

PETITIONS FOR SPECIAL EXCEPTION*
AND ZONING VARIANCE *
BEFORE THE
ZONING COMMISSIONER OF
BALTIMORE COUNTY
SE/S PULASKI HIGHWAY, 1083' SW *
ALLENDER ROAD
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
LEWIS BROOKS RAMSEY
Petitioner

The Petitioner herein requests a special exception for a used motor vehicle outdoor sales area separated from a Sales Agency Building pursuant to BCZR 236.4 and a variance from Section 409.2.C(2), as interpreted by zoning policy BM-11 for a stone paving surface in lieu of the required durable and dustless surface, all as more particularly described on the revised plan submitted, prepared by Bill Baritis and identified as Petitioner's Exhibit No. 1.

On March 1, 1988, the Petitioner appeared and was represented by Counsel, John B. Gontrum and Jean K. Tullius. There were no protestants. Counsel subsequently proffered the testimony of three witnesses. In addition to the revised site plan, Petitioner's Exhibit No. 1, Petitioner identified and moved into evidence a landscape plan as Petitioner's Exhibit No. 3.

Testimony on behalf of the Engineer, Bill Baritis, after due qualification, indicated that the subject property is currently zoned BR and is located on the southeast side of Pulaski Highway, 1083 feet, southwest of Allender Road

1

comprising approximately 2.31 acres. Pulaski Highway is a well traveled major artery for truck and automobile traffic, and the surrounding area is zoned and used for commercial, industrial, business and manufacturing purposes. The engineer's testimony showed that the revised site plan complied with all use regulations of BCZR and that all Section 502 requirements were met. Adequate access to and from the site exists in addition to an allowance for a natural wooded buffer between the existing mobile home park.

The engineer's testimony further indicated that utilizing a crushed stone pavement in the storage area supported the Petition for Variance because of the semi rural character of the area and because stone paving was more environmentally sound in preventing run-off. This testimony was supported by the comment from air quality control.

The Petitioner is the owner of the subject property and intends to use it for the sale of recreational vehicles and used motor vehicles. The Petitioner's testimony indicated he will comply with the requirements and recommendations of the Baltimore County Zoning Plans Advisory Commission Comments in addition to BCZR. The Petitioner identified photographs of the subject property and surrounding areas as Exhibits No. 2 A, B, C, D, E and F which were admitted into evidence and tended to show the mixed industrial and commercial nature of the area, and stated the subject property for the proposed use meets Section 502 requirements. Petitioner conceded that

2

bituminous concrete applied in the apron or area in front of the proposed sales agency building would not be most efficacious for customer maneuvering and parking.

Finally, Mr. Andrew Thomas, a neighbor and resident of the Mobile Home Park behind the subject property, testified that having been a resident for five years, he had no problem with the proposed use and paving variance. Mr. Thompson indicated that the proposed use would be a benefit because it provides services to the community.

Pursuant to the advertisement, posting of property and public hearing held on this case, in the opinion of the Zoning Commissioner, the requirements of 502 have been met for the Special Exception and the proposed use of the used motor vehicle outdoor sales area separated from a Sales Agency Building pursuant to BCZR Section 236.4 and that the health, safety and general welfare to the community will not be adversely affected so long as there is compliance with the conditions listed below.

Further in the opinion of the Zoning Commissioner, strict compliance with the BCZR would result in practical difficulty or unreasonable hardship upon the Petitioner. Baltimore County has reviewed the petition and the site plan and has ascertained that the paving variance requested minimizes adverse impacts in the environment and air quality.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, this 3rd day of March, 1988, that a

3

special exception to permit a used motor vehicle outdoor sales area, separated from sales agency building and paving variances to permit crushed stone in the storage area, be and are hereby GRANTED, subject, however, to the following restrictions:

- (1) That the area or apron located in front of the proposed sales agency building and as described more fully in the attached plat marked Petitioner's Exhibit A must be paved in bituminous concrete.
- (2) That the subject property comply generally with the Landscape Plan known as Petitioner's Exhibit No. 3 and previously submitted into Current Planning for review in the CRG process.

J. Robert Haines
Zoning Commissioner of
Baltimore County

3/3/88
m. d. n. k.

PETITION FOR ZONING VARIANCE 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 Variance from Section 409.2.C(2) as interpreted by zoning policy BM-11 for a stone paving surface in lieu of the required durable and dustless surface.

