

80-2-A 169 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William E. Loftin, Sr. and
I or we, William E. Loftin, Jr., legal owners 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 238.2 to permit a side yard of 0' in lieu of the required 30' (in B.F.).

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

- I wish to add on to the side of the existing carwash for use as a sheet metal shop. This is the only side which is feasible to be added on to due to the fact that there are stacking spaces on the south side of the building and garage doors on the east and west side (rear and front).

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
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of June, 1979.

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 9th day of July, 1979, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
NE corner of Eyring Ave. & Franklin Ave., 15th District

WILLIAM E. LOFTIN, SR. and
WILLIAM E. LOFTIN, JR., 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.

Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 28th day of June, 1979, a copy of the foregoing Order was mailed to Messrs. William E. Loftin, Sr. and William E. Loftin, Jr., 13 Walkway Court, Baltimore, Maryland 21220, Petitioners.

John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Acting Director
FROM: Office of Planning and Zoning

Date: July 2, 1979

SUBJECT: Petition 80-2-A, Item 169

Petition for Variance for side yard setback
Northeast corner of Eyring Avenue and Franklin Avenue
Petitioner - William E. Loftin, Sr. and William E. Loftin, Jr.

15th District

HEARING: Monday, July 9, 1979 (9:45 A.M.)

It is suggested that if granted, the petitioner submit details of landscaping to the Division of Current Planning and Development for approval.

Norman E. Gerber, Acting Director
Office of Planning and Zoning

NEG:JGH:rw

August 15, 1979

Messrs. William E. Loftin, Sr. and
William E. Loftin, Jr.
13 Walkway Court
Baltimore, Maryland 21220

RE: Petition for Variance
NE/corner of Eyring and Franklin
Avenues - 15th Election District
William E. Loftin, Sr., et al -
Petitioners
NO. 80-2-A (Item No. 169)

Gentlemen:

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

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:asl

Attachments

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

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

December 29, 1978

No. 201 Eyring Avenue
Lots 7, 8, 9, 10, 11, 12, Block "E", Sub. Plat of Charles Niquet,
Plat Book 8/41.
15th District Baltimore, Maryland

Beginning for the same at the corner formed by the intersection of the east side of Eyring Avenue with the north side of Franklin Avenue, and thence running and binding on the north side of Franklin Avenue North 33 degrees 46 minutes East 305 feet, thence leaving Franklin Avenue for two lines of division as follows: North 6 degrees 14 minutes West 145 feet to the south side of a 10 foot alley (not open) thence binding on the south side of said alley South 83 degrees 46 minutes West 305 feet to the east side of Eyring Avenue, and thence running and binding on the east side of Eyring Avenue South 6 degrees 14 minutes East 145 feet to the place of beginning.

Containing 1 acre of land more or less.

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1979

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

Chairman
Nicholas B. Commodari

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

Messrs. William E. Loftin, Sr.
and William E. Loftin, Jr.
13 Walkway Court
Baltimore, Maryland 21220

RE: Item No. 169
Petitioners - Loftin, et al
Variance Petition

Gentlemen:

In view of the fact that I received revised plans that incorporate the comments of the Office of Current Planning, I scheduled this petition for a hearing date. As indicated in previous conversations, particular attention should be afforded the Department of Permits and Licenses concerning the proposed wall along the northerly property line. In keeping with this, I would like to reiterate Mr. Fred Ringger's comment that if the existing alley along the northerly property line is widened in the future, it will be on a 24 foot right-of-way. However, he subsequently indicated that this was a remote possibility, and he felt the petition could proceed as submitted.

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. COMMODARI
Chairman
Zoning Plans Advisory Committee

Enclosures
cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

Messrs. William E. Loftin, Sr.
and William E. Loftin, Jr.
13 Walkway Court
Baltimore, Maryland 21220

cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

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 11th day of May, 1979.

S. ERIC DI NENNA
Zoning Commissioner

Petitioner William E. Loftin, Sr., et al
Petitioner's Attorney

Reviewed by
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

NOV 05 1979

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of August, 1979, that the herein Petition for Variance to permit a side yard setback of zero feet in lieu of the required thirty feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Construction of curbing along the perimeter of the paved parking area.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping approval by the Current Planning and Development Division.

