

77-40-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON FORD SALES, INC., legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 23A-2 to permit a side setback of 0 feet.

Reason of the Variance is the following: Expansion of service garage is necessary and due to limited size of lot and zoning, variance is required.

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 Towson Ford Sales, Inc.
Address 925 York Road, Towson, Md. 21204
Petitioner's Attorney Shirley B. Combs
Protestor's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of August, 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 the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 101, County Office Building in Towson, Maryland County, on the 12th day of August, 1976, at 10:30 o'clock A.M.

Shirley B. Combs
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

Towson Ford Sales, Inc.
925 York Road
Towson, Maryland 21204

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 9th day of July, 1976.

Eric Dillman
Zoning Commissioner

Petitioner Towson Ford Sales, Inc.

Petitioner's Attorney

Reviewed by Franklin F. McGinnis, Jr.
Chairman, Zoning Planning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 9, 1976

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

MEMORANDUM FOR THE RECORD

SUBJECT: Variance Petition

FROM: Eric Dillman

TO: Franklin F. McGinnis, Jr.

Towson Ford Sales, Inc.
925 York Road
Towson, Maryland 21204

RE: Variance Petition
Item 2
Towson Ford Sales, Inc. - Petitioner

Gentlemen:

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, currently zoned B.F., is located on the southeast side of York Road, approximately 430 feet southeast of Fairmount Avenue. This site is currently improved with a one-story building utilized as a body shop and accessory parking and storage area for damaged and disabled vehicles. The property immediately to the north and south of this property are also zoned B.F. and are improved with a service station and dry cleaners building, respectively. To the rear and east of this site are existing row homes zoned D.R. 10.5.

The petitioner is requesting a Variance to allow construction along the north property line instead of the required 30 foot setback, and proposes to construct a 3000 square foot 6-bay addition to the existing body shop.

Towson Ford Sales, Inc.
925 York Road
Towson, Maryland 21204

Re: Item 2
August 9, 1976
Page 2

This property was the subject of a previous Variance, Case No. 73-138-A, which grants the right to allow construction along the rear property line again instead of the required 30 foot setback.

A review of the submitted site plan indicates a fence and exit door will be placed at the rear of the property. The Committee has expressed some concern with this proposed exit facing the existing dwellings, even though one currently exists.

The petitioner should note with interest the comments of the State Highway Administration concerning the curbing along York Road, and also the comments of the Bureau of Engineering.

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,

Nicholas B. Combs
NICHOLAS B. COMBODARI
Planning & Zoning Associate III

ENCLOSURE

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204



August 4, 1976

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

Re: Item #2 (1976-1977)
Property Owner: Towson Ford Sales, Inc.
8/25 York Rd., 430' S/E Fairmount Ave.
Existing Zoning: B.F.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.
District: 9th. Acres: 16,500 sq. ft.

Dear Mr. Dillman:

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 #73 (1972-1973) are referred to for your consideration.

The Petitioner's attention is particularly directed to the storm drain comment therein. There is onsite impoundment of storm water, and surface drainage and silt from this site flow onto the pavement of the Crown Service Station contiguous to the north. Additional fire hydrant protection may be required in the vicinity.

This office has no further comment in regard to the plat submitted for Zoning Advisory Committee review in connection with this item #2 (1976-1977).

Very truly yours,

Edmund S. Dwyer, Jr.
Chief, Bureau of Engineering

END: EAM/PMB:es

cc: D. Giese

M. Munch

R-SW Key Sheet
41 NE 2 Pch. Sheet
NE 11 A Topo
70 Tax Map



STEPHEN COLLINS
DIRECTOR

July 26, 1976

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

Re: Item 2 - SAC - July 6, 1976
Prop. by Owner: Towson Ford Sales, Inc.
Location: 8/25 York Rd. 430' SE Fairmount Avenue
Existing Zoning: B.F.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.
Acres: 16,500 sq. ft.
District: 9th

Dear Mr. Dillman:

No major traffic problems are anticipated by the requested variance to the side yard.