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

MAP
HC
114
DATE 4/3/88
200 BF
1000 BF
DP

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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 Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Lewis Brooks Ramsey
(Type or Print Name)
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
John B. Gontrum
(Type or Print Name)
Signature
Address
City and State

310 Eastern Boulevard 687-3992
Address Phone No.
Baltimore, Maryland 21221
City and State

Attorney's Telephone No.: 686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of March, 1988, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of March, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL EXCEPTION 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 used motor vehicle outdoor sales area separated from sales agency building

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 Purchaser:
(Type or Print Name)
No. 45778

Legal Owner(s):
Lewis Brooks Ramsey
(Type or Print Name)
Signature

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

DATE ACCOUNT

AMOUNT \$

RECEIVED FROM

FOR

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

DATE ACCOUNT

AMOUNT \$

RECEIVED FROM

FOR

VALIDATION OR SIGNATURE OF CASHIER

Z.C.O. - No. 1 (over)

Bartis & Associates

Zoning Description

Description of the property owned by Lewis Brooks Ramsey on Pulaski Highway located in the Eleventh Election District, Baltimore County, Maryland.

BEGINNING for the same on the South Side of Pulaski Highway at a distance of 1083 feet Southwesterly from the intersection of Allender Road and Pulaski Highway, thence, blinding on aforesaid Pulaski Highway South 45 degrees, 26', 13" West 615 feet, thence leaving said Highway the following 13" West 45 degrees 33', 47" East 615 feet; thence North 45 degrees 26' 13" East 615 feet; thence North 45 degrees 33' 47" West 200 feet, to the place of beginning. Containing 123,000 square feet or 2.823 acres of land, more or less.



William N. Baritis, P.E. 11641

Civil Engineers / Land Planners / Surveyors - 1249 Englebert Road - Baltimore, Maryland 21221 301-391-2336

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SE/S Pulaski Hwy., 1083' SW
Allender Rd., 11th Distr ct
LEWIS BROOKS RAMSEY, Petitioner : Case No. 88-366-XA

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 Zimmetman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
444-2188

I HEREBY CERTIFY that on this 20th day of January, 1988, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 800 Eastern Boulevard, Essex, MD 21221, Attorney for Petitioner.

Peter Max Zimmetman

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb. 11, 1988
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 Feb. 11, 1988

THE JEFFERSONIAN,

Susan Seidman O'Brien
Publisher

38-366-XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11th Date of Posting 2/11/88
Posted for: Variances & Special Exception
Petitioner: Lewis Brooks Ramsey
Location of property: SE/S Pulaski Highway, 1083' SW Allender Rd.
Location of Signs: At SE/S Pulaski Highway, 1083' SW Allender Rd.
Remarks: As per road map
Posted by: [Signature] Date of return: 2/13/88
Number of Signs: 4

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception & Zoning Variance
Case numbers: 88-366-XA
SE/S Pulaski Highway, 1083' SW Allender Road
11th Election District - 5th Councilmanic District
Petitioners: Lewis Brooks Ramsey
HEARING SCHEDULED: TUESDAY, MARCH 1, 1988 at 2:00 p.m.

Variance - As interpreted by zoning policy 21-11 for a stone paving surface in lieu of the required durable and dustless surface.
Special Exception - A used motor vehicle outdoor sales area, separated from sales agency building.

(FOR SHOW DATE, CALL 494-3351)

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. Lewis Brooks Ramsey

John B. Contrum, Esq.

File

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11th Election District - 5th Councilmanic District
Petitioners: Lewis Brooks Ramsey
HEARING SCHEDULED: TUESDAY, MARCH 1, 1988 at 2:00 p.m.

