

IN RE PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SW/S Liberty Road, 30 ft. NW of c/l Milford Mill Road
8107 Liberty Road
2nd Election District
2nd Councilmanic District
Legal Owner
Marvin Tapper, et ux
Tenant: Windshields America
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to a Petition for Special Exception, permission to use the herein described property for a service garage in a B.L. zone, pursuant to Sections 230.13 and 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.); and pursuant to a Petition for Zoning Variance, a variance from Section 232.A.4 of the B.C.Z.R. to permit an amenity open space ratio of less than the required 0.2, i.e., 410 sq ft in lieu of 577 sq. ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, by Marvin Tapper, appeared, testified and was represented by Julius W. Lichter and Katherine Turner, attorneys. Appearing and testifying on behalf of the Petitioner was Douglas Kennedy, Registered Professional Engineer. Appearing on behalf of the Petitioner were Dennis R. Leahey, Robert A. Wajer and Jack Reitz. There were no Protestants.

Testimony indicated that the subject property, known as 8107 Liberty Road, consists of .576 acres +/-, zoned B.L.-C.C.C. and is currently improved with the subject building depicted on Petitioner's Exhibit No. 3.

Proffered testimony indicated that the Petitioner desires to operate an auto glass replacement operation from the site trading as "Windshields America".

Testimony and evidence indicated that the existing structure on the site was constructed in the mid 1950s and has remained essentially unchanged since that time.

Douglas Kennedy, Engineer, testified generally to the layout of the site and indicated that, in his opinion, the requested relief complies with the requirements set forth in Section 502.1 of the B.C.Z.R. Additionally, he indicated that in view of the layout of the site, there is insufficient area to comply with the amenity open space requirements set forth in Section 232.A.4 of the B.C.Z.R. He testified that, in his opinion, should the Petitioner be required to strictly comply with said regulation, that the Petitioner would suffer and undue hardship and practical difficulty.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.C.C. zone 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 whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

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. In fact, 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, 291 Md. 1432 A2d 1319 (1981).

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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 reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

The Petitioner has also requested the aforementioned variance relief relative to setback requirements on the site.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception and variance relief should be granted, with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of May, 1991 that, pursuant to a Petition for Special

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cial Exception, permission to use the herein described property for a service garage in a B.L. zone, pursuant to Sections 230.13 and 502.1 of the B.C.Z.R., is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to a Petition for Zoning Variance, a variance from Section 232.A.4 of the B.C.Z.R. to permit an amenity open space ratio of less than required 0.2, i.e., 410 sq. ft. in lieu of 577 sq. ft., in accordance with Petitioner's Exhibit No.1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the foregoing relief:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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.

JRH:mmn
cc: Peoples Counsel

J. Robert Haines
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 5/15/91
By J. Robert Haines

-4-

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-327-XA

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 in the B.L. zone pursuant to BCZR Sections 230.13 and 502.1.

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.

TENANT/PETITIONER
WINDSHIELDS AMERICA
(Type or Print Name) Murray Markiles
By: Murray Markiles
Signature
6837 Hayvenhurst Ave.
Address
Van Nuys, California 91406
City and State

Legal Owner(s):
Marvin Tapper
(Type or Print Name)
Signature
Yetta Tapper
(Type or Print Name)
Signature
19811 Oslo Court
Address
Boca Raton, Florida 33434
City and State

Attorney for Petitioner:
Julius W. Lichter
(Type or Print Name)
Signature
Levin & Gann, P.A.
305 W. Chesapeake Ave.
Address
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Julius W. Lichter, Esquire
Name
Levin & Gann, P.A.
305 W. Chesapeake Ave.
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: (301) 321-0600

ORDERED By The Zoning Commissioner of Baltimore County, this 13 day of May, 1991, 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 County, on the 18 day of April, 1991, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

S.C.O.-No. 1

(over)

ORDER RECEIVED FOR FILING
Date 5/13/91
By J. Robert Haines

DATE - 5/13/91
Actual time - 1hr

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-327-XA

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 232A.4 of the BCZR to permit an amenity open space ratio of less than the required 0.2 as shown on the accompanying plat, i.e., 410 square feet in lieu of 577 square feet (K-7).

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

The required amenity open space ratio of 0.2 could only be met by removing existing improvements essential to the use and/or eliminating space required for vehicular traffic, maneuvering and parking; and for additional reasons as will be presented at the public hearing.

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.

TENANT/PETITIONER
WINDSHIELDS AMERICA
(Type or Print Name) Murray Markiles
By: Murray Markiles
Signature
6837 Hayvenhurst Ave.
Address
Van Nuys, California 91406
City and State

Legal Owner(s):
MARVIN TAPPER
(Type or Print Name)
Signature
YETTA TAPPER
(Type or Print Name)
Signature
19811 Oslo Court
Address
Boca Raton, Florida 33434
City and State

Attorney for Petitioner:
JULIUS W. LICHTER, Esquire
(Type or Print Name)
Signature
Levin & Gann, P.A.
305 W. Chesapeake Ave.
Address
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Julius W. Lichter, Esquire
Name
Levin & Gann, P.A.
305 W. Chesapeake Ave.
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: (301) 321-0600

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J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING
Date 5/13/91
By J. Robert Haines

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 9, 1991

Julius Lichter, Esquire
Levin and Gann, P.A.
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Zoning Variance
Case No. 91-327-XA
Legal Owner: Marvin Tapper, et ux
Tenant: Windshields America, Petitioner

Dear Mr. Lichter:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmn
att.
cc: Peoples Counsel
Douglas L. Kennedy, P.E.
KCW Consultants, Inc.
1777 Reisterstown Rd., Suite 175
Baltimore, Maryland 21208

William K. Woody, L.S.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208

(301) 484-0894 / 484-0963
Fax (301) 486-3010

Douglas L. Kennedy, P.E.

January 21, 1991

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
PROPERTY OF MARVIN TAPPER and YETTA TAPPER

References: Deed 6100/796
Lot 1, Plat "Revision of Lots 1 & 38 Millvale"
G.L.B. 17 Folio 58

2nd Election District, Baltimore County, Maryland

BEGINNING for the same at a point on the West side of Milford Mill Road, 60 feet wide, said point being the common corner of Lot 1 and Lot 2 as shown on the Plat entitled "Revision of Lots 1 & 38 Millvale" dated June 6, 1951 and recorded among the Plat Records of Baltimore County in Liber G.L.B. 17 Folio 58, thence leaving said point of beginning and running the two (2) following courses,

1. North 65 degrees 33 minutes 25 seconds West 94.25 feet to a point, thence;
2. North 27 degrees 56 minutes 35 seconds East 132.97 feet to a point on South side of Liberty Road, 80 feet wide; thence running with and binding on said South side of Liberty Road,
3. South 65 degrees 33 minutes 25 seconds East 100.82 feet to a point of curvature; thence,
4. by a curve to the right having a radius of 25.00 feet, an arc length of 48.45 feet, and a chord bearing South 10 degrees 00 minutes 55 seconds East 41.22 feet to a point of tangency, said point of tangency being on the West side of Milford Mill Road, 60 foot wide; thence running with and binding on said West side of Milford Mill Road,
5. South 45 degrees 29 minutes 30 seconds West 105.79 feet to the place of beginning.