William E. Loftin
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. Commodari

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

April 19, 1979

Messrs. William E. Loftin
13 Walkway Court
Baltimore, Maryland 21220

RE: Item No. 169
Petitioner - Loftin
Variance Petition

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 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 suitability of the requested zoning.

Located on the northeast corner of Eyring and Franklin Avenues, the subject of this petition is presently improved with a one-story block building, which apparently was utilized as a car wash at one time. However, at the time of field inspection, it appeared to be abandoned and utilized for the storage of equipment.

In view of the comments from the Department of Permits and Licenses and those of the Bureau of Engineering, concerning the 10-foot alley which abuts the northerly property line, this petition is going to be withheld the scheduling of a hearing date. I suggest that you and/or your surveyor contact the respective representatives from these departments and have this matter resolved. In addition, when the site plan is revised to reflect their comments, the plan must also clearly reflect those comments of the Office of Current Planning, as well as the location of the loading doors and a workable parking arrangement.

Messrs. William E. Loftin
April 19, 1979
Page Two

If you have any questions, please do not hesitate to contact me at 494-3391.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/jil

cc: Frank S. Lee

Enclosures

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition does not meet the Zoning Commissioner's requirements for filing, as per attached.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Owner(s) Name: William E. Loftin, Jr. & William E. Loftin, Sr.

Reviewed *Nicholas B. Commodari*

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

March 19, 1979

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

Re: Item #169 (1978-1979)
Property Owner: William E. Loftin, et al
W/E cor. Eyring Ave. & Franklin Ave.
Existing Zoning: BR
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.
Acres: 1.00 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.

General:

Comments were supplied for this property by the Bureau of Public Services in conjunction with Building Permit Application 132-64 for the car wash (presently inoperative) in the existing building on this site.

Highways:

Franklin Avenue, a partially improved public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Eyring Avenue, an existing public road, is proposed to be further improved as a 42-foot closed section roadway on a 60-foot right-of-way.

Any additional highway rights-of-way widenings necessary, including a fillet area for sight distance at the intersection and reversible easements for slopes, will be required in connection with any grading or building permit application.

The status of the indicated 10-foot alley is unknown to this office and is assumed to be private. This alley, if improved in the future, would be as a commercial type alley, 20 feet wide, on a 24-foot right-of-way.

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

Item #169 (1978-1979)
Property Owner: William E. Loftin, et al
Page 2
March 19, 1979

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.

Storm Drains:

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a public 8-inch water main and 8-inch public sanitary sewerage in Eyring Avenue, Drawings #58-0892, File 3 and #58-0893, File 1, respectively.

Very truly yours,

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

END:EPM:FWR:ss

I-SW Key Sheet
7 NE 30 Pos. Sheet
NE 2 H Topo
90 Tax Map

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

LESLIE M. GRAFF
DIRECTOR

March 16, 1979

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 #169, Zoning Advisory Committee Meeting, February 20, 1979, are as follows:

Property Owner: William E. Loftin, et al
Location: NE/C Eyring Ave. and Franklin Ave.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'
Acres: 1.00
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 assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Curbing must be provided at the perimeter of the paved parking area. Landscaping should be provided.

Very truly yours,

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

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEEVER
DIRECTOR

February 23, 1979

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

Dear Mr. DiNenna:

Comments on Item #169 Zoning Advisory Committee Meeting, February 20, 1979 are as follows:

Property Owner: William E. Loftin, et al
Location: NEC Eyring Ave. & Franklin Ave.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 0' in lieu of the required 30'.

Acres: 1.00
District: 15th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- C. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- X G. Wood frame walls are not permitted within 3'0" of a interior property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____
- I. No Comment.
- X J. Comments: Unless the alley is dedicated to Baltimore County, the wall along the alley shall be a 3 hour fire wall, compliance with the Handicapped Code shall be shown on the drawing.