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

Feb. 11, 1988
442 Eastern Blvd.
Baltimore, Md. 21221
THIS IS TO CERTIFY, that the annexed advertisement of THE AVENUE NEWS was published in Baltimore County Maryland once a week for successive weeks before the 11th day of February, 1988, that is to say, the same was inserted in the issues of 2/11/88, 2/18/88, 2/25/88, 3/4/88, 3/11/88, 3/18/88, 3/25/88, 4/1/88, 4/8/88, 4/15/88, 4/22/88, 4/29/88, 5/6/88, 5/13/88, 5/20/88, 5/27/88, 6/3/88, 6/10/88, 6/17/88, 6/24/88, 7/1/88, 7/8/88, 7/15/88, 7/22/88, 7/29/88, 8/5/88, 8/12/88, 8/19/88, 8/26/88, 9/2/88, 9/9/88, 9/16/88, 9/23/88, 9/30/88, 10/7/88, 10/14/88, 10/21/88, 10/28/88, 11/4/88, 11/11/88, 11/18/88, 11/25/88, 12/2/88, 12/9/88, 12/16/88, 12/23/88, 12/30/88, 1/6/89, 1/13/89, 1/20/89, 1/27/89, 2/3/89, 2/10/89, 2/17/89, 2/24/89, 3/2/89, 3/9/89, 3/16/89, 3/23/89, 3/30/89, 4/6/89, 4/13/89, 4/20/89, 4/27/89, 5/4/89, 5/11/89, 5/18/89, 5/25/89, 6/1/89, 6/8/89, 6/15/89, 6/22/89, 6/29/89, 7/6/89, 7/13/89, 7/20/89, 7/27/89, 8/3/89, 8/10/89, 8/17/89, 8/24/89, 8/31/89, 9/7/89, 9/14/89, 9/21/89, 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Mr. J. Robert Haines
Page 2
December 28, 1987

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

Creston J. Mills, Jr.
Creston J. Mills, Jr.
Acting Chief-Bureau of
Engineering Access Permits

LB/es

cc: J. Oyle
Bafitis and Associates

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3554

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comment for items number 217, 218, 219, 220, 221, 222, and 223.

January 7, 1988

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:sb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO Zoning Commissioner
P. David Fields
FROM Director of Planning and Zoning
SUBJECT: Zoning Petition No. 88-366-XA

Date: February 22, 1988

This office is not opposed to the granting of the subject request provided landscaping is included between the commercial area and the mobile home park.

P. David Fields per J. H. Howell
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

LAW FIRM
Romack, Condon & Hennigan
IRVINGTON FEDERAL BUILDING
808 EASTERN BOULEVARD
EDBEE, MARYLAND 21224
TELEPHONE (301) 684-8774

March 16, 1988

Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Zoning Commissioner

RE: Lewis Brooks Ramsey, Petitioner
Case Number: 88-366-XA

Dear Sir:

Please find a draft of an order you requested for Case #88-366-XA. Also find an attached plat.

If you should have any questions please contact my office.

Very truly yours,

John K. Tullius
John K. Tullius

JKT/jmc

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO Zoning Commissioner
P. David Fields
FROM Director of Planning and Zoning
SUBJECT: Zoning Petition No. 88-366-XA

Date: February 22, 1988

This office is not opposed to the granting of the subject request provided landscaping is included between the commercial area and the mobile home park.

P. David Fields per J. H. Howell
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Jan 21, 1988
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #219, Zoning Advisory Committee Meeting of Dec 22, 1987

Property Owner: *Lewis Brooks Ramsey*

Location: *SE 1/4 Pulaski Hwy.* District: *11*

Water Supply: *none available* Sewage Disposal: *private*

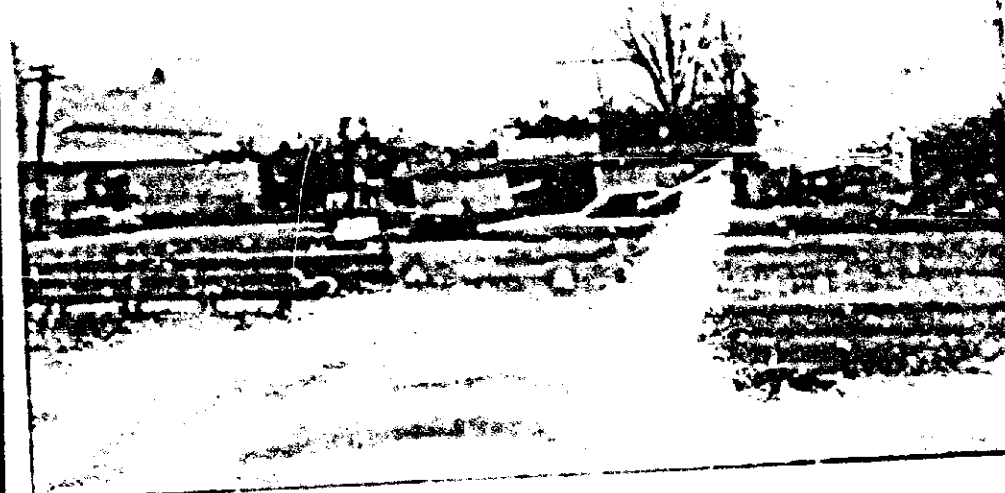
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as open paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Material and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3748, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3748.
- () Soil percolation tests, have been _____, must be _____, conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the petability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

