PETITION FOR SPECIAL EXCEPTION 83-239-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for __ a Service Garage______

Property is to be posted and advertised as prescribed by Zoning Regulations.

or we, agree to pay expenses of above 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 for Baltimore County.

Legal Owner(s):

Baltimore, Maryland 21228.

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

_5518_Baltimore_National_PIke__744-6142

Honolulu Limited, John Scheeler, Corp. Mgr.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Honolulu Limited (Type or Print Name) Joel Winegarden, Vice President Address Menature John Scheeler, Corporate 5518 Baltimore National Pike 744-614

Contract Purchaser:

FOR

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of ___ February _____, 19.83 , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out 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 to Towson, Baltimore County, on the _____ Zlst ____ day of __April ____, 19.83 , at 10:00 o'clock A. M.

Z.C.O.-No. 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammon J Zoning Commissioner PROM Office of Planning and Zoning

Norman E. Gerber, Director Zoning Petition No. 83-239-X SUBJECT Honolulu Limited

The proposed use would be appropriate here. If granted, it is requested that an appropriate amount of landscaping be required.

Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January Shirley Hess

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER N/S of Baltimore National Pike, 233' W of the Cente line of Charing Cross Rd., 1st District

OF BALTIMORE COUNTY

HONOLULU LIMITED, Petitioner

Case No. 83-239-X

1111111

ORDER TO ENTER APPEARANCE

Mr. Commissioners

COUNTY OFFICE BLDG.

111 W. Chesapeake Ave.

fowson, Maryland 21204

Nicholas B. Commodara

MIN CHERG

Bus was of Englamering

Bureau of

industrial

Davelopment

Department of

Trainte Engineering

State Roads Commi-

Fire Prevention

Moslth Department

Project Planning

Building Department

Board of Iducation

Zoning Administration

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

May Venumerman 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 30 th day of March, 1983, a copy of the foregoing Order was mailed to Glenn Weinberg, Esquire, 5518 Baitimore National Pike, Bultimore, MD 21228, Attorney for Petitioner.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mr. Joel Winegarden

Dear Mr. Winegarden:

5518 Baltimore National Pike

Baltimore, Maryland 21228

April 8, 1983

The Zoning Patns Advisory Committee has reviewed the

plans submitted with the above referenced petition. The

following comments are not intended to indicate the appro-

priateness 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 proposal to convert the vacant building to a service garage, this hearing is required. A similar hearing (Case No. 82-142-X) for a service garage was granted

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

Chairman

Very truly yours,

NICHOLAS B. COMMODARI

Tedales & Carenadare bee

Zoning Pians Advisory Committee

for the abutting property to the west.

hearing scheduled accordingly.

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Avenue Towson, Maryland 21204

NBC:bsc

Enclosures

RE: Item No. 149 - Case No. 83-239-X Petitioner - Honolulu Limited

Special Exception Petition

John W. Hessian, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Zoning Commissioner Norman E. Gerber, Director Office of Planning and Zoning Zoning Petition No. 83-239-X

Honolulu Limited

Date_ April 7, 1983

The proposed use would be appropriate here. If granted, it is requested that an appropriate amount of landscaping be required.

> Norman E. Gerber Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January Shirley Hess

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARY AND 21204

HARRY J PISTEL P. E. DIRECTOR.

March 25, 1983

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

Re: Item #149 (1982-1983) Property Owner: Monolulu Limited N/S Baltimore Macional Pike 233' W. from centerline of training Cross Road Acres: 0.36 District: lat

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.

Genera':

Baltimore National Pinc (U.S. 40) is a Stries 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.

Baltimore County utility improvements sxist and ero not directly involved.

This office has no further comments in regard to the plat submitted for Zoning Advisory Committee review in connection with this Item 149 (1982-1983).

> Very truly yours, ROBERT A. MORTON, P.E., OFFICE Bureau of Public Services

RAM: EAM: FWR: SS

G-NW Key Sheet 2 & 3 SW 19 Pos. Sheets SE 1 E Topo 95 Tax Map



Maryland Department of Transportation

February 23, 1983

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of Feb. 15, 1983 ITEM: #149. Property Owner: Nonolulu Location: N/S Baltimore National Fike, Route 40-H 233' W. from centerline of Charing Cross Hoad. Existing Zoning: B.L.-CNS Proposed Zoning: Special exception for service garage (change and mounting of tires, wheel balancing, front end alignment, and the installation of merchandise purchased on the premeises, but shall exclude major repair, body and fender repair, and oil change and lubrication). Acres: 0.36 District: 1st

Dear Mr. Hammond:

On review of the site plan of January 31, 1983, we find the State Highway Administration has awarded a contract for repaving of the existing roadway and shoulder area to the face of the existing roadside curb along the frontage of your site.

