

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WE, the undersigned, 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 the amendment of restriction 1 and 6 of the Order filed in Case Number 74-280-A to allow the following:

1. The hours of operation from 8:00 a.m. to 8:00 p.m. six days a week excluding Sunday.
2. That fabrication and welding shall be allowed on the exterior lot area of the building providing the said fabrication and welding is done within the confines of the screened in chained linked fence area.

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 _____
Legal Owner _____
Address 1755 KENNEL AVENUE
Baltimore, Maryland 21222
Protestant's Attorney _____
Address 807 W. R. Grace Building
Baltimore, Maryland 21202

Whereas the Zoning Commissioner of Baltimore County, this 22nd day of June 1976, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of July 1976 at 10:00 o'clock a.m.

Very truly yours,
Zoning Commissioner of Baltimore County

(over)
12 301
7/26/76
#77-28-SPH
#257

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Edward R. Beauchemin, Esq.
257 E. R. Grace Bldg.
Baltimore, Maryland 21203

Item 257

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 22nd day of June 1976.

Eric DiNenna
Zoning Commissioner

Petitioner Lawrence B. & Dorothy S. Winkler

Petitioner's Attorney Richard R. Beauchemin
257 E. R. Grace Bldg.
Baltimore, Md. 21203

Franklin T. Hoggans, Jr.
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 21, 1976

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Chairman

MEMBERS

DEPARTMENT OF PLANNING & ZONING

STATE ROAD COMMISSION

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

WATER DEPARTMENT

BOARD OF EDUCATION

PLANNING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Richard R. Beauchemin, Esq.
257 E. R. Grace Building
Baltimore, Maryland 21202

RE: Special Hearing Petition
Item 257
Lawrence B. & Dorothy S. Winkler -
Petitioners

Dear Mr. Beauchemin:

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 of the property. The following comments are a result of this review and inspection.

The subject property is located on the east side of Stengel Avenue, 120 feet north of Holabird Avenue, and is currently improved with a one-story building currently used as a welding shop. The petitioner is requesting a Special Hearing to amend the order of the previous case, No. 74-280-A, in which several restrictions were placed on the use of this site. There are two restrictions that are requested herein to be deleted; they are (1.) that fabrication and welding is not to take place outside of the building.

Field inspection revealed considerable storage of materials outside of the existing structure, and

Richard R. Beauchemin, Esq.
Re: Item 257
July 21, 1976
Page 2

such storage negated the utility of the required off street parking spaces as shown on the submitted plan. The existing high screened fence has a gate at the front entrance to the property, and this gate was wide open at time of inspection. Adjacent properties are improved with single family detached dwellings along Stengel Avenue.

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

FTH:JD
Enclosure
cc: M. D. Bowers Assoc.
1304 Providence Road
Towson, Maryland 21204

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2011

WILLIAM D. FROMM
DIRECTOR

July 14, 1976

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 #257, Zoning Advisory Committee Meeting, June 22, 1976, are as follows:

Property Owner: Lawrence B. and Dorothy S. Winkler
Location: E/S Stengel Avenue 120' N Holabird Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend Order of Case #74-280-A
Acres: 0.165
District: 12th

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.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-2000

STEPHEN C. COLLINS
DIRECTOR

July 16, 1976

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

Re: Item 257 - ZAC - June 22, 1976
Property Owner: Lawrence B. & Dorothy S. Winkler
Location: E/S Stengel Ave. 120' N Holabird Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend Order of Case #74-280-A
Acres: 0.165
District: 12th

Dear Mr. DiNenna:

No major traffic engineering problems are anticipated by the proposed expansion on this site.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSP:lrc

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: June 23, 1976

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

Re: Item 257

Z.A.C. Meeting of June 22, 1976

Property Owner: Lawrence B. and Dorothy S. Winkler

Location: E/S Stengel Ave. 120' N Holabird Ave.

Present Zoning: D.R. 5.5

Proposed Zoning: Special Hearing to amend Order of Case #74-280-A

District: 12th

No. Acres: 0.165

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Tetanovich
W. Nick Tetanovich
Field Representative

WNP/ml

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts...

the above Special Hearing for... by reason of...

IT IS ORDERED by the Zoning Commissioner of Baltimore County this... day of..., 196..., that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this... day of..., 196..., that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

December 13, 1976

Richard R. Beauchemin, Esquire
807 W. E. Grace Building
Baltimore, Maryland 21202

RE: Petition for Special Hearing
E/S of Stengel Avenue, 120' N of
Holabird Avenue - 12th Election
District
Lawrence B. Winkler, et ux -
Petitioners
NO. 77-28-SPH (Item No. 257)

Dear Mr. Beauchemin:

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

Very truly yours,

3. ERIC DI MENNA
Zoning Commissioner

SED/rac

Attachments

cc: Mr. Frank Gruchowski
1786 Stengel Avenue
Dundalk, Maryland 21222

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

SURVEYOR'S DESCRIPTION

All that parcel of land in the 12th District of Baltimore County beginning for the same at a point on the east side of Stengel Avenue a distance of approximately 120 feet northerly from the corner formed by the intersection of the north side of Holabird Avenue and the east side of Stengel Avenue (as layed out 60 feet wide) and running thence and,

- (1) Running on the East side of Stengel Avenue N-13°-30' E 60 Feet
- (2) Thence leaving the East side of Stengel Avenue and running S-70°-30' E 120 feet
- (3) Running thence S 13° W 60 feet
- (4) Running thence N 70°-30' W 120 feet to the place of beginning, containing approximately 0.165 acres.

