

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
200 Cocksylvia Lane
8th Election District
3rd Councilmanic District
William E. Gerber
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 92-31-XA

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

WHEREAS, by Order of this office dated October 9, 1991, certain variances for the subject property located at 200 Cocksylvia Lane were granted; and,

WHEREAS, said Order incorporated a site plan submitted at the public hearing held on said case marked as Petitioner's Exhibit No. 1; and,

WHEREAS, said order further imposed certain restrictions as conditions precedent to the relief requested; and

WHEREAS, by way of correspondence dated June 21, 1993 from Norman E. Gerber, A.I.C.P., on behalf of said Petitioner, a request was made to amend said site plan by the deletion of an internal fence, as more particularly shown on Petitioner's Exhibit No. 1A, an amended site plan; and

WHEREAS the deletion of said fence is supported by the Baltimore County Police Department and will not cause detriment to the health, safety and general welfare of the locale.

NOW, THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of August, 1993 that my Order dated October 9, 1991 of the within case be and is amended so as to delete an internal fence previously shown around the proposed storage area for damaged vehicles; and,

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Date 8/11/93
By [Signature]

IT IS FURTHER ORDERED that the amended site plan, marked as Petitioner's Exhibit No. 1, be and is hereby adopted, as same related to the variances previously approved; and,

IT IS FURTHER ORDERED that the remainder of the Zoning Commissioner's opinion and Order issued on October 9, 1991, be and is hereby ratified and incorporated, except as specifically amended herein.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mn

ORDER RECEIVED FOR FILING
Date 8/11/93
By [Signature]

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
200 Cocksylvia Lane
8th Election District
3rd Councilmanic District
William E. Gerber
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE # 92-31-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to a Petition for Special Exception, approval to use the subject property for a service garage, as provided in Section 253.2.B. of the Baltimore County Zoning Regulations (B.C.Z.R.); and, pursuant to the Petition for Zoning Variance, a variance from Section 255.1 of the B.C.Z.R., as it incorporates by reference Section 238.2 of the B.C.Z.R., to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. by a variance granted in zoning case No. 67-94-A and; a variance from Section 255.1 of the B.C.Z.R., as it incorporates by reference Section 238.1, to permit a front yard setback of 5 ft. instead of the required 25 ft. and to amend the previously approved plans in zoning cases 67-94-A and 85-64-A, all as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, William E. Gerber, appeared, testified and was represented by Edward C. Covahev, Jr., Esquire. Also appearing and testifying on behalf of the Petitioner was Norman Gerber, Planner, and William G. Ulrich, a Registered Professional Surveyor. There were no Protestants.

Mr. Ulrich testified that he prepared Petitioner's Exhibit No. 1, a site plan of the property with a last revision date of June 28, 1981. He further indicated that the site is presently improved with a service garage

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By [Signature]

located on the eastern side of the property and a child care center on the west side. He stated that the Petitioner does not intend to make any additional improvements to the property, nor to intensify the present use. As to the requested variances, Mr. Ulrich noted that, because of the topography of the site, the existing service garage building was constructed 15 ft. below grade. Because of this construction and the topography, the side and rear yard setback variances are necessary. He further testified that if these variances were not granted it would be necessary to demolish the existing building. Further the structural soundness of the garage would be threatened if it were placed elsewhere on the property. As to the front yard variance; i.e., for the proposed storage area for damaged vehicles, Mr. Ulrich noted that is required, due to the widening of Cocksylvia Road.

Regarding the Petition for Special Exception, Mr. Ulrich articulated the requirements of Section 502.1 of the B.C.Z.R. and opined that the Petitioner satisfied the requirements. He described this locale as an industrial area and indicated that the proposed use would be consistent with the surrounding uses.

