

78-176-RXA 78-176-RXA 78-176-RXA PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, JEROME N. BILLER, 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 408.2 to permit a junk yard, including the storage of scrap metal or non-driveable automobiles or vehicles, to be located within 30' of the rear property line, 50' of the side street property line, 100' of Mohr's Lane and 0' feet of the 354' 0" 57' E 138.00 feet line and 0 feet from the S 40° 58' 03" W 465.32 feet 15th (as shown on the attached site plan), all in lieu of the required 300 feet from the boundary of a zone line other than M. R.

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

The subject property (corresponding to the area to be reclassified in the Petition for Zoning Reclassification and Special Exception attached hereto) is 138 feet wide by approximately 480 feet long. While the other set-back requirements in Section 408.2 pertaining to the distance from adjoining property can be met, it is practically impossible to satisfy the 300 foot set-back requirement based on the size of the subject tract.

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 of Baltimore County.

JEROME N. BILLER Legal Owner
Address 10000 Pulaski Highway
Baltimore, Maryland 21220

RICHARD E. LEVINE Protestant's Attorney
2800 Maryland National Bank Bldg.
Baltimore, Maryland 21202
539-5195

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of October, 1977, 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 1st day of March, 1978, at 11:00 o'clock.

Zoning Commissioner of Baltimore County.

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

Dear Mr. Hession:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Elmsheer, Adm. Secretary

cc: Richard E. Levine, Esquire
Mr. Jerome N. Biller
Mr. J. E. Dyer
Mr. S. E. DiNenna
Mr. L. H. Goss
Mr. J. Howell
Board of Education

78-176-RXA 78-176-RXA 78-176-RXA PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, JEROME N. BILLER, 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an M.R. to C.S.1 & M.R. District and an M.R. zone, for the following reasons:

See attachment

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for A JUNK YARD.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception 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 of Baltimore County.

JEROME N. BILLER Legal Owner
Address 10000 Pulaski Highway
Baltimore, Maryland 21220

RICHARD E. LEVINE Protestant's Attorney
2800 Maryland National Bank Bldg.
Baltimore, Maryland 21202
539-5195

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of October, 1977, 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 1st day of March, 1978, at 11:00 o'clock.

Zoning Commissioner of Baltimore County.

Baltimore County, Maryland
PEOPLE'S COUNSEL
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

August 8, 1978

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

cc: Richard E. Levine, Esquire
Mr. Jerome N. Biller
Mr. J. E. Dyer
Mr. S. E. DiNenna
Mr. L. H. Goss
Mr. J. Howell
Board of Education

Dear Mr. Reiter:

Enclosed for your consideration is a memorandum of agreement between the parties and two copies of a revised plat submitted by the Petitioner.

The purpose of the memorandum is to expedite approval of a limited petition for reclassification, as reflected on the revised plat dated June 15, 1978. This office has agreed, then, to dismiss its own appeal with reference to the remaining petition.

We should appreciate the Board's review of this matter, and instructions as to what further proceedings, if any, are required of the parties.

Very truly yours,

Peter Max Zimmerman
Deputy People's Counsel

Enclosures

cc: Richard E. Levine, Esq.
Jerome N. Biller

PKM:ah

RE: PETITION FOR RECLASSIFICATION : BEFORE
from M.R. and C.S.1 and J.M. : COUNTY BOARD OF APPEALS
Districts to M.H. zone; : OF
SPECIAL EXCEPTION for a Junk :
Yard, and VARIANCE from :
Section 408.2 of the Baltimore : BALTIMORE COUNTY
County Zoning Regulations :
NE/S of Mohr's Lane, 354' : No. 78-176-RXA
NW of Pulaski Highway, 15th :
District :
Jerome N. Biller, Petitioner :

OPINION

This case comes before the Board on an appeal by the People's Counsel from a decision of the Zoning Commissioner granting a reclassification, special exception and variance. The subject property is located on Mohr's Lane near Pulaski Highway, in the Fifteenth Election District of Baltimore County.

At the outset of the hearing, the Petitioner amended his request so that the area sought to be reclassified was limited to the area outlined in red on a revised plat of the subject property dated February 10, 1978, and prepared by Evans, Hagan and Holdefer, Inc. At this point the hearing was continued so that all interested parties could review the amended petition.

Subsequently, plans clearly delineating the area sought to be reclassified were received by this Board. These revised plans are dated June 15, 1978.

After reviewing the amended petition, the office of the People's Counsel has advised this Board in writing that it sees no reason to further its appeal if the area to be reclassified is limited as proposed by the amended plat. Since the amended petition is more limited in area than was reclassified by the Zoning Commissioner's Order, and since the sole appellant, assuming the more limited area to be reclassified, sees no further reason to pursue this appeal, the Board will dismiss the appeal of the People's Counsel and affirm the Order of the Zoning Commissioner, subject to limiting the area of the reclassification to the area so requested by the Petitioner in the amended and revised plat, dated June 15, 1978. An Order to this effect follows hereafter.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD
PETITION FOR SPECIAL EXCEPTION : OF APPEALS
PETITION FOR VARIANCES :
NE/S of Mohr's Lane 354' : OF BALTIMORE COUNTY
NW of Pulaski Highway, 15th District :
Jerome N. Biller, Petitioner : Case No. 78-176-RXA

MEMORANDUM

Upon testimony taken in open hearing, and upon the record, the parties have agreed as follows:

1. The Petitioner shall, and hereby does, dismiss his Petition insofar as it applies to the front portion of the subject property, other than that outlined in red on Plat to Accompany Petition for Zone Reclassification, Property of Jerome N. Biller, revised February 10, 1978 (Evans, Hagan & Holdefer, Inc.), attached hereto.
 2. The Petitioner shall prepare and submit for the record a further revised plan limiting his Petition for Reclassification to the rear portion of his property, as presently outlined in red on the attached plat.
 3. The Office of People's Counsel hereby agrees, upon the filing and acceptance of the further revised plat, to dismiss the appeal taken in the above case.
- In recognition of the above agreement, as indicated by the signatures of the parties hereinbelow, the Board will, upon satisfaction of the conditions of said agreement, enter an Order approving the modified reclassification as a result of the agreed dismissal of the appeal of the People's Counsel.

Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

Richard E. Levine
Attorney for Petitioner
2800 Maryland National Bank Bldg.
Baltimore, Maryland 21202
539-5195

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr.

Robert L. Gilland

Herbert A. Davis

Jerome N. Biller - 78-176-RXA

ORDER

For the reasons set forth in the foregoing Opinion, it is this 8th day of August, 1978, by the County Board of Appeals, ORDERED that the appeal of the People's Counsel shall be and is hereby DISMISSED; and it is

FURTHER ORDERED that the Order of the Zoning Commissioner, dated March 15, 1978, shall be and is hereby AMENDED and AFFIRMED. Said Order shall be amended so that the area reclassified is limited to the area set out on the Petitioner's amended and revised plat dated June 15, 1978.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Robert L. Gilland

Herbert A. Davis

March 15, 1978

Richard E. Levine, Esquire
2800 Maryland National Bank Building
Baltimore, Maryland 21202

RE: Petitions for Reclassification,
Special Exception, and Variances
NE/S of Mohr's Lane, 354' NW
of Pulaski Highway - 15th Elec-
tion District
Jerome N. Biller - Petitioner
NO. 78-176-RXA (Item No. 2)

Dear Mr. Levine:

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

Very truly yours,

/s/
ERIC DI NENNA
Zoning Commissioner

SED:ert

Attachment

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

ORDER RECEIVED FOR FILING
DATE *March 15, 1978*
John W. Heslin, III

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 that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had; and it further appearing that by reason of the granting of the Variance, requested not adversely affecting the health, safety, and general welfare of the community... Variance to permit a junk yard, including the storage of scrap metal or non-drivable automobiles or vehicles, to be located within 30 feet of the rear property line, 50 feet of the side street property line along Mohr's Lane, 250 feet of the South 49 degrees 03 minutes 57 seconds East 138 feet line, and zero feet from the South 40 degrees 58 minutes 03 seconds West 465.52 feet line in lieu of the required 300 feet from the boundary of a zone line other than a M.H. Zone should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this *15th* day of *March*, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, the Zoning Commissioner of Baltimore County, the State Highway Administration, and the Office of Planning and Zoning.

