

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 21, 1998

Leslie M. Pittler, Esquire 29 W. Susquehanna Avenue, Suite 610 Towson, MD 21204

> RE: Zoning Verification 6700 Baltimore National Pike Russell Toyota

Zoning Case #82-253-A 1st Election District

Dear Mr. Pittler:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Per your letter and submitted red-lined site plan, the existing building that is to be revised contains 25,326 square feet and the total area of the existing building is 33,300 square feet. Once the configuration of the building is changed and added to the proposed building, it would contain 35,136 square feet on the first floor, plus 5,760 square feet of general office use on the second floor for a total building area of 40,896 square feet. This would be an increase of 7,596 square feet, 23% from that which was approved by zoning case #82-253-A. The proposed increase in actual building footprint is 1,836 square feet (5%).

Your letter requests written responses to four (4) questions: (1) Can the property owner use the previously granted side yard variance (allowing 16 feet in lieu of the required 30 feet) for the proposed extension of the building? No, a hearing will be required for the proposed building extension. (2) On the approved prior hearing plan, the east side of the building was the "front" as verified by approval of the 25 foot setback and the word "entrance". This is further verified by the fact that the approved side yard setback variances were evidenced on the plan. The revised and remodeled building will retain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is to remain and will be in approximately the same location as the existing building entrance. The main customer entrance to the revised service facility and showroom will also be on the east side of the building. As such, this office confirms that the east side is the front yard and, therefore, no further variances are required for that setback. (3) Since the east side is considered the front of the property, the vehicle storage setback requirement is applicable to that orientation. Since "display" parking spaces existed in the area to the south, even though it abuts Baltimore National Pike, this office will allow this parking to continue. (4) This office agrees that moving of the existing attached wall mounted sign to the newly remodeled building would not violate the Baltimore County Zoning Regulations.

MICROFILMED



Leslie M. Pittler, Esquire May 21, 1998 Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr. Planner II

M. R.

**Zoning Review** 

JJS:rye

Enclosure

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

No.

048748

ATE	5/7/98 ACCOUNT 001-6150	01.
	AMOUNT \$ 40.00 (JJS)	
ECEIVED ROM:	Leslie Pittler	e Ne
OR:	VERIFICATION	
	Russell Toyota - Baltimore National Pike #98-1819	

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
5/11/1998 5/08/1998 15:23:17
REG WSO4 CASHIER LSMI LXS DRAWER 4
5 MISCELLANDUS CASH RECEIPT
Receipt # 049798 OFLA

CR NO. 048748
40.00 CHECK
Baltimore County, Waryland

MICROFILMED,

CASHIER'S VALIDATION

RECEIVED MAY 0 8 1998

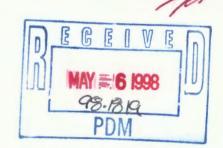
LESLIE M. PITTLER
ATTORNEY-AT-LAW
SUITE 610
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
410-823-4455. 410-583-2437 FACSIMILE

5/1/98 von 5/1/98 von 5/1/98 von

REDEEWEED MAY 106819

May 1, 1998

Mr. Arnold Jablon, Director Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204



Re: Russel Toyota, Baltimore National Pike; Opinion Letter

Dear Mr. Jablon:

Please be advised that I am writing this letter on behalf of Mr. F. Steven Russel the President of Russel Motor Cars, Inc. the company that operates Russel Toyota on Baltimore National Pike. The company is remodeling its current building and changing the shape of same as well as modifying the size. I am enclosing a red-lined plan depicting the modified structure from the approved plan of 1982.

As further background information the existing building that is to be revised constitutes 25,326 square feet. The total area of the existing buildings is 33,300 square feet. Once the configuration of the building is changed and added to, the proposed building would be 35,136 square feet on the first floor plus second floor offices 5,760 square feet for a total building area of 40,896 square feet. This is only a total increase of 7,596 square feet or twenty-three percent (23%) from what consists of the current building and what was approved in 1982. It should also be noted that the increase in actual building footprint is only 1,836 square feet or five percent (5%).

