### PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Edward C. Covahey, Jr., F. Vernon Boozer and DianeH. Boozer,
I, or we, Donald C. Covahey, C. Lovahey, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant

to the Zoning Law of Baltimore County, from an....

\_\_zone; for the following reasons

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

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 spaning dward C. Cavan Jr.

Diane H. Boozer

ess 614 Bosley Ave., Towson, Md.

ALTY A. MARTICK ZA le notatul 614 Bosley Ave., Towson, Md. 21204

CABER RECEIVED

11 74

..., 19875, 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 19875 at 1:00 o'clock

## ZONING DESCRIPTION

NORTHWEST CORNER YORK ROAD AND ROSE STREET

RECINING for the same Sithe point formed by the intersection of the northermost side of Rose Street ( 40 feet wide ) with the southwesternmost end of the flare connecting Rose Street with the westernmost dide of York Road as shown on State Highway Administration Pias No. 42196 said point being distant 32 feet measured in a westerly direction from the northwesternmest corner of said Rose Street and York Road as shown on the Plat of Timonium Heights as filed among the Land Records of Baltimore County in Plat Book 5 foils 52, thence binding on the morthwester side of said Rose Street south 71 degrees 42 minutes 17 seconds west 160.00 feet to contain the plat of the said of

CONTAINING 0.240 acres of land more or less.

July 18, 1975



## PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Edward C. Covahey, Jr., F. Vernon Boozer and Diane H. Boozer, I. or we Donald C. Covahey. — logal owners of the property situate in Baltimore may and which is described in the description and plat statched hereto and made a part hereof

boroby settlion for a Variance from Section 232.1 front yard, proposed front yard

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

1. Hardship 2. Practical Difficulty

3. Taking by State Roads for the widening of York Road and stream traversing

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

agree to pay expenses of above Variance advertising, posting, etc., upon filing of white TN

truther agree to and are to be bound by the zoning regulations and restrictions of
the adopted pursuant to the Zoning Law Twe Baltimore, County,

Vernon Booter Diane H. Boozer Edward C. Covahey, Jr.

S. ERIC DINENNA

F. Vernon Boozer, Esquire

614 Bosley Avenue Towson, Maryland 21204

Dear Mr. Boozer:

11:17me

cc: Alex R. Martick, Esquire 511 Equitable Building Baltimore, Maryland 21202

John W. Hessian, III, Esquire

JAMES E. DYER Deputy Zunion Face

Address: 614 Bosley Ave., Towson, Md. 21204

NU 14 A

7-257

of Asquet 197 S, that the subject matter of this per tended by the Zoning Law of Baltimore County, in two newspapers of gent Baltimore County, that property be posted, and that the public hearing Commissioner of Baltimore County in Room 106, County Office Baltimore County In Room 106, 197 5 ... at 1100 o'clock

BALTIMORE COUNTY DEFICE OF PLANNING & ZONING

OFFICE OF ZORING COMMISSIONER

**7.** A

47

October 6, 1975

I have this date passed my Order in the above captioned matter in ccordance with the attached.

Very truly yours, ime Eljaja JAMES E. DYER
Deputy Zoning Commissioner

RE: Petition for Special Exception and Variance NW/corner of York Road and Rose

Street - 8th Election District Edward C. Covahey, et al -Petitioners NO. 76-67-XA (Item No. 18) GRBER RECEIVED FOR FILMS DATE RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE AND VARIANCE NW/corner of York Road and Rose Street : DEPUTY ZONING 8th Election District

Sth Election District
Edward C. Covahey, et al - Petitioners : COMMISSIONER
NO. 76-67-XA (Item No. 18) OF

: BALTIMORE COUNTY

111 111 111

m m m

This Petition represents requests for a Special Exception for a service garage and a Variance that would permit a front yard setback of zero instead of the required ten feet. The property in question is zoned B. L., contains 0.240 acres, more or less, and is improved with an existing residential type structure, a one story concrete block garage, and a small shed. The 0.240 acre parcel consists of Lots 1, 2, 13, and 14 of the Plat of Timionium Height recorded among the land records of Baltimore County, Plat 5, folio 2, Lots 1 and 2 front York Road at the northwest corner of said York Road and Rose Street. Lots 13 and 14 front Rose Street at the rear of the aforementioned Lots 1 and 2 and are separated only by an unimproved 12 foot wide alley.