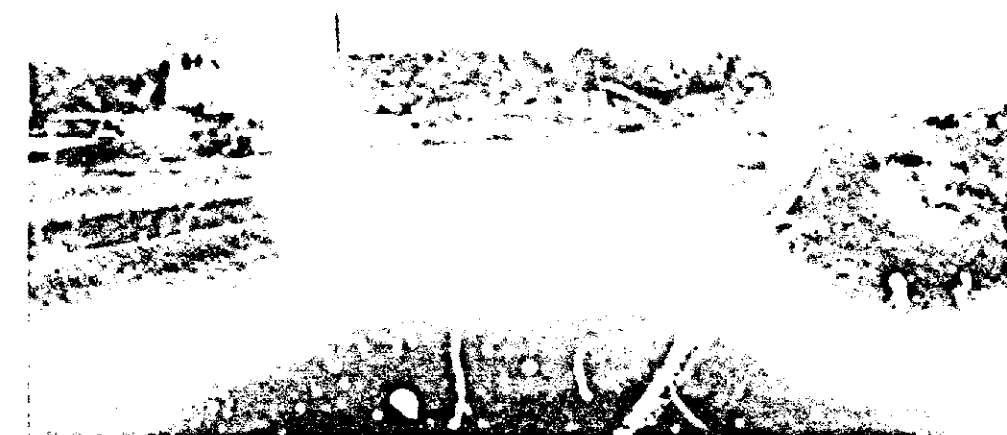
Others see attached comments from Air Quality Mgmt. The proposed muffler shop and office will be subject to collect to available storm water. Each facility will connect to storm, local sewer tanks which will then drain to existing systems on mobile home park property.

Karen D. Murray

PETITIONER(S) EXHIBIT - 2



A



B



C

Baltimore County
Department of Environmental Protection
& Resource Management
County Office Building
401 Bosley Avenue
Towson, Maryland 21204
494-3733

Robert W. Sheehy
Director

Bureau of Air Quality Management
300 East Towson Boulevard
Towson, Maryland 21204
(301) 494-3777

January 13, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

Comments on Zoning Advisory Committee Meeting, Item #219 are as follows:

Property Owner: Lewis Brooks Ramsey
Location: SE 1/4 Pulaski Highway, 1083 feet SW Allender Road
Existing Zoning: B.R.
Proposed Zoning: Special Exception for a used motor vehicle outdoor sales area, separated from sales agency building and a variance for a stone paving surface in lieu of the required durable and dustless surface.
Area: 2.823 acres
District: 11th Election District

This office recommends approval of a crusher-run in lieu of the required durable and dustless surface.

All crusher-run surfaces are to be treated in accordance with Environmental Article 10-18.06.03.D1 (a) & (b) in order to prevent particulate matter from becoming airborne. Treatment and maintenance of this surface will be on a continuing basis as necessary to control airborne particulate.