We wish to raise four (4) questions which we would request answers from the Department to facilitate our moving forward in the processing of the modifications of the buildings on this site:

One: EXTENSION OF THE SIDE YARD VARIANCE

In Case No. 82-253A, the Zoning Commissioner granted a side yard variance from the required 30 feet to 16 feet. The proposed building expansion would be in effect only an extension of the current building and in reality create less of a variance by diverging from the other property line. The question is, can the property owner use the previously granted variance for the extended portion of the building?

MICROFILMED

Russel Toyota Page 2

Two: WHAT IS THE FRONT OF THE BUILDING

On the approved plan in front of you, it seems as if the east side of the building was the front of the building. The approval of the 25 foot set-back on the 1982 plan and the word "entrance" verifies this interpretation. This is further proven by the fact that the approved sideyard setback variances in this case were evidenced on this plan. The revised and remodeled building will maintain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is staying in existence and will be in approximately the same location as the existing entrance to the building. The main customer entrance to the revised service facility and showroom will also be on the east side of the building.

Thus, we wish you to confirm that in fact the east side is the front yard and therefore no further variances are required for this plan.

Third: FRONT YARD VEHICLE STORAGE

Assuming that the front yard is the east side of the property, would the vehicle storage set-back requirement be applicable, or would this be considered the side yard even though adjacent to Baltimore National Pike? This site has a unique topographic configuration, the elevation adjacent to Baltimore National Pike is more than 20 feet above the elevation of the roadway, thus negating it as frontage. Does the Department agree with this interpretation?

Four: SIGNAGE

The current building has a wall mounted sign in conformance with the regulations in effect at the time it was put on the existing building. The owner wishes to take the identical sign and move it to the newly remodeled building. It is our opinion that being the case the newly enacted sign regulations do not apply, the sign being a non-conforming use due to its prior existence and not being enlarged as well as the minor increase in the actual building footprint being only 5%. Does the Department agree that Russel can in fact, under these circumstances have a wall mounted sign?

I am enclosing a check for \$40.00 covering the cost for this opinion letter.

Sincerely,

Leslie M. Pittler

cc: Mr. Rob Hanna

Mr. Ken Colbert

Mr. S. Steven Russel

Mr. Aaron Margolis, Esq.

MICROFILMED

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, . . . day of June, 19 82, that the herein Petition for Variance(s) to permit a side yard setback of 16 feet in lieu of the required 30 feet and & minimum distance of 44 feet between buildings in lieu of the required maximum of 60 feet, in accordance with the site plan prepared by KCW Consultants, revised June 1, 1982, and filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the foll wing restrictions:

- 1. The area designated "disable1 cars storage" shall be in compliance with Section 405A of the Baltimore County Zoning Regulations, and the 8-foot chain link fence shall be slatted. In addition, evergreen screening shall be provided adjacent to Powers lane.
- 2. The additional fence on the north side adjacent to Powers Lane and the fence on the west and south sides of the parking area shall be 8 foot high, chain link and shall not be slatted.
- 3. Additional screening on the north and west sides shall be in compliance with Section 409.2.c.(1) of the Baltimore County Zoning Regulations and shall be evergreen planting. Screening on the west side of the parking areas will be required only when the residential area to the west is developed and residences are visible from the subject site.
- 4. Approval of a site plan 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.

FOR FILM

RECEIVED

ORDER



April 7, 1982

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

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Russel Motor Cars, Inc.

Location: NE/S Baltimore National Fike 5,150' N/W of Rolling Road

Item No.: 138

Gentlemen:

JK/mb/cm

Zoning Agenda: Meeting of February 9, 1982

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 \_\_\_\_\_ 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 operation.
- (X) 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", 1976 Edition prior to occupancy.

25° w. .

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

all Kelly U/1-189 Approved: Planning/Group Special Inspection Division

Fire Prevention Bureau

CEB: rrj

Maryland Department of Transportation

Lowell K. Bridwell M. S. Cattrider

February 17, 1982

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of 2-9-82 ITEM: #138 Property Owner: Russel Motor Cars, inc. Location: NE/S Baltimore National Pike, Route 40-W 5,150' N/W of Rolling Road Existing Zoning: BR Proposed Zoning: Variance to permit a side yard setback of 16' in lieu of the required 30' and to permit a side yard setback of 44' in lieu of the required 52.2' between canopy of existing building and new building.
Acres: 5.11

Dear Mr. Hammond:

On review of the site plan of January 14, 1982 and field inspection, the State Highway Administration finds the plan acceptable.