Containing 0.346 Acres of land, more or less.

306

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: March 23, 1991
Posted for: Marvin & Yetta Tapper
Petitioner: Marvin & Yetta Tapper
Location of property: 111 West Chesapeake Avenue, Room 113, Towson, Maryland 21204
Location of Sign: on the front of subject property
Remarks:
Posted by: S. Robert Haines Date of return: March 23, 1991
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3-21-91
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on 3-21-91.

THE JEFFERSONIAN.

S. Zebe Orlov
Publisher

\$ 37.52

CERTIFICATE OF PUBLICATION

Pikesville, Md., 3/20/91
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 21st day of March, 1991
the first publication appearing on the 20th day of March, 1991
the second publication appearing on the 21st day of March, 1991
the third publication appearing on the 22nd day of March, 1991

THE NORTHWEST STAR

Manager
Cost of Advertisement 424

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 West Chesapeake Avenue, Towson, Maryland 21204 as follows:
Case Number: 91-327-XA
SM/S Liberty Road, 30' NW of c/l Milford Mill Road
8107 Liberty Road
2nd Election District
2nd Councilmanic Legal Owner(s): Marvin Tapper, et ux
Tenant: Windshields America
Hearing Date: Thursday, April 18, 1991 at 11:00 a.m.
Special Exception for a service garage
Variance to permit an existing amenity open space ratio of less than the required 0.2 (i.e., 410 sq. ft. in lieu of 577 sq. ft.).
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
3167 Mt. Z

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: _____

Windshields America
6837 Hayhurst Avenue
Van Nuys, California 91406

RE
Case Number: 91-327-XA
SM/S Liberty Road, 30' NW of c/l Milford Mill Road
8107 Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Marvin Tapper, et ux
Tenant: Windshields America
HEARING: THURSDAY, APRIL 18, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 111.52 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. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 1, 1991

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 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-327-XA
SM/S Liberty Road, 30' NW of c/l Milford Mill Road
8107 Liberty Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Marvin Tapper, et ux
Tenant: Windshields America
HEARING: THURSDAY, APRIL 18, 1991 at 11:00 a.m.

Special Exception for a service garage.
Variance to permit an existing amenity open space ratio of less than the required 0.2 (i.e., 410 sq. ft. in lieu of 577 sq. ft.).

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Marvin & Yetta Tapper
Windshields America
Julius W. Lichter, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 3, 1991

Julius W. Lichter, Esquire
Levin & Gann, P.A.
Suite 113, 305 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 306, Case No. 91-327-XA
Petitioner: Marvin Tapper, et ux
Petition for Zoning Variance and
Special Exception

Dear Mr. Lichter:

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. 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 MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Marvin Tapper
Windshields America



111 West Chesapeake Avenue
Towson, MD 21204

887-5554

Your petition has been received and accepted for filing this
13th day of February, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Julius W. Lichter
Julius W. Lichter
Zoning Plans Advisory Committee

Petitioner: Marvin Tapper, et ux

Petitioner's Attorney: Julius W. Lichter

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: March 14, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Marvin Tapper, Item No. 306

In reference to the petitioner's requested Variance and Special
Exception, staff offers the following comments:

- The applicant's site is located within the area of the
Liberty Road Action Plan.
- Parking spaces located within the fenced enclosure cannot be
counted toward required parking; however, the four bay
spaces may be factored in the parking calculation.
- A wheel stop should be provided for space #7.

Should the petitioner's request be granted, staff recommends
that the petitioner file a landscape plan with the deputy director of
the Office of Planning and Zoning. Said plan and any future sign
treatment should comply with the streetscape policy for Liberty Road.

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.

PK/JL/cmm

ITEM306/ZAC1

received
3/26/91



401 Bosley Avenue, Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

February 15, 1991

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 289,
291, 293, 295, 298, 303, 304, 306, 308 and 309.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvd

received
3/7/91



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

FEBRUARY 6, 1991

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

RE: Property Owner: MARVIN TAPPER

Location: #E107 LIBERTY ROAD

Item No.: 306 Zoning Agenda: FEBRUARY 17, 1991

Gentlemen:

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

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

REVIEWER: *William D. Bowling* P.E., Chief
Planning Group Fire Prevention Bureau
Special Inspection Division

JF/REK

received
3/6/91

3/26/91
Date

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

ZONING VARIANCE FORM
W/S(12-88)

Zoning Item # *306*, Zoning Advisory Committee Meeting of *3/26/91*
Property Owner: *Marvin Tapper et ux* District: *2*
Location: *8101 Liberty Rd*
Water Supply: *public* Sewage Disposal: *public*

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.
- (X) A permit to construct from the Bureau of Air 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 chabroiler 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,
sauna, whirlpools, hot tubs, water and sewerage facilities or other appurtenances 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, 887-6500 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.
- (X) 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.
- (X) 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 *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 *the results are 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 bacterio-
logical 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 887-3980.
- () 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 887-2762.
- () Others

William D. Bowling
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: February 8, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 12, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 291, 293, 303, 304, 306, 308 and 309.

For Item 295, the previous County Review Group Comments
are still applicable. The Developer is cautioned that no
permanent type construction is allowed over a County utility
easement.

For Item 289, this site is subject to comments by the
Maryland State Highway Administration.

For Item 298, the previous County Review Group comments
are still applicable.

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

RWB:s

INTER-OFFICE CORRESPONDENCE

TO: James L. Dyer DATE: February 9, 1991
Zoning Supervisor

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 306 (if known)
Petitioner: Windshield America, Inc. (if known)

VIOLATION CASE # C-91-816

LOCATION OF VIOLATION: 8101 Liberty Road

DEFENDANT: Windshield America, Inc.

