

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 Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of April, 1980, that the Variances to permit a side yard setback from the north property line of 23 feet in lieu of the required 30 feet, a side yard setback from the south property line of 6 feet in lieu of the required 30 feet, a rear yard setback from the west property line of 11 feet in lieu of the required 30 feet, and a distance of 3 feet between the existing improvement and the proposed new improvement in lieu of the required 60 feet should be and the same is GRANTED, from and after the date of this Order, subject to the terms, provisions, and conditions of the accompanying Special Exception Order. IT IS FURTHER ORDERED that, by reason of failure to show practical difficulty and unreasonable hardship, the Variance to permit 5 parking spaces in lieu of the required 12 spaces be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE April 3, 1980
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the Special Exception for a used motor vehicle outdoor sales area at 4213 North Point Boulevard, separated from the sales agency building and to be used in conjunction with the Special Exception (Case No. 65-60-X) granted on August 26, 1964, and as herein amended, should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of April, 1980, that the herein Petition for Special Exception for a used motor vehicle outdoor sales area, in conjunction with the Special Exception referred to above, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the setback and parking requirement of the Baltimore County Zoning Regulations.
2. Compliance with the comments submitted by the Maryland Department of Transportation, dated July 25, 1979.
3. A revised site plan be submitted, incorporating the above restrictions, and approved by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

[Signature]
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that a Special Exception (Case No. 65-60-X) for a used motor vehicle outdoor sales area at 4215 North Point Boulevard was originally granted on August 26, 1964, by the then Zoning Commissioner, John G. Rose; that the used motor vehicle outdoor sales area has continued to operate on the subject property since that date; that the testimony indicated a need for additional land for the used motor vehicle outdoor sales area; and that to amend the special exception, as herein provided, will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

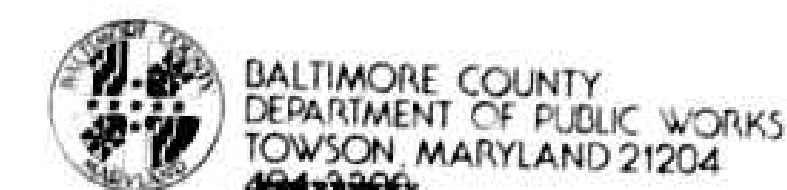
Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of April, 1980, that the amendment to the Special Exception for a used motor vehicle outdoor sales area (Case No. 65-60-X), to allow for the construction of an additional building to be used in connection with the used motor vehicle outdoor sales area, as requested in the herein Petition for Special Hearing, should be and the same is GRANTED, from and after the date of this Order, subject to the terms, provisions, and conditions of the accompanying Special Exception Order.

[Signature]
Zoning Commissioner of
Baltimore County

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this -----day of-----, 19 --, that the herein Petition for the aforementioned Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING
DIRECTOR

August 17, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #10 (1979-1980)
Property Owner: James W. Isner
5/MS North Point Blvd. 1400' S/E New Battle Grove Rd.
Existing Zoning: B.R.-C.S. 1
Proposed Zoning: Special Exception for a used car lot.
Variance to permit a side setback of 23' for the existing building and side and rear setbacks of 6' and 11', respectively for the proposed building in lieu of the required 30'; to permit a distance between buildings of 3' in lieu of the required 60' and to permit 5 parking spaces in lieu of the required 12 spaces. Special Hearing to amend Case No. 65-60 to allow an additional building to be constructed for expansion of the existing used car operation.
Acres: 1.021 District: 15th

Dear Mr. Hammond:

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 the easternmost portion of this overall site in connection with the Zoning Advisory Committee review for Item 163 (1971-1972). These comments are referred to for your consideration.

Highways:

North Point Boulevard (Md. 20) 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.

Item #10 (1979-1980)
Property Owner: James W. Isner
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August 17, 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.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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.

Approximately two-thirds of this overall site is below elevation 10, subject to tidal flooding by Schoolhouse Cove at Elevation 8.676 (Baltimore County Datum).

The United States Department of Housing and Urban Development F.I.A. Map 73 indicates this property as subject to moderate flooding by Schoolhouse Cove.

As stated for Item 163 (1971-1972), a flood plain and drainage reservation must be established within the westernmost portion of this site, and will be required in connection with any grading or building permit application.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels and other special construction features are required.

Water and Sanitary Sewer:

There is a public 24-inch water main and 10-inch public sanitary sewerage in North Point Boulevard.

