
NO. 75-228-ASPH (Item No. 131)

Dear Mr. Gehring:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/scw

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel
Jefferson Building
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 26, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-228-ASPH. Petition for Variance for Front, Side and Rear Yard,
and Off-Street Parking
Petition for Special Hearing for Off-Street Parking in a Residential Zone.
Petitioner - Joseph Gehring

8th District

HEARING: Monday, March 31, 1975 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject
petition and has the following comments to offer.

In reviewing the petitioner's request for a parking variance, it should
be noted that the parking requirements delineated in Section 409 of the
Baltimore County Zoning Regulations are set forth as minimum requirements.
Further, in this particular case, there is no appropriate area to provide
for overflow parking from the proposed development. Perhaps, the petitioner
is proposing to construct too large a building on this site.

William D. Fromm
William D. Fromm
Director of Planning

WDF:JGM:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 131

Mr. Joseph L. Gehring
1116 Linkside Drive
Baltimore, Maryland 21234

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for
filing this 26th day of February, 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Joseph L. Gehring

Petitioner's Attorney
David W. Dallas, Jr. Civil Engineer
8713 Old Harford Road
Baltimore, Maryland 21234

Reviewed by *Franklin T. Noles, Jr.*
Franklin T. Noles, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

January 16, 1975

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

Dear Mr. DiNenna:

Comments on Item 131, Zoning Advisory Committee Meeting,
January 7, 1975, are as follows:

Property Owner: Josef L. Gehring
Location: Parcel A - NW/4 of York Rd. & Estella St.
Parcel B - S/S of Estella St. 160' W of
York Rd.

Existing Zoning: Parcel A - BL-CSA Parcel B - BL-CSA &
D.R. 3.5

Proposed Zoning: SPECIAL HEARING to approve off-street
parking. VARIANCES for front yard,
side yard & parking space setbacks.
VARIANCE to allow 49 parking spaces in
lieu of 53 spaces.

No. of Acres: Parcel A - 0.326 Acres Parcel B - 0.133 Acres

District: 8th

Comments: Since this is a variance for parking, no
health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/mcf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 20, 1974

Mr. Joseph L. Gehring
1116 Links Drive
Baltimore, Maryland 21234

RE: Variance Petition
Item 131
Joseph L. Gehring - Petitioner

Dear Mr. Gehring:

The Zoning Plans 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 recommendations as to the appropriateness of the requested zoning.

The subject property is located at the northwest corner of York Road and Estella Street, and for all intents and purposes is located at the southwest corner of York and Padonia Roads.

This property is currently improved with a stone dwelling.

The petitioner is requesting yard Variances in the existing B.L. zone in order that a three-story retail and office building may be erected on Parcel A, as shown on the submitted plat, and a Special Hearing to permit off street parking in a DR 3.5 zone for Parcel B, which is located 160 feet west of York Road. Both of these

Mr. Joseph L. Gehring
Re: Item 131
March 20, 1975

Page 2

parcels are indicated to be served by Estella Street for their vehicular access. Estella Street is currently unimproved, and as per the comments of State Highway Administration and Department of Traffic Engineering, its location in relation to the southbound entrance ramp onto York Road from Padonia Road may create a hazardous condition, whether Estella Street is developed as a private or public street.

Adjacent properties are currently commercially developed at this major intersection of York and Padonia Roads. Property to the rear of subject site is currently unimproved, and consists of lots recorded in the Plat of Timonium Heights (W.P.C. 5-82), currently zoned DR 16 and DR 3.5.