ADDRESS: 8101 Liberty Road Baltimore, MD 21207

Please be advised that the aforementioned petition is the subject
of an active violation case. When the petition is scheduled for a
public hearing, please notify the following persons:

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning
Commissioner's Order to the Zoning Enforcement Coordinator, so that the
appropriate action may be taken relative to the violation case.

ech/

PLEASE PRINT CLEARLY

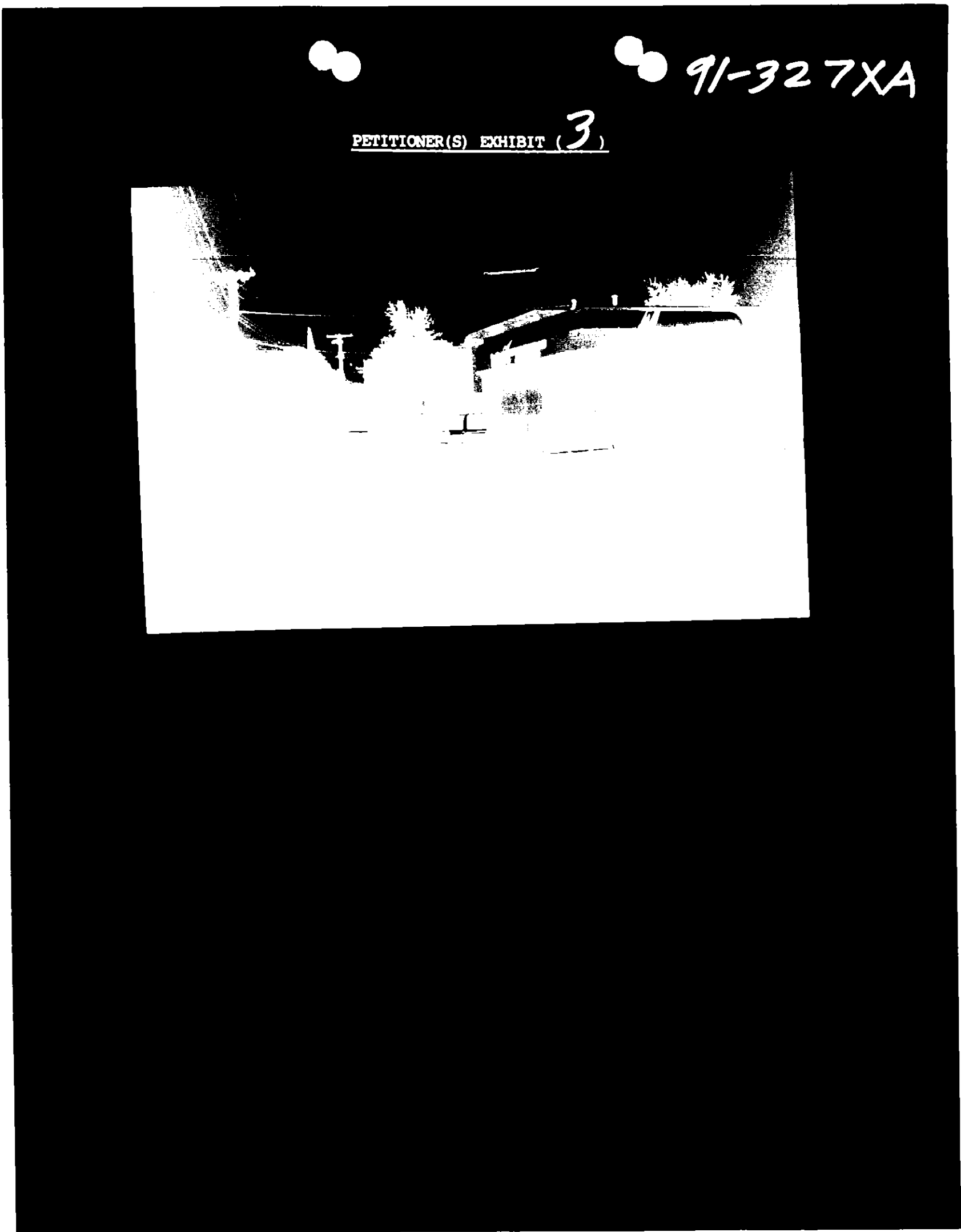
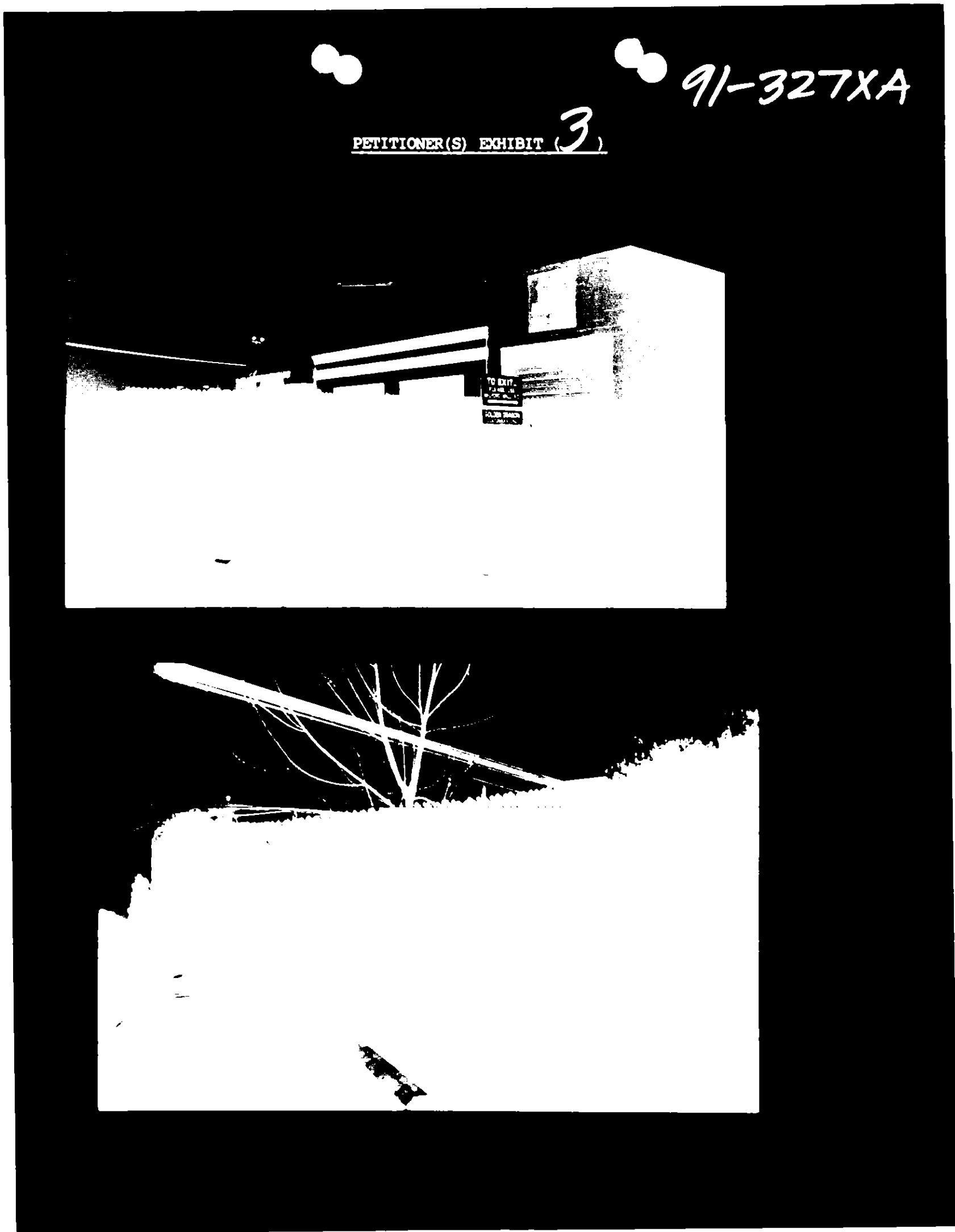
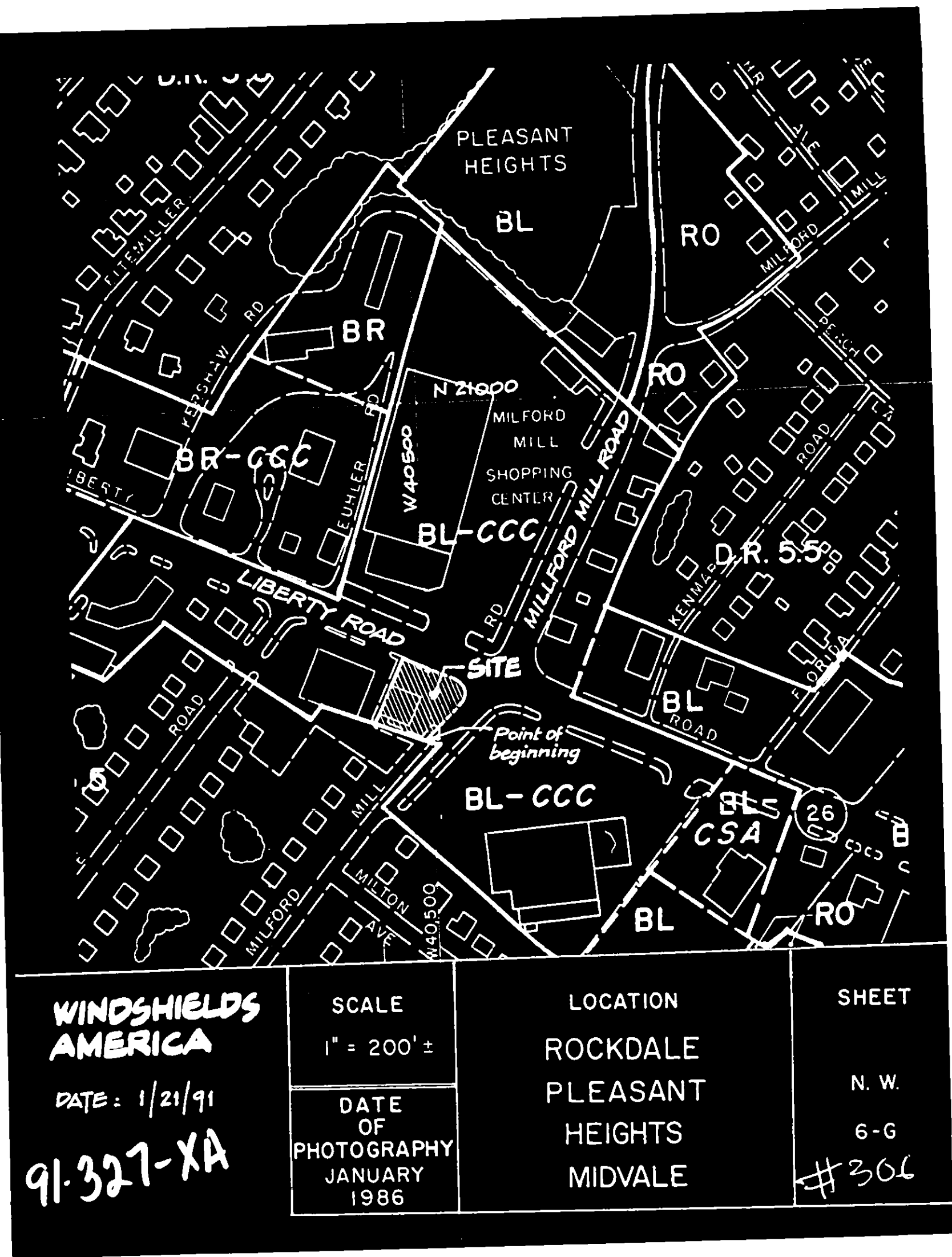
PETITIONER(S) SIGN-IN SHEET