Mr. William E. Gerber, the property owner, also testified and stated that the site was presently zoned M.L.-1.M. and described the activity which occurs thereon. Specifically, Mr. Gerber testified that he operates one of the largest trash removal operations for both commercial and residential uses in Baltimore County. He maintains a fleet of approximately 25 trucks and employs 6 mechanics, 3 full time and 3 part time, to service his vehicles. He also maintains a tow truck operation and is an approved tower by Baltimore County. The repair work to be done on site encompasses not only the servicing of his vehicles, but a limited amount of service work done for public vehicles. Mr. Gerber indicated that he was willing to

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By [Signature]

comply with the Zoning Advisory Comments (ZAC) prepared for this Petition as set forth in the interoffice correspondence from Pat Keller, Deputy Director of Office of Planning and Zoning. Lastly, he indicated that the property is internally fenced so as to separate the child care center from the industrial/commercial activity which occurs elsewhere thereon.

Mr. Norman Gerber, an expert Planner, testified on behalf of the Petitioner. He concurred with Mr. Ulrich's opinion that the special exception is justified and that the proposed use complies with all of the provisions of Section 502.1 of the B.C.Z.R. He echoed the testimony of the prior witnesses regarding the need for the variances and the resultant practical difficulty if these variances were not granted. In his view, the proposed use was appropriate for this site.

The Petitioner has previously received approval to permit a rear yard setback of 13 ft. in lieu of the required 30 ft. in case No. 67-94-A. Further, in case No. 85-64-A, a variance was granted to permit a front yard setback of 5 ft. in lieu of the required 25 ft. The within Petitions seek to amend those findings and the relief granted in those cases.

Testimony and evidence clearly indicate that the granting of requested relief will serve to preserve the integrity and aesthetics of the site. There will be no substantial change to the project as it currently exists.

It is clear that the B.C.Z.R. permits the use proposed in an M.L.-1.M. 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 require-

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By [Signature]

ments 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. 1, 432 A2d 1319 (1981).

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.

Turning to the variances, 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

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By [Signature]

- 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 variances are 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 good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

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 9th day of Oct., 1993 that, pursuant to a Petition for Special Exception, approval to use the subject property for a service garage, as provided in Section 253.2.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from Section 255.1 of the B.C.Z.R., as it incorporates by reference Section 238.2 of the B.C.Z.R., to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. by a variance granted in zoning case No. 67-94-A, is hereby GRANTED; and

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Date 8/11/93
By [Signature]

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, a variance from Section 255.1 of the B.C.Z.R., as it incorporates by reference Section 238.1, to permit a front yard setback of 5 ft. instead of the required 25 ft., and to amend the previously approved plans in zoning cases 67-94-A and 85-64-A, is hereby GRANTED, in accordance with Petitioner's Exhibit No. 1 subject, however, to the following restrictions which are conditions precedent to the foregoing relief:

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 comments of Pat Keller, Deputy Director of Planning and Zoning dated September 11, 1991, attached hereto and made a part hereof, must be incorporated within the site plan marked Petitioner's Exhibit No. 1.
3. The property must be fenced so that the Child Care Center is separated by fencing from the service garage and supporting commercial areas.

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 8/11/93
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

August 19, 1993

Norman E. Gerber, A.I.C.P.
35 Pickburn Court
Cockeysville, Maryland 21030

RE: Amended Petitions for Special Exception and Zoning Variance
Case No. 92-31-XA
William E. Gerber, Petitioner

Dear Mr. Gerber:

Enclosed please find a copy of the Amended Findings of Fact and Conclusions of Law rendered in the above captioned matter.

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 807-3391.

Very truly yours,
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:em
atl
cc: Peoples Counsel
cc: File

Petition for Special Exception

to the Zoning Commissioner of Baltimore County **92-31-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 Garages-Service as provided in Section 253.2B of the Baltimore County Zoning Regulations.

