MAP NE 10H E. D. 9 DATE 2-2-97

IN RE: PETITION SPECIAL EXCEPTION E/S of York Road, 152' S of Lambourne Rd. (715 York Rd.) - * 9th Election District Stephen G. Heaver,

DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 86-415-X

* * * * * * * * *

The Petitioner herein requests a special exception for a used motor vehicle outdoor sales area separated from the sales agency building.

Petitioner

Testimony on behalf of the Petitioner indicated that the existing building was built in the early 1960's and has been utilized as a service garage. The current lessee, which has an automobile dealership on the property immediately to the northwest, has needed to expand its sales area for the last 18 months. It proposes to utilize the first floor of the building for a used car dealership with display for about five cars and an office, and for the continuation of a service area with six bays. The exterior area will include 23 spaces for display as well as the required parking for customers. There were no protestants.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1, Baltimore County Zoning Regulations have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore on for a used motor vehicle outdoor sales area separated from the sales

Landscaping, for the eight-foot strip adjacent to York Road and the strip between the old and used car dealerships, shall include two trees along York Road and one tree on the side between the wood steps and the road and shall be installed within fourteen (14) months.

JMHJ:bg

of Baltimore County

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

ARNOLD JABLON ZONING COMMISSIONER

May 16, 1986

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mr. Stephen G. Heaver 1301 York Road Lutherville, Maryland 21093

> RE: PETITION SPECIAL EXCEPTION E/S of York Road, 152' S of Lambourne Rd. (715 York Rd.) -9th Election District Stephen G. Heaver, Petitioner Case No. 86-415-X

Dear Mr. Heaver:

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

> Very truly yours, Députy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

BALTIMORE COUNTY, MARYLAND

!NTER-OFFICE CORRESPONDENCE

TO Arnold Jablon Zoning Commissioner

Date March 31, 1986

PROM Norman E. Gerber, Director
Office of Planning and Zoning SUBJECT Zoning Petition No. 86-415-X

This office is not opposed to the granting of the subject request.

Office of Planning and Zoning

NEG/JGH/dmi

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE March 21, 1986

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

Chairman

MEMBERS

Department of Traffic Engineering

Health Department

Building Department

Board of Education

Zoning Administration

Project Planning

State Roads Commissio

Engineering

Bureau of

Industrial

Development

Mr. Stephen G. Heaver 1301 York Road Lutherville, Maryland 21093

> RE: Item No. 273 - Case No. 86-415-X Petitioner - Stephen G. Heaver Special Exception Petition

Dear Mr. Heaver:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information or 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, JAMES E. DYER Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Development Engineering Consultants, Inc. 1603 York Road Baltimore, Maryland 21212

Mr. Jeffrey B. Hazard 717 York Road Towson, Maryland 21204 FILE FOR RECEIVED GRUER

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 Used Motor Vehicle outdoor sales area, separated from sales agency building (Section 236.4) Property is to be posted and advertised as prescribed by Zoning Regulations I, 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. 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. Contract Punxhauer Lessee: Legal Owner(s): of 715 York Road Key Oldsmobile, Inc. Stephen C. Heaver 717 York Road (Type or Print Name) Towson, Maryland 21204 City and State Attorney for Petitioner 1301 York Road 301-321-7501 (Type or Print Name) Lutherville, Maryland 21093 City and State Name, address and phone number of legal corner, con-Jeffrey B. Hazard Attorney's Telephone No.: ORDERED By The Zoning Commissioner of Baltimore County, this ____13th_____ day of _____ March_____, 19_86., 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

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of March, 1986.

ARNOLD ABLON
Zoning Commissioner

Petitioner Stephen G. Henver Petitioner's Attorney

Received by: And C. Astron

Chairman, Zoning Plans Advisory Committee

(T)

CD5+068



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Maryland Department of Transportation

William K. Hellmann Hal Kassoff

February 19, 1986

Mr. A. Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re; ZAC Meeting of 2-11-86 ITEM: 273. Property Owner: Key Oldsmobile, Location: E/S York Road, Attn: Mr. James Dyer Route 45, 152 feet S of Lambourne Existing Zoning: B.R. Proposed Zoning: Special Exception for a used motor vehicle outdoor sales area. separated from sales agency building Acres: 0.5934

District: 9th Election District

Dear Mr. Jablon:

On review of the submittal of 1-10-86 showing all display areas outside the State Highway Administration Right-of-Way, the State Highway Administration finds the plan generally acceptable.