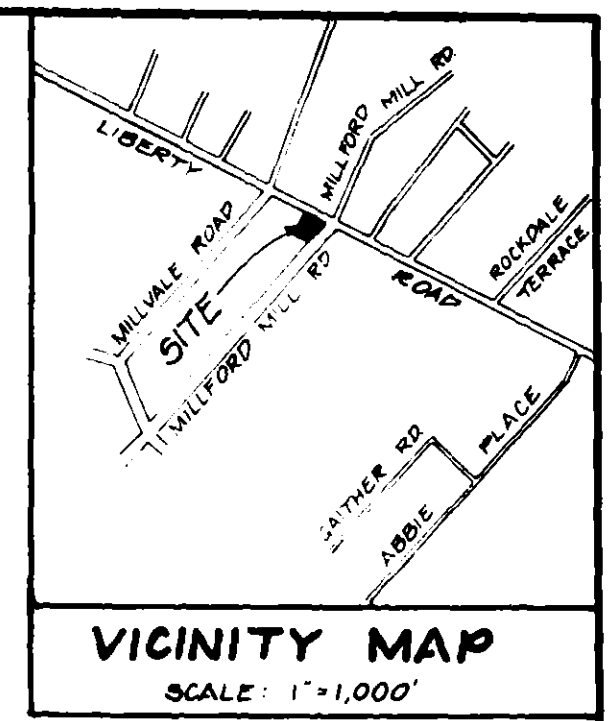
ADDRESS

NAME
DOUGLAS L. KENNEDY, P.E.
DENNIS P. LEWNEY
ROBERT A. WAJER
JACK REITZ

ADDRESS
KCW CONSULTANTS, INC.
1711 REISTERSTOWN RD, SUITE #175
BALTIMORE, MD 21208
21 MONTANA LA, SUITE 103
BALTIMORE MD 21237
8101 LIBERTY RD. 21207