Very truly yours,
[Signature]
WILLIAM N. DIVER, P.E.
Chief, Bureau of Engineering

END:BAH:FWR:SS
cc: D. Grise, J. Somers
B-SW Key Sheet, 13 SE 29 Pos. Sheet
SE 4 H Topo, 104 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3011
John D. Seyffert
DIRECTOR

September 13, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #10, Zoning Advisory Committee Meeting, July 9, 1979, are as follows:

Property Owner: James W. Isner
Location: SW/S North Point Blvd 1400' SE New Battle Grove Road
Existing Zoning: B.R.-C.S.1
Proposed Zoning: Special Exception for a used car lot. Variance to permit a side setback of 23' for the existing buildings and side and rear setbacks of 6' and 11' respectively for the proposed building in lieu of the required 30'; to permit a distance between buildings of 3' in lieu of the required 60' and to permit 5 parking spaces in lieu of the required 12 spaces. Special Hearing to amend Case No. 65-60 to allow an additional building to be constructed for expansion of the existing used car operation.
Acres: 1.021
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.

Landscaping should be provided where possible.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

Maryland Department of Transportation
State Highway Administration

James I. O'Donnell
Secretary
M. S. Caltrider
Administrator

July 25, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, July 9, 1979
ITEM: 10.
Property Owner: James W. Isner
Location: SW/S North Point Blvd. (Route 151) 1400' SE New Battle Grove Road
Existing Zoning: B.R.-C.S. 1
Proposed Zoning: Special Exception for a used car lot.
Variance to permit a side setback of 23' for the existing building and side and rear setbacks of 6' and 11' respectively for the proposed bldg. in lieu of the required 30'; to permit a distance between buildings of 3' in lieu of the required 60' and to permit 5 parking spaces in lieu of the required 12 spaces. Special Hearing to amend Case No. 65-60 to allow an additional building to be constructed for expansion of the existing used car operation.
Acres: 1.021
District: 15th

Dear Mr. Hammond:

The plans must indicate standard concrete curb between the right of way line and the parking lots. On sheet 2, at the south property line, the curb must continue along the extended property line, to the property corner, to preclude the parking of vehicles on the right of way. The plan must be revised prior to the hearing date being assigned.

My telephone number is (301) 383-4320

July 25, 1979

Mr. W. E. Hammond (Cont.'d.)

CL:JEM:vrd

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

By: John E. Meyers

August 20, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #10, Zoning Advisory Committee meeting of
July 9, 1979, are as follows:

Property Owner: James W. Isner
Location: SW/S North Point Blvd. 1400' SE New Battle
Cove Rd.
Existing Zoning: B.R. - C.S. 1
Proposed Zoning: Special Exception for a used car lot.
Variance to permit a side setback of 23'
for the existing building and side and rear
setbacks of 6' and 11' respectively for the
proposed building in lieu of the required
30'; to permit a distance between buildings
of 3' in lieu of the required 50' and to
permit 5 parking spaces in lieu of the
required 12 spaces. Special Hearing to amend
Case No. 65-60 to allow an additional building
to be constructed for expansion of the
existing used car operation.
Acres: 1.021
District: 15

Metropolitan water and sewer exists. Therefore, no health
hazards are anticipated.

Mr. William E. Hammond

-2-

August 20, 1979

A Permit to Construct from the Division of Air Pollution
Control is required for such items as paint spray processes, underground
gasoline storage tank(s) (5,000 gallons or more) and any other equipment
or process which exhausts into the atmosphere.

Very truly yours,

Jan J. Forrest
Jan J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:phg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: 1979

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

Z.A.C. Meeting of: July 9, 1979

RE: Item No: 8, 9, 10, 11, 12
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

LAW OFFICES
ARNICK, EVANS & CAVANAUGH
2 N. DUNDALK AVENUE
BALTIMORE, MARYLAND 21222
(410) 288-2300

April 8, 1980

JOHN S. ARNICK
WILLIAM E. EVANS
PATRICK CAVANAUGH

W. T. Sadler, Inc.
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Job #6254
Plot Plan for Variance for Used Car Lot
4215 North Point Boulevard