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this *15th* day of *March*, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE *March 15, 1978*
John W. Heslin, III

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of error in the original zoning map...

the above Reclassification should be had; and it further appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met...

a Special Exception for a *Junk Yard* should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this *15th* day of *March*, 1978, that the herein described property or area should be and the same is hereby reclassified from a *M.H. Zone and C-3-1* to a *M.H. Zone* and/or a Special Exception for a *Junk Yard* should be and the same is granted from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, the Zoning Commissioner of Baltimore County, the State Highway Administration, and the Office of Planning and Zoning.

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this *15th* day of *March*, 1978, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a *M.H. Zone*; and/or the Special Exception for a *Junk Yard* be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCES
NE/S of Mohr's Lane 354' NW of
NW of Pulaski Highway, 15th District
OF BALTIMORE COUNTY

JEROME N. BILLER, Petitioner Case No. 78-176-RXA

ORDER FOR APPEAL

Mr. Commissioner:

Please note an appeal to the County Board of Appeals from the Order under date of March 15, 1978, and forward all papers in connection therewith to said Board for hearing.

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

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

I HEREBY CERTIFY that on this 28th day of March, 1978, a copy of the foregoing Order was mailed to Richard E. Levine, Esquire, 2800 Maryland National Bank Building, Baltimore, Maryland 21202, Attorney for Petitioner.



RE: PETITION FOR RECLASSIFICATION
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCES
NE/S of Mohr's Lane 354' NW of
Pulaski Hwy., 15th District
JEROME N. BILLER, Petitioner
Case No. 78-176-RXA

ORDER TO ENTER APPEARANCE

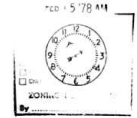
Mr. Commissioner:

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

I HEREBY CERTIFY that on this 10th day of February, 1978, a copy of the foregoing Order was mailed to Richard E. Levine, Esquire, 2800 Maryland National Bank Building, Baltimore, Maryland 21202, Attorney for Petitioner.



March 20, 1978

Richard E. Levine, Esq.
2800 Maryland National Bank Building
Baltimore, Maryland 21202

Re: Petition for Reclassification, Special Exception
and Variance for Jerome N. Biller
7/8-176-RXA
Item #2

Dear Sir:

Please be advised that an appeal has been filed by John W. Heslin, III, Esq., People's Counsel, from the decision rendered by the 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,

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

JOHN W. HESLIN, III
PEOPLE'S COUNSEL

PETITION FOR ZONING RECLASSIFICATION SUMMARY OF REASONS FOR RECLASSIFICATION

- The requested zoning would allow the lessee of the property, The American Truck and Equipment Company, to remove serviceable parts from vehicles and temporarily store the vehicles, a livelihood similar to that which took place previously.
- Such use of the property would not be detrimental to the health, safety and welfare of the surrounding area. To the contrary, it would provide the residents of the area with much-needed, low-cost, reconditioned truck parts, the supply of which has diminished in recent years.
- The requested reclassification would allow The American Truck and Equipment Company to sell used truck parts, a use which is most compatible with the surrounding area, consisting, in part, of a quarry and storage facilities. Thus, no potential hazards to the environment will be created, nor will there be an interference to the amenities offered the neighboring property owners.

EVANS, HAGAN & HOLDEPER, INC.

SURVEYORS AND CIVIL ENGINEERS

8013 BELAIR ROAD / BALTIMORE, MD. 21226 (301) 440-1501
530 FIFTH STREET / CAMBRIDGE, MD. 21613 (410) 228-2560
101 SOUTH STREET / WESTMINSTER, MD. 21157 (301) 868-7500
11 S. WASHINGTON STREET / ASTON, MD. 21041 (301) 827-5433

Sept. 14, 1977

DESCRIPTION TO ACCOMPANY PETITION FOR ZONE RECLASSIFICATION FROM MC-C-1 AND MC-14 TO M-1 WITH SPECIAL EXCEPTION FOR A JUNK YARD (STORAGE OF AUTOMOTIVE VEHICLES AND PARTS) AND FOR A VARIANCE TO THE 300 FOOT REQUIREMENT IS STATED IN SECTION 408.7 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

BEGINNING FOR THE SAME in the centerline of Mohr's Lane at a point distant 354 feet, more or less measured northwesterly on said centerline from its intersection with the centerline of Pulaski Highway, 150 feet wide, thence leaving said place of beginning and the centerline of Mohr's Lane and running the 3 following courses and distances, viz: (1) North 40 degrees 58 minutes 03 seconds East 309.00 feet, thence (2) South 49 degrees 03 minutes 57 seconds East 138.00 feet and thence (3) South 40 degrees 58 minutes 03 seconds West 465.52 feet to intersect the aforesaid centerline of Mohr's Lane thence running and binding thereon, (4) North 63 degrees 05 minutes 27 seconds West 142.26 feet to the place of beginning.
Containing 1.55 acres of land, more or less.

This description has been prepared for zoning purposes only, and is not intended to be used for conveyance.



John W. Heslin, III

Pat 24

9920 Pulaski Highway
Baltimore, Maryland 21220
February 23, 1978

Baltimore County Zoning Commissioner
Towson, Maryland 21204

Dear Sir:

Please be advised that I am in favor of your approving the petition for the rezoning to M-1 with a special exception for a junk yard of the property owned by Jerome N. Biller, Cycle III, item #2.

I own the property on the N.W. corner of Pulaski Highway and Mohr's Lane to the B & O Railroad and operate the M-Way Body and Paint Shop and the M-Way Used Cars.

Being in the used car business, I can appreciate Mr. Biller's problem and hope his request for zoning change will be approved.

Very truly yours,

Marion Warren

BRIEF ACCOMPANYING
PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXCEPTION
10000 Pulaski Highway

The subject property is a tract of slightly more than four (4) acres, located on the northwest side of Pulaski Highway at Mohr's Lane and is occupied by The American Truck and Equipment Company ("American Truck"). The property is presently designated M.L. with a special exception under the Baltimore County Zoning Regulations for a truck terminal. The owner respectfully requests a zoning reclassification for a 1.53 acre portion of the tract to M.H. with a special exception for a junk yard.

The tract was purchased on July 21, 1969 and has been used by the current lessee, American Truck, since August, 1969. Prior to that date, the business, which has been in existence for 55 years, had been located at 7001 Pulaski Highway. It initially began as an automobile wrecking yard and later expanded toward the specialization of used truck equipment sales. When the old location was condemned to allow for the construction of Interstate 95, American Truck desired to relocate its business on U.S. Route 40 in a facility which would be both functional and eye appealing. The present owner and his wife purchased the subject property which offered American Truck a 670 foot frontage on Pulaski Highway. The property required extensive and costly grading

and excavation, and to accommodate the intended lessee, American Truck, a new 4200 square foot office, warehouse and service facility were built along with fencing and surfacing of the entire yard area. This represented an investment of \$12,000, and the property has steadily been maintained and improved over the years involving several thousands of dollars.

The present operations include the purchase and sale of used trucks and various types of equipment related thereto. In the completely enclosed shop area of the service facility mentioned above, several mechanics recondition machinery, and perform mechanical repairs and body work. In the course of such work, it is sometimes necessary to park the vehicles in the rear of the subject property. This has never caused any problems with respect to the appearance of the property nor has it been detrimental to the health, safety and welfare of the surrounding area.