91-327
XA





GENERAL NOTES

- GENERAL INFORMATION

Election District No. 2
Councilmanic District No. 2

Owner: Marvin Tapper and Yetta Tapper
Deed Ref.: 6100/796
Tax Acct. No.: 02-16-600410

Lessee: Windshields America Inc.
Property Department
12001 North Cave Creek Road
Phoenix, Arizona 85020
- Previous known Zoning Cases:
 - Case No. 2275-RS
Order by the Zoning Commissioner of Baltimore County dated June 13, 1952, denying the reclassification from an "A" Residential Zone to an "E" Commercial Zone and a special permit for gasoline service station.
 - Case No. 2275-RS
Order by the Board of Zoning Appeals of Baltimore County dated March 26, 1953, affirming the Zoning Commission denial of the reclassification from an "A" Residential Zone to an "E" Commercial Zone and a special permit for gasoline service station.
 - Case No. 2275-RS: Kirmisch et al. versus Board of Zoning Appeals of Baltimore County, dated May 29, 1953, reversing the denial of the reclassification from an "A" Residential Zone to an "E" Commercial Zone and a special permit for gasoline service station.
- Previous known Commercial Permits:
C-1235-89 Building Permit
- Existing Zoning: BL-CCC (1988 Comprehensive Zoning Map, Sheet No. N.W. 6-G).
- Land Use:
Existing: Service Garage
Proposed: Service Garage
- Floor Area Ratio Calculations (BCZR Section 232A.3):

Net Acreage (Deed 6100/796)	0.346 Ac +/-
Existing Roads	0.230 Ac +/-
Gross Acreage	0.576 Ac +/-
Existing Building Area	2883 SF +/-
Floor Area Ratio	$2883 / (0.576 * 43560) = 0.11 < 4.0$
- Parking Requirements

Parking Required:	2883 x 3.3/1000 =	10 Spaces
Parking Provided:		10 Spaces
- Building Setbacks:

	Minimum Required	Existing
BCZR Sec. 303.2 Front Yard	45'	48'
BCZR Sec. 232.1 Side Yard	0'	0'/42'
BCZR Sec. 232.1 Rear Yard	20'	30'

* Average of adjacent improved BL property.
- All damaged or disabled vehicles and parts will be kept inside the existing screening enclosure.
- Amenity Open Space:
Required: $2883 \text{ SF} \times 0.2 = 577 \text{ SF}$
Existing: 410 SF
Variance Requested.

