

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - S/S of Pulaski Highway, 1083' SW of Allender Road 11th Election District 5th Councilmanic District

Lewis B. Ramsey
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-313-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the site plan approved in Case No. 88-366-XA to permit a maintenance service garage, and a variance to permit a side yard setback of 10 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Nancy E. Dwyer, Esquire. Also appearing on behalf of the Petitioner was Clyde F. Hinkle, Engineer with Haffits & Associates. There were no Protestants.

Testimony indicated that the subject property consists of 13.175 acres zoned B.R. and currently enjoys mixed uses including a mobile home park, grocery store, apartments, muffler shop and used car lot with a used car sales office. Said property was the subject of previous Case No. 88-366-XA in which the Petitioner was granted a special exception for the used car business on March 31, 1988. Petitioner testified that he is desirous of constructing a new building for use as a maintenance service garage strictly for purposes of repairing the used vehicles sold from the premises. Due to the location of existing improvements on the property, including septic system, storm water management pond, and undisturbed wooded area to the rear of the site, Petitioner proposes placing the building in the location shown on Petitioner's Exhibit 1. The site proposed is

adjacent to the existing muffler shop, which as a result of the previous hearing, has a zoning use division line, thereby necessitating the requested variance. Petitioner indicated that he can comply with the requirements of the Department of Environmental Protection and Resource Management and the Office of Planning as set forth in the Zoning Plans Advisory Committee comments submitted hereto. Further testimony indicated that the proposed use and amendment to the site plan will not result in any detriment to the health, safety or general welfare of the surrounding community, and that the requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be met.

It is clear that the B.C.Z.R. permits a service garage use in a B.R. zone as of right and a used motor vehicle outdoor sales area, separated from sales agency building, by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are affected by the proposed amendment to the site plan previously approved in Case No. 88-366-XA.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Pritts, 432 A.2d 1319 (1981).

- 2 -

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After due consideration of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING
Date 11/22/89
By [Signature]

- 3 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of March, 1990 that the Petition for Special Hearing to approve an amendment to the site plan approved in Case No. 88-366-XA to permit a maintenance service garage, and the Petition for Zoning Variance to permit a side yard setback of 10 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The maintenance service garage granted herein shall be limited to repairing vehicles to be sold from the premises or those vehicles which are within the warranty period provided by Petitioner after sale.
- 3) Petitioner shall comply with the requirements of the Office of Planning set forth in their comments dated January 10, 1990 and the requirements of the Department of Environmental Protection and Resource Management, Bureau of Water Quality, as set forth in their comments dated December 7, 1989, copies of which have been attached hereto and made a part hereof.
- 4) Prior to the issuance of any permits, Petitioner shall submit a landscaping plan for approval by both the Deputy Director of Planning and the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file prior to the issuance of any permits.

ORDER RECEIVED FOR FILING
Date 11/22/89
By [Signature]

- 4 -

- 6) Petitioner shall pave the parking and driveway areas around the proposed maintenance service garage in accordance with the requirements set forth in Section 409.BA2 of the B.C.Z.R. in lieu of the variance granted in Case No. 88-366-XA for a stone paving surface.
- 5) Petitioner shall comply with the approved CRG plan.
- 7) Petitioner shall submit a revised site plan reflecting the proposed improvements and approved landscaping for the subject property prior to the issuance of any permits.
- 8) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 11/22/89
By [Signature]

- 5 -

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

J. Robert Haines
Zoning Commissioner

March 5, 1990

Nancy E. Dwyer, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
S/S of Pulaski Highway, 1083' SW of Allender Road
11th Election District - 5th Councilmanic District
Lewis B. Ramsey - Petitioner
Case No. 90-313-SPHA

Dear Ms. Dwyer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel
File



Dennis F. Rasmussen
County Executive

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-313-SPHA

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an Amendment to Case Number 88-366-XA to allow a maintenance service garage.

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

I, or we, agree to pay expenses of the above Special Hearing 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

Attorney for Petitioner:

Nancy E. Dwyer

(Type or Print Name)

Signature

809 Eastern Boulevard

Address

Baltimore, MD 21221

City and State

Attorney's Telephone No.: 687-3992

Phone No.

Legal Owner(s):

Lewis Brooks Ramsey

(Type or Print Name)

Signature

(Type or Print Name)

Signature

310 Eastern Avenue 687-3992

Address

Baltimore, MD 21221

City and State

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

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6 day

of DEC 1989, 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 108, County Office Building in Towson, Baltimore

County, on the 8 day of FEB, 1990, at 9:30 o'clock

A.M.