The Petitioner chose not to present testimony and evidence with regard to the Special Exception for a service garage. Therefore, this portion of his request must be denied.

The testimony and evidence presented with regard to the requested Variance was not concluded as a result of the Petitioners' testimony indicating that the plans for the proposed building, as originally advertised, would be eadvertised and posted, and for this reason, the Variance request must also

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 6th day of October, 1975, that the herein requested Special Exception for a service garage and a Variance to permit a zero front yard setback should be and the same are hereby DENIED.

Baltimore County

ORDER ! DATE

Angust 18, 1975

F. Vernen Bosser, 61h Bosley Ave. Townen, Md. 2120h

BOTICE OF BEARING

Res Potition for Special Emoption and Variance 876-67-24

Handay, September 29, 1975

PLACE: BOOK 106 COUNTY OFFICE BUILDING, 111 V. CHEAFFAIR AVENUE,

TOMBON. MARYLAND

76-67-XA 4-5,6NS

CERTIFICATE OF POSTING DEPARTMENT OF BALTIME

Posted for Petition For		Sept. 13 197	5
Posted for Petition For	PREMI EXCEPTION (2)	PETITION FOR VARIANCE	
Petitioner EDWARD C. C	OVAHEY, ET AL		
Location of property: NW/Cell.	OF YORK Pd. AND	Rose St.	
	2222		-
Location of Signa OFRONT # 2574 - N	OF Rose St.	>165 JOKK NO	

Posted by Ilianas R. Proland Date of return Sept 17,1975

NOV 2 0 1975

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

RE: PETITION FOR SPECIAL EXCEPTION and PETITION FOR VARIANCE Northwest corner of York Road and Rose Street, 8th District

: BEFORE THE ZONING COMMISSIONER

EDWARD C. COVAHEY, et al,

OF BALTIMORE COUNTY

: Case No. 76-67-XA

#### ...... 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. Deputy People's Cou

John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I hereby certify that on this 22nd day of September, 1975, a copy of the foregoing Order was mailed to F. Vernon Boozer, Esquire, 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioners.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Franklin T: Hogans XXXXXXXXXXXXXXXX

MUMBERS POWING ADMINISTRATION HEALTH DEPARTMENT BUREAU OF

STATE RIGHEAY BUREAU OF

PROJECT AND DEVELOPMENT PLANNING

OTIL 7 OF THE

August 25, 1975

F. Vernon Boozer, Esq. 614 Bosley Avenue Towson, Maryland 21204

RE: Variance & Special Exception Petition

Item 18 Covahey & Boozer - Petitioners

Dear Mr. Boozer:

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 on the northwest corner of York Road and Rose Street, and is currently improved with a single family dwelling and block garage.

The petitioner is requesting a Special Exception for a service garage and Variances for yard setbacks for the proposed office and three-bay garage facility. Adjacent properties to the west on both sides of Rose Street are improved with single family detached dwellings, and lots to the north and south are similarly improved. A State Highway Administration storm drain easement, with construction presently occurring therein, exists through this property.

BALTIMORE COUNTY, MARYEAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date September 26, 1975

PROM William D. Fromm, Director of Planning

Petition #76-67-X. Petition for Special Exception for Garage, Service.
SCBJECT—Petition for Verticace for Front Yard.
Northwest coner of York Road and Rose Street
Petitioner - Edward C. Covelhay SP 26 75 AM

8th District

HEARING: Monday, September 29, 1975 at 1:00 P.M.