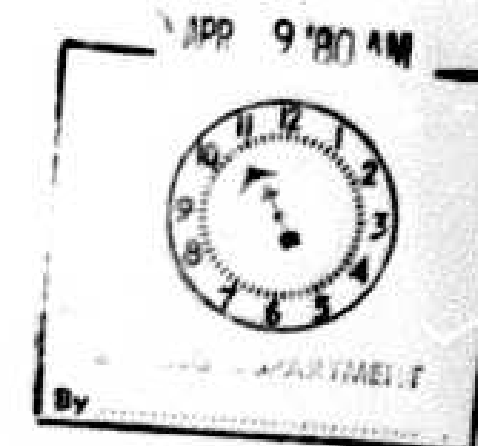
Dear Mr. Sadler:

Confirming our telephone conversation of
April 7, 1980, enclosed herewith you will find copies
of Orders passed by the Zoning Commissioner of Baltimore
County on April 3, 1980, regarding the above captioned
property.

You will note that the Zoning Commission has
required several changes on the drawings in question and
it is my understanding that they are to be filed with the
Zoning Commissioner no later than May 3, 1980, and that
you will complete the drawings in compliance with the
requirements of the Maryland Department of Transportation,
the Department of Public Works, and the Office of Planning
and Zoning, including additional curbing, landscaping and
screening approval by the current Planning and Development
Committee.

I also call your attention to the fact that Mr.
Isner's request for a variance to permit five parking
spaces in lieu of the required twelve spaces has been
denied, and the revised drawing should also include
twelve customer parking spaces. Mr. Isner will advise
you where these spaces can be located if you will call
him at 477-1122.

See 11/16



JAMES WESLEY ISNER
80-133-KASPH

Paul H. Reincke
CHIEF

August 10, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: James W. Isner

Location: SW/S North Point Blvd. 1400' SE New Battle Grove Rd.

Item No. 10 Zoning Agenda Meeting of 7/9/79

Gentlemen:

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 or _____ ft. 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 _____
_____ 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.
- (x) 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Pro-
tection Association Standard No. 10, "Life Safety Code", 1979
Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. Wiegandt*
Planning Group
Special Inspection Division

Noted and
Approved:

George M. Wiegandt
Fire Prevention Bureau

W. T. Sadler, Inc.
April 8, 1980
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If you have any additional questions, please
do not hesitate to contact me.

Sincerely yours,

Patrick Cavanaugh

PC/dg
Enc.

CC: William E. Hammond,
Zoning Commissioner

Mr. David H. Morganthall
4132 Eder Road, #21222

John W. Hessian, III, Esq.

James W. Isner

August 13, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 10 Zoning Advisory Committee Meeting, July 9, 1979
are as follows:

Property Owner: James W. Isner
Location: SW/S North Point Blvd - 1400' SE New Battle Grove Road
Existing Zoning: B.R. - C.S. 1
Proposed Zoning: Special Exception for used car lot. Variance to permit a side set
back of 23' for the existing building and side and rear setbacks of 6' and 11'
respectively for the proposed building in lieu of the required 30'; to permit a
distance between buildings of 3' in lieu of the required 60' and to permit 5
Acres: 1.021 parking spaces in lieu of the required 12 spaces. Special Hearing
District: 15th to amend Case No. 65-60 to allow an additional building to be
constructed for expansion of the existing used car operation.

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.)
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 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. Comment: It appears the building was constructed without a permit. Call
Mr. Joseph Nolan 194-3373.
NOTE: These comments reflect only on the information provided by the
drawing submitted to the office of Planning and Zoning and are not
to be construed as the full extent of any permit.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:rvj

April 3, 1980

Patrick Cavanaugh, Esquire
2 North Dundalk Avenue
Baltimore, Maryland 21222

RE: Petitions for Special Exception,
Variances, and Special Hearing
SW/S of North Point Boulevard,
1400' and 1500' SE of New Battle
Grove Road - 15th Election
District
James Wesley Isner - Petitioner
NO. 80-133-KASPH (Item No. 10)

Dear Mr. Cavanaugh:

I have this date passed my Orders in the above referenced matters in accord-
ance with the attached

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. David H. Morganthall
4132 Eder Road
Baltimore, Maryland 21222