FILED 11/22/89 BY JLL
1:16 PM
ANY TIME (ORD)

E.C.O. - 11-1

(over)

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-313-SPHA

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 328.2 B.C.Z.R. to allow a maintenance shop side yard setback of 10 feet in lieu of the required 30 feet.

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.

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

Attorney for Petitioner:

Nancy E. Dwyer

(Type or Print Name)

Signature

809 Eastern Blvd.

Address

Baltimore, MD 21221

City and State

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

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6 day

of DEC 1989, 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 108, County Office Building in Towson, Baltimore

County, on the 8 day of FEB, 1990, at 9:30 o'clock

A.M.

FILED 11/22/89 BY JLL
1:16 PM
ANY TIME (ORD)

(over)

Balfis & 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 Allen Road and Pulaski Highway, thence at a distance of 1083 feet South 45 degrees, 26' 13" West 615 feet, thence leaving said Highway the following courses and distances, viz: South 44 degrees 33' 47" East 200 feet, thence North 45 degrees 26' 13" East 615 feet; thence North 44 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. Balfis, P.E. 11641

Civil Engineers / Land Planners / Surveyors — 1249 Engleberth Road / Baltimore, Maryland 21221 / 301-391-2333

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

January 23, 1990



Nancy E. Dwyer, Esquire
809 Eastern Blvd
Baltimore, MD 21221

RE: Item No. 173, Case No. 90-313-SPHA
Petitioner: Lewis Brooks Ramsey
Petition for Zoning Variance and
Special Hearing

Dear Ms. Dwyer:

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 that may have a bearing on this case. 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 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Lewis Brooks Ramsey
310 Eastern Avenue
Baltimore, MD 21221

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



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 6th day of December, 1989.

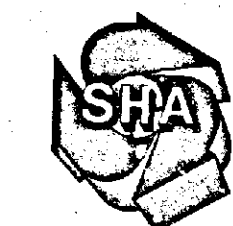
J. Robert Haines
Zoning Commissioner

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Lewis Brooks Ramsey

Petitioner's Attorney:



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 29, 1989

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

Re: Baltimore County
Brooks Muffler, Inc.
Zoning Meeting of 12-5-89
3/3 Pulaski Highway
Route 40
1,083' West of
Allender Rd. 411am 11/29/89

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve an amendment to Case #88-366-XA to allow a maintenance service garage, we find the plan acceptable with all highway improvements within SHA right of way having been constructed.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Charles Rose, Acting Chief
Engineering Access Permits
Division

LB:maw

cc: Balfis & Assoc.
Mr. J. Ogle

RECEIVED
DEC 4 1989
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)
Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-432-5032 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: January 10, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Lewis B. Ramsey, Item 173
Zoning Petition No. 90-313

The Petitioner requests a Variance to allow a maintenance shop side yard setback of 10 ft. in lieu of the required 30 ft.

In reference to this request, staff offers the following comments:

- A waiver from CRG meeting was granted by the Planning Board on September 21, 1989; however, a CRG plan must be submitted for review and approval. The approved zoning plan should conform to the approved CRG plan and the revised landscape plan.

Should the Petitioner's request be granted, staff offers the following conditions:

- Architectural elevations, including building materials, shall be reviewed and approved by the Director of the Office of Planning and Zoning prior to the issuance of building permits.
- A revised landscape plan shall be filed with the Baltimore County landscape planner.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

FK/JL/cmm

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

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

Zoning Item # 173, Zoning Advisory Committee Meeting of December 5, 1989
Property Owner: Lewis Brooks Ramsey
Location: S/S of Pulaski Highway District: 11
Water Supply: metro 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(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (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 charcoal generation 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 Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () 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 Maternal 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 razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, 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, 887-3775.
- () 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 887-3745.
- () Soil percolation tests, have been conducted, 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 retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability 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. For more information contact the Division of Environmental Management at 887-3900.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2743.

Others Petitioner should provide to this information concerning additional number of employees proposed for maintenance shop. Recommendations for any additional existing sewage disposal system. If any will be based upon this information and evaluation of sewage system. For additional information, contact Mr. Rob. Powell at 887-2762.

CP & J. Myers
BUREAU OF WATER QUALITY AND RESOURCE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Reinick
Chief

DECEMBER 4, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LEWIS BROOKS RAMSEY
Location: S/S OF PULASKI HIGHWAY
Item No.: 173 Zoning Agenda DECEMBER 5, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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", 1988 edition prior to occupancy.