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,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman
Zoning Plans Advisory Committee

PTH:JD

Enclosure

cc: David M. Dallas, Jr. Civil Engineer
8713 Old Harford Road
Baltimore, Maryland 21234

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

Bureau of Engineering
ELLsworth B. DIVER, P.E., CHIEF

February 18, 1975

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

Re: Item #131 (1974-1975)
Property Owner: Joseph L. Gehring
Parcel A - NW/4 of York Rd. & Estella St.
Parcel B - S/S of Estella St., 160' W. of York Rd.
Existing Zoning: Parcel A - BL-CSA
Parcel B - BL-CSA & D.R. 3.5
Proposed Zoning: Special Hearing to approve off-street parking. Variances for front yard, side yard and parking space setbacks. Variance to allow 49 parking spaces in lieu of 53 spaces.
No. of Acres: Parcel A - 0.326 Acres Parcel B - 0.133 Acres
District: 8th

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:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Padonia Road, west of York Road, is an existing dual lane County road on a right-of-way of varying width, which will be further improved in the future as a divided highway with 30-foot closed section roadways within the existing right-of-way.

Estella Street, is an undeveloped 30-foot right-of-way shown on the recorded plat of Timonium Heights (W.P.C. 5, Folio 82). If this "paper street" would be improved in the future as a public street it would be improved as a 30-foot closed section roadway on a 50-foot right-of-way. In that event, highway right-of-way widening, including a fillet area for right distance at the York Rd. intersection and any necessary reversible easements for slopes would be required in connection with any grading or building permit application.

The proximity of the Estella Street intersection to the Padonia - York Road intersection traffic movements is less than desirable, whether for a public road or private entrance, and Estella Street should preferably be properly terminated west of York Road, if other more suitable and safer access for the area can be

Highways: (Cont'd)

evolved. This would require the cooperation of the Petitioner and his neighboring property owners. It is noted that Baltimore County has utility easement rights within the Estella Street right-of-way.

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

Sediment Controls:

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.

Storm Drains:

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 problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water:

Public water supply is available in York Road to serve this property. It appears that a fire hydrant relocation may be required.

Sanitary Sewers:

Public sanitary sewerage is available to serve this property. However, this property is tributary to the Jones Falls Sewerage System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

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

END:RAH:PW:188

cc: E. Clifford, J. Trimmer, J. Somers, W. Munchel
J. Meyers - St. Hwy. Adm.

S-W Key Sheet
58 NW 1/4 Pos. Sheet
NW 15 A Topo
51 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE S. CLIFFORD, P.E. Director
WM. T. MELZER Deputy Traffic Engineer

February 26, 1975

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

Re: Item 131 - ZAC - January 7, 1975
Property Owner: Joseph L. Gehring
Location: Parcel A - NW/4 of York Rd. & Estella St.
Parcel B - S/S of Estella St. 160' W. of York Rd.
Existing Zoning: Parcel A - BL-CSA Parcel B - BL-CSA & D.R. 3.5
Proposed Zoning: SPECIAL HEARING to approve off-street parking. VARIANCES for front yard, side yard & parking space setbacks. VARIANCE to allow 49 parking spaces in lieu of 53 spaces.
No. of Acres: Parcel A - 0.326 acres Parcel B - 0.133 Acres

Dear Mr. DiNenna:

The subject petition is for off street parking in a residential zone and a variance to the front yard, side yard, parking setbacks and the required number of parking spaces.

The site has all its access from Estella Avenue which is a paper street. Estella Avenue intersects York Road at the end of a merging lane; this is a sensitive area and development along Estella Avenue should be discouraged.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

MSF/bza

WILLIAM O. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



March 7, 1975

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 #131, Zoning Advisory Committee Meeting, January 7, 1975, are as follows,

Property Owner, Joseph L. Gehring
Location: Parcel A - NW/4 of York Road and Estella Street
Parcel B - S/S of Estella St. 160' W. of York Rd.
Existing Zoning: Parcel A B.L.-C.S.A. Parcel B B.L.-C.S.A. and D.R. 3.5
Proposed Zoning: Special Hearing to approve off-street parking. Variances for front yard, side yard and parking space setbacks. Variance to allow 49 parking spaces in lieu of 53 spaces.
No. of Acres: Parcel A - 0.326 acres Parcel B - 0.133 Acres
District, 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

After several inspections of the site and the adjoining area it appears that piece-meal development could create traffic and development problems.