> Very truly yours, Charles Lee, Chief Bureau of Engineering Access Periits

District: 1st

By: George Wittman

cc: Mr. J. Wimbley

My telephone number is (301) 659-1350Teletypewriter for Impaired Hearing or Speech
383-7555 Bultimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3612

TED ZALESKI, JR.

March 1, 1982

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

Dear Mr. Hammond:

Comments on Item #138 Zoning Advicory Committee Meeting, February 9, 1982

Property Owner: Russell Motor Cars, Inc N/E S Baltimore National Pike-5,150' N/W of Rolling Road Existing Zoning: BR
Proposed Zoning:

Acres: District:

The items checked below are applicable: X A. All structures shall conform to the Baltimore County Building Code 1072, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes. and other miscellaneous

- X B. A building/ \_\_\_\_\_ permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction un exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry firewall is required if construction
- F. Requested variance conflicts with the Baltimore County Building Code. Section/s \_\_\_\_\_
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Marylan \*\* Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table XXX and the required construction classification of Table XXX 401 505

I. Comments Although a body shop can be classified as a constant hazard use "SI, a paint spray area shall be classified as high hazard use (Table 305.2) and in the part of the separation from other areas, the rating of this wall is with Table 305.2 and 307.2 as they may apply to the two proposed uses.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any parmit. be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Revi w) at 111 West Chesapeake Ave., Towson.

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TO'WSON, MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR

April 8, 1982

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

Re: ZAC Meeting of February 9, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for items numbers 134 to 142.

> Sincerely, Michael S. Flanigan, Engineering Associate II

MSF/rlj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 9, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: February 9, 1982

RE: Item No: 134, 135, 136, 137, 138, 139, 140, 141, 142 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours Was Unte Televiel Wm. Nick Petrovich, Assistant Department of Planning

WNP/bp

DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DUNALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

February 23, 1982

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

Dear Mr. Hammond:

Comments on Item 138, Zoning Advisory Committee Meeting of February 9, 1982, are as follows:

Property Owner: Russel Motor Cars, Inc.

Location: NE/S Baltimore National Pike 5,150 N/W of Rolling

Existing Zoning: BR

Proposed Zoning: Variance to permit a side yard setback of 16' in lieu of the required 30' and to permit a side yard setback of 44' in lieu of the required 52.2' between canopy of existing building and new building.

Acres: 5.11 District: 1st

Metropolitan water and sewer are available.

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.

The parking area/s should be surfaced with a dustless, bonding material.

> Very truly yours, Tan J. Forrest Director

BUEAU OF ENVIRONMENTAL SERVICES

IJF:ru

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONING COMMISSIONER

June 11, 1982

Aaron Margolis, Esquire 505 Blaustein Building One North Charles Street Baltimore, Maryland 21201

> RE: Petition for Variances
> N/S of Route 40, 5,154' W of the center line of Rolling Rd. - 1st Election District Russel Motor Cars, Inc. -Petitioner NC. 82-253-A (Item No. 138)

Dear Mr. Margolis:

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

Deputy Zoning Commissioner

Very truly yours.

JMHJ/mc

Attachments

cc: Mr. F. Steven Russel 6700 Baltimore National Pike Baltimore, Maryland 21228

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

PETITION FOR ZONING VALANCE YET AND TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Britimore county and which is described in the description and plat attached hereto and made a part hereo, hereby petition for a Variance from Section 102.2, 238.2 and 301.1 to permit a side yard (northerly side) of 16 ft. in lieu of required 30 ft.; and to permit a minimum distance of the feet between buildings instead of the required maximum of 60 feet.

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

In order to have separate building for automobile body shops of necessary size and with appropriate traffic access. Cannot locate building on property convenient to other facilities and access without the limited variances.

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 or

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.

I/We do solemnly declare and affirm.

Phone No.

under the pent ties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

RUSSEL MOTOR CARS, INC.