REVIEWED: [Signature] 12-4-89 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

DEC 05 1989

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for December 5, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 171, 172, 174, 177 and 178.

For item 172, the cover over the existing sewer is 7 feet to 10 feet and is adequate. Avoid damage to existing onsite manhole.

Robert W. Bowling, P.E.
Chief
Developers Engineering Division

RWB:s

DEC 27 1989

PLEASE PRINT CLEARLY

PETITIONER(S) (ON-IN SHEET)

NAME

CLYDE F. HINKLE

Lewis B. Ramsey

ADDRESS

BADLEY & ASSOCIATES, INC.

310 EASTERN BLVD. #200

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

February 2, 1990



Dennis F. Rasmussen
County Executive

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

RE: Zoning Case 90-313-SPHA
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.
Zoning Coordinator

WCR:ecj

cc: Files

LAW FIRM
Romack, Grontrum & Hennegan, P.A.
IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 686-0118

ROBERT J. ROMACK
JOHN B. GRONTRUM
JOHN O. HENNEGAN
DONALD H. SHEFFY
NANCY E. DWYER
SHARON R. GIBBLE

January 23, 1990

RECEIVED
JAN 25 1990
ZONING OFFICE

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 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

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

RECEIVED JAN 26 1990

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-313-SPHA

District: 11th Date of Posting: 1/24/90
Posted for: Social Housing & Variances
Petitioner: Lewis Ramsey
Location of property: SE/S Pulaski Hwy, approx 15' E. of Allender Rd.
Location of Sign: SE/S Pulaski Hwy, approx 15' E. of Allender Rd.
Remarks: Property of Petitioner
Posted by: [Signature] Date of return: 1/24/90
Number of Signs: 2

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan 11, 1990.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

DATE 1-25-90



Dennis F. Rasmussen
County Executive

Louis Brooks Ramsey
310 Eastern Avenue
Baltimore, Maryland 21201

RE: Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-313-SPHA
S/S Pulaski Highway, 1000's SW Allender Road
11th Election District - 5th Councilmanic
Petitioner(s): Louis Ramsey
HEARING: THURSDAY, FEBRUARY 8, 1990 at 9:30 a.m.

Dear Mr. Ramsey:

Please be advised that \$150.59 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4150

Number: 1300

90-313-SPHA

Date: 2/08/90

PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 X \$150.59
TOTAL: \$150.59
LAST NAME OF OWNER: RAMSEY

010*****1505918 0085F

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

December 18, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-313-SPHA
S/S Pulaski Highway, 1000's SW Allender Road
11th Election District - 5th Councilmanic
Petitioner(s): Louis Ramsey
HEARING: THURSDAY, FEBRUARY 8, 1990 at 9:30 a.m.

Special Hearing: An Amendment to Case Number: 88-366-XA to allow a maintenance service garage. Variance to allow a maintenance shop side yard setback of 10 feet in lieu of the required 30 ft.

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.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3381 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