The proposed use of the property barely differs from the use which took place prior to 1975 when American Truck would buy used vehicles, remove the serviceable parts and dispose of the residue. During that time, vehicles were stored on the rear portion of the property. Then in February, 1975, the Motor Vehicle Administration issued a notice to all licensed dealers informing them of the requirement of obtaining an Auto Wrecker's License if dismantled vehicles were stored for more than thirty days.

-2-

salvaging would probably be done in the enclosed service area, and the reclaimed components would be inventoried. The owner is ready, willing and able to erect the necessary fences to afford the proper screening of the reclassified area, in accordance with the requirements of a special exception as requested.

The owner and The American Truck and Equipment Company have both enjoyed a fine reputation in the Essex-Middle River-White Marsh area for many years. The requested reclassification would meet the needs of the community in providing a source for used truck parts, thus adding value to this and other properties in the area, as well as tax revenues, jobs and other economic assets to Baltimore County.

Respectfully submitted,

DAVID B. RUDON

RICHARD E. LEVINE
2800 Maryland National Bank Bldg.
Baltimore, Maryland 21202
539-5195

Attorneys for Petitioner

-5-



S. ERIC DI NENNA
ZONING COMMISSIONER

December 14, 1977

Mr. Jerome N. Biller
American Truck & Equipment Company
10000 Pulaski Highway
Baltimore, Maryland 21220

RE: American Truck & Equipment Co.
NW/Corner Pulaski Highway and
Mohr's Lane
15th Election District

Dear Mr. Biller:

I am in receipt of your letter of December 1, 1977, directed to Mr. Nicholas B. Commodari, in which you submit a chronological history for the above referenced operation.

Since this existing operation consists of used truck sales in a M.L. Zone, the origin of said operation was questioned in the review of the pending reclassification request for the rear of this site. As indicated in your letter, this use was verbally approved by my office in 1975. Mr. Commodari remembers discussing this site with me and approval being granted, but since written verification was not required, the reason for granting this approval was not documented.

After a more thorough review of our files, it was discovered that a Reclassification and Special Exception (Case #66-281-500), was granted to utilize this site for the sale of trucks under the classification of a truck terminal. The site plan filed with that case specifically mentions the proposed use as "truck sale and maintenance building". Based upon Mr. John Rose's interpretation at the time that this use would be allowed, I see no problem with the continuation of same.

I certainly apologize for any inconvenience this may have caused you; however, I feel that it was handled properly. If you have any further questions concerning this matter, please feel free to contact

Under the Code of Maryland Regulations (COMAR), §11.02.05, Rule .08, in order to qualify for an Auto Wrecker's License, the location on which the applicant does business must have the appropriate zoning designation -- M.H., with a special exception for a junk yard.

Were this Board to grant the request herein, American Truck contemplates using the property in a fashion similar to its use prior to 1975. It is anticipated that vehicles would be brought into the shop area where the necessary parts would be removed. These parts would then be incorporated into vehicles being reconditioned for resale. This ability to retrieve and reuse parts from nonoperable vehicles is an essential part of American Truck's primary business of repairing vehicles for resale.

The service provided by American Truck in being able to sell and use reconditioned parts is vital to many of the citizens in the surrounding area. Trucks form part of the basis of the livelihood for many of these residents who use them in hauling and trucking. There is a definite need for used and reconditioned parts and unfortunately in recent years the supply has diminished. Furthermore, the increased cost of new parts reveals the need of these citizens for low-cost used parts. In order for American Truck to offer this service of providing used truck parts to the residents of the area, it is necessary for M.H. zoning with the aforesaid special exception to be accorded to this property in order to satisfy the requirements of the Motor Vehicle Administration.

-3-

Mr. Jerome N. Biller
Page 2
American Truck & Equipment Co.
December 14, 1977

me at your convenience.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:NBC:rf

cc: Mr. George J. Martinak
Deputy Zoning Commissioner
Mr. James E. Dyer
Zoning Supervisor
Mr. Nicholas B. Commodari
Coordinator, Development Control Section

The area adjoining the subject property is well suited to the use contemplated by American Truck. To the rear of the subject property is a right-of-way strip for the B & O Railroad. An adjacent property is occupied by Harry T. Campbell Company as its concrete plant and as a sand and gravel quarry. On the other side of the subject property is a used car lot, body shop and machine shop occupying two buildings. Further west is Schuman Trash Removal Company consisting of one building utilized for repair of trash collection equipment; various trucks are parked on the premises there. Next to Schuman Trash Removal Company is a tract occupied by Clay Stanbaugh and Son which is used as a storage area for containers and various trash collection equipment. Across the street is a used car lot, body and fender shop and Farmer's Market. Within a one mile radius of the subject property, are two large tracts which are zoned with an "M1" classification. The requested reclassification would allow American Truck to sell used truck parts, a use which is most compatible with the surrounding area.

The owner feels that the requested reclassification will not be detrimental to the health, safety and welfare of the surrounding community. The anticipated use of the property does not significantly differ from the present activities, with the exception that nonoperable vehicles would be parked temporarily on the rear portion of the premises, and would be barely visible from Pulaski Highway. There would be no environmental impact since the initial

-4-

me at your convenience.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:NBC:rf

cc: Mr. George J. Martinak
Deputy Zoning Commissioner
Mr. James E. Dyer
Zoning Supervisor
Mr. Nicholas B. Commodari
Coordinator, Development Control Section

November 30, 1977

Mrs. Francis Beverly
Official Supervisor
Auto Wrecker's License, Region
1007 Ritchie Highway, N.E.
Clenburne, Maryland 21045

RE: Petitions for Reclassification,
Special Exception, and Variance
NW/Corner Pulaski Highway and
Mohr's Lane - 15th Election District
Cycle II - Item No. 2
Jerome N. Biller - Petitioner

Dear Mrs. Beverly:

This office is presently processing the above referenced Petition for Biller's Used Truck Lot.

We have been informed that the Motor Vehicle Administration requires a wrecker's license in connection with said used car lot. Since a wrecker's license requires a drastic change in the zoning classification of the property, i.e., Manufacturing, Light (M.L.) to Manufacturing, Heavy (H.H.), in addition to a Special Exception for a junk yard, this office would like confirmation of this as well as any additional information that might be helpful regarding this matter.

If you need any additional information, please contact me at your convenience at 494-3390.

Very truly yours,

JAMES E. DYER
Zoning Supervisor

JED/scw
cc: Mr. S. Eric DiNenna, Zoning Commissioner
Mr. George J. Martinak, Deputy Zoning Commissioner
Cycle II - Item No. 2

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

December 14, 1977

o0o

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of
Engineering

Department of
Traffic Engineering

State Roads Commission

Bureau of
Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial
Development

Richard E. Levine, Esquire
2800 Maryland National Bank Bldg.
Baltimore, Maryland 21202

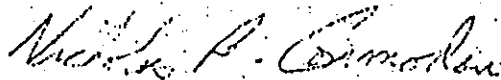
RE: Reclassification, Special
Exception & Variance Petition
Item Number 2 - Cycle II
Petitioner - Jerome N. Biller

Dear Mr. Levine:

The enclosed comments were forwarded to this office subsequent to those sent to you on October 31, 1977. If any revisions to the site plan are required, these revisions should be made and submitted to this office prior to the scheduled hearing date.

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,



NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

Enclosure

cc: Evans, Hagan & Holdefer, Inc.
Surveyors and Civil Engineers
8013 Belair Road
Baltimore, Maryland 21236

1978-0176

AMERICAN TRUCK & EQUIPMENT CO.