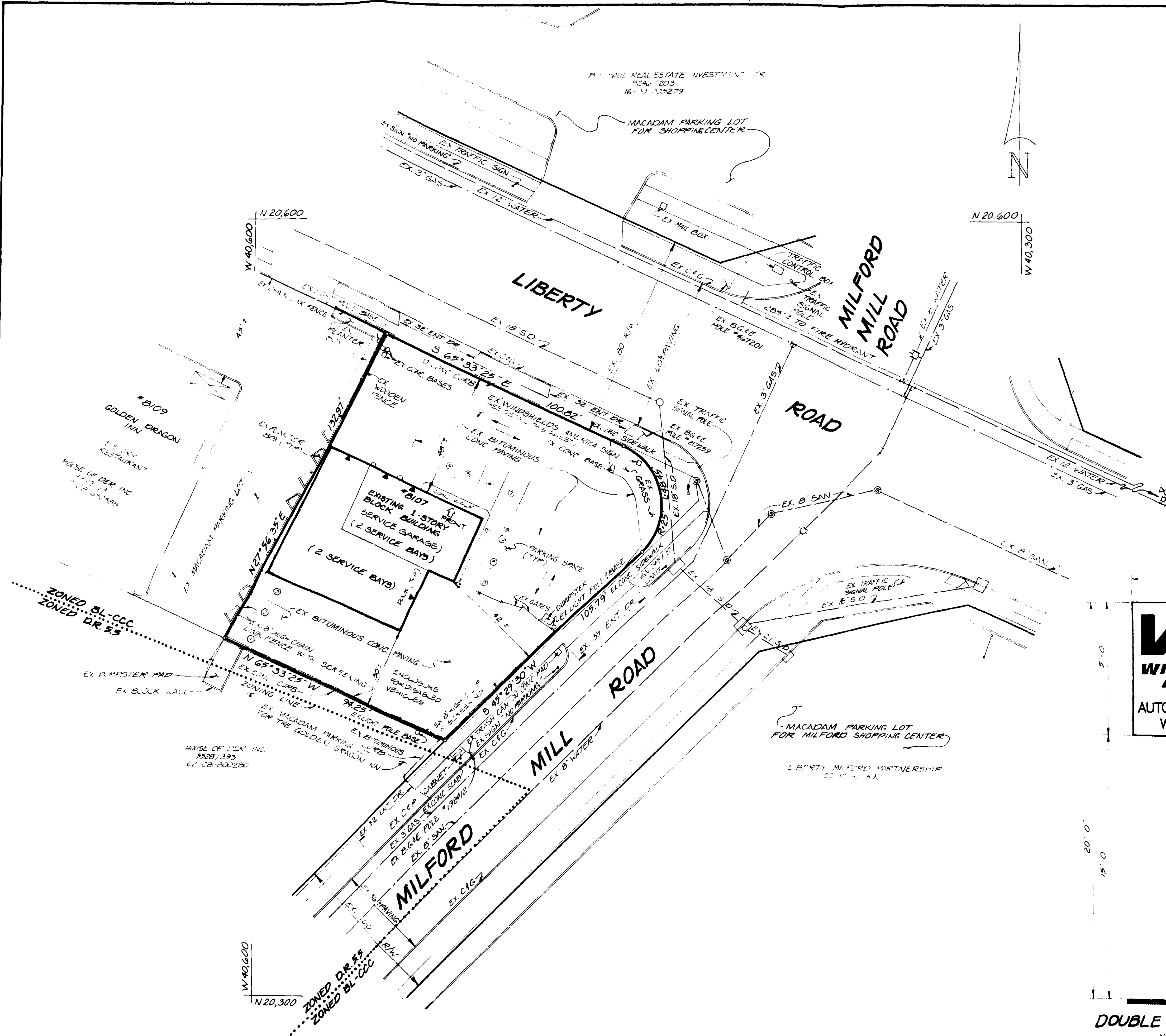
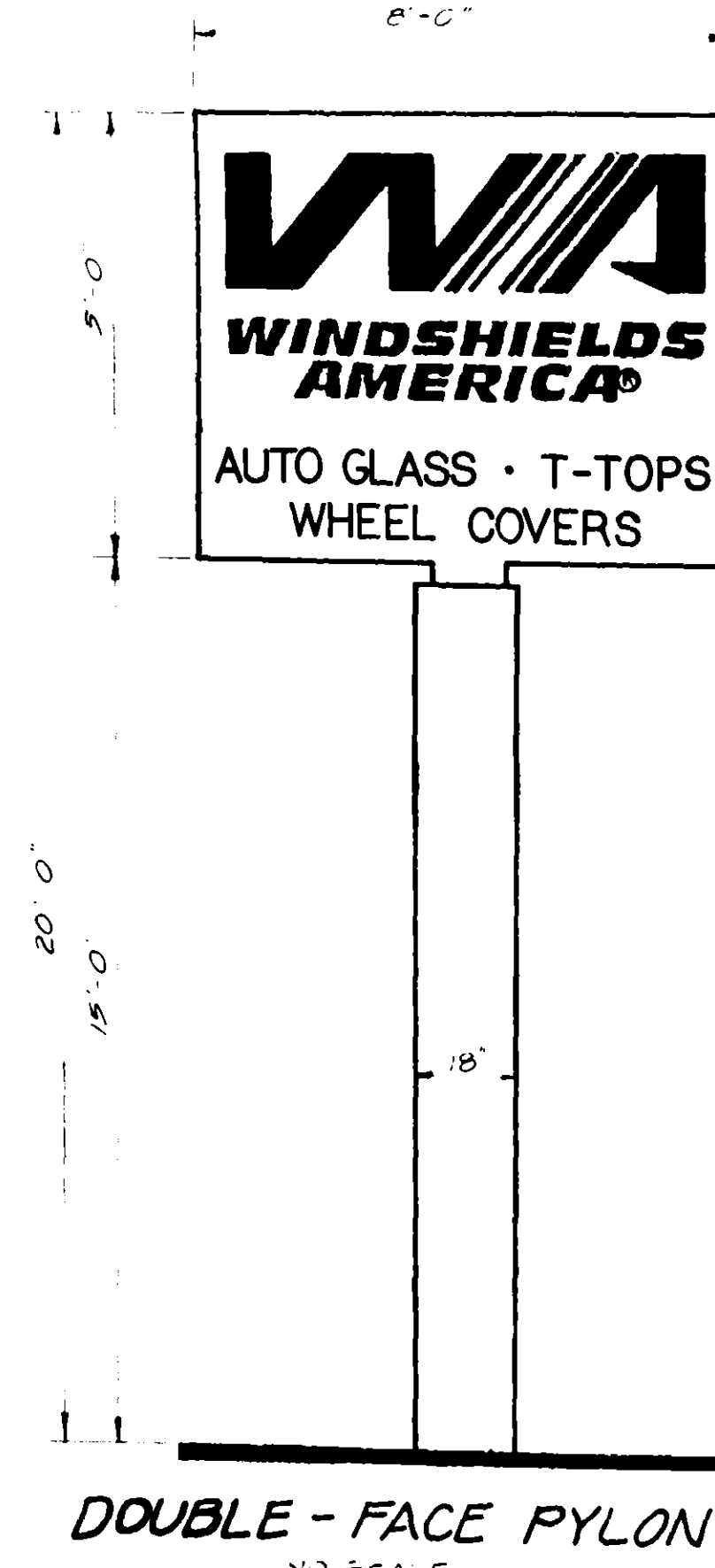
91-327-XA

PLAN TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION

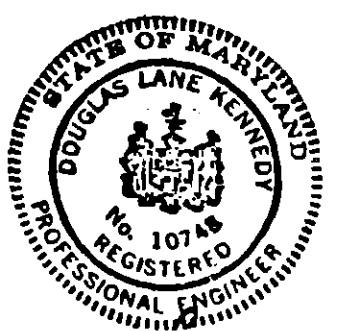
WINDSHIELDS AMERICA
8107 LIBERTY ROAD

2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

#306



KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Baltimore, Maryland 21208
(301) 484-0963



LESSEE:
WINDSHIELDS AMERICA
Property Department
12001 North Cave Creek Road
Phoenix, Arizona 85020
Attn: Bob Erickson
Phone: 602-943-5430

OWNER:
MARVIN TAPPER AND YETTA TAPPER
Deed Ref.: 6100/796
Tax Acct. No.: 02-16-600410