> Very truly yours, Charle Par Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

By: George Wittman

cc: Mr. J. Ogle

My telephone number is (301) 659-1350 Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore 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

OFFICE OF PLANNING AND ZONING TOWSON MARYLAND 21204 NORMAN E. GERBER DIRECTOR

Mr. Arnold Jablon Zoning Commissioner County Office Building

MARCH 24, 1986

Re: Zoning Advisory Heeting of FEBRUDRY 11, 1986

Item 1 273

Property Owner: KEY OLDSMOBILE, INC.
LOCATION: E/S YORK RD. 1521 5.06 LAMBOURNE RO.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items enecked below are There are no site planning factors requiring comment.

A County Review Group Meeting is required.

A County Review Group meeting was held and the minutes will be forward by the Sureau of Public Services. -)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building pennit.)The access is not satisfactory. The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.)Parking calculations must be shown on the plan.)This property contains solls which are defined as wetlands, and development on these soils is prohibited.

Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.

()Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

The amended Development Plan was approved by the Planning Board ()The property is located in a traffic area controlled by a "D" level intersection as defined by Sill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas in the re-evaluated innually by the County Council.

> Eugene A. Bober Chief, Current Planning and Development

BALTIMORE COUNTY FIRE DEPARTMENT FOWSON, MARYLAND 21204-2586 494-4500

February 20, 1986

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Toning Baltimore County Office Building Towson, Maryland 21204

PAUL H. REINCKE CHIEF

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Key Oldsmobile, Inc.

Location: E/S York Road, 152' S of Lambourne Road Zoning Agenda: Meeting of 2-11-86 Item No.: 273

Gentlemen:

Fire Prevention Bureau

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.

() 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.

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

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

Planting group 2-21-86 Approved: Special Inspection Division

BALTIMORE COUNTY
) DEPARTMENT OF PERMITS G LICENSES BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LI
TOWSON, MARYLAND 21204
494-3610

February 11, 1986

TED ZALESKI, JR. DIRECTOR

Tr. Arnold Jablon, Zoning Domaissioner Office of Planning and Zoning Towson, Maryland 21204

Dear Mr. Jablons

Comments on Item # 273 Zoning Advisory Committee Macting are as follows: Key Oldsmobile, Inc.

E/S York Road, 152 feet S of Lambourne Road District:

APPLICABLE ITEMS ARE CIRCLED:

All structures shall conform to the Beltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.H.S.I. #117-1 - 1900) and other applicable Codes and Standards. (E) A building and other miscellaneous permits shall be required before the start of any construction.

Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Manyland Architect or Engineer is/is not required on plans and technical data.

Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

B. All Use Groups sweept R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 601 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, of the Baltimore

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groupe are from Use to Use or See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverinc. Please see the attached copy of Section 516.0 of the Building Gods as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

O comments: If there is any change of use of the existing buildings to accompany the requested exception a change of use permit may be necessary. The first floor is not now considered for servicing vehicles. See Section 609.0 including 609.2.3 and alterations may be required. If new structures are to be constructed, Items A. B. D also apply to them. Contact this office if additional information is of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired Signs shall the applicant may obtain additional information by visiting Room 122 of the County Office building at 111 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 12 V. Chesapeaks Avenue, Towson, Maryland 2204.

Charles omply with Article 19



Development Engineering Gozmitants.

NO. 715 YORK ROAD

BEGINNING for the same on the Northeast side of York Road, 66 feet wide, at a point distant 152.05 feet Southeasterly from the corner formed by the intersection of said Northeast side of York Road with the Southeast side of Lambourne Road, 50 feet wide, and running thence, parallel with said Lambourne Road, North 58 degrees, 28 minutes and 53 seconds East 170.00 feet, thence parallel with York Road South 31 degrees, 31 minutes and 07 seconds East 152.05 feet to a point in the second line of the parcel of land described in a deed from William McKeown, widower, to Winifred C. Little, dated November 8, 1937 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1015 folio 493 etc., thence binding reversely on a portion of said last mentioned line South 58 degrees, 28 minutes, and 53 seconds West 170.00 feet to the Northeast side of York Road and thence, binding on said Northeast side of said road North 31 degrees, 31 minutes and 07 seconds West 152.05 feet to the place of beginning.

PFFIC! COP

6603 York Road Baltimore, Maryland 21212 (301) 377-2600



cc: James Hoswell



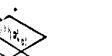
Containing 25,848 Square Feet or 0.59 of an Acre of land, more or less.

Being part of the land firstly described and part of the land secondly described in a deed from Towsontown Motor Hotel Corporation to the Lambourne Corporation dated June 30, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3861 folio 35 etc.