10000 PULASKI HIGHWAY
3 MILES NORTHEAST of BELTWAY on ROUTE 40 EAST
BALTIMORE, MARYLAND 21220
Phone 301-686-4800



December 1, 1977

Baltimore County Zoning Office
Towson, Maryland 21204
Attention: Mr. Nick Commodari

Dear Mr. Commodari:

As per our phone conversation and at your suggestion, I will attempt to reconstruct the circumstances concerning the rezoning of our property at 10,000 Pulaski Highway.

In attempting to compile data and documents from 1966, please be advised that our company offices were robbed and intentionally set afire to cover the theft of checks and other valuables. Since we had recently filed a petition for rezoning a portion of the property, all past and present documents and records relative to zoning were at the office and were destroyed. The total destruction of our offices and contents can be verified with the Maryland State Police, Case #I67-20333.

On trying to contact our attorney for the zoning petition, Mr. Harry S. Swartzwelder Jr., we were distressed to learn that he had passed away in April of 1977. The executor for Mr. Swartzwelder's Estate, Mr. Allan Cohen, was unable to locate the case file for our zoning petition. Fortunately, Mr. Carroll Hagan, of Evans, Hagan, Holdefer, Inc., had retained a file copy of the plat submitted with the petition, on which the proposed use is noted. A copy of the zoning plat is attached.

I am also attaching a copy of Mr. Swartzwelder's statement for fees and costs in the zoning matter. He had attached a copy of the Zoning Commissioner's Order with the statement, dated October 10, 1966. Our copy of the order was destroyed in the fire.

In the early 1960's, we were notified that our property at Pulaski Highway and Moravia Road, occupied by our family business since 1922, was to be condemned for an I-95 Interchange. We immediately investigated sites to relocate our business. Although our primary operation was sales, the incidental operations involved were not compatible with the zoning of many attractive sites. Our requirements dictated the following property useage:

- (1) Storage of truck bodies and trailers

AMERICAN TRUCK & EQUIPMENT CO.

10000 PULASKI HIGHWAY
3 MILES NORTHEAST of BELTWAY on ROUTE 40 EAST
BALTIMORE, MARYLAND 21220
Phone 301-686-4800



- (2) Heavy maintenance and repair to all types and sizes of trucks and equipment for subsequent resale.
- (3) Storage of damaged or disabled trucks in various stages of repair
- (4) Incidental storage of trucks for reclamation of components

We were able to utilize our old location in this manner, and we expected to relocate on a site offering the same type of land utilization.

Late in 1965, we became interested in a site at Pulaski Highway and Mohr's Lane; however, it was zoned R-6, with the exception of Mohr's Lane corner, which was ML. Since obtaining suitable zoning was of major importance, we engaged the services of Mr. Harry Swartzwelder to investigate the zoning classification needed, and reveal with the zoning office the possibility of obtaining suitable zoning.

Mr. Swartzwelder subsequently advised us of the following:

- (1) A new zoning map was being drawn and the entire subject property was proposed for ML Zoning; however, final acceptance of the map was not anticipated until late 1966 or early 1977.
- (2) New petitions would be accepted only under extraordinary circumstances and with the approval of the zoning commissioner.

Mr. Swartzwelder and I met with Mr. Rose, the Zoning Commissioner, explained our predicament (condemnation and forced relocation) and revealed our zoning needs. We were advised that we would require an ML Classification with the Special Exception, and, under the circumstances, our petition would be accepted for review.

On February 23, 1966, we entered into a contract to purchase the subject property, contingent on a favorable rezoning of the property. Mr. Swartzwelder, after additional consultation with the Zoning Office and the Commissioner filed a petition for ML Zoning, with a Special Exception, for the entire tract, which would encompass all aspects of our operation. The engineering work was done by Evans, Hagan, & Associates.

AMERICAN TRUCK & EQUIPMENT CO.

10000 PULASKI HIGHWAY
3 MILES NORTHEAST of BELTWAY on ROUTE 40 EAST
BALTIMORE, MARYLAND 21220
Phone 301-686-4800



Present on the hearing of the petition, were Mr. Rose, the Zoning Commissioner, Mr. Swartzwelder, Mr. Hagan, and myself. There were no protestants present, the zoning change was approved, and Mr. Swartzelder sent us a copy of the order on October 10, 1966.

In 1975, our company, The American Truck and Equipment Co., received a periodic Motor Vehicle Administration dealer's records audit, which includes a check with the Zoning Office in the subdivision where the dealership is located as to proper land use. In our case, the MVA investigator was informed that the zoning was ML, without reference to the Special Exception. On notification of their finding, we promptly contacted the Zoning Office and were told that there was no record of the Special Exception, and I was to provide dates and data concerning the Zoning Order. I supplied the necessary information and was told that after consultation with the Zoning Commissioner, I would be advised of the decision. Shortly thereafter, I was notified that everything was in order, and the MVA would be notified accordingly. We were informed by the MVA Investigator that the Zoning Office had been in touch, and the zoning of property was proper and correct.

When the present zoning of the property was questioned, I immediately contacted the Motor Vehicle Administration concerning the letter of verification, and was told that normal procedure for an MVA Inspector would be a telephone inquiry and their records are noted as per the phone conversation.

In conclusion, we would be most appreciative of a final resolution of this matter. We were forced to relocate due to condemnation by the State of Maryland; we purchased the subject property subject to rezoning; after considerable consultation with the Zoning Office, a petition for rezoning was submitted; upon receipt of the Zoning Order, we purchased the property and invested sizeable sums of money in improvements and buildings; and we have been conducting our business on the site for over eleven years.

I hope the information provided is satisfactory.

Very truly yours,

Jerome N. Biller

HARRY S. SWARTZWELDER, JR.
ATTORNEY AT LAW

1708 MURPHY BUILDING
BALTIMORE, MD. 21202
727-4929

3700 WILSON AVENUE
BALTIMORE, MD. 21207
655-6998

25 COURTLAND WEST
BAL AIR, MD.
838-6343

October 10, 1966

Mr. Jerome Biller
American Truck & Equipment Company
7001 Pulaski Highway
Baltimore, Maryland 21206

Dear Jerry:

Pursuant to our telephone conversation of last week,
I wish to tender the following statement:

Expenses incurred:

Baltimore County, Posting, Advertising	\$ 42.80
Baltimore County, Filing Fee	<u>50.00</u>
Total Expenses	\$ 92.80
Counsel Fee	<u>250.00</u>
Total	\$342.80
Previously paid	<u>250.00</u>
Balance Due	\$ 92.80

CH 127

I am enclosing herewith a copy of the Order.

Very truly yours,



Harry S. Swartzwelder, Jr.

HSS/mmnm
enc.

1478-0176

February 20, 1975

TO: ALL LICENSED DEALERS

Section 5-201 of Article 66, entitled "Wreckers and Scrap Processors Must be Licensed" states in part:

"It is unlawful for any person, firm, or corporation, on or after January 1, 1970, to store any vehicle, or body or chassis thereof, which is to be scrapped, dismantled, or destroyed, on any private property for a period in excess of thirty days, unless the person, firm, or corporation is licensed as a wrecker, as hereinafter provided, or operates an establishment as a scrap processor."

It has been brought to our attention that some dealers are storing vehicles for a period in excess of 30 days, and using the parts contained thereon to recondition other vehicles.

If you elect to store and dismantle vehicles in this manner, it will be necessary to secure an Auto Wrecker's license.

James Stamboni
James Stamboni, Director
Licensing and Consumer Services

NS/CLK

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Richard E. Levine, Esquire
2850 Maryland National Bank Bldg.
Baltimore, Maryland 21202

ITEM # 2

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 15th day of December 1977.