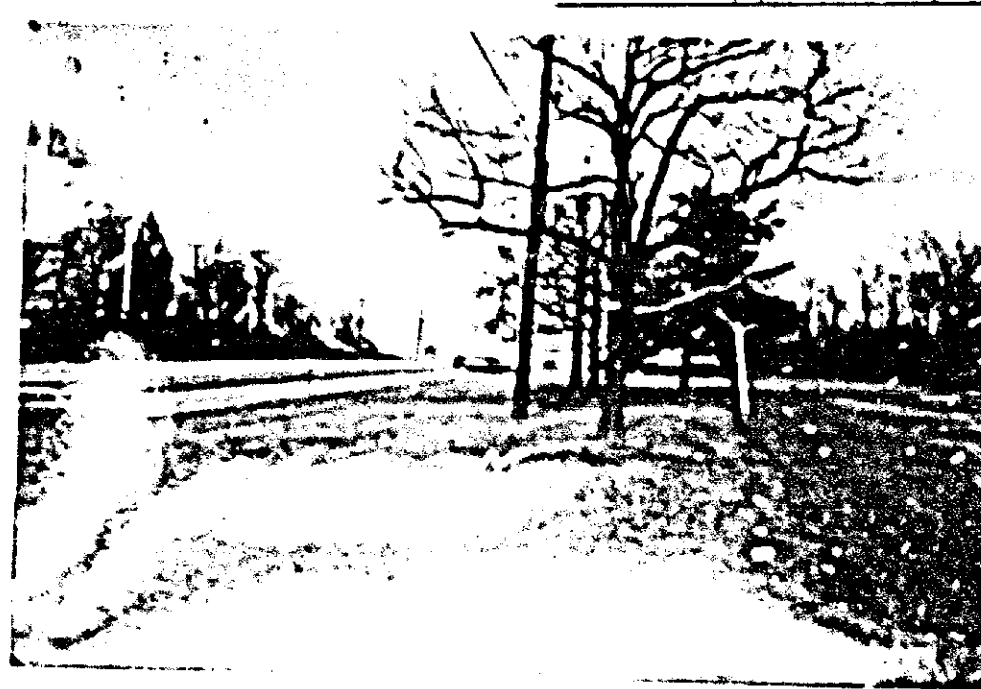
Very truly yours,

Robert C. Murray, Jr.
Robert C. Murray, Jr., Acting Director
Division of Support Services
Bureau of Air Quality Management

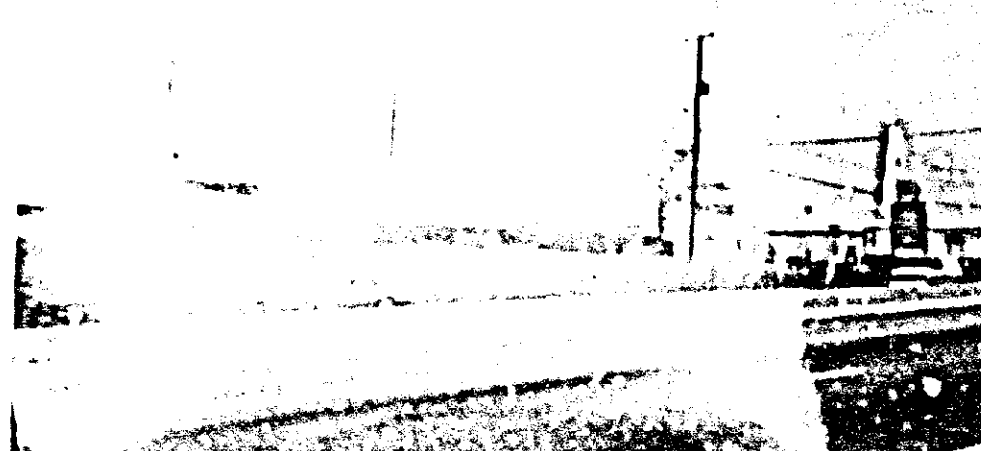
RCMjr/als

RECEIVED
JAN 19 1988
ZONING OFFICE

PETITIONER(S) EXHIBIT (2)