Very truly yours,

Michael S. Flanagan
Traffic Engineer/Associate

HSE/esa



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

October 6, 1976

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

Dear Mr. Dillman:

Comments on Item #2, Zoning Advisory Committee Meeting, July 6, 1976, are as follows:

Property Owner:	Towson Ford Sales, Inc.
Location:	8/25 York Rd. 430' SE Fairmount Ave.
Existing Zoning:	B.F.
Proposed Zoning:	Variance to permit a side setback of 0' in lieu of the required 30'.
Acres:	16,500 square feet
District:	9th

Since metropolitan sewer and water are available, no health hazards are anticipated.

Very truly yours,

Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

EDH:es/esa

July 22, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Att: Mr. Nicola Commandari

Re: Zoning Advisory Committee
Meeting July 6, 1976
Item: 2
Property Owner: Towson Ford Sales, Inc.
Location: SE/S York Rd. (Rte. 45)
430' SE Fairmount Ave.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.
Acre: 16,500 sq. ft.
District: 9th

Dear Mr. DiNenna:

An inspection made at the site revealed that there is no barrier between the parking lot and the right of way line. A standard concrete curb must be constructed in this area. The plan must be revised accordingly.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: J. J. Weyers
John L. Weyers

CLJ:MD

MICROFILMED

P.O. Box 717 / 200 West Preston Street, Baltimore, Maryland 21203

August 2, 1976

WILLIAM O. FROMM
DIRECTOR

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 #2, Zoning Advisory Committee Meeting, July 6, 1976, are as follows:

Property Owner: Towson Ford Sales, Inc.
Location: SE/S York Road 430' SE Fairmount Ave.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.
Acre: 16,500 sq. ft.
District: 9th

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

MICROFILMED

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND - 21204

Date: July 6, 1976

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

Z.A.C. Meeting of: July 6, 1976

Re: Item 2
Property Owner: Towson Ford Sales, Inc.
Location: SE/S York Rd. 430' S.E. Fairmount Ave.
Present Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.

District: 9th
No. Acres: 16,500 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative.

WNP/af

JOSEPH M. BLOOMBERG, PRESIDENT
TOWSON FORD SALES, INC.
100 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

MARION M. BLOOMBERG
TOWSON FORD SALES, INC.
100 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

ROBERT M. BLOOMBERG
TOWSON FORD SALES, INC.
100 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

MICROFILMED

August 30, 1976

Mr. F. H. Gorman
Towson Ford Sales, Inc.
525 York Road
Towson, Maryland 21204

FEB - FORTY-SIX (46) - 1976
E/S of York Rd. 430' S.E. Fairmount Ave.
Towson, Maryland 21204
16,500 sq. ft. (16,500 sq. ft.)

Dear Mr. Gorman:

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

Very truly yours,
George J. J. J. J.
George J. J. J. J.
Deputy Zoning Commissioner

GJM/me

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

Mr. Robert Brender
976 Radcliffe Road
Towson, Maryland 21204

MICROFILMED

RE: PETITION FOR VARIANCE
E/S of York Road, 430' S of Fairmount
Avenue - 9th Election District
Towson Ford Sales, Inc. - Petitioner
NO. 77-40-A (Item No. 2)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition requesting a Variance from Section 238.2 to permit a side yard of zero feet in lieu of the required 30 feet. The Petitioner proposes to construct a 30'x100' addition to his existing body shop.

Testimony on behalf of the Petitioner indicated that a zero foot setback had previously been granted at the south side of the subject property and that he wishes to install a door at the rear of the proposed addition giving ingress and egress to the alley. It was alleged that the use of the exit would be minimal.

Nearby residents, in protest, voiced concern for the safety of children and other pedestrians in the alley if a door were installed in conjunction with the zero foot Variance.

Without reviewing the evidence further in detail but based on all of the evidence presented at the hearing, in the judgement of the Deputy Zoning Commissioner, the Variance for a zero foot setback in lieu of the required 30 feet should be granted. However, it is felt that the restricted visibility of drivers coming out of the proposed addition and into the alley would represent a substantial hazard to the public.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 30th day of August, 1976, that the aforementioned Variance should be and the same is hereby GRANTED, from and after the date

of this Order, subject to the elimination of the doorway permitting ingress and egress to the alley from the proposed addition, and approval of a site plan by the State Highway Administration, Department of Public Works, and the Office of Planning and Zoning.