Eric W. DiNenna
Eric W. DiNenna
Zoning Commissioner

Petitioner: Jerome N. Biller
Petitioner's Attorney: Richard Levine
cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, MD 21236

Reviewed by: *Nicholas B. Connodari*
Nicholas B. Connodari
Chairman, Zoning Plans
Advisory Committee

October 7, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attention: Mr. N. Connodari

Re: Meeting for Cycle II
Item: 2
Property Owner: Jerome N. Biller
Location: NE/5 Mohr's Lane, 354' NW
Pulaski Hwy. (Rte. 40)
Existing Zoning: M.L.
Proposed Zoning: M.H. with a special exception for a junk yard and variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 30' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E 138.00' line and 0' of the S 40° 38' 03" W 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.

Acres: 1.53
District: 15th

Dear Mr. DiNenna:

The plan indicates an entrance directly from Pulaski Hwy. Although there is a gate in the fence at this location, the entrance does not exist. The State Highway Administration will not allow access from Pulaski Hwy. without benefit of an access permit. It is our understanding from past discussions with the petitioner that he does not desire direct access from this highway, therefore, the entrance must be eliminated from the plan.

CL:JEM:dj

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers
John E. Meyers

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Connodari
Chairman

Richard E. Levine, Esquire
2850 Maryland National Bank Bldg.
Baltimore, Maryland 21202

RE: Reclassification, Special
Exception & Variance Petition
Item Number 2 - Cycle II
Petitioner - Jerome N. Biller

Dear Mr. Levine:

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.

Located on the northwest corner of Pulaski Highway and Mohr's Lane in the 15th Election District, and not the 12th as noted on the submitted site plan, the subject of this petition is part of an oversized tract of land zoned M.L. and occupied by the American Truck and Equipment Company. Adjacent properties are similarly zoned and consist of vacant land to the northeast, the B & O Railroad to the rear directly abutting this parcel and a used car operation (Case 877-243-X) to the south across Mohr's Lane.

Richard E. Levine, Esquire
Page 2
Item Number 2
October 31, 1977

This combination Reclassification/Special Exception is necessitated because of your client's proposal to utilize the rear portion of the property for the dismantling of passenger trucks and the storage of same, which use is considered a junk yard under the Baltimore County Zoning Regulations. Variances are also required for the proximity of the storage areas to other zoning classifications, two of which are within the property owned by your client.

As per our recent conversation with Mr. Biller and Mr. Dyer, the area in the front of this property, utilized for the existing operation, must be paved. However, we would accept a crusher run surface for the storage area for the proposed use but the drives must be paved. This should be reaffirmed at the time of the hearing.

The location of the proposed railroad ties utilized to contain the storage area for the junk, should extend along the 50' setback on Mohr's Lane, and as indicated in the comments of the Office of Project and Development Planning, the entire use on all sides should be screened and additional landscaping provided (Section 408.3).

Particular attention should be afforded the comments of the Health Department concerning the availability of public water, and it should be noted that the existing fence along Mohr's Lane is located within the proposed right-of-way.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to

Richard E. Levine, Esquire
Page 3
Item Number 2
October 31, 1977

petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to November 28, 1977 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Connodari
NICHOLAS B. CONNODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Evans, Hagan & Holdefer, Inc.
Surveyors & Civil Engineers
8013 Belair Road
Baltimore, Maryland 21236

October 14, 1977

Mr. Eric S. 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 Cycle II, October 1977, are as follows:

Property Owner: Jerome N. Biller
Location: NE/5 Mohr's Lane 354' NW Pulaski Highway
Existing Zoning: M.L.

Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 30' of the side street property line along Mohr's Lane and 0' of the S. 49°03' 57" E, 138.00' line and 0' of the S 40° 38' 03" W 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.

Acres: 1.53
District: 15th

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 ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should be revised to show compliance with Section 408 of the Zoning Regulations. In addition to any fences provided, evergreen trees should be used for screening.

Very truly yours,

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



THORNTON M. MOURING, P.E.
DIRECTOR

October 25, 1977

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

Re: Item #2 (Cycle II) October 1977 - April 1978
Property Owner: Jerome N. Biller
W/S Mohr's Lane 354' N/W Pulaski Hwy.
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 50' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E, 138.00' line and 0' of the S 40° 58' 03" W, 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.
Acres: 1.53 District: 15th

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

Pulaski Highway (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

Mohr's Lane, an existing public road, is proposed to be improved in the future as a 42-foot closed section roadway on a 40-foot right-of-way. Highway right-of-way widening, including a fillet area for sight distance at the intersection with Pulaski Highway and any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

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 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.



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

October 20, 1977

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

Dear Mr. DiNenna:

Comments on Item #2, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Jerome N. Biller
Location: NE/S Mohr's La. 354' NW Pulaski Hwy.
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 50' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E, 138.00' line and 0' of the S 40° 58' 03" W, 465.52' line; all in lieu of the required boundary of a zone line other than M.H.
Acres: 1.53
District: 15th

Since metropolitan water is available, the existing water well must be abandoned and connect all existing buildings to the public supply. The individual sewage disposal system appeared to be functioning properly.

Very truly yours,

Thomas Berlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TBD:KAS:pb

Item #2 (Cycle II 1977)
Property Owner: Jerome N. Biller
Page 2
October 25, 1977

Storm Drains

Provisions for accommodating storm water or rainfalls 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

A public 8-inch water main exists along the west side of Pulaski Highway (Drawing #69-0434, File 3).

Sanitary Sewer

Public sanitary sewerage is not available to serve this property, which utilizes private onsite sewage disposal. However, a portion of the public sanitary sewerage, proposed to be constructed in connection with the Gail Industrial Subdivision, (Drawing #77-0086, File 1) can be constructed to serve this property.

Very truly yours,

William N. Diver, P.E.
Chief, Bureau of Engineering

END:KAS:FWB:SS

cc: J. Tremer
J. Somers
R. Morton
R. Covvey

M-SE Key Sheet
24 NE 32 & 33 Pcs. Sheets
NE 6 H & I Type
82 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Nicholas B. Commodari, Chairman
Zoning, Plans Advisory Committee

Date: December 21, 1977

FROM: Rosellen Plant, Industrial Development Commission

SUBJECT: Zoning Advisory Committee Meeting - Cycle II

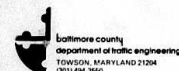
Item 1 Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Road & Rossville Boulevard
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.
Acres: 1.6
District: 15th

Item 2 Property Owner: Jerome N. Biller
Location: NE/S Mohr's La. 354' NW Pulaski Highway
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard, etc.
Acres: 1.53 District: 15

Item 3 Property Owner: New North Point Company
Location: SE/S Cove Road 172' NE North Point Boulevard
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with variance, etc.
Acres: 3.23
District: 15

This office has no comments to make on the above petitions.

Rosellen Plant
ROSELEEN J. PLANT



STEPHENE COLLINS
DIRECTOR

October 26, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 2 - ZAC - October 13, 1977
Property Owner: Jerome N. Biller
Location: NE/S Mohr's La. 354' NW Pulaski Hwy.
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 50' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E, 138.00' line and 0' of the S 40° 58' 03" W, 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.
Acres: 1.53
District: 15th

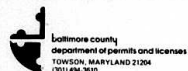
Dear Mr. DiNenna:

The subject petition is requesting a change from M.L. to M.H. with a special exception for a junk yard of 1.53 acres. The subject zoning change should have no effect on trip density.

Very truly yours,

Charles Moore
Assistant Traffic Engineer

CCN/bna



JOHN D. SEVITT
DIRECTOR

October 10, 1977

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

Dear Mr. DiNenna:

Comments on Item #2 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Jerome N. Biller
Location: NE/S Mohr's Lane - 354' NW Pulaski Highway
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 50' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E, 138.00' line and 0' of the S 40° 58' 03" W, 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.
Acres: 1.53
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Plans Review Chief

Charles E. Burnham
Plans Review Chief
CEB:rj



PAUL H. REINCKE
CHIEF

October 26, 1977

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Location: Jerome N. Biller

Location: NE/S Mohr's La. 354' NW Pulaski Hwy.