D

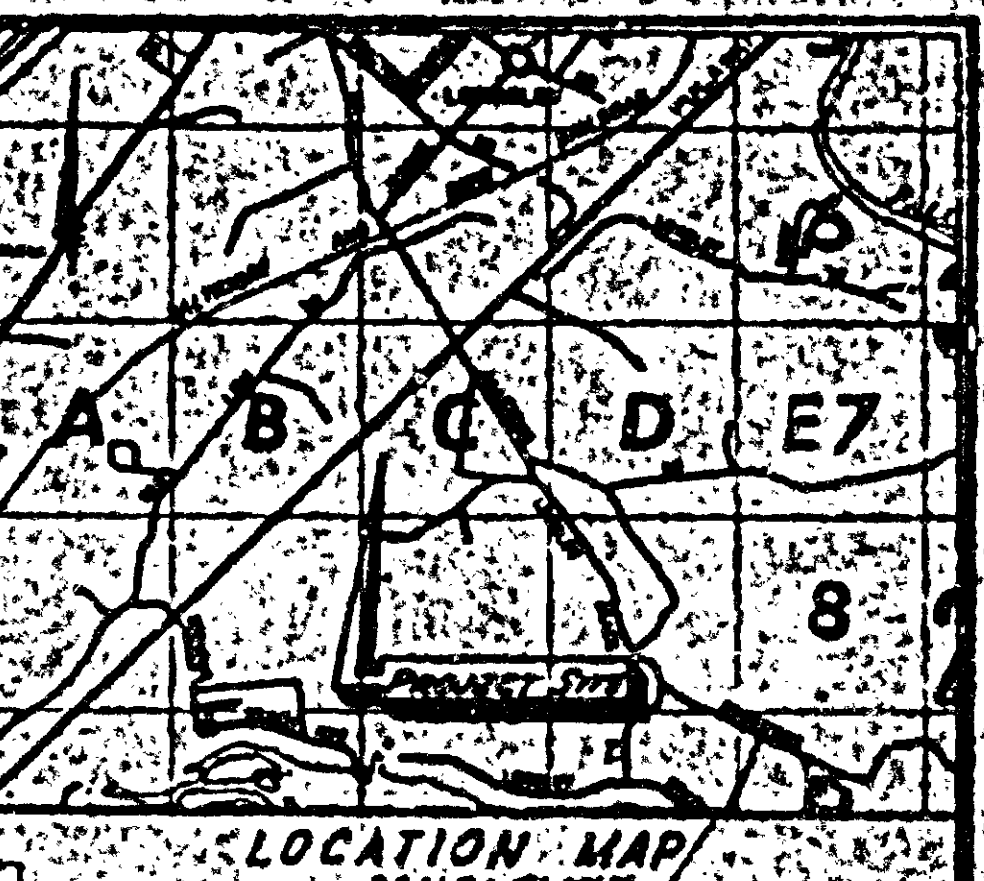


E



F





PLANT LIST

botanical name	common name	quan.	col.	hght.	root
<i>Thuja occident. nigra</i>	Dark Arborvitae	14		5-6'	BBB

<i>Pinus Strobus</i>	White Pine	8	5-6
----------------------	------------	---	-----

PLANT REQUIREMENTS 

TREES

Interior Roads	-- 120'	1 Tree/20'	= 11
Parking Spaces	-- 630	1 Tree/12 Spaces	= 6
Exterior Roads	-- 892'	1 Tree/40' ----	= 23