(Type or Print Name)

By

Signature

F. Steven Russel, Vice President

(Type or Print Name)

MARGOLIS

MARGOLIS

6700 Baltimore National Pike 788-8400

Address

Phone No.

Baltimore, Maryland 21228

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.: 727-0117

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

F. Steven Russel

Name

6700 Baltimore National Pike

Balto\_,MD\_21228\_\_\_\_\_\_788-8400

Thumbay 27, 1982

\_\_A.\_M

laustein Buiľding

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER N/S Route 40, 5154" W of

OF BALTIMORE COUNTY

RUSSEL MOTOR CARS, INC., : Case No. 32-253-A
Petitioner

ORDER TO ENTER APPEARANCE

:::::::

Mr. Commissioner:

Rolling Rd., 1st District

Pursuant to the authority contained in Section 524.1 of the Baltimore County Chairer, I wereby 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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204

I HEREBY CERTIFY that on this 29th day of April, 1932, a capy of the foregoing Order was mailed to Aaron Margolis, Esquire, 505 Blaustein Building, One N. Charles Street, Baltimore, Mc Hand 21201, Attorney for Petitioner.

John W. Hessian, III

FHK, JR LISTES 314 PISE 31

This Deed, Made this 31st

in the year one thou and nine hundred and seventy-two , by and between R & H MOTORS, INC., a body corporate of the State of Maryland

TOYOTA WEST, INC., a body corporate of the State of Paryland,

of the second part,

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged,

the said R & H Motors, Inc.

NOV 10-72 2949628 \*\*\*\*\*\*\*

do es hereby grant and convey unto the said Toyota West, Inc., its successors

heiox and assigns,

in fee simple, all that lot lower ground, situate, lying and being in the first Election D. rict of Baltimore County

, State of Maryland, and described as follows, that is to say:-

Beginning for the same at a point on the northeasterly right of way line of the Baltimore National Pike, U.S. Route 40 (150 feet wide) at the beginning of the 4th or North 24 degree 50 minute East 442.50 foot line of the land which by Deed dated April 25, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1056, folio 240, was conveyed by John L. Clark, unmarried, to C. Edward Debel and Lillian E. Debel, his wife, thence leaving the Baltimore National Pike and binding on the aforesaid 4th line, as now surveyed, North 19 degrees 1/ minutes 20 seconds East 424.25 feet to the center of Fowers Lane, 24 feet wide, running thence and binding on the center of Powers Lane, as now located, the two following courses and dist nces, as now surveyed: (1) South 38 degrees 30 minutes 50 seconds East 258.48 feet to a point (distant 12.30 feet,) South 40 degrees 03 minutes 10 seconds West from a stone on the north side of Powers Lane; (2) South 61 degrees 22 minutes 30 seconds East 329.52 feet to the beginning of the second or South 25 degrees 50 minutes West 444 foot line of the first parcel of land which by Deed dated April 25, 1939 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1056, folio 245, was conveyed by John L. Clark, unmarried, to Clara C. Uebel and George T. Uebel, said point being North 18 degrees 30 minutes 20 seconds East 12.0 feet from a stone on the south side of Powers Lane thence leaving Powers Lane and passing over said stone and binding on the second line in the last mentioned Deed, as now surveyed, South 18 degrees 30 minutes 20 seconds West 449.87 feet to the aforesaid northeasterly right of way line the Baltimore National Pike, running thence and binding on the northeasterly right of way line of the Baltimore National Pike as shown on the State Roads Commission of Maryland Plat No. 2333. the two following courses and distances, as now surveyed: (1) by a curve to the right with a radius of 7,564.44 feet for a distance of 394.53 feet (the chord of said arc

20 7.75 7.030

Leing North 49 degrees 41 minutes 43 seconds West 394.49 feet); (2) North 48 degrees 12 minutes 04 seconds Vest 196.66 feet to the place of beginning. Containing 5.131 acres of land, more or less.

SUBJECT to the slope easements as shown on Plat No. 2333 of the State Fonds.

among the Land Records of Baltimore County in Liber 0.7.G. No. 4841, Folio 156, was granted and conveyed by C. Edward Uebel and wife, et al, to the witlin named party of the first part, in fee simple.