Together with an easement or right-of-way 25 feet wide across a portion of other lands owned by the said Lambourne Corporation and bounded and described as follows:

BEGINNING for the same at the end of the first line of the land hereinabove described and running thence in a prolongation of said first line North 58 degrees, 28 minutes and 53 seconds East 55.00 feet, thence parallel with York Road North 31 degrees, 31 minutes and 07 seconds West 152.05 feet to the Southeast side of Lambourne Road, thence binding on said Southeast side of said road North 58 degrees, 28 minutes and 53 seconds East 25 feet to the Northeasternmost outline of the whole tract of land owned by said Lambourne Corporation, thence binding reversely on a portion of said outline, South 31 degrees, 31 minutes and 07 seconds East 177.05 feet, thence parallel with Lambourne Road South 58 degrees, 28 minutes and 53 seconds West 80 feet to a point in the second line of the land hereinabove described at the

6603 York Road Baltimore, Maryland 21212 (301) 377-2600





distance of 25 feet from the beginning thereof and thence, binding reversely on a portion of said second line North 31 degrees, 31 minutes and 07 seconds West 25 feet to the place of beginning.

The courses in the above descriptions are referred to the True Meridian as the same is described in the abovementioned deed from Towsontown Motor Hotel Corporation to The Leabourne Corporation.



PETITION FOR SPECIAL EXCEPTION

9th Election District

LOCATION:

East Side of York Road, 152 feet South of Lambourne Road (715 York Road)

DATE AND TIME: Wednesday, April 16, 1986, at 9:30 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 used motor vehicle outdoor sales area separated from the sales agency building

Being the property of <u>Stephen G. Heaver</u> plan filed with the Zoning Office. _, as shown on plat

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

Qar

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE ZONING COMMISSIONER E/S York Rd., 152'S of Lambourne Rd. (715 York Rd.) 9th District OF BALTIMORE COUNTY

STEPHEN G. HEAVER, Petitioner(s)

Case No. 86-415-X

ENTRY OF APPEARANCE

:::::

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 (301) 494 - 2188

I HEREBY CERTIFY that on this 26th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Stephen G. Heaver, 1301 York Rd., Lutherville, MD 21093, Petitioner; and Jeffrey B. Hazard, Esquire, Key Oldsmobile, Inc., 717 York Rd., Towson, MD 21204, Lessee.

Mr. Stephen G. Heaver 1301 York Road

March 14, 1986

Lutherville, Maryland 21093

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION E/S York Rd., 152' S of Lambourne Rd. (715 York Rd.) 9th Election District Stephen G. Heaver - Petitioner Case No. 86-415-X

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

ITEM 273 No. 018332 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

8 8107*****13030:2 8253F

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

April 9, 1986

Mr. Stephen G. Heaver 1301 York Road Lutherville, Maryland 21093

> RE: PETITION FOR SPECIAL EXCEPTION
> E/S York Rd., 152' S of Lambourne Rd.
> (715 York Rd.) 9th Election District Stephen G. Heaver - Petitioner Case No. 86-415-X

Dear Mr. Heaver:

This is to advise you that \$73.75 is due for advertising and posting of the above property. This fee must be paid before an

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do <u>not</u> remove sign from property from the time it is placed by this office until the day of the hearing itself.

> County, Maryland, and remit No. 018592 ing, Towson, Maryland

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 4/15/86

VALIDATION OR SIGNATURE OF CASHIER

Advertising & Posting re Case #86-415-X B BC17******7375:a 316%F

CERTIFICATE OF PUBLICATION

PETITION FOR SPECIAL EXCEPTION 9th Election District LOCATION: East Side of York Road 152 feet South of Lambourne Road (715 York Road). DATE AND TIME: Wednesday, April 16, 1986, at 9:30 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W Chee-apsake Avenue, Towson, Maryland The Zoning Commissioner of Balli-more County, by authority of the Zoning Act and Regulations of Balli-more County, will hold a public hear-

TOWSON, MD., march 26 19 86 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 26 , 19 86

Being the property of Stephen Heaver, as shown on plat plan St in the event that this Petition(s) is sioner with however, enactain any request for a stay of the incuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or

a used motor vehicle outdoor

sales area separated from the sales agency building.

75301-L87650 March 26

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-H15-X District 974 Posted for: Special Fxc-p tions Petitioner: 5/00 hon G. Heavor Location of property: F/S York Pd. 152' 5/Lamboure Rd. 715 York Pd Location of Signs: Foring York Pd. Genov. 12 Fr. rood way on proporty of Petitioner Number of Signes _______

CERTIFICATE OF PUBLICATION March 27 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 27 THE JEFFERSONIAN, period. The Zoning Commissioner will, however, entertain any request for a stay of the instance of wid permit during this period for good cause shown. Such request state by received in writing by the date of the hearing set above or made at the hearing.

By Order Of ARNOLD JABLON,

Zoning Commissioner of Bultimore County

Mar. 27. Cost of Advertising 24.75