The staff of the Office of Planning and Zoning has states and has the following comments to offer. wed the subjec

The Planning Board in its report for Cycle V commented on the proposal to rezone this property from DR 16 and DR 3.5 to BL (See Item 19). The Board's warning that a commercial use should not be permitted to extend into the surrounding residential area was ignored and the rezoning granted.

The proposal for the operation of a service garage on this site, particularly with the variances requested, if granted will significantly change the character of the adjacent residential areas. Since a service garage has many of the attributes of a machine shap, with machinery such as welders, tire changers, drills, and similar equipment, and the vusual slamming of automobile doors and hoods, the proposal here is tentenount to moving a machine shap immediately against residential property. The planning effect of this would be disasterous and the impact on adjacent residential property hanh.

The site plan creates a traffic condition as mentioned in the reports of the Department of Traffic Engineering and the section of Project and Developme Planning. This factor alone should result in the denial of the application.

The petitioner should note with particular interest the comments of the Project & Development Planning office and the Bureau of Engineering concerning revised plans necessary.

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,

Frankli T. Hogary

FRANKLIN T. HOGANS, JR. Chairman, Zoning Plans Advisory Committee

William D. Fromm. Director
Office of Planning and Zoning

WDF:NEG:nb

F. Vernon Boozer, Esq. Re: Item 18 August 25, 1975 Page 2

FTH:JD

Enclosure

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

Tre

E TOTAL

OFFICE OF PLANEAGE & ZONG

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County, Maryland Bepartment Of Jublic Borks

COUNTY OFFICE BUILDING

August 18, 1975

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

York Road (Md. M5) 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.

Rose Street, an existing public road, shown on the recorded plat of Timonium Heights (W.P.C. 5, Folio 82), is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway improvements including highway right-of-way deering and any measurary rewertible easements for slopes will be required in connection with any grading, building or other practic application. The horizontal alignment for this street will be centered upon the existing 30-foot right-of-way. Purther information in this regard any be obtained from the Baltimore County Bureau of Engineering; the submitted plan must be revised accordingly.

It is the responsibility of the Petitioner to ascertain and clarify his rights in and to the 12-foot alleys adjacent to the rear of these several lots known as Itanius Reights.

Comments were supplied for this property in connection with Item #19 of Zoning Cycle  $V_{\bullet}$ 

Item #18 (1975-1976)
Property Owner: Covahey and Booser
H/W cor. of Tork Rd. and Rose St.
Existing Zoning: B.L.
Proposed Zoning: Variance from Sec. 232.1 to permit a
front yard setback of O' in lieu of the required lo' and
and special Exception for garage service.
No. of Acres: O.210 District Oth

Mr. S. Eric DiNema Zoning Commissioner County Office Building

Dear Mr. Di Nerma.

General:

Highways:

Bu

The state of the s

Baltimore County Fire Department



Towson. Maryland 21204 871-7310

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

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: Covahey & Boozer

Location: NW/C of York Road & Rose St. Item No. 18

Zoning Agenda August 5, 1975

Gent lemen

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 read in accordance with Baltimore County Standards as published by the Department of Public Norts.
- ( ) 2. A second means of vehicle access is required for the site.
  ( ) 3. The vehicle dead-end condition shown at
- EICEEDS the maximum allowed by the Fire Department.

  () h. The stee shall be made to comply with all applicable parts of the Fire Frevention Code prior to occupancy or beginning of operations.

  (IM 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Hational Fire Frotection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

Planning Group Special Inspection Division

Noted and

Dul H Painche Deputy Chief Fire Prevention Bureau

Item #18 (1575-1976)
Property Owner: Covahey and Booser
Page 2
August 18, 1975

Highways: (Cont'd)

Baltimore County has utility easement rights within the alleys and an existing 6-inch sanitary sever therein (Drawing #69-07.il, File 1). The Petitioner is cautioned that no encreachment by construction of any structure, including footings will be permitted within County rights-of-way or utility easements.