George J. J. J. J.
Deputy Zoning Commissioner of
Baltimore County

COLUMBIA OFFICE
WALTER PAUL
Registered Surveyor
Phone 730-9080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscaping Architects
800 East Joppa Road
Room 101, Suite 101, Baltimore
Towson, Maryland 21204
Phone: 730-9080

REL. AIR
L. GERALD WOLFF
Landscape Architect
Phone 833-0888

June 15, 1975

DESCRIPTION FOR ZONING VARIANCE:

Beginning for the same at a point distant 450 feet more or less measured along the southeast side of York Road from its intersection with the centerline of Fairmount Avenue, thence binding on the southeast side of said York Road South 31 degrees 41 minutes 44 seconds East 100.00 feet thence leaving the southeast side of said York Road North 87 degrees 45 minutes 41 seconds East 105.00 feet to the southwest side of a 20 foot alley thence binding on the southwest side of said alley North 31 degrees 41 minutes 44 seconds West 100.00 feet thence leaving said alley South 51 degrees 45 minutes 41 seconds West 105.00 feet to the place of beginning.

Containing 16,500 square feet of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095

MICROFILMED

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

Paul H. Reinecke
Chief

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

Attention: Mr. Frank Hagan, Chairman
Zoning Advisory Committee

Re: Property Owner: Towson Ford Sales, Inc.

Location: SE/S York Rd. 430' SE Fairmount Ave.

Item No. 2

Zoning Agenda July 6, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with asterisks 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 _____ ~~violates~~ 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.
- () 5. The building and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "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.

Planning Group
Special Inspection Division

Note and
Approved: [Signature]
Battalion Chief
Fire Prevention Bureau

MICROFILMED

ORDER RECEIVED FOR FILING

DATE: August 2, 1976
BY: John P. J. J. J.

ORDER RECEIVED FOR FILING

DATE: August 2, 1976
BY: John P. J. J. J.

RE: PETITION FOR VARIANCE
E/S of York Road 430 feet S of
Falmount Ave., 9th District
TOWSON FORD SALES, INC.,
Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-40-A
Petitioners

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. Kautz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that a copy of the foregoing Order was mailed this 9th day of August, 1976, to President, Towson Ford Sales, Inc., 925 York Road, Towson, Maryland 21204, Petitioners.

John W. Hession, III



CERTIFICATE OF PUBLICATION

TOWSON, MD. July 22, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each at one time successive weeks before the 19th day of August, 1976, the 19th publication appearing on the 22nd day of July 1976.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$



TOWSON, MD. 21204 July 28, 1976

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance-- Towson Ford Sales was inserted in the following:

- | | |
|--|--|
| ☐ Caloville Times | ☒ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☐ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 19th day of Aug. 1976, that is to say, the same was inserted in the issues of July 28, 1976.

STROMBERG PUBLICATIONS, INC.

BY: [Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 7/24/76
Posted for: [Signature] [Signature] [Signature]
Petitioner: Towson Ford Sales, Inc.
Location of property: E/S of York Rd. 430' S of Falmount Ave.
Location of Sign: [Signature] [Signature] [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 8/5/76

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 21 day of
JULY 1976. Filing Fee \$ Received ☒ Cash
Other

[Signature]
St. Eric Blumhagen
Zoning Commissioner

Petitioner: [Signature] Submitted by: [Signature]
Petitioner's Attorney: [Signature] Reviewed by: [Signature]

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 33458

DATE: June 21, 1976 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: [Signature] (Towson Ford Sales, Inc.)
FOR: Petition for a Variance

250000

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 38942

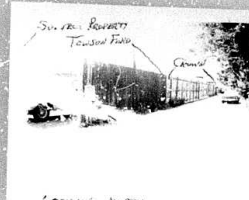
DATE: August 11, 1976 ACCOUNT: 01-662

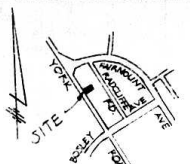
AMOUNT: \$44.75

RECEIVED FROM: Towson Ford Sales, Inc., 925 York Rd., Towson, Md. 21204
FOR: Advertising and posting of property