Being the property of Lawrence B. Winkler and Dorothy S. Winkler.

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

October 11, 1976

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

Dear Mr. DiMenna:

Comments on Item #257, Zoning Advisory Committee Meeting, June 22, 1976, are as follows:

Property Owner: Lawrence B. and Dorothy S. Winkler
Location: E/S Stengel Avenue 120' N, Holabird Avenue
Existing Zoning: D.B. 5.5
Proposed Zoning: Special Hearing to amend Order of Case #14-280-A
Acreage: 0.165
District: 12th

Metropolitan water and sewer are available; no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED:RMB/2186

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
E/S of Stengel Avenue, 120' N of : ZONING COMMISSIONER
Holabird Avenue - 12th Election :
Lawrence B. Winkler, et ux - Petitioners :
NO. 77-28-SPH (Item No. 257) : OF
: BALTIMORE COUNTY

III III III III III III

This matter comes before the Zoning Commissioner upon the Petition of Lawrence and Dorothy Winkler for a Special Hearing to approve amendments to restrictions Number 1 and 6 of an Order of the Deputy Zoning Commissioner, dated June 12, 1974, in Case No. 74-280-A. The subject property is located on the east side of Stengel Avenue, 120 feet north of Holabird Avenue, in the Twelfth Election District of Baltimore County.

The following restrictions were part of the above Order:

- "1. The hours of operation shall be between 8:30 am and 4:30 pm six days a week excluding Sunday.
6. Other than the loading and unloading of metal, no work such as fabrication and welding shall take place on the exterior lot area of the building."

The Petitioners wish to amend the Order to allow the hours of operation to be 8:00 am to 8:00 pm six days a week excluding Sunday and to allow fabrication and welding on the exterior lot area.

Without reviewing the evidence further in detail but based on the evidence presented, in the judgement of the Zoning Commissioner, the said requested amendments should not be approved.

The burden of allowing a change or lifting of a restriction in an Order of the Zoning Commissioner or Deputy Zoning Commissioner is borne by the Petitioner and said burden is to show that there has been a substantial change in circumstances in order to warrant such an amendment. In the instant case, this burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of December, 1976, that the Special Hearing be

END - RECEIVED FOR FILING

BY [Signature] 12/13/76

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

August 3, 1976

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

Re: Item #257 (1975-1976)
Property Owner: Lawrence B. and Dorothy S. Winkler
E/S Stengel Ave., 120' N, Holabird Ave.
Existing Zoning: DB 5.5
Proposed Zoning: Special Hearing to amend Order of Case #74-280-A
Acreage: 0.165 District: 12th

Dear Mr. DiMenna:

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.

General:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #276 (1973-1974) remain valid and applicable and are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #257 (1975-1976).

Very truly yours,

Edmund N. Dwyer, P.E.
Chief, Bureau of Engineering

END:EAH/PWR:es

P-W Key Sheet
8 SE 20 "4, Sheet
SE 3 E top
103 Tax Map

and the same is hereby DENIED.

It is further ORDERED that the Deputy Zoning Commissioner's Order dated June 12, 1974, must be complied with immediately.

Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
E/S of Stengel Avenue 120 feet N of :
Holabird Avenue, 12th District : OF BALTIMORE COUNTY
LAWRENCE B. WINKLER, et ux, :
Petitioners : Case No. 77-28-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

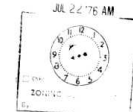
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 21st day of July, 1976, a copy of the foregoing Order was mailed to Richard R. Beauchemin, Esquire, 807 W. E. Grace Building, Baltimore, Maryland 21202, Attorney for Petitioners.

Charles E. Kuntz, Jr.



MAR 28 1977

#77-28-SPH

Remarks: _____
Posted by: W. H. C. News Date of return: 7/15/76
Signature

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


S. Eric DiNenna,
Zoning Commissioner

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

TOWSON, MD. 21204 July 8, 1976

☐ Catonsville Times
☒ Dundalk Times
☐ Essex Times
☐ Suburban Times East
☐ Towson Times
☐ Arbutus Times
☐ Community Times
☐ Suburban Times West

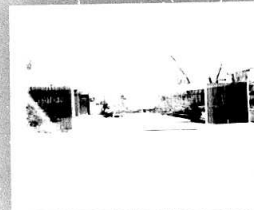
STROMBERG PUBLICATIONS, INC.
BY Peter S. Smith

[illegible]

TOWSON, MD. July 9, 1976

THE JEFFERSONIAN.
L. Frank Hunter
Manager

Cost of Advertisement, \$.....



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 33483

DATE July 1, 1976 ACCOUNT 03-562

AMOUNT \$25.00

RECEIVED BY Messers, Arnold, Beauchamp & Huber, 507 W.B. Grace
Md., Charles & Balto. Sts., Baltimore, Md. 21202
for Session for Special Hearing for Lawrence S. Winkler
#77-28-878

30 JUL 1976 2 2500 PSE

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 38927

DATE July 29, 1976 ACCOUNT 01-662

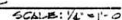
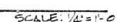
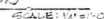
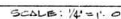
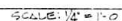
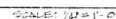
AMOUNT \$47.50

PAID TO
FOR
RECEIVED
BY
Clerk

Messrs. Arnold, Mc Schmain & Huber 507 W. N
Circus Building, Orioles & Balto. Bts., Balto., Md.
Advertising and posting of property for Lawrence
B. Winkler - 47-50
\$47.50
47.50

VALIDATION OR SIGNATURE OF CASHIER





MAY 18 1975