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 statilisation could result in a mediant pollution proclem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

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

Major State Highway Administration storm drainage is now under construction through this site.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any mnisances 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 serving this property. This property is tributary to the Jones Falls Sanitary Sewer System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

Ellworth Due fort ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

PATH-PAN-PAR-

cc: J. Trenner/ D. Grise/J. Somers

S-NE Key Sheet 56 & 57 NW 3 & L Pos. Sheets NW 14 A Topo



DEPARTMENT OF TRAFFIC ENGINEERING

Evernt J. Currene P.E. WM. T. MELZER

July 30, 1975

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

Re: Item 18 - ZAC - August 5, 1975
Property Owner: Covahey & Boozer
Location: Na/C of York Rd. & Rose Street
Existing Zoning: User Street
Existing Zoning: Variance from Sec. 232.1 to permit a front yard setback
of 0° in lieu of the required 10° & Special Exception
for garage service.
No. of Acres: 0.240
Elstrict: 8th

The requested variance to the front yard setback of zero feet is expected to limit sight distance to the east of their site. The driveway between the front of the site and the rear is only 11 feet wide and does not meet County Standards.

Very truly yours, michael S. Flanger Michael S. Flanigan Traffic Engineering Associate

MSF/bza

# BALTIMORE COUNTY, MARYLAND 17 DEPARTMENT OF HEALTH-

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.

August 4, 1975

Comments on Item #18, Soning Advisory Committee Meeting, August 5, 1975, are as follows:

Property Owner: Covahey & Booser
Location: NW/C of York Ms. and Rose Street
Reisting Soning: Ms.
Proposed Zoning: Variance from Sec. 232.1 to permit a front
yard aschaok of 0' in lies of the required
10' & Special exception for garage service. No. of Acres: 0.240 District: 8th

Thomas H. Devlin, E.S., Director Bureau of Environmental Services

B HVB/ake



Harry R. Hughes

August 7.1975

Mr. S. Eric Dikenna Zoning Commissioner County Office Bidg. Towson, Md. 21204

Att: Mr. Frank Hogani

Re: Z.A.C. MEETING
August 5,1975
Item 18: Property
Banner: Covelhay & Boozer
Location: Be/C of York Rd
(Rte 45) and Rose Street
Existing Zonings 81.
Proposed Zoning:
Ner. Prom Sec. 232-1
to permit a front yard
aetheck of 0 in live
of the req. 10 i 6 Spec.
Exception for garge
service
No. of Acres: 0,240
District: 8th

Dear Mr. DiMenna.

There is no access proposed from York Road, therefore, there will be no requirements from the State Highway Administration.

The 1974 average daily traffic count on this section of York Road is 16,400 vehicles.

Very truly yours,

CL-JEM/es

John E. Meyers

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

# BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 30, 1975

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

Z.A.C. Meeting of: August 5, 1975

Re: Item 18
Property Owner: Covahey & Boozer
Location: NW/C of York Rd. & Rose St.
Present Zoning: B.L.
Proposed Zoning: National Section 252.1 to permit a front yard
section 252.1 to permit a front yard
Special Exception for garage service.

No bearing on student population

W hack Petrouch W. Nick Petrovich., Fleid Representative.



# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in reach of one time ... successive weeks before the ... 29th ... appearing on the \_\_\_llth day of \_\_Sentember\_\_\_\_ 19..75.

THE JEFFERSONIAN, L. Leank Structur

Cost of Advertisement, \$.



TOWSON IMES

THIS IS TO CERTIFY, that the annexed advertisement of

Fetition for Special Exception and Variance-Edward C. Covahey

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one weeks before the 29thday of Sept. 1975 that is to say, the same was inserted in the issues of Sept. 12, 1975.

STROMBERG PUBLICATIONS. Inc.