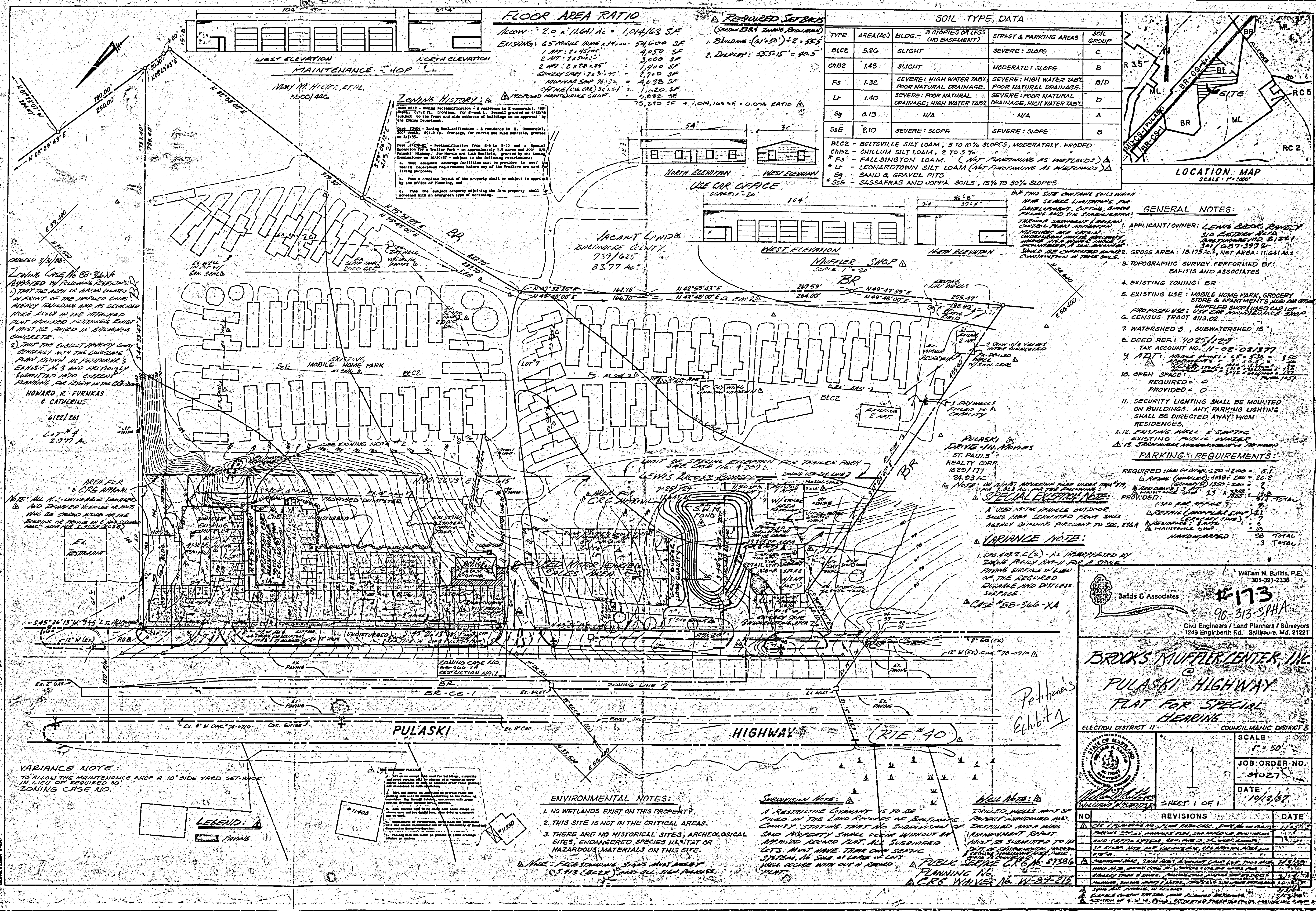
cc: Mr. Ramsey
Nancy E. Dwyer, Esq.



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
No 411

PUBLIC HEARING FEES			QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1	X		\$175.00
040 -SPECIAL HEARING (OTHER)	1	X		\$175.00
LAST NAME OF OWNER: RAMSEY			TOTAL:	\$350.00
010*****1505918 0085F			Please make checks payable to: Baltimore County	



FLOOR AREA RATIO

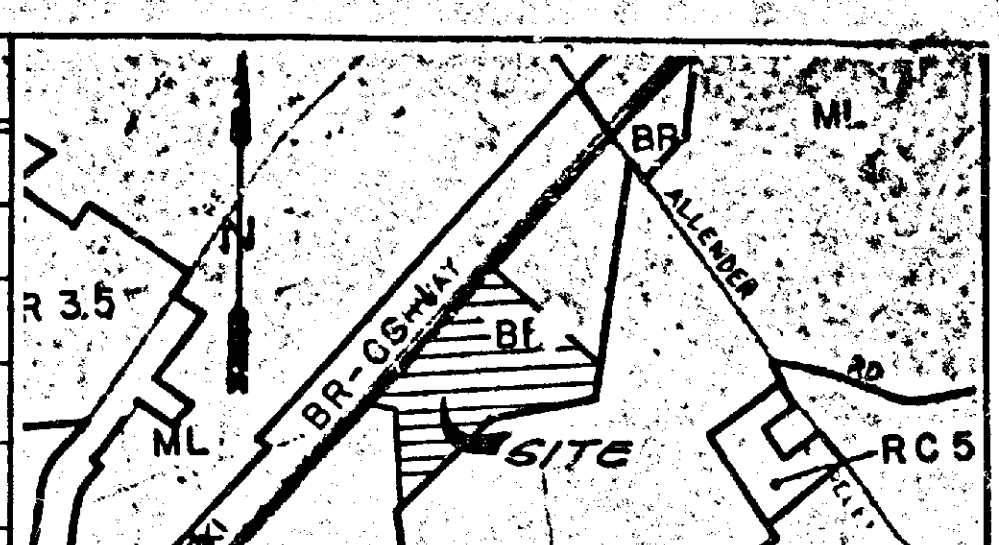
ALLOW: 2.0 x 11.641 AC = 1,014.63 SF
EXISTING: 65' MAJOR HIGHWAY x 14.00' = 54,600 SF
1. 1ST: 2.445' x 14.00' = 34,230 SF
2. 2ND: 2.445' x 14.00' = 34,230 SF
3. 3RD: 2.445' x 14.00' = 34,230 SF
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98. 98TH: 2.445' x 14.00' = 34,230 SF
99. 99TH: 2.445' x 14.00' = 34,230 SF
100. 100TH: 2.445' x 14.00' = 34,230 SF