Item No. 2 Zoning Agenda Cycle II

Comments:

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 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 _____

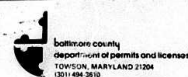
EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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 "Life Safety Code", 1970 Edition prior to occupancy.

- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed: *H. J. [Signature]*
Planning Group
Special Inspection Division

Noted and
Approved: *George McEganoff*
Deputy Chief
Fire Prevention Bureau



JOHN D. SEVITT
DIRECTOR

December 9, 1977

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

Dear Mr. DiNenna:

Comments on Item #2 Zoning Advisory Committee Meeting, CYCLE II REVISED are as follows:

Property Owner: Jerome N. Biller
Location: NE/S Mohr's Lane - 354' NW Pulaski Highway
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard and Variance to permit the storage of scrap metal or non-driveable automobiles or vehicles to be located within 30' of the rear property line, 50' of the side street property line along Mohr's Lane and 0' of the S 49° 03' 57" E, 138.00' line and 0' of the S 40° 58' 03" W, 465.52' line; all in lieu of the required 300' from the boundary of a zone line other than M.H.
Acres: 1.53
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin, should alterations be needed to upgrade building to storage use, especially design loads of floors and walls.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☒ F. It appears the 2 story building was a residence, unless a change of occupancy was previously issued, one shall be required.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Plans Review Chief

Charles E. Burnham
Plans Review Chief
CEB:rj

STATE DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE ADMINISTRATION
6601 RITCHIE HIGHWAY, N.E. GLEN BURNIE MARYLAND 21061

February 20, 1975

TO: ALL LICENSED DEALERS

Section 5-201 of Article 66½ entitled "Wreckers and Scrap Processors Must be Licensed" states in part:

"It is unlawful for any person, firm, or corporation, on or after January 1, 1970, to store any vehicle, or body or chassis thereof, which is to be scrapped, dismantled, or destroyed, on any private property for a period in excess of thirty days, unless the person, firm, or corporation is licensed as a wrecker, as hereinafter provided, or operates an establishment as a scrap processor."

It has been brought to our attention that some dealers are storing vehicles for a period in excess of 30 days, and using the parts contained thereon to recondition other vehicles.

If you elect to store and dismantle vehicles in this manner, it will be necessary to secure an Auto Wrecker's license.

James Stamboni
James Stamboni, Director
Licensing and Consumer Services

NS/c1k

9920 Pulaski Highway
Baltimore, Maryland 21220
February 23, 1978

Baltimore County Zoning Commissioner
Towson, Maryland 21204

Dear Sir:

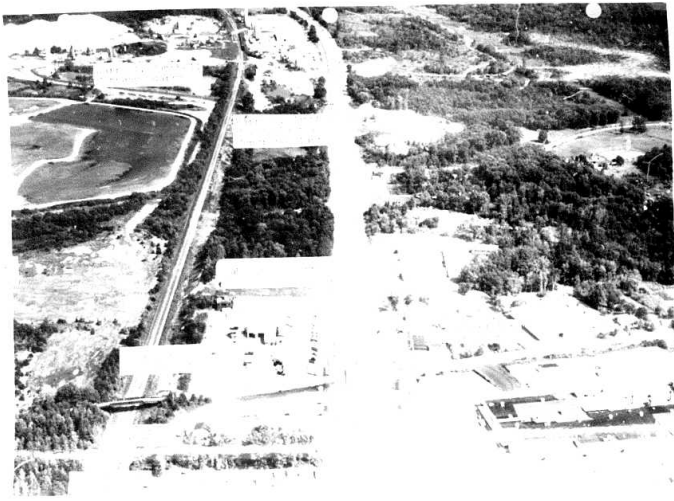
Please be advised that I am in favor of your approving the petition for the rezoning to HM with a special exception for a full acre of the property owned by Jerome N. Billor, Cycle 22, Item #2.

I own the property on the N.W. corner of Placki Highway and 10th Ave. to the C. & N. Railroad and operate the Hi-Way Body and Paint Shop and the Hi-Way Used Cars.

Being in the used car business, I can appreciate Mr. Biller's problem and hope his request for zoning change will be approved.

Very truly yours,

Marion Warren



Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.

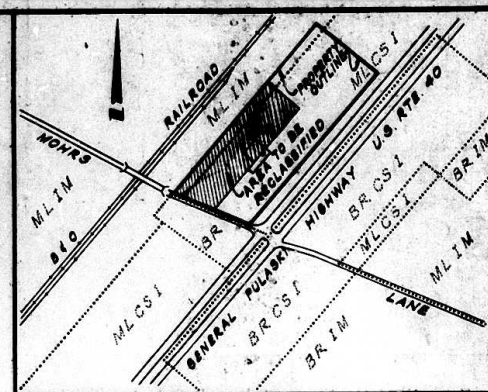
Handwritten note: This is a photograph of the main entrance to the shipyard, showing the main entrance to the shipyard, showing the main entrance to the shipyard.



B & O

6 Track 7

RAILROAD



LOCATION PLAN
SCALE 1"=200'

One B.Y. Used Car Garage

8 B.Y. C.B. Body Machine Shop

Proposed Trailer For Used Car Lot

EX. FENCE TO BE RELOCATED ON WIDENING LANE WHEN ACQUISITION BY BALTO. CO. OCCURS.

No Automotive Junk Or Scrap To Be Stored In This Area

8x20' Pile

BR. WOODED AREA

Exist. 6" Chain Link Fence

Exist. Dry Well

Exist. Septic Tank

Two B.Y. Body Machine Shop Used For Limited Storage

PROPOSED EVERGREEN TREES PLANTED FOR SCREENING

Proposed Railroad Ties

Crusher

AREA TO BE RECLASSIFIED

AREA TO BE RECLASSIFIED

Area = 153,482

One Story Brick & Aluminum Garage

PROPOSED FENCE AND EVERGREEN TREES PLANTED FOR SCREENING

Exist. Well

PROPOSED TAR & CHIP PAVING (CUSTOMER PARKING)

Setback Line

30' Rail

TO BE CLOSED

Ex. 6" Water

Exist. Bifurcated Paving

PULASKI

HIGHWAY

U.S. RTE. 40

GENERAL NOTES

Tract Area 153,482
Existing Zone ML-CS-1 & ML-IM
Existing Use Used Truck Sales
Proposed Zone MH (Special Exception)
Proposed Use Junk Yard & Used Truck Sales

REQUIRED PARKING AREA BREAKDOWN

Office Space 600 Sq. Ft. 1 Space/300 Sq. Ft. = 2 Spaces
Garage Area 8400 Sq. Ft. 1 Space/300 Sq. Ft. = 8 Spaces
Retail Area 1200 Sq. Ft. 1 Space/200 Sq. Ft. = 6 Spaces
Total Parking Required 16 Spaces

PROPOSED PARKING AREA BREAKDOWN

Office Parking 2 Spaces (9'x20' / 180 Sq. Ft.)
Garage Parking 8 Spaces (9'x20' / 180 Sq. Ft.)
Retail Parking 7 Spaces (9'x20' / 180 Sq. Ft.)
Display Parking 10 Spaces (12'x36' / 432 Sq. Ft.)
Total Parking Provided 17 Spaces Plus 10 Display

PLAT TO ACCOMPANY PETITION FOR ZONE RECLASSIFICATION FROM ML-CS-1 AND ML-IM TO MH WITH SPECIAL EXCEPTION

FOR A

JUNK YARD (Storage of Automotive Vehicles Parts And For A Variance To The
600' Requirement Stated in Section 400.2 of The Balto. & County Regulations)
PROPERTY OF JEROME N. BILLER
15TH DISTRICT BALTIMORE COUNTY, MD.