BALTIMORE COUNTY

**ZONING PLANS** 

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

of the control of the

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 18, 1982

COUNTY OFFICE BLDC.
111 W. Chesapeake Ave.
Towson, maryland 21204

000

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of

Engineering

Department of

Fire Prevention

Health Department

Project Planning

Board of Education

Building Department

Zoning Administration

State Roads Commissio

Aaron Margolis, Esquire 505 Blaustein Building One N Charles Street Baltimore, Maryland 21201

RE: Item No. 138
Petitioner - Russel Motor Cars, Inc.
Variance Petition

Dear Mr. Margolis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

In view of your client's proposal to construct an auto body shop to the rear of the subject property, this variance request for distance between buildings is required. The area for the proposed building is currently utilized as a parking area with additional parking proposed along the western portion of this site.

In view of the fact that revised site plans were submitted, I scheduled this petition for a hearing. However, particular attention should be afforded to the comments of the Health Department and the Department of Permits and Licenses.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Michales D. Commodate, Lac

NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc Enclosures cc: KCW Consultants 7坤 Dulaney Valley Court

Towson, Md. 21204

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F. Steven Russel 6700 Baltimore National Pike Baltimore, Md. 21228 BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

A COLUMN TO THE PROPERTY OF TH

March 9, 1982

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

HARRY J. PISTEL R.E. DIGECTOR

Re: Itam #138 (1981-1982)

Property Owner: Russel Motor Cars, Inc.

N/ES Baltimore National Pike, 5,150' N/W of

Relling Road

Acres: 5.11 District: 1st

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.

Highways.

Baltimore National Pike (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.

Powers Lane, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are also subject to approval by the Department of Traffic Engineering.

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:

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 letitioner.

Item #138 (1981-1982)
Property Owner: Russel Motor Cars, Inc.
Page 2
Marci, 9, 1982

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

ROBERT A. MORTON, P.F. Chief
Bureau of Public Services

RAM: EAM: FWR: ss

cc: Jack Wimbley

H-NE Key Sheet 3 SW 30 Pcs. Sheet SW 1 H Topo 94 Tax Map NOTICE OF HEARING

RE: Petition for Variances N/S Route 40, 5154' W. of Centerline of Rolling Road Russel Motor Cars, Inc. - Petitioner Case #82-253-A

9:45 A. M.

Thursday, May 27, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE.

TOWSON, MARYLAND

cc: Russel Motor Cars, Inc. c/o F. Steven Russel 6700 Baltimore National Pike Baltimore, Maryland 21228

BALTIMORE COUNTY

30 i **₽:€?**-c

ZOWNE BEFOREMENT

Douglas L. Kennedy, P.E. John M. Cosaraquis, L.S. William K. Woody, L.S.

(301) 821-0852

KCW CONSULTANTS Civil Engineers and Land Surveyors 744 Dulaney Valley Court

April 12, 1982

Description for Variance, part of the Toyota West, Inc. property, No. 6700 Baltimore National Pike, 1st. Election District, Baltimore County, Maryland

Towson, Maryland, 21204

Beginning for the same at a point on the northeasterly right of way line of the Baltimore National Pike, U.S. Route 40, 150 feet wide, at the distance of 5,154 feet, more or less, from the centerline of Rolling Road, running thence and binding on the northeasterly right of way of the Baltimore National Pike, as shown on the State Roads Commission of Maryland Plat NO. 2333, the two following courses and distances, by a curve to the right with a radius of 7,564.44 feet for a distance of 394.53 feet (the chord of said arc being North 490 41' 43" West 394.49 feet and North 48° 12' 04" West 196.66 feet, thence leaving the Baltimore National Pike, North 190 16' 20" East 424.25 feet to the center of Powers Lane, 24 feet wide, running thence and binding on the center of Powers Lane, the two following courses and distances, South 380 30' 50" East 258.48 feet and South 61° 22' 30" East 329.52 feet. thence leaving said Powers Lane South 180 30' 20" West 449.87 feet to the place of beginning.