Very truly yours,
Charles E. Burdick
Charles E. Burdick
Plans Review Chief

NOV 05 1979

Site plan for Essex Lumber Co. showing proposed and existing buildings, parking spaces, and surrounding streets.

Streets and Dimensions:

- Top:** S 83°-46' W 100' (NOT OPEN) 305' ALLEY
- Right:** N 6°-14' W 115'
- Bottom:** N 83°-46' E
- Bottom Right:** 305' 50' AVE.
- Bottom Center:** FRANKLIN

Buildings:

- PROPOSED BUILDING:** 100' x 30'
- EXISTING BUILDING:** 100' x 13'

Parking and Paving:

- EXISTING 18' MAC. PAVING:** Located along Franklin Ave.
- PROPOSED MACADAM PAVING:** Located to the right of the existing building.
- EMPLOYEE SPACES:** 8' x 24' EX. 145' 85' 145' 85' 3' 50'

Other Features:

- PROF. CONC. CURB STOPS:** Located at the top left corner.
- G&E POLE:** Located at the top left corner.
- POLE:** Located near the center of the site.
- LIGHT:** Located near the center of the site.
- EDGE OF EXISTING PAVING:** Located near the center of the site.
- PT. OF BEG.:** Located at the bottom left corner.

Owner Information:

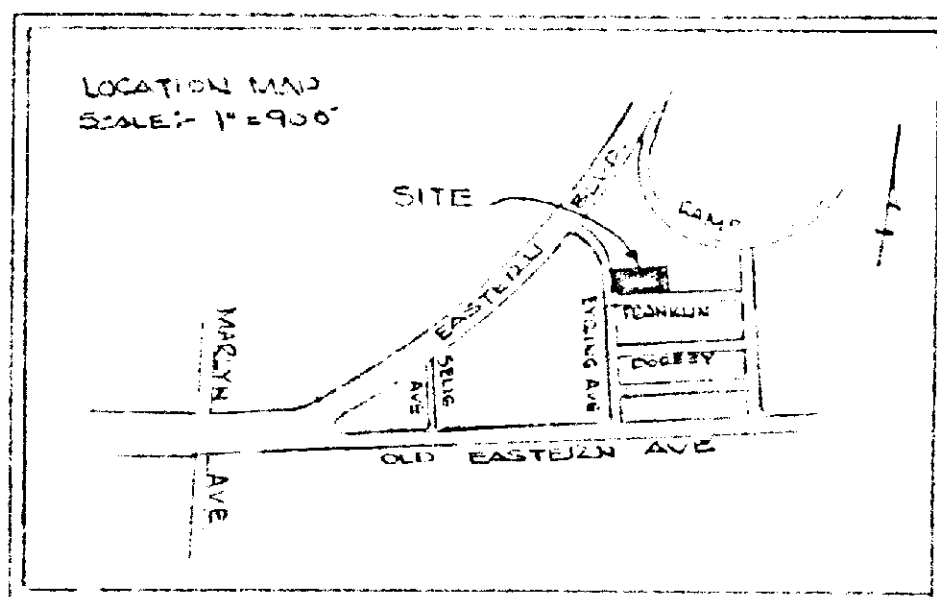
- ESSEX LUMBER CO.**
- BR. CSA**

PRESENT USE - CAR WASH (ASSEMBLY LINE WITH LAPEL SUPPLIER)
PROPOSED USE - SAME
EXISTING ZONING - BQ - CASE 63-159-Q
PROPOSED ZONING - SAME
AREA OF BLDG. - 3200 SQ. FT.
AREA OF LOT - 1 AC.

PROPOSED USE - SHEET METAL FAB. SHOP
EMPLOYEES - 3, NOT MORE THAN 25
AREA - 3000 SQ. FT.
PROP. PARKING - 3 SPACES
PARKING PROVIDED - 3 SPACES, IF 25 EMPLOYEES
ARE PRESENT, PARKING WILL BE PROVIDED BY
15 MIN. FREE PARKING PER HOUR.