REVISED: 6-10-76 GEN. REVISIONS / ZAC COMMENTS
REVISED: 11-25-77 AS PER ZAC COMMENTS
REVISED: 9-30-77

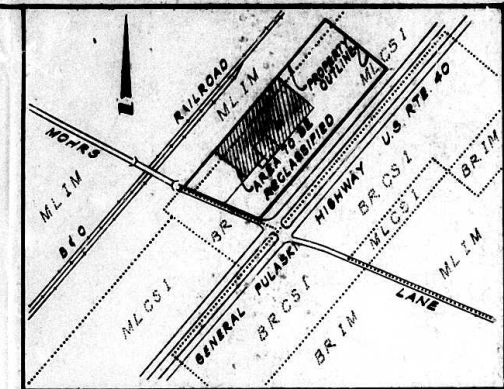


EVANS, HAGAN & HOLDEN, INC.
SURVEYORS AND CIVIL ENGINEERS
1012 EIGHTH STREET, BALTIMORE, MD. 21202
J. Evans
J. Hagan
J. Holden

8 4 0

Truck 7

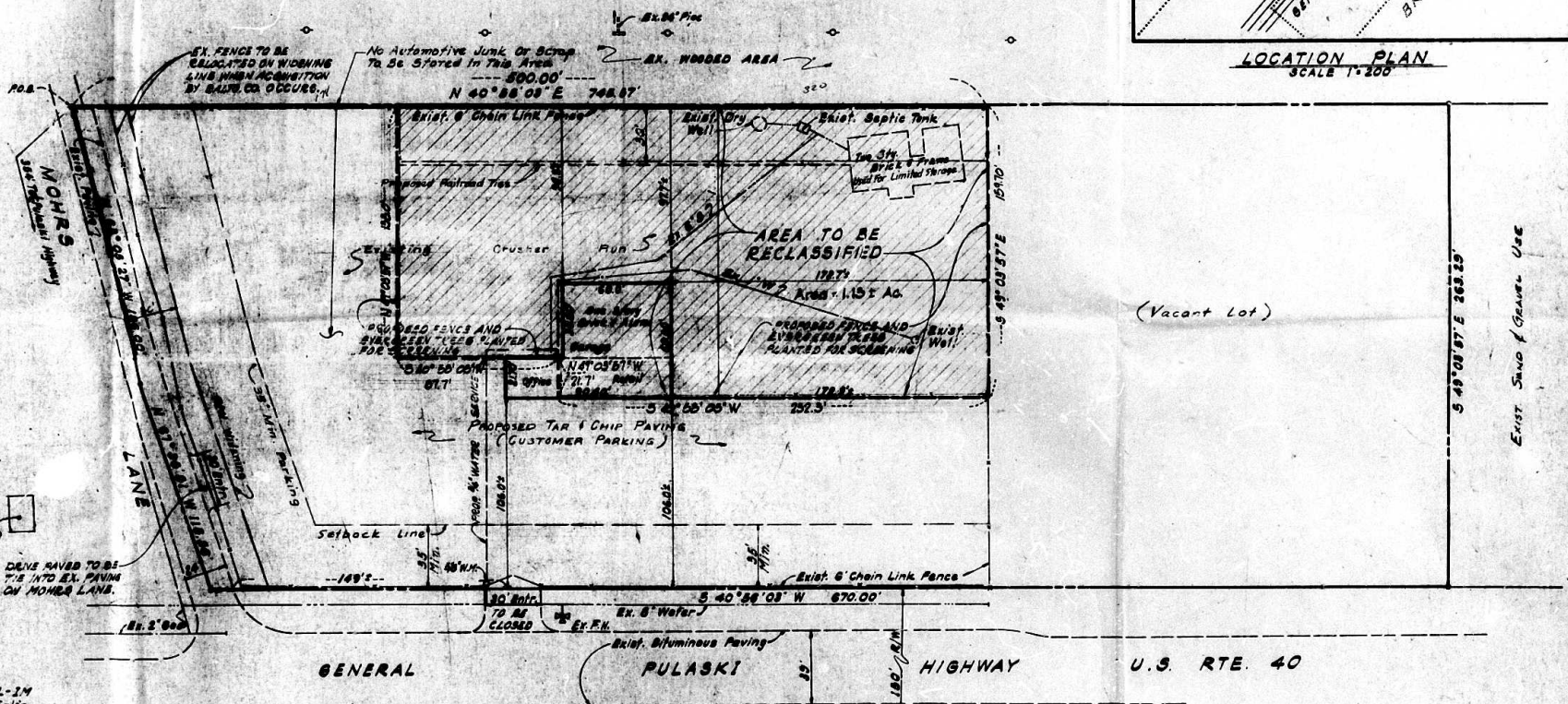
RAILROAD



LOCATION PLAN
SCALE 1"=200'

One City Used Car Garage

8 City Used Car Garage



GENERAL NOTES

Tract Area 113 AC.
 Existing Zone ML-CS-1 & ML-1M
 Existing Use Used Truck Sales
 Proposed Zone MH (Special Exception)
 Proposed Use Junk Yard & Used Truck Sales

REQUIRED AREAS AREA BREAKDOWN

Office Space 500 Sq. Ft. 1 Space / 500 Sq. Ft. = 2 Spaces
 Storage Area 2400 Sq. Ft. 1 Space / 2400 Sq. Ft. = 1 Space
 Retail Area 1200 Sq. Ft. 1 Space / 1200 Sq. Ft. = 1 Space
 Total Parking Required 16 Spaces

PROPOSED PARKING AREA BREAKDOWN

Office Parking 2 Spaces (8' x 20' = 160 Sq. Ft.)
 Storage Parking 5 Spaces (8' x 20' = 160 Sq. Ft.)
 Retail Parking 7 Spaces (8' x 20' = 160 Sq. Ft.)
 Display Parking 10 Spaces (12' x 30' = 360 Sq. Ft.)
 Total Parking Provided 17 Spaces Plus 10 Display

GENERAL

PULASKI

HIGHWAY

U.S. RTE. 40

**PLAT TO ACCOMPANY PETITION FOR
 ZONE RECLASSIFICATION
 FROM ML-CS-1 AND ML-1M TO MH
 WITH SPECIAL EXCEPTION**

FOR A

**JUNK YARD (Storage & Automotive Washing Park) And For A Variance To The
 100' Requirement of Height in Section 408.2 of The Baltimore Zoning Ordinance)**
**PROPERTY OF JEROME N. MILLER
 15TH DISTRICT BALTIMORE COUNTY, MD.**

REVISED: 6-10-78 AREA TO BE RECLASSIFIED
 REVISED: 8-10-78 E.N. EVANS & JAC. CHAMBERS
 REVISED: 11-29-77 AS PER EAC COMMENTS
 REVISED: 9-30-77