Total Required = 20

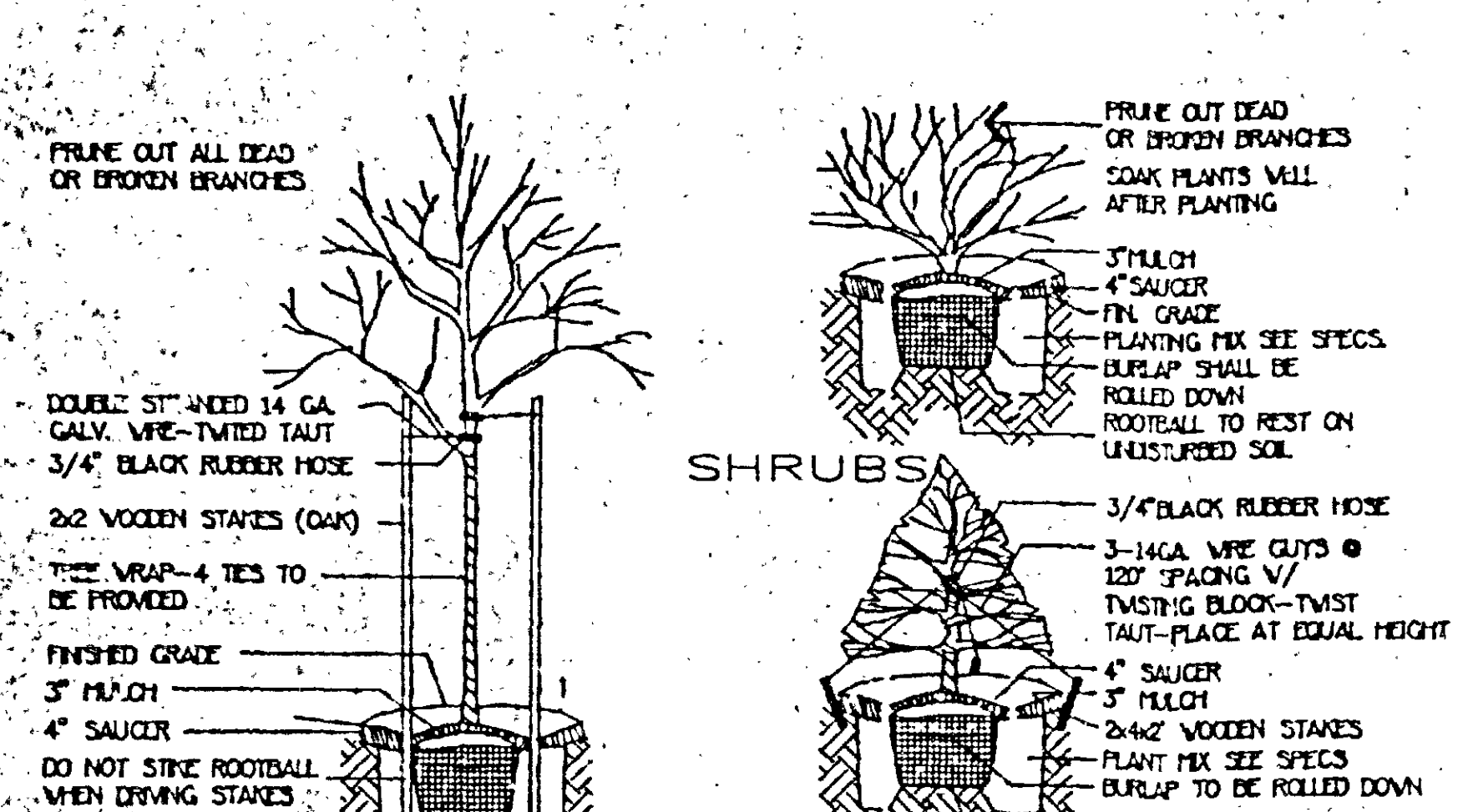
<u>TREES SHOWN</u>	<u>MAJ. DEC. EQUIV. A</u>
5 Major Deciduous	10

Total ²⁰⁰⁰⁰⁰ Deciduous Equivalent 20

"I certify that the planting plan shown herein is consistent with applicable policy, guidelines and ordinances, and that all plant material to be furnished will be nursery-grown in accordance with

Landscape manual, 1983, dated October 21, 1983."

1. *Journal of the American Medical Association*, 277, 1996, 1033-1037.



BACKFILL MIX-SIZE SPECS
DRIVE STAKES FULLY
INTO SUBGRADE

CONIFERS

ROOTBALL TO REST ON
UNDISTURBED SOIL

TREES 6" CAL & LESS

TREES 6" CAL. & LESS

All nursery stock shall conform to the American Association of Nurserymen, Inc. standards as described in "American

Landscape Specifications shall conform to "Landscape Specification Guidelines for Baltimore-Washington Metropolitan Area".

All nursery stock shall be planted in accordance with the American Association of Nurserymen, Inc., "American Standards for Nursery Stock", latest edition.

Bare-root material shall not be allowed for any tree defined as major deciduous, minor deciduous, or evergreen.

All landscaping shall conform to the

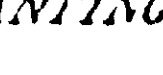
Equal substitutions and or minor changes:

on location to suit field conditions

W. Ward N. Baker, P.E.
301-361-2336

Baker & Associates

BROOKS MIEFLER CENTER

BROOKS MOUNTAIN PLANTING PLAN SECTION DISTRICT 11 COUNCILMANIC DIST 5	
	SCALE 1" = 30'
	JOB ORDER NO.

[illegible]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 20, 1989

Mr. William Bafitis, P.E.
1449 Engleberth Road
Baltimore, Maryland 21221

RE: Proposed used car maintenance shop
37 x 104 (Used Car Lot 88-366-XA)
N/S Pulaski Highway
108' +/- S/W of Allender Road
15th Election District

Dear Mr. Bafitis:

By letter dated June 12, 1989, you have requested that this office permit the construction of the above referenced used car maintenance shop without the need to amend the Special Exception granting the used car lot.

After giving careful consideration to your request, it has been determined that a Special Hearing will be required for the following reasons:

1. To amend the original plans submitted with the aforementioned Special Exception Order.
2. To establish a record relative to the required setback between the existing muffler shop and the proposed used car maintenance or garage building.