It is suggested that the petitioner try to contact the adjacent property owners to see if a common plan could be developed for the area.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 100 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 801 PLANNING 464-3211 ZONING 464-3212



Maryland Department of Transportation
State Highway Administration

January 24, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
Towson Office Bldg.
Towson, Maryland 21204
Attn: Mr. Franklin Hoggans

Dear Sir:

In order to make a comprehensive review of the subject proposal, we must know the status of Estella St. If the County does not plan to utilize the facility as a Public Street, the proposed entrance will be acceptable. However, if a public street is proposed, a different type of intersection will be required at York Road. This matter should be resolved prior to the hearing.

The 1973 average daily traffic count for this section of York Road is ... 23,900 vehicles.

Very truly yours,

Chas. A. Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers

CLJ:ETsk

cc: Mr. J. L. Wimbley
Mr. Frederick Ringler
Developers Design Approval

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

Baltimore County Fire Department



Towson, Maryland 21204

822-7310

J. Austin Deitz
Chief

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph L. Gehring

Location: Parcel A - NW/4 of York Rd. & Estella St.
Parcel B - S/S of Estella St. 160' W. of York Rd.
Item No. #131 Zoning Agenda January 7, 1975

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 100 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.

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

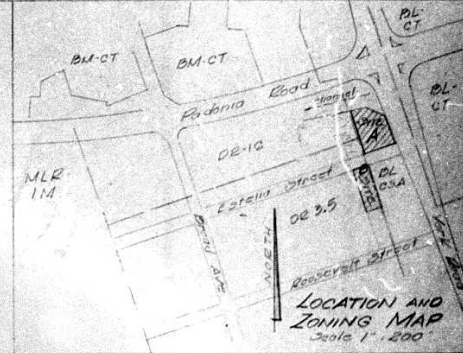
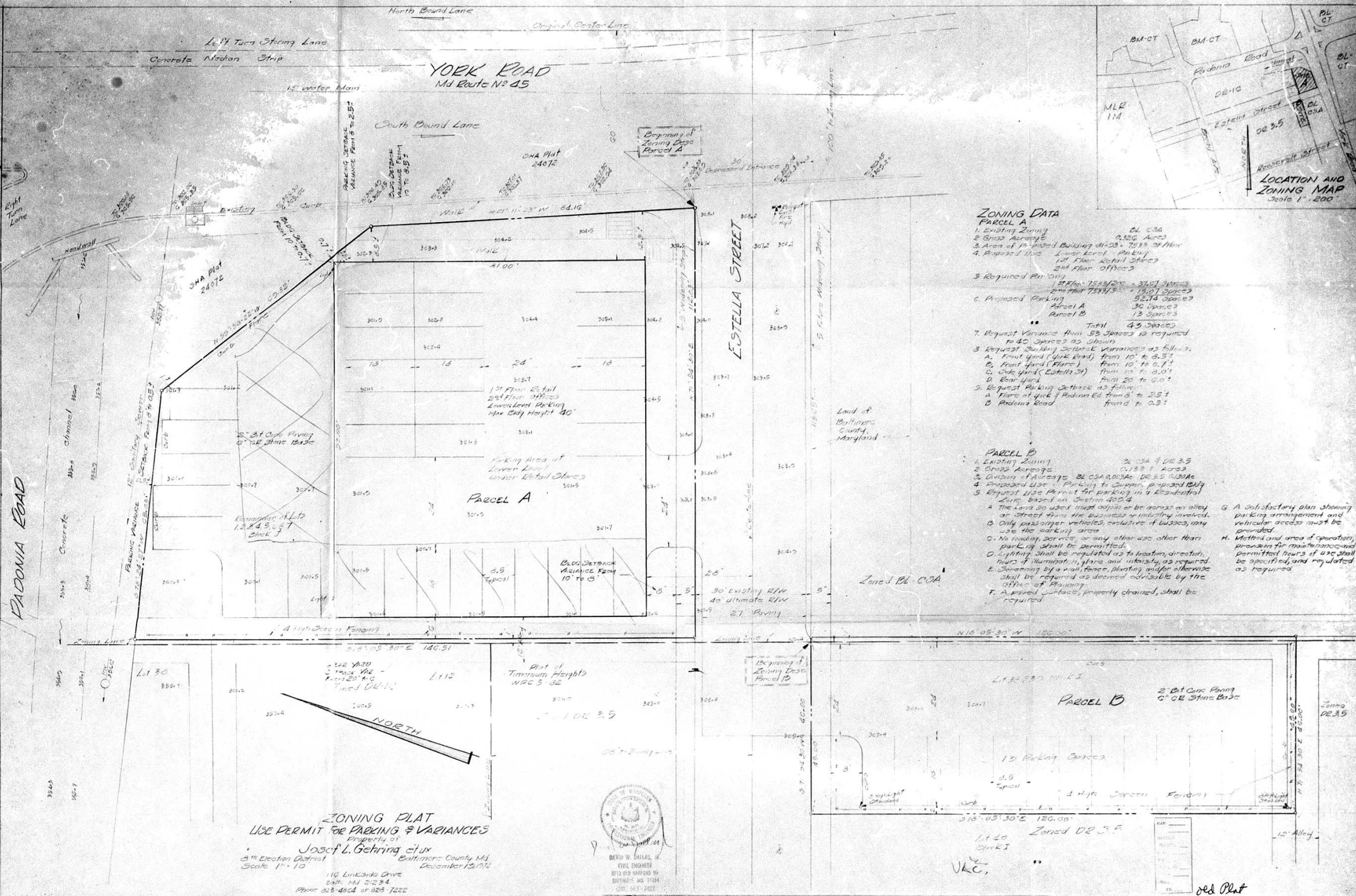
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H.T. Kelly* Noted and Approved: *Paul H. Rinecke*

Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau



ZONING DATA

- PARCEL A**
- 1. Existing Zoning: BL-CTA
 - 2. Gross Acreage: 0.326 Acres
 - 3. Area of Proposed Building: 23,753 sq. ft.
 - 4. Proposed Use: Lower Level: Office; 1st Floor: Office; 2nd Floor: Office
 - 5. Required Parking: 125 spaces (125/1000 = 31.25 spaces) and 125/1000 = 12.5 spaces
 - 6. Proposed Parking: 30 spaces (Parcel A) and 13 spaces (Parcel B)
 - 7. Request Variance from 53 spaces is required to 40 spaces as shown.
 - 8. Request Building Setback Variance as follows:
 - A. Front yard (Yoek Road) from 10' to 6.5'
 - B. Front yard (Estrella St) from 10' to 6.5'
 - C. Side yard (Estrella St) from 10' to 6.0'
 - D. Rear yard from 20' to 6.0'
 - 9. Request Parking Setback as follows:
 - A. Front of Yoek & Padonia Rd from 6' to 2.5'
 - B. Padonia Road from 6' to 2.5'

PARCEL B

- 1. Existing Zoning: BL-CTA & DE-3.5
- 2. Gross Acreage: 0.133 Acres
- 3. Division of Acreage: BL-CTA 0.033Ac, DE-3.5 0.100Ac
- 4. Proposed Use: Parking to support proposed Bldg
- 5. Request Use Permit for parking in a residential zone based on Section 402.4
- 6. The land to be used must adhere to the following:
 - A. Only passenger vehicles, exclusive of buses, may use the parking area.
 - B. No loading, service or any other use other than parking shall be permitted.
 - C. Lighting shall be regulated as to location, direction, hours of illumination, glare and intensity as required.
 - D. Screening by a wall, fence, planting and/or otherwise shall be required as deemed advisable by the office of Planning.
 - E. A paved surface, properly drained, shall be required.

- G. A satisfactory plan showing parking arrangement and vehicle access must be provided.
- H. Method and area of operation, provision for maintenance and permitted hours of use shall be specified and regulated as required.

ZONING PLAT
USE PERMIT FOR PARKING & VARIANCES
 Property of
Joseph L. Gehring & Co.
 3rd Election District
 Scale 1" = 10'