The proposed Contract No. B-420-501-476 will begin at the Baltimore City line and end 0.9 mile west of Rolling Road.

The Bureau of Engineering Access Permits will require you to reconstruct the deteriorated curbs as shown on a revised

My telephone number is (301) 659-1350 TeleTypewriter for Impaired Hearing or Speech

383-7555 Baltimero Metro - 565-0451 D.C. Metro - 1-860-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Jaitimore, Maryland 21203 - 0717

Therefore, IT IS ORDERED by the Deputy Zoning Carminsioner of Baltimore County, this 16 7 day of June, 1983, that the Petition for Special Exception for a service garage, in accordance with the site plan prepared by Paul Lee Engineering, Inc., dated January 31. 1983, should be and the same is GRANTED, from and ofter the date of this Order, subject, however, to the following restrictions:

1. The service garage operation shall be for the changing and mounting of tires, wheel balancing, front end slignment, the installation of merchandise purchased on the premises, and general maintenance of automobiles, not to include body and fender repair or painting.

2. The storage of damaged or disabled motor vehicles shall be in accordance with Section 405A of the Baltimore to County Zoning Regulations.

3. Any method provided for the elimination of waste oil shall be in accordance with the requirements of the Water Resources Administration.

. Compliance with the requirements of the Maryland Department of Transportation.

Approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, and the Uffice of Planning and Zoning, including landscaping required for approval by the Current Planning and Development Division.

6. The uses allowed by and provided for in this Order shall be utilized within 5 years from the date hereof.

> Deputy Zoning Commissioner of Baltimore County

TED ZALESKI

March 11, 1983

Mr. Villian E. Hasmond, Zoning Cormissioner Office of Pisching and Zoning County Office Building Townon, Maryland #1204

Dear Hr. Esmond

Ħ

FOR

ORDER RECEIVED

DA

Comments on Item # 149 Zoning Advisory Committee Meeting February 15, 1983

Property Owner: Honolulu Limited
Location: N/S Baltimore National Pike 233' W. from centerline of Charing Cross Rd.
Existing Zoning: B.L. - CNS
Proposed Zoning: Special exception for service garage (change & nounting of tires, wheel balancing, front end alignment, & the installation of merchandise purchased on the premisis, but shall exclude rajor repair, body & fender repair, District: 1at and oil change & subrication.

X a. All structure shall occiors to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicupped and Aged; and other applicable Codes.

X B. A building/and other miscellaneous parmits shall be required before beginning

C. Desidential: Three sets of construction drawings are required to file a permit application. Architect/Arginser seel is/is not required.

X D. Commercial: Three sets of construction Grawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior well 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 lines. A firewall is required if construction is on the lot line, See Table 401, 11's 2, Section 1407 and Table 1472.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

X C. A change of o cupracy "hall be applied for, along with an alteration permit
epplication, and three required sets of drawings indicating how the structure
will meet the Code requirements for the proposed change. Drawings may require
a professional seal. From warehouse storage to automotive specialty shop.

H. Before this affice can comment on the above structure, please have the owner, the the services of a Registered in Maryland Architect or Engineer certify to fine office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

X I. Comments: Plans shall be submitted for an alteration permit showing handicapped parking, signs, curb cuts, building access and compliance to Table 309.2, especially Section 514.0.

207E: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired, additional information may be obtained by visiting Boom #122
(Plans Boview; at 1:1 Vest Chasspeaks are., 21204

PORM 01-82

Mr. William Han Jond

February 23, 1983

With the limited size of the curb reconstruction, the State Highway Administration will not require a bond for this reconstruction.

-2-

It is requested you contact the State Highway Administration Permit Inspector, Mr. Terry Fairbairn at 301-321-3466 prior to the reconstruction of the curb.

BALTIMORE COUNTY PUBLIC SCHOOLS

If you have any questions, please call this office.

Very truly yours,

Charl Lan Charles Lee, Chief Bureau of Engineering Access Permits

By: George Wittman

Towson, Maryland - 21204

Date: 2/21/83

Z.A.C. Meeting of: 2/15/83

Very truly your

Department of Planning

CL:GW:maw

cc: Mr. J. Ogle Mr. T. Fairbairn

Robert Y. Dubel, Superintendent

Mr. William E. Hammond

Towson, Maryland 21204

Baltimore County Office Building

RE: Item No: 148, (149, 150, 151, 152

All of the above have no bearing on student population.