The plan submitted with your request clearly indicates a distance of 13' between the proposed service garage and the existing muffler shop, however, the plan also clearly indicates that 44' +/- of the total 60 foot distance will be required to support parking for the existing owned by your client is ever subdivided, the maintenance shop would be in violation of the setbacks pending a variance to permit a setback of approximately five feet from the northernmost property line instead of the required 30 feet.

If you have any questions concerning the above, please do not hesitate to contact me at your convenience.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED/cer



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM
Bob Bowling - Law. Eng.
Frank Fisher - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA
Shirley Murphy - Land Acq.

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Amended C.R.G. - Brooks Muffler @ Pulaski Highway
Engineer - Bafitis & Associates
Phone - 391-2336 - W-89-215

Please review the attached for concurrence to an amended C.R.G. approval for the above subject and give us your approval or comments by 10-13-89. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of changes made.

SW:cjp

Attachment

cc: File

(See Other Side for Comments)

88-366-XA ✓

To John L.
W-89-215

Include the zoning history and references in one area on the plan. Clearly state the Order number, what was granted or denied, and all restrictions and show compliance with all restrictions. State if any hearings are proposed and clearly state what they are requesting. Clearly show the area which is required to be paved by Restriction #1, note the type of paving and state that it will be permanently striped per S.409, B.C.Z.R.

In order to allow the proposed used car maintenance shop, a Special Hearing will be required to amend the previous zoning public hearing plan in zoning case 88-366XA and depending on the front orientation, variances will be required for setbacks. Also if the proposed new paving is not to be of a durable and dustless, permanently striped surface, additional variances will be required.

Compliance must be shown with all requirements of S.405.A, B.C.Z.R. for the proposed service garage use and the F.A.R. needs to be recalculated to allow for the new building. Darken the limit of display setback lines.

Clarify the calculations used for the proposed maintenance shop parking (2.5 x 77). The parking required for service garage use is 3.3 spaces for each 1,000 square feet and the bays may be counted but must be shown and dimensioned within the building.

Enlarge the vicinity map to 1"=1,000' scale or greater and clearly show and name all interior roads.

Approval of this plan by Zoning depends on compliance with the above comments and the outcome of any required hearings, which are not necessarily limited to those listed in these comments.

John L. Lewis
JOHN L. LEWIS
Planning & Zoning Associate III

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

February 2, 1990

John B. Grontrum, Esquire
Romadka, Grontrum & Hennegan
Irvington Federal Building
809 Eastern Boulevard
Taney, MD 21221



Dennis F. Rasmussen
County Executive

RE: Zoning Case 90-113-SEHA
Previous Case 88-366-XA
Lewis Brooks Ramsey, Petitioner
SE/S Pulaski Highway, SW of Allender
Road
11th Election District

Dear Mr. Grontrum:

Thank you for your letter of January 23, 1990 to J. Robert Haines, Zoning Commissioner, which has been referred to me for reply. You have requested that this office process the building permit for the proposed 37'x104' used car maintenance shop on the above referenced property, which is the subject of the current zoning case scheduled for February 8, 1990 before the Deputy Zoning Commissioner.

It has been determined that this office cannot process the building permit with zoning approval in advance of the required amendment and variance hearing and zoning approval would be contingent upon the outcome of the public hearing.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:scj

cc: Files

LAW FIRM

Romadka, Grontrum & Hennegan, P.A.
IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
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ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEGAN
DONALD B. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE

January 23, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 88-366-XA

Dear Commissioner Haines:

It is my understanding that my client has applied for a building permit for a storage building located on the site plan in Case No. 88-366-XA. This case is currently scheduled before you on hearing on February 8, 1990 on a variance and special hearing to amend site plan. It is an interior lot variance which we are seeking, and there were no protestants at the previous special exception. It would be greatly appreciated if the zoning office could process the plan and building permit subject to the outcome of the scheduled case for February 8th.

Thank you for your assistance in this matter.

Very truly yours,

John B. Grontrum
John B. Grontrum

JBG:kb
cc: Mr. William Bafitis
Mr. Brooks Ramsey

RECEIVED
JAN 25 1990
ZONING OFFICE

RECEIVED JAN 26 1990
scj