Containing 5.11 acres of land more or less

Subject to a 10 foot Utility Easement, the center line of the 10 foot Utility Easement being the last line of this description. (Dwg. RW 66-179-3)



ITon HISY

PETITION FOR VARIANCES

1st Election District

ZONING:

Petition for Variances

LOCATION:

North Side Route 40, 5154' W. of Centerline of Rolling Road

DATE & TIME:

Thursday, May 27, 1982 at 9:45 A.M.

Room 106, County Office Luilding, 111 W. Chesapeake Avenue, Towson, Maryland

maximum of 60 feet

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a side yard (northerly side) of 16' in lieu of required 30' and to permit a minimum distance of 44 feet between buildings instead of the required

The Zoning Regulations to be excepted as follows: Sections 102.2, 238.2 and 301.1 - minimum side yard setback and distance between building in a B.R. zone

All that parcel of land in the First District of Baltimore County

Being the property of Russel Motor Cars, Inc., as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, May 27, 1982 at 9:45 A.M. Public Hearing: Room 106, County Office Building, Ill W. Chesapeake Avenue,

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

Douglas L. Kennedy, P.E. John M. Cosaraquis, L.S. William K. Woody, L.S.

(301) 821-0852

KCW CONSULTANTS Civil Engineers and Land Surveyors 744 Dulaney Valley Court Towson, Maryland, 21204

June 4, 1982

Jean Marie Jung Deputy Zoning Commissioner 111 W. Chesapeake Avenue Towson, Maryland 21204

Reference: Russel Motor Cars, Inc. Case No. 82-253-A

Dear Ms. Jung:

Transmitted herewith are two prints of the revised site plan for the proposed improvements to Russel Motor Cars. The revisions to the plan are a result of your suggestions during the hearing of May 27, 1982 and discussions with the owners. These revisions are as follows:

- 1. Body Shop dimensions have been revised to conform to the most recent architectural plans.
- 2. A possible future gate has been shown in the proposed fence at the location of the existing driveway into Powers Lane.
- The slatted screening within the proposed chain-link fence has been eliminated, and white pine vegetative screening is proposed outside the fence line along Powers Lane.

Please contact me at 821-0852 if you have any questions concerning the revisions which we have made to the site plan. Thank you very much for your consideration in this matter.

> Oouglas L. Kennedy KCW Consultants, Inc.

DLK/s Enclosures

cc: Aaron Margolis Peter Rittman

AARON MARGOLIS

JEFFREY N. PRITZKER

LAW OFFICES MARGOLIS & PRITZKER, P.A. 505 BLAUSTEIN BUILDING

ONE NORTH CHARLES STREET

BALTIMORE, MARYLAND 21201

June 4, 1982

Jean Marie Jung Deputy Zoning Commissioner County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Russel Motor Cars, Inc. Petition for Variances Case No. 82-253-A

Dear Commissioner Jung:

We have had consultations with our Architect and Engineer regarding the matter of screening the Powers Lane and west end perimeter of the property.

The Architect agreed with your reservations of using slats in the chain link fencing and proposed the use of natural white pine screening running along the outside of the fence. This is in line with the preference you expressed at the Hearing.

The owners have agreed to this change in the screening and the Engineer, Mr. Kennedy, has been authorized to make the necessary changes in the Plats.

We trust that this will meet with your approval.

You will recall my informing you that the owners were applying for industrial revenue bond financing for the project and we propose to file the application by June 14. It would be most helpful if we could have your Decision before that date. Since there were no Protestants at the Hearing, we would not expect an appeal.

Thank you for your kind consideration.

cc: Mr. Douglas Kennedy Peter Rittman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CURRESPONDENCE

William E. Hammond TO\_\_\_\_Zoning Commissioner Norman E. Gerber, Director FROM Office of Planning and Zoning

Date May 13, 1982

SUBJECT Zoning Petition No. 82-253-A Russel Moto Cars, Inc.

> This office is not opposed to the granting of the subject petition. If granted, it is requested that details of landscaping, submitted to and approved by the Divisions of Current Planning and Development,

NEG:JGH:slc

cc: Arlene January Shirley Hess

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond TO\_\_\_\_Zoning\_Commissioner Norman E. Gerber, Director

Date Moy 13, 1982

FROM Office of Planning and Zoning SUBJECT Zoning Petition No. 82-253-A Russel Mutor Cars, Inc.