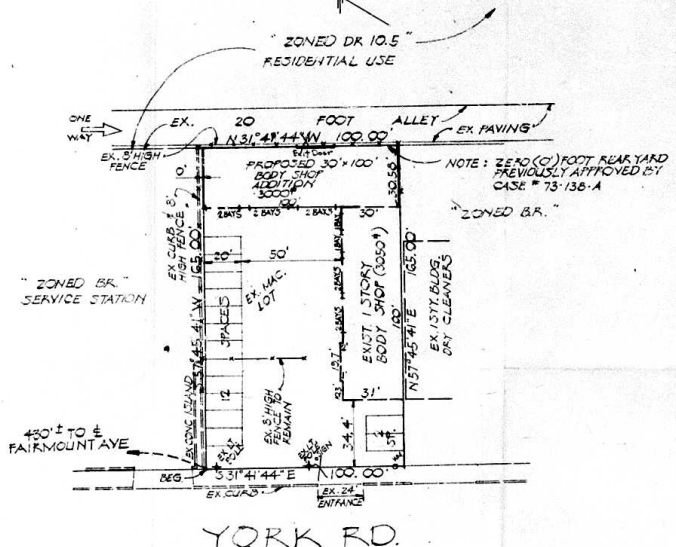
442500

VALIDATION OR SIGNATURE OF CASHIER



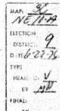


VICINITY MAP
SCALE 1"=200'

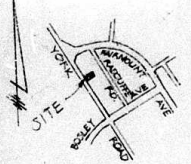


- NOTES:
1. ZONING: B.R.
 2. TRACT AREA: 0.38 AC.±
 3. EXIST. & PROPOSED USE: AUTO BODY REPAIR
 4. OFF-STREET PARKING REQUIRED
 5. TOTAL BLDG. AREA: 6050 S.F. 7,300 S.F. 21 SPACES
 6. TOTAL PROVIDED: 14 EXTERIOR SPACES 3-16 SPACES
 7. ALL SPACES ARE 9' x 20' MIN.
 8. VARIANCE REQUESTED TO ALLOW A ZERO SIDEYARD INSTEAD OF THE REQUIRED 30'
 9. DAMAGED VEHICLES TO BE STORED BETWEEN EAST SIDE OF EXISTING SHIGH FENCE & THE PROPOSED BUILDING

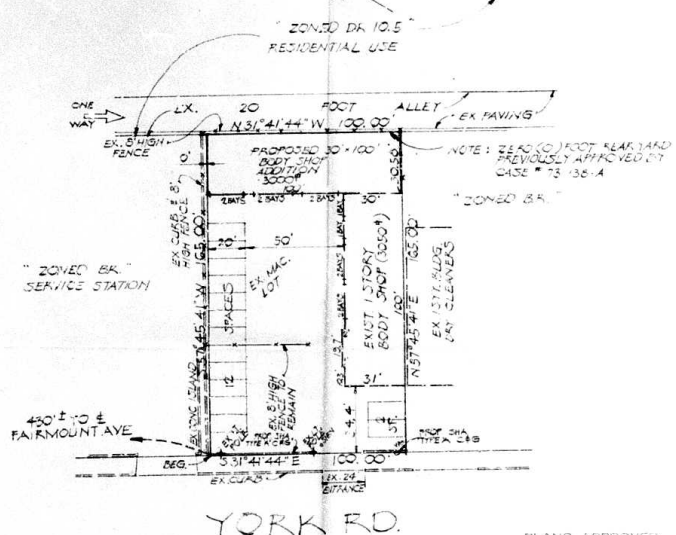
PLAN TO ACCOMPANY APPLICATION
FOR ZONING VARIANCE
#325 YORK RD.
ELECTION DIST. 9 BALTO. CO., MD.
SCALE 1"=30' JUNE 8, 1976
6/14/76



5570



VICINITY MAP
SCALE 1"=200'



- NOTES:
1. ZONING: B.R.
 2. TRACT AREA: 0.38 AC.±
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 9. DAMAGED VEHICLES TO BE STORED BETWEEN EAST SIDE OF EXISTING SHIGH FENCE & THE PROPOSED BUILDING

PLAN TO ACCOMPANY APPLICATION
FOR BUILDING PERMIT
#325 YORK RD.
ELECTION DIST. 9 BALTO. CO., MD.
SCALE 1"=30' 9-27-76

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: [Signature]
DATE: 10-25-76
71-40-A



5570