By Patte Sunk

S. ERIC DINENNA

July 31, 1975

Mr. Eric DiNenna; Zoning Com Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Buildin Towson, Maryland 21204

Comments on Item 18, Zoning Advisory Committee Meeting, August 5, 1975, are as follows:

Property Owner: Covahey and Boozer
Location: NW/c of York Road and Rose Street
Exiting Zoning: B.L.
Proposed Zoning: Variance from Sec. 232.1 to permit a front yard setback of 0' in lieu of
the required 10' and Special Exception for garage service
No. of Acres: 0,240

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

The proposed building could create sight distance problems for vehicles both entering the property and leaving the property.

The 20 foot driveway is substandard and could create problems with traffic circulation.

All damaged and disabled vehicles must be screened in accordance with Section 405A of the Zoning Regulations.

Very truly yours,

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

BALTIMORS COUNTY OFFICE OF PLANNING & ZONING

7. Vegmen Sector, 200. Cot 514 Booley Avenue 111 Ference, Maryland 21204 To

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

filing this Your Petition has been received and accepted for day of accepted for 1975

S. Eric DiNenna, Zoning Commissioner

Petitioner Covehey & Desger

Petitioner's Attorney F. Vermon Bosser Reviewed by Civil England Tr., Civil England Tr., 21234 Beltimon, No. 21234

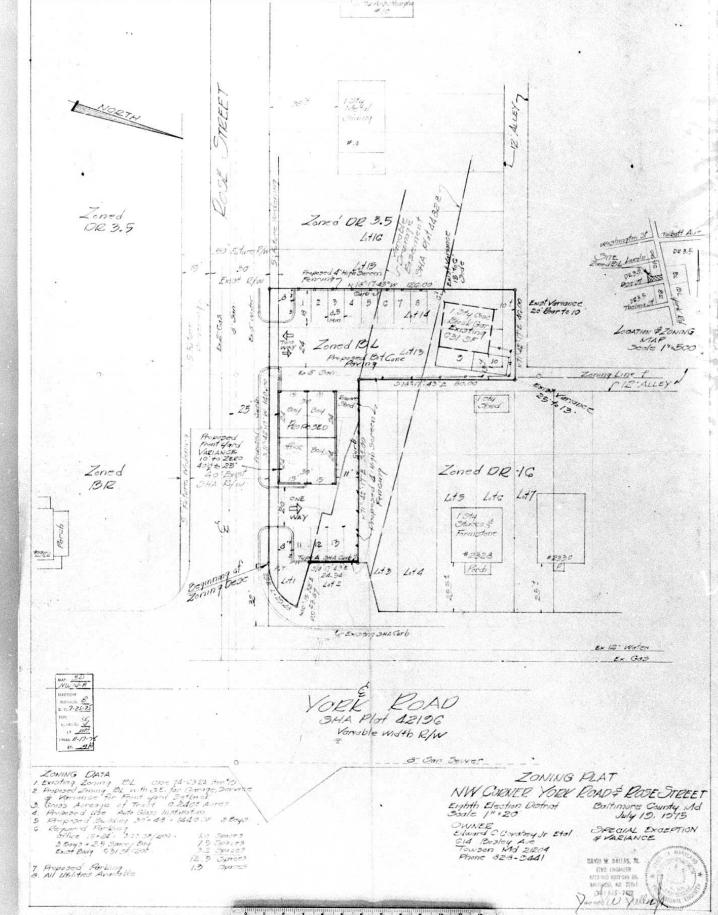
Franklin T. Hogans J. Chairman, Zoning Plans Advisory Committee 

recitioner a accorney Con	- Nev	lewed by F / F/O
* This is not to be interpreted assignment of a hearing date.	as acceptance	

FUNCTION	Well Mop				Duplicate		Tracing		200 Sheet	
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Descriptions checked and outline plotted on map								-		- oy
Petition number added to outline										
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Previous case:							. desc	riptio	Y	

REVENUE DIVISION ASH RECEIPT	No. 2 333
1975 ACCOUNT 01-6	62
AMOUNT 950.	•
reher & Booser, 611	Bosley Ave., Towson
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