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> > Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January Shirley Hess

BALTIMORE COUNTY
OFFICE OF PLANNING G ZONING
TOWSON, MARYLAND 21204
494-3353

CNOMMAH 3 MAILIW ZONAG COMMISSIONER

May 20, 1982

Mr. F. Steven Russel 6700 Baltimore National Pike Baltimore, Maryland 21228

> Re: Petition for Variances N/S Route 40, 5154' W of centerline of Rolling Road Russel Motor Cars, Inc. - Petitioner Case #82-253-A Item #138

Dear Mr. Russel:

This is to advise you that \$71.25 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

Wella. WILLIAM E. HAMMOND Zoning Commissioner

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

No. 107653 5/26/82

ACCOUNT 01-662

AMGUNT\_\_\_ \$71, 25 RECEIVED Russel Motor Cars, Inc. FOR Advertising & Porting Case #82-253-A

VALIDATION OR SIGNATURE OF CASHIER 

C 686\*\*\*\*\*\*712515 6274A

PETITION	MAPPING		PROGRESS		SHEET					
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
FUNCTION	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:					ed Pla e in ou	_	or des	cripti		
Previous case: 57,52			]	Мар #	SW 1	Æ	<del></del>		<del></del>	.No

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

F2 257-A

	001-2000
District /ot	Date of Posting Man 7, 1982
Posted for: Variance	
Petitioner: Russel Broton	Care inc. 40 5154'W of Centerline of Rolling Re.
Location of property: N/S Route 4	40 5/54'W of Centerline M Rolling De
Location of Signs / sign month oil	e of At 40 sporry 5 190' West of Rolling Road
and sign South side of Powers La	in sporer 35' Nest of Eastern property line
Remarks:	
$\mathcal{A}$ O	Date of return May 14, 1982
Number of Signs: 2	
number of prepiet	

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

	•	,		
Your Petition has been re	ceived this	day of _	Ju	, 1952 *
Filing Fee	\$ 21	Received:	Check	
			Cash	
(138)		Shir	Other	/
BALTIMORE COUNTY, MARYLAND		William E. Har	nmond, Zoning Com	missioner
OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 107	615 lby K	ca countrat	
4/22/82		wed by	90 .	
ACCOUNT	01-662	f the P	etition for assignme	nt of a

AMOUNT \$25.00 RECEIVED Aaron Margolis, Esquire Filing Fee for Case #82-251-A (North Park Associates) 2070 2A 23 VALIDATION OR SIGNATURE OF CASHIER

PETITION POR VARIANCES
1st Election District

ZONING: Petition for Variances
LOCATION: North side Route 40,
5154 W. of Centerline of Rolling
Road

Road
DATE & TIME: Thursday, May 27,
1982 at 9:45 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a pub-

Baltimore County, will hold a public hearing:
Petition for Variances to permit a side yard (northerly side) of 16' in lieu of required 30' and to permit a minimum distance of 44 feet between buildings instead of the required maximum of 60 feet

The Zoning Regulations to be excepted as follo' s:
Sections 102.2 238.2 and 301.1—minimum side yard setback and dis-

mum side yard setback and dis-tance between building in a B.R.

tance between building in a B.R. sone
All that parcel of land in the First District of Baltimore County
Beginning for the same at a point on the northeasterly right of way line I the Baltimore National Pike, U.S. Route 40, 150 feet wide, at the distance of B.154 feet, more or less, from the centerline of Rolling Road, running thence and binding on the northeasterly right of way of the Baltimore. National Pike, as shown on the Bt. Roads Commission of Maryland Piat No. 2333, the two following courses and distances, by a curve to the right with a radius of 7.564 44 feet for a distance of 394.53 feet (the chord of said are being North 49° 41′ 43° West 394.49 feet and North 48° 12′ 04° West 198.65 feet, thence leaving the Baltimore National Pike, North 19° 18′ 20° East 424.25 feet to the center of Powers Lane, 24 feet wide, running thenc and binding on the center of Powers Lane, the two following courses and distances, Bouth 38° 30′ 50° East 288.48 feet and South 51° 22′ 30° East 228.52 feet, thes wing seld Powers Lane Bout! 30′ 20° West 449.87 feet to the pt. s of beginning.

beginning.
Containing 5.11 acres of land more or less Subject to a 10 foot Utility Ease-ment, the center line of the 10 foot Utility Essement being the last line of this description.