1111 West Chesapeake Avenue

Property Owner:

Present Zoning:

≥roposed Zoning:

Zoning Commissioner

Location:

District:

No. Acres:

Dear Mr. Hammond:

MNP/bp

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MAIN AND 21204 494-3550

STEPHEN F. COLLINS DIRECTOR

April 8, 1983

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

> Item No. 149 -ZAC- February 15, 1983 Property Owner: Honolulu Limited Location: N/S Baltimore National Pike 233' W. From centerline of Charing Cross 24. Existing Zoning: B.L.-CNS Proposed Zoning: Special Exception for service garage (change and mounting of

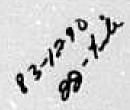
tires, wheel balancing, front end alignment, and the installation of merchandise purchased on the premises, but shall exclude major repair, body and fender repair, and oil change and lubrication).

Acres: District:

Dear Mr. Hammond:

The requested special exception for a service garage is not expected to cause any major traffic problems.

This site should have only ore point of access.





KIMMEL AUTOMOTIVE. INC.

June 10, 1983

Mrs. Jung Room 1091 County Office Building 111 W. Chesapeake Ave. Towson, Md. 21204

Re: Zoning Special Exception Case # 83239-X
For Honolulu Limited at 5204 Balto.

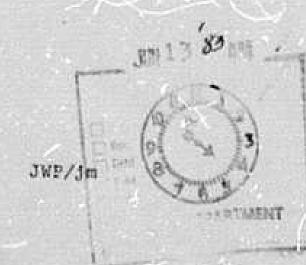
Dear Mrs. Jung,

I writing to request your assistance in expediting the decisio in the above referenced zoning hearing, dated 4/21/83.

Our lease with Honolulu Limited allows as terminate the lease if a special exception for mounting tires has not been approved by June 30, 1983. We must give them notice of our intentions by July 30, 1983. We very much want to stay at this location but will most likely be unable to if we can't mount the tires that we sell.

Since cur deadline dates for making these decisions are rapidly approaching, I am requesting any assistance you may be able to lend in expediting the Special Exception Decision.

Thank you for your consideration in this matter.



Sincerely, Jack W. Pearce Operations Manager

Main Office • 505 Kane Street • Baltimore, Maryland 21224 • 391-633-3300 KIMMEL TRUCK TIMES . KIMMEL TIME AND AUTO CENTERS & KIMBEL CLEARANCE CENTERS & TREAD QUARTERS BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CERRESPONDENCE

William E. Hammond, Zoring Commissioner TO Office of Plane ag and Loning	DateApril 27, 1983

FROM Ian J. Forrest

SUBJECT Zoning Variance Items

BALTIMORE COUNTY

Mr. William Hammond

Coming Commissioner

Towson, Maryland 21204

Item No.: 149

Centlemen:

FIRE DEPARTMENT

Office of Planning and Zoning

Baltimore County Office Building

Attention: Nick Commodesi, Chairman

RE: Property Owner: Honolatu Limited

Department of Public Works.

() 3. The vehicle dead end condition shown at

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

Special Inspection Division

Planning Group

JK /mb /cm

Zoning Plans Advisory Committee

TOWSON MARYLAND 21204 825-7310

March 30, 1983

Zoning Agenda: Meeting of February 15, 1983

Location: N/S Balt/more National Pike 233' W. from Centerline of Charing Cross Road

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

() 1. Fire hydrants for the referenced property are required and shall be

located at intervals or _____ feet along an approved road in accordance with Saltimore County Standards as published by the

Fire Prevention Code prior to occupancy or beginning of operation.

amply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

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

() 4. The site shall be made to comply with all applicable parts of the

(X) 5. The buildings and structures existing or proposed on the site shall

Baltimore County Department of Health has reviewed the following yoning vari ace items, and has no specific comments regarding same.

Item #119 - Honolulu Limited - 83-239-x 4/L/

1tem #151 - Melvin & Ruth Kabik Item #162 - Jonathan & Teresa Marshail Item #163 - Gilbert & Joyce Goets Item #16h - Edwin S. Crawford, et ux Item #165 - The Vestry of the Church of the Good Shepherd

Item #168 - Thomas F. Barly Item #169 - Joseph E. & Sarah Catherine Poklis Item #170 - W. Bugene & Mary Ellen Shoemaker Item #173 - Thomas B. & Florabelle Grooms

Item #183 . Norbert L. & Regins T. Griffin Item #186 - Metropolitan Management Co. Item #287 .. Raymond T. & Alice A. Andrews Item #196 - Harvey F. & Carolyn W. Heggie

Item #197 - Guerdon L. French Item #200 - Mark S. & Karen A. Bartlett

Item #201 - James P. & Jeanne F. Freeman Item #202 - Shell Oil Company Item #206 - Donald E. & Wands G. Higgs

Item #214 - Thomas A. Keller, et ux Item #215 - Ambler M. Blick, et al Item #216 - Grant Owings, et al