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

80-33 X A, B

2. 29m

2500 2 33 8 72 74

above

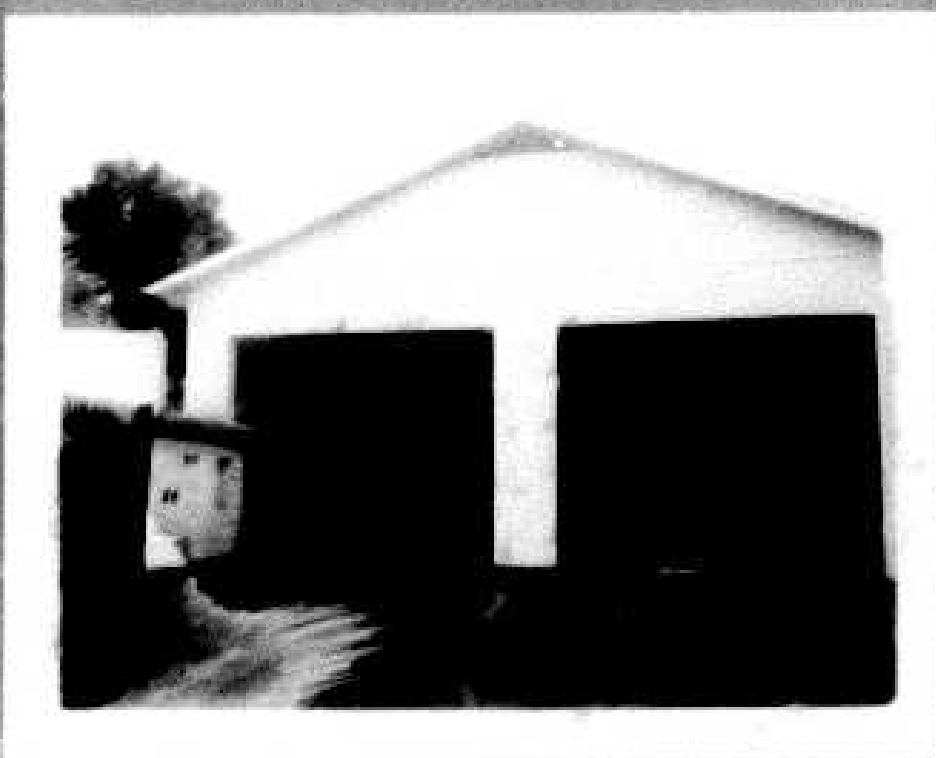
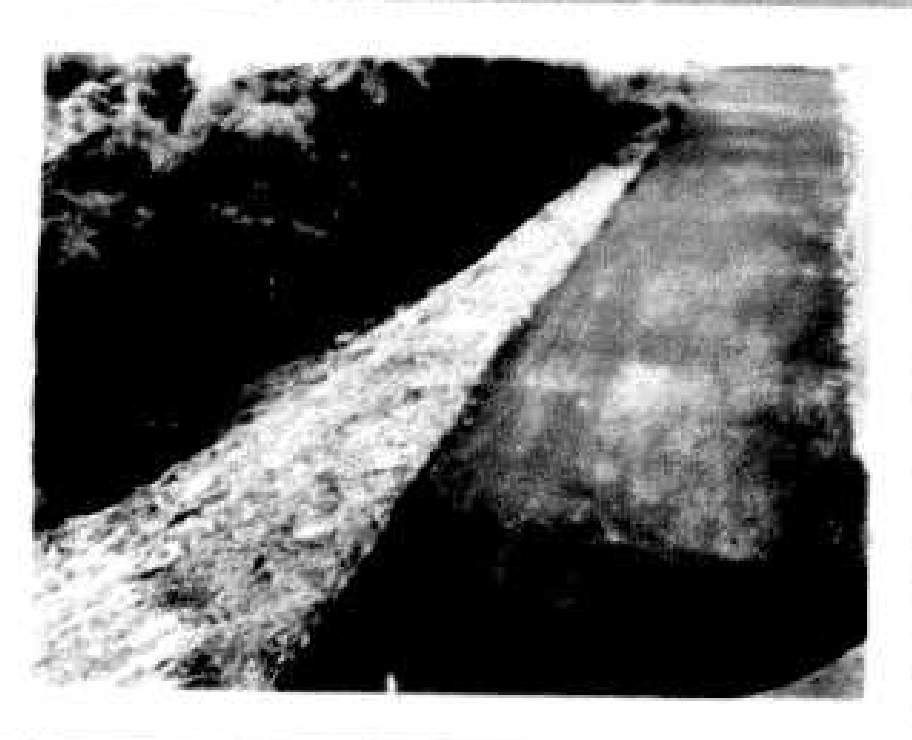
PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: MBL

Previous case: 65-60

Revised Plans:
Change in outline or description Yes No

Map #



"11

"11

"5'8

8.5"

11"