REVISIONS	
DATE	DESCRIPTION

KCW J.O. 90276
SCALE: 1"=20'
DATE: 1-21-91
DESIGNED: LVB
DRAWN: TGD
CHECKED: DLK
DRAWING NO.: ZON-1

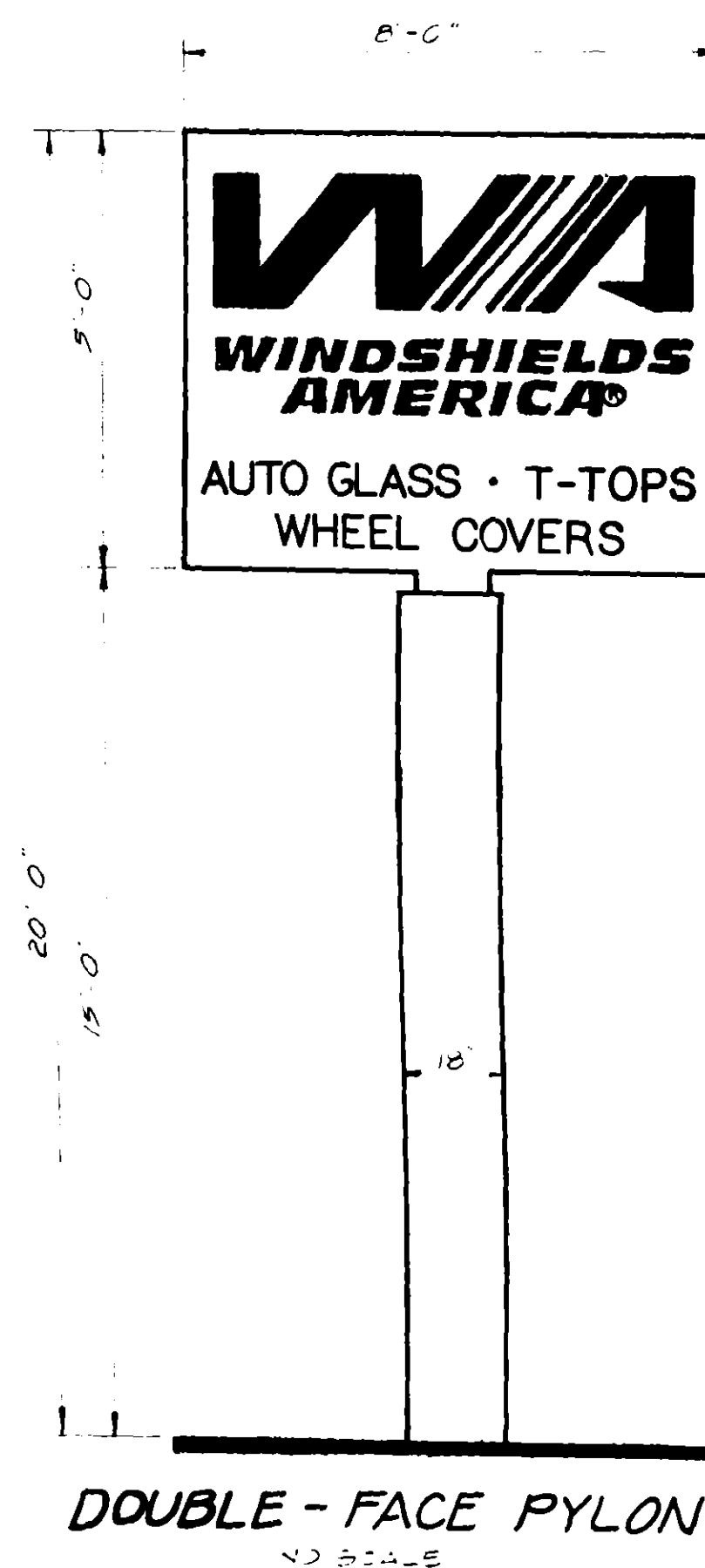


- PETITIONER'S**
EXHIBIT 1 91-327XA

PLAN TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION

WINDSHIELDS AMERICA
8107 LIBERTY ROAD

2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND



PRINTED DATE
APR 11 1991
K.C.W. CONSULTANTS, INC.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commercentre, Suite 175
Baltimore, Maryland 21208
(301) 484-0963



LESSEE:

WA

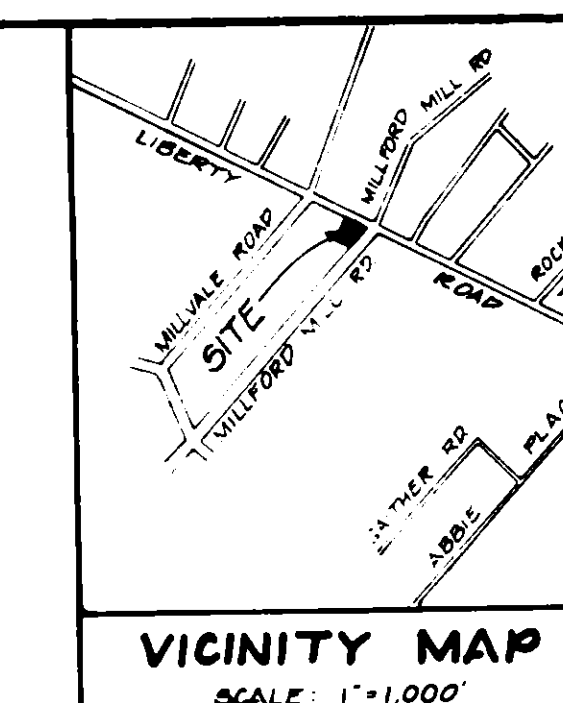
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Tax Acct. No.: 02-16-600410

[illegible]

KCW J.O.	90276
SCALE:	1"=20'
DATE:	1-21-9
DESIGNED:	LVB
DRAWN:	TGD
CHECKED:	DLK
DRAWING NO.:	
ZON-1	



GENERAL NOTES

- GENERAL INFORMATION

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Councilmanic District No. 2

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Deed Ref.: 6100/796
Tax Acct. No.: 02-16-600410

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Gross Acreage	0.576 Ac +/-
Existing Building Area	2883 SF +/-
Floor Area Ratio	2883 / (0.576 * 43560) = 0.11 < 4.0
- Parking Requirements

Parking Required: 2883 x 3.3/1000 =	10 Spaces
Parking Provided: (6 P.S. + 4 SERVICE BAYS)	10 Spaces
- Building Setbacks:

	Minimum Required	Existing
BCZR Sec. 303.2 Front Yard	45'	48'
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BCZR Sec. 232.1 Rear Yard	20'	30'