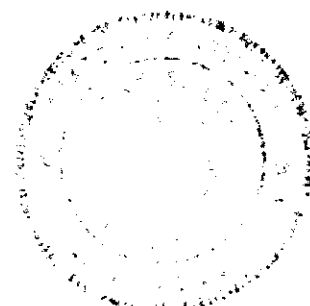
PLAT TO ACCOMPANY PETITION FOR VARIANCE SETBACK OF 0' INSTEAD OF THE REQ. 30'

WILLIAM E. LOFTEN
AERO ALUMINUM PROD.
519 EASTERN AVENUE
BALTIMORE, MD. 21221

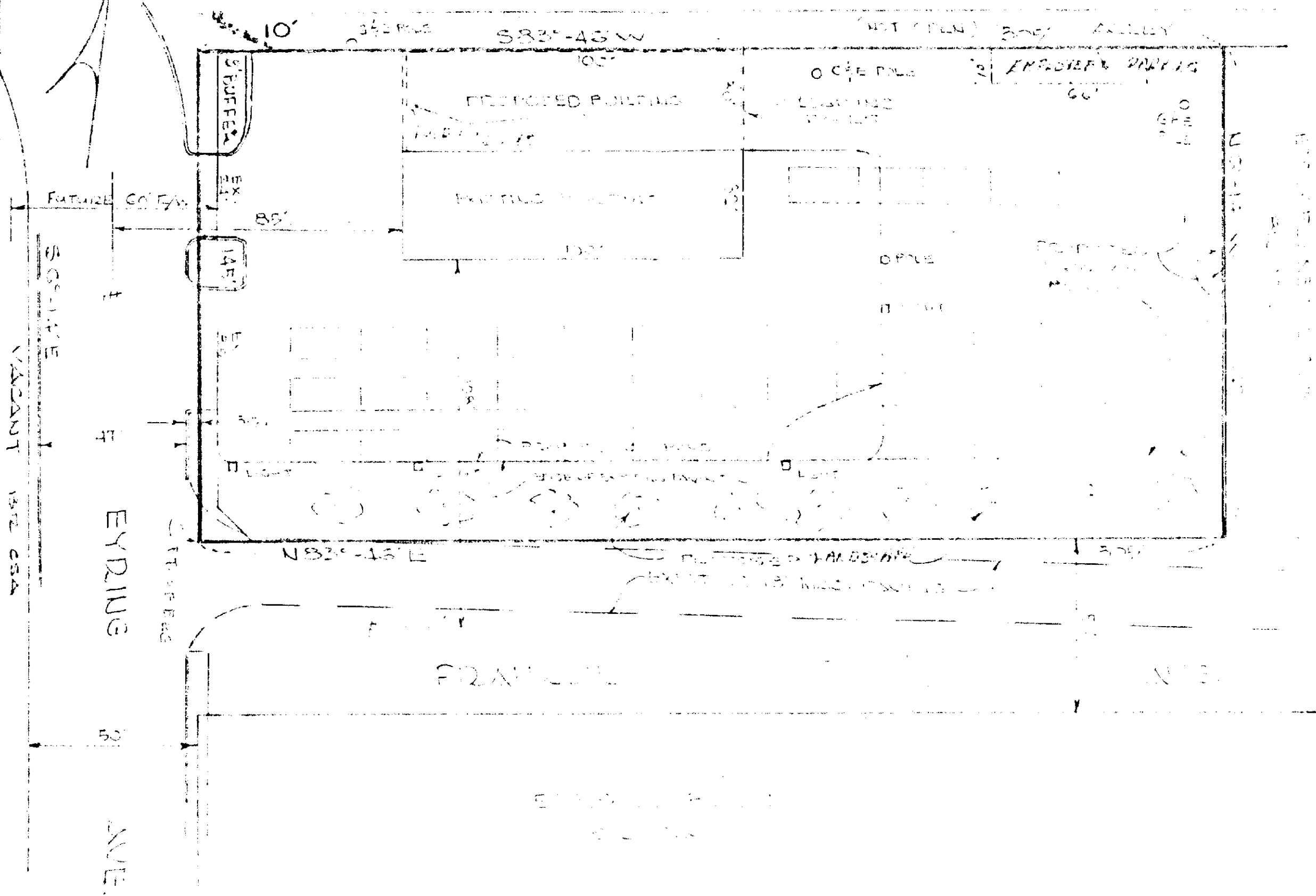


4B
HE 2-N
15
2-27-79
✓
A/B

No. 201 EYING AVENUE
LOTS 7-8-9-10-11-12 BLOCK "B" AND BED OF A 10' ALLEY, SUB. PLAT OF
CHARLES VIQUET
PLAT BOOK 8/41
19TH DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: - 1" = 30' DATE: - 12-29-78