REQUIRED SETBACKS

(SECTION 23.2.1 ZONING REGULATIONS)
1. BUILDING: (6' x 50') = 2 = 55.5'
2. DISPLAY: 55.5' x 15' = 40.5'

SOIL TYPE DATA

TYPE	AREA(AC)	BLDG. - 3 STORIES OR LESS (NO BASEMENT)	STREET & PARKING AREAS	SOIL GROUP
BL2	5.26	SLIGHT	SEVERE: SLOPE	C
CH2	1.43	SLIGHT	MODERATE: SLOPE	B
FS	1.32	SEVERE: HIGH WATER TABLE, POOR NATURAL DRAINAGE	SEVERE: HIGH WATER TABLE, POOR NATURAL DRAINAGE	B/D
LF	1.40	SEVERE: POOR NATURAL DRAINAGE, HIGH WATER TABLE	SEVERE: POOR NATURAL DRAINAGE, HIGH WATER TABLE	D
Sg	0.13	N/A	N/A	A
SE	2.10	SEVERE: SLOPE	SEVERE: SLOPE	B



GENERAL NOTES:

1. APPLICANT/OWNER: LEWIS BROS. PARKING
2. GROSS AREA: 13,175 AC, NET AREA: 11,641 AC
3. TOPOGRAPHIC SURVEY PERFORMED BY: BAFITIS AND ASSOCIATES
4. EXISTING ZONING: BR
5. EXISTING USE: MOBILE HOME PARK, GROCERY STORE & APARTMENTS, USED CAR LOT
6. PROPOSED USE: MUFFLER SHOP, USED CAR LOT
7. WATERSHED 5, SUBWATERSHED 15
8. DEED REF.: 7025/129
9. TAX ACCOUNT NO.: 11-02-021377
10. OPEN SPACE: 2.977 AC
11. SECURITY LIGHTING SHALL BE MOUNTED ON BUILDINGS. ANY PARKING LIGHTING SHALL BE DIRECTED AWAY FROM RESIDENCES.
12. EXISTING WELL & SEPTIC EXISTING PUBLIC WATER
13. SPECIAL EXEMPTION NOTE: A USED MOTOR VEHICLE OUTDOOR SALES AREA SEPARATED FROM SALES AGENCY BUILDING PURSUANT TO SEC. 23.2.1

PARKING REQUIREMENTS:

REQUIRED	PROVIDED
1. 1000	1000
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3. 1000	1000
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VARIANCE NOTE:

1. SEC. 23.2.1 (2) - AS INTERPRETED BY ZONING COMMISSION FOR A STORE

ENVIRONMENTAL NOTES:

1. NO WETLANDS EXIST ON THIS PROPERTY
2. THIS SITE IS NOT IN THE CRITICAL AREAS.
3. THERE ARE NO HISTORICAL SITES, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT OR HAZARDOUS MATERIALS ON THIS SITE.

SUBDIVISION NOTE:

A RESTRICTIVE COVENANT IS TO BE USED IN THE LAND RECORDS OF BALTIMORE COUNTY, STATING THAT NO SUBDIVISION OF SAID PROPERTY SHALL OCCUR WITHOUT AN APPROVED RECORD PLAT. ALL SUBDIVISION LOTS MUST HAVE THEIR OWN SEPTIC SYSTEM, NO SUBS OF LOTS OR LOTS SHALL OCCUR WITH OUT A RECORDED PLAT.

WELL NOTE:

DEEPER WELLS MUST BE DRILLED AND A MAJOR RECONSTRUCTION OF THE EXISTING PUMP AND MOTOR MUST BE SUBMITTED TO THE DEPT. OF ENVIRONMENTAL AND PLANNING FOR REVIEW.

PUBLIC NOTICE CR 6-87386

PLANNING NO. 6-CR6 WILVER NO. W-87-215

LEGEND:

PRIVACY

REVISIONS

JOB ORDER NO. 4027	DATE 10/12/87	
	SHEET 1 OF 1	
REVISIONS	DATE	
1. CHANGE NO. 1, FROM 6-10-87, 10-10-87, 1		