Being the property of Russel Motor Cars, Inc., as shown on plat plan filed with the Zoning Department

ment
Hearin, Date: Thursday, May 27,
1983 at 3:45 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland,
By order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
May 6.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., May 6, 19 82
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ware circumstant
xxxx one time xxxxxxxxxxxxxxxxxxx before the 27th
day of May, 19_82 , the fixed publication
appearing on the 6th day ofMay
19_82
THE JEFFERSONIAN,

Direction Surveyton

Cost of Advantisement of	
Cost of Advertisement, \$	

The Zening Regulations to be ex-cepted as follows.

Sections 102.2, 238.2 and 301.1 Invariant side yard setback and dis-tance January and subject as 8.7. Maryland.
The Zoning Commissioner of Ball-timore Couley, by authority of the Zoning Act and Regulations of Ball-more Cr. by, withhold a public hear-Description building in a B.R. 2016.

All that percet of tend in the First Detrict of Baltimore County. Beginning for the same at a point on the northwesterty right of way time of the Baltimore National Piece, U.S. Poute 40, 150 feet wide, at the distance of 5,154 feet, more or less, from the centerine of Posting Road, running 8 ence and binding on the northeasterty right of way of the Bal-Peteon for Varier see to permit a acte yard (normerly side) of 16 in lesi of required 30' and to permit a minimum distance of 48 feet be-tween buildings instead of the re-curred maximum of 60 feet.

amore National Pike. as shown on the State Roads -Commission of Maryland Plat No. 2333, the two following courses and distances, b, a curve to the ngris-with a radius of 7,556 44. feet for a distance of 364.53 feet (the chord of said arc being North 48" 41. 43. West 394.49 feet and North 48" 12" 04. West 195.66 feet thence leaving the Battinore National Pike. North 19" 16' 20. East 424.25 feet to the center of Powers. Lamp 24 that were

PETITION FOR VARIANCES
1st Election District
20NING Petition for Variances
LOCATION, North Ride Route 40,
51541 W. of Certaining of Rotting
Road Powers Lare, 24 feet wide, surring therce and bind in on the center of Powers Lane, use two fortuning courses and distances, South 38: 50' 50' East 256 45 feet and Shuth 61' 22' 30' East 329 52 feet thence between the power power of the power pow DATE & TIME: Thursday, May 27,

Profice Building, 114 W. Chesapeake Avenue, Toward, Maryland, 115 W. Chesapeake Avenue, Toward, Maryland,

406-C May 6

WILLIAM E. HAMMOND ZONING COMMISSIONER ( F BALTIMORE COUNTY

BY ORDER OF

said Powers Lane South 18 30' 20' West 449-87 leet to the 30° 20° West 449.87 leet to the piece of beginning. Sit acres of land more or less.

Subject to a 10 loot Utility Essenters, the center line of the 10 loot Utility Essenters, the center line of the 10 loot Utility Essenters being the last time of the description (Dws. RW 66-179-3).

Being the property of Russel Motor Cars. Inc., as shown on piec plantified with the Zoning Department, Hearing Deter Thursday, May 27, 1862 at 9-45 A.M.

Profile Hearing Room 106, Com-

once a week for \_\_\_\_ONE\_\_\_ the 8 day of MAY \_\_\_\_19\_82\_, that is to say, the same was inserted in the issues of

PATUXENT PUBLISHING CORP.
By Maura Durin

COURT

Office of **PATUXEN**1 10750 Little Patuxent Pkwy. Columbia, MD 21044

MAY 6,

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCES # 32787

was inserted in the following:

X Catonsville Times Arbutus Times

weekly newspapers published in Baltimore County, Maryland \_\_\_successive weeks before

MAY 6, 1982