FIELDSTONE TRACT 602 CSA



EXISTING BUILDINGS

EXISTING BUILDINGS - 102' x 102' (10,404 SQ. FT.)
 EXISTING BUILDINGS - 82' x 102' (8,364 SQ. FT.)
 EXISTING BUILDINGS - 102' x 102' (10,404 SQ. FT.)
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PUBLIC WATER & SEWERAGE LINES ARE LOCATED IN EYRING AVE.

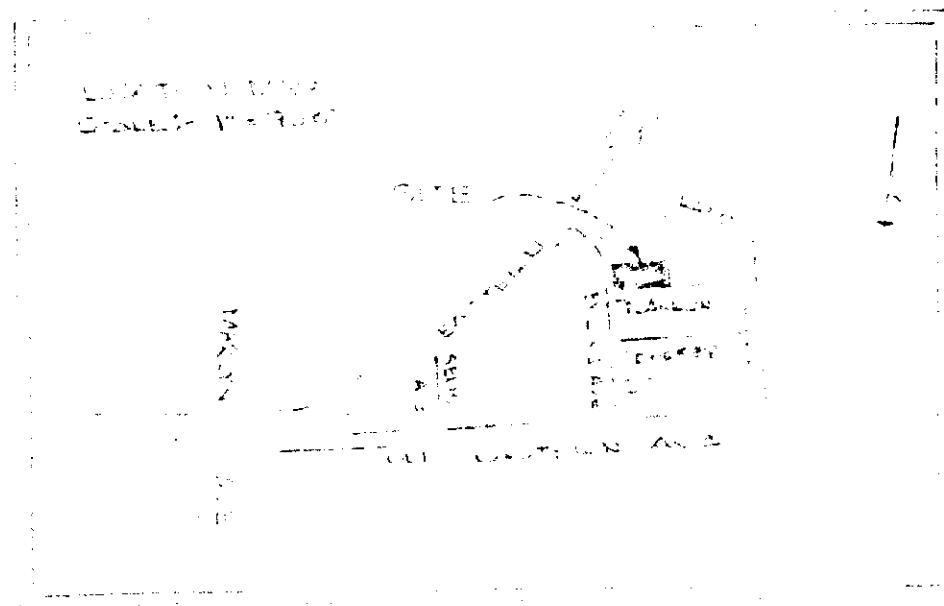
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PLAN TO ACCORD WITH THE CITY OF CHICAGO ZONING ORDINANCE

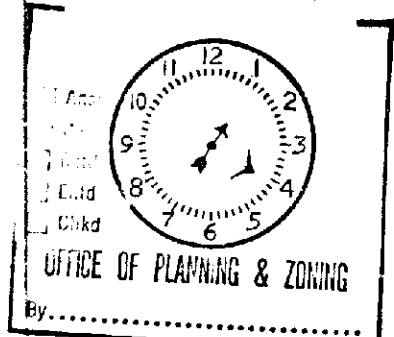
REVISIONS

1. INITIAL & LAYOUT
 2. AREA ADJUSTMENT & PARKING
 3. 519 EXISTING BUILDING
 4. REVISIONS - 10/2/78

REVISED PLANS



MAY 11 '79 PM



15-001 EYRING AVE/15

LOTS 7-8-9-10-11-12 BLOCK 17 AND 18 CHICAGO

CHICAGO, ILLINOIS

REVISION 10/2/78

15-001 EYRING AVE/15

SCALE: 1" = 50'

DATE: 10/2/78
 DRAWN: [Name]