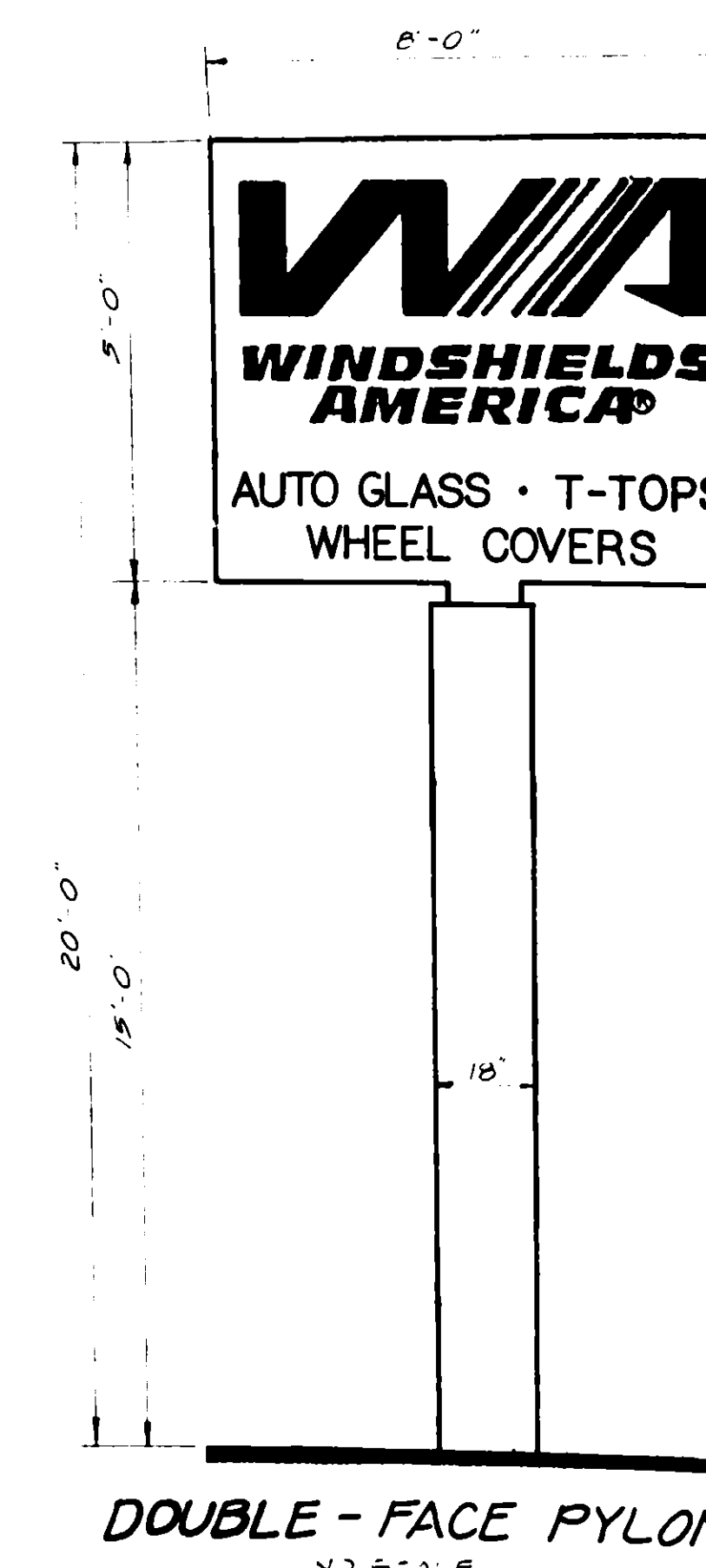
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Existing: 410 SF
Variance Requested.

PETITIONER'S EXHIBIT 2 91-327XA

PLAN TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION

WINDSHIELDS AMERICA
8107 LIBERTY ROAD

2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

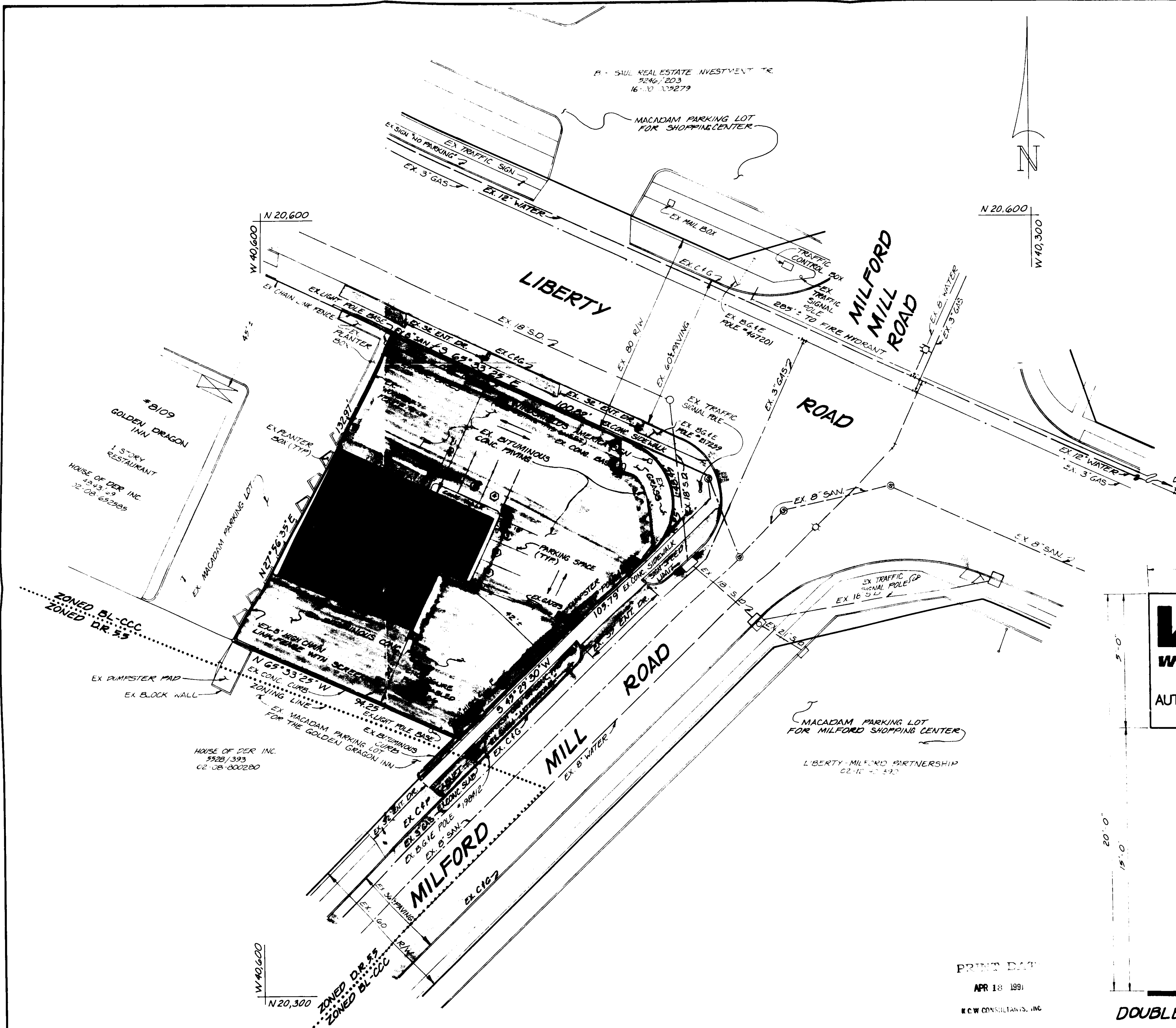


PRINT DATE

APR 18 1991

KCW CONSULTANTS, INC.

DOUBLE-FACE PYLON
NO SCALE



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Commerce, Suite 175
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Phone: 602-943-5430

OWNER:
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Deed Ref.: 6100/796
Tax Acct. No.: 02-16-600410

REVISIONS	
DATE	DESCRIPTION
4-16-91	REVISE PARKING SPACES PER COMMENTS O.P.E.

KCW J.O. 90276
SCALE: 1"=20'
DATE: 1-21-91
DESIGNED: LVB
DRAWN: TGD
CHECKED: DLK
DRAWING NO.: ZON-1

1-21-91 *Daigward Kennedy*