EVANS, HAGAN & HOLDEFER, INC.
 SURVEYORS AND CIVIL ENGINEERS
 8111 ELEANOR AVENUE, BALTIMORE, MD. 21207

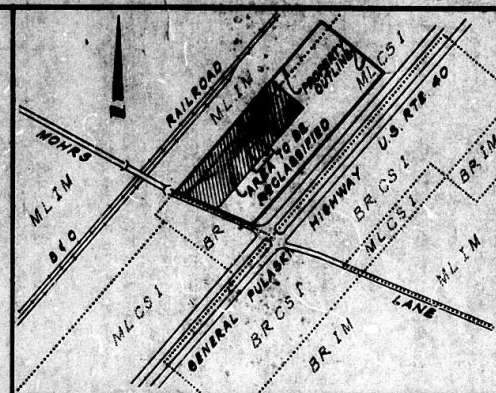
J. Carroll Hagan
 JCH
 9-2-77



B 4 0

Track 7

RAILROAD

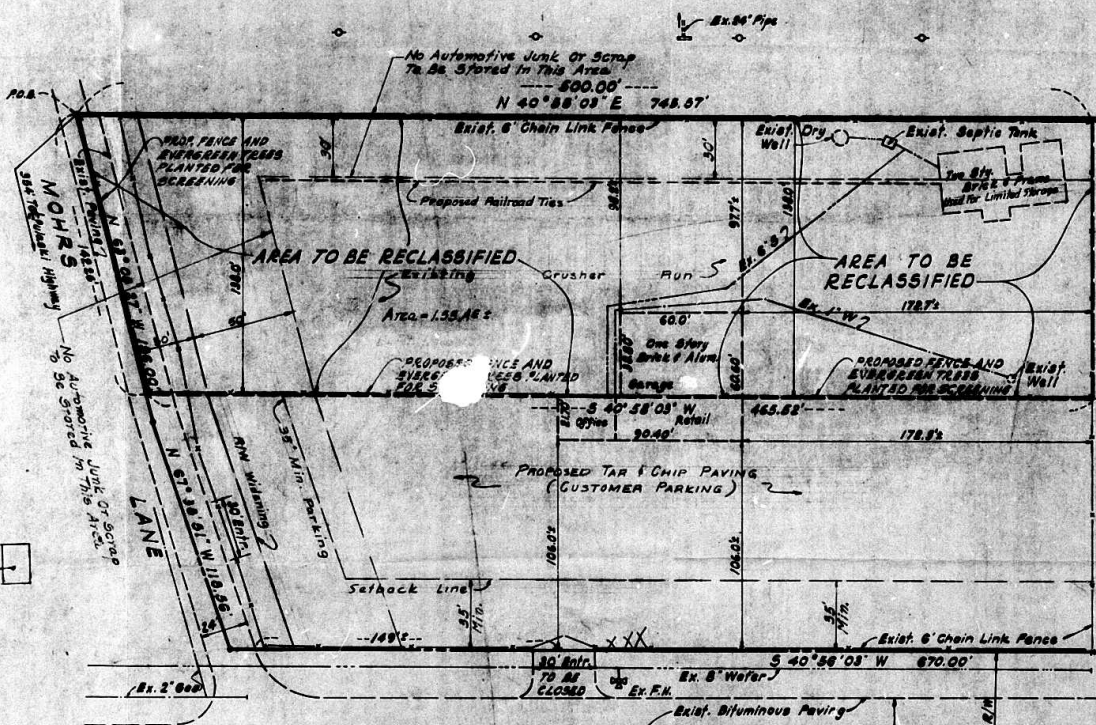


LOCATION PLAN
SCALE 1"=200'

One City
Used Car
Garage

2 City
Used Car
Garage

Proposed Trailer For
Used Car Lot



(Vacant Lot)

5 40° 08' 00" E 262.29'

Exist. Sand & Gravel Use

GENERAL NOTES

- Tract Area 1.53 Acs
- Existing Zone ML-CS-1 & ML-IM
- Existing Use Used Truck Sales
- Proposed Zone MH (Special Exception)
- Proposed Use Junk Yard & Used Truck Sales

REQUIRED PARKING AREA BREAKDOWN

- Office Space 600 Sq. Ft. / 1 Space / 300 Sq. Ft. = 2 Spaces
- Garage Area 2400 Sq. Ft. / 1 Space / 300 Sq. Ft. = 8 Spaces
- Retail Area 1200 Sq. Ft. / 1 Space / 200 Sq. Ft. = 6 Spaces
- Total Parking Required 16 Spaces

PROPOSED PARKING AREA BREAKDOWN

- Office Parking : 2 Spaces (3' x 20' / 180 Sq. Ft.)
- Garage Parking : 8 Spaces (9' x 20' / 180 Sq. Ft.)
- Retail Parking : 7 Spaces (9' x 20' / 180 Sq. Ft.)
- Display Parking : 10 Spaces (12' x 36' / 432 Sq. Ft.)
- Total Parking Provided 17 Spaces Plus 10 Display

GENERAL

**PLAT TO ACCOMPANY PETITION FOR
ZONE RECLASSIFICATION
FROM ML-CS-1 AND ML-IM TO MH
WITH SPECIAL EXCEPTION**

FOR A

JUNK YARD

(Storage of Automotive Vehicles Parts And For A Variance To The
200' Requirement Stated In Section 408.5 of The Baltimore Zoning Ordinance)

**PROPERTY OF JEROME N. BILLER
15TH DISTRICT BALTIMORE COUNTY, MD.**

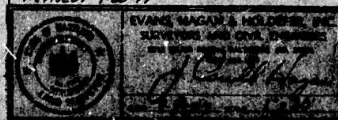
U.S. RTE. 40

HIGHWAY

PULASKI



REVISED 11-28-77 AS PER ZAC COMMENTS
Revised: 9-30-77



EVANS, HAGAN & HOLDERS, INC.
SURVEYORS AND CIVIL ENGINEERS
ONE PLAZA DRIVE, SUITE 200, ALBANY, NY 12206
518/486-1111



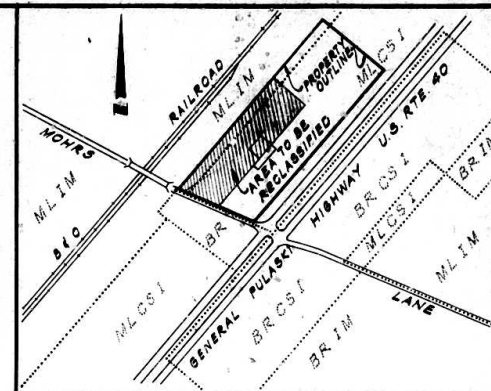
REVISION PLANS

413
NE 6-1
2-K-74
RC
AM

B & O

Track 7

RAILROAD

LOCATION PLAN
SCALE 1"=200'One City
Used Car
Garage2 City Cars
City ShopProposed Trailer For
Used Car LotDRIVE RAVED TO BE
MOVED TO EX. PAVING
OV. MOHRS LANE.

GENERAL NOTES

Tract Area 1.53 Acs
Existing Zone ML-CS-1 & ML-IM
Existing Use Used Truck Sales
Proposed Zone MH (Special Exception)
Proposed Use Junk Yard & Used Truck Sales

REQUIRED PARKING AREA BREAKDOWN

Office Space 600 Sq. Ft. 1 Space/300 Sq. Ft. = 2 Spaces
Garage Area 2400 Sq. Ft. 1 Space/300 Sq. Ft. = 8 Spaces
Retail Area 1200 Sq. Ft. 1 Space/200 Sq. Ft. = 6 Spaces
Total Parking Required 16 Spaces

PROPOSED PARKING AREA BREAKDOWN

Office Parking : 2 Spaces (9' x 20' / 180 Sq. Ft.)
Garage Parking : 8 Spaces (9' x 20' / 180 Sq. Ft.)
Retail Parking : 7 Spaces (9' x 20' / 180 Sq. Ft.)
Display Parking : 15 Spaces (12' x 38' / 420 Sq. Ft.)
Total Parking Provided : 17 Spaces Plus 15 Display

GENERAL

PLAT TO ACCOMPANY PETITION FOR
ZONE RECLASSIFICATION
FROM ML-CS-1 AND ML-IM TO MH
WITH SPECIAL EXCEPTION

FOR A

JUNK YARD (Storage of Automotive Vehicles Parts And For A Variance To The
20' Requirement Stated in Section 408.3 Of The Baltimore Zoning Regulations)
PROPERTY OF JEROME N. BILLER
15TH DISTRICT BALTIMORE COUNTY, MD.

(Vacant Lot)

EXIST SAND & GRAVEL USE

REVISED: 2-10-78 GEN. EDVANS/DWG./ZAC COMMENTS
REVISED: 11-29-77 AS PER ZAC COMMENTS
REVISED: 9-30-77



EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8013 BELAIR ROAD - BALTIMORE, MD 21206
(410) 544-7500
J. C. Hagan
DATE: 2-15-78 SCALE: 1"=200'