Item #218 - Paul Hobbs, et ux Item #220 - Philip E. Klein, et al

Item #221 - Leonard Stoler

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

DESCRIPTION

0.36 ACRE + PARCEL - NORTH SIDE OF BALTIMORE NATIONAL PIKE, WEST OF CHARING CROSS ROAD, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

This Description is for a Special Exception in a BL-CNS Zone

Beginning for the same at a point on the North side of Baltimore National Pike (Md. Route 40), said point being located 233 feet + West from the center of Charing Cross Road, thence binding on the North side of Baluimore National Pike by a curve to the left (1) with a radius of 14,398.95 feet for a distance of 125.00 feet, thence leaving said North side of Baltimore National Pike (2) North 05°23'12" West 125.58 feet, thence (3) North 84°36'48" East 125.00 feet and thence (4) South 05°23'12" East 125.00 feet to the North side of Baltimore National Pike and the point of beginning.

Containing 0.36 acres of land more or isss.





March 31 19 83

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL EXCEPTION Balto Natl Pike

was inserted in the fellowing:

Catonsville Times Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for successive weeks before the 2 day of Ap.-11 19 83, that is to say, the same was inserted in the issues of

March 31, 1982

PATUXENT PUBLISHING CORP.

PETITION FOR SPECIAL EXCEPTION

1st Election District

ZONING:

Petition for Special Exception

LOCATION:

North side of Baltimore National Pike, 233 it. West of

the centerline of Charing Cross Road

DATE & TIME:

Thursday, April 21, 1983 at 10:00 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 public hearing:

Petition for Special Exception for a service garage

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

Being the property of Honolulu Limited, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, April 21, 1983 at 10:00 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

March 22, 1983

Honolulu Limited c/c Joel Winegarden 5518 Baltimore National Pike Baltimore, Maryland 21228

> NOTICE OF HEARING Res Petition for Special Exception N/S of Baltimore National Pike, 233' W of the c/l of Charing Cross Road Honolulu Limited - Petitioners Case No. 83-259-X

TIME: 10:00 A.M.

DATE: Thursday, April 21, 1933

P! ACE: Room 106, County Office Building, 111 West

Chesapeake Averue, Towson, Maryland

IMORE COUNTY

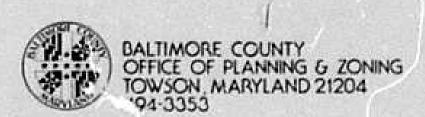
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVEYUE DIVISION MISUELL NEOUS CAUT SECEIPT

No. 112383

DATE 2-2-83 ACCOUNT R-01 615-150 AMOUNT 100 -

VALIDATION OR SIGNATURE OF CASHIER

6 318 *** ** 100posb 8028A



WILLIAM E HAMMOND ZONING COMMISSIONER

June 16, 1983

Mr. John Scheeler Sonolulu Limited 5518 Baltimore National Pike Baltimore, Maryland 21228

RE: Petition for Special Exception N/S of Baltimore National Pike, 233' W of the center line of Charing Cross Rd. - 1st Election District Honoluly Limited - Petitioner NO. 83-239-X (Item No. 149)

Dear Mr. Scheeler:

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

Very truly yours,

JMHJ/mc

Attachments

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



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

WILLIAM E HANIMOND ZONING COMMISSIONER

April 13, 1983

Honolulu Limited c/o John Scheeler, Corp. Mgr. 5518 Baltimore National Pike Baltimore, Maryland 21228

> Re: Petition for Special Exception N/S Baltimore National Pike, 233' W of the c/l of Charing Cross Road Case No. 83-239-X

Dear Sir:

This is to advise you that \$48.70 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.

WILLIAM E. HAMMOND mmissioner

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

₩. 117356

ACCCUNT R-01-615-000 DATE 4/27/83

AMOUNT \$48.70

Monolulu Limited ros Advertising & Posting Case #83-239-X

6 U20******** 8272A

VALIDATION OR SIGNATURE OF CASHIER

83-239-x

CERTI CATE OF PUBLICATION

TOWSON, MD., ______ March_31____, 19_83_ THIS IS TO CERTIFY, that the annexed advertisement was pu'dished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., concercinceach one time sessessive verse before the __21st____ day of ______April_____, 19.83_, the thest publication

appearing on the ______ day of ______ March____

THE JEFFERSONIAN D. Frank Streeten

Cost of Advertisement, \$__

CERTIFICATE OF POSTER

Person, Maryland	8	3-	23	9-
		-	_	

Date of Posting 3-31-83 Porced for Special Caception

Petitioner: Honolula sinited

Location of property: N/S of Ballimore Bational Pile, 233 W of
the Contestine of Charing Cross Pend
Location of Signs north aide of Baltimore Mational Pile.

Opposer. 275 west of the antishine of Charing Cross Road

Remarks:

Posted by L. Q. auta Date of return Postel 8, 1913 Number of Signat