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/Lessee: (Type or Print Name) Signature Address City and State	Legal Owner(s): William E. Gerber (Type or Print Name) Signature (Type or Print Name) Signature Address City and State
Attorney for Petitioner: Edward C. Covahey, Jr. (Type or Print Name) Signature Address City and State	200 Cockeysville Road Address Phone No. Cockeysville, Maryland 21030 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Edward C. Covahey, Jr. Name 614 Bosley Ave. 828-9441 Address Phone No. Towson, Maryland 21209 City and State Attorney's Telephone No.: (301) 828-9441

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. + 1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER DATE
REVISIED BY: DATE

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **92-31-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 253.1 of the Baltimore County Zoning Regulations as incorporated by reference Section 238.2 of the Baltimore County Zoning Regulations to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. as allowed in Zoning Case 87-54-A, and a variance from section 253.1 of the Baltimore County Zoning Regulations as incorporated by reference section 238.1 to permit a front yard setback of 5 ft. instead of the required 25 ft. and to amend the previously approved plans in zoning cases 87-54-A and 85-64-A of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- The improvements constructed on property by previous owners encroached into the set back area and compliance with set back would require building demolition.
- That denial of the variance would preclude the ability of the property owner to fully utilize existing improvements.
- The proposed storage of damaged or disabled motor vehicles cannot be located 25 ft. from the right of way because of topographic conditions.

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): William E. Gerber (Type or Print Name) Signature (Type or Print Name) Signature Address City and State
Attorney for Petitioner: Edward C. Covahey, Jr. (Type or Print Name) Signature Address City and State	200 Cockeysville Road Address Phone No. Cockeysville, Maryland 21030 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Edward C. Covahey, Jr. Name 614 Bosley Avenue Address Towson, Maryland 21204 City and State Attorney's Telephone No.: (301) 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 100, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

PHILIP K. CROSS
JOHN F. EYER
WILLIAM G. ULRICH
THOMAS V. LANGRISH
DAVID E. SANDRO

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

SHERRYLO
PAUL S. DOLLINGER
FRED H. DOLLINGER
CARL L. GERHOLD

92-31-XA
FOR THE PURPOSE OF ZONING ONLY

June 25, 1991

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the intersection of the north side of Cockeysville Road and the west side of Williamson Lane and running thence and binding on the west side of Williamson Lane, North 18 degrees 05 minutes 06 seconds West 207.60 feet and North 16 degrees 53 minutes 06 seconds West 185.57 feet, thence leaving the west side of Williamson Lane and running for the following ten courses and distances viz: South 64 degrees 24 minutes 54 seconds West 216.54 feet, South 18 degrees 05 minutes 06 seconds East 174.76 feet, South 71 degrees 54 minutes 54 seconds West 279.72 feet, South 17 degrees 04 minutes 06 seconds East 72.00 feet, North 71 degrees 54 minutes 54 seconds East 88.00 feet, South 17 degrees 04 minutes 06 seconds East 62.00 feet, North 71 degrees 54 minutes 54 seconds East 122.00 feet, South 18 degrees 05 minutes 06 seconds East 90.00 feet, North 71 degrees 54 minutes 54 seconds East 29.31 feet, and South 29 degrees 58 minutes 36 seconds East 29.31 feet to the north side of Cockeysville Road, thence binding on the north side of said road, North 53 degrees 48 minutes 54 seconds East 40.00 feet, thence still binding on the north side of Cockeysville Road, by a line curving to the right having a radius of 1653.43 feet for an arc distance of 216.82 feet to the place of beginning.

Containing 2.86 Acres of land more or less.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: September 2, 1991

Posted for: William E. Gerber and Edward C. Covahey, Jr.

Petitioner: William E. Gerber and Edward C. Covahey, Jr.

Location of property: 614 Bosley Avenue, Towson, Maryland

Location of Signs: 614 Bosley Avenue, Towson, Maryland

Remarks: _____

Posted by: L. J. [Signature] Date of return: September 11, 1991

Number of Signs: _____

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____, 19____

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on _____, 19____.

TOWSON TIMES,
S. Zake Olson
Publisher

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 100 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 9:00 a.m.
Case Number: 92-31-XA
614 Cockeysville Road and Williamson Lane
200 Cockeysville Road
8th Election District
3rd Councilmanic District
Petitioner(s):
William E. Gerber
Hearing Date: Friday
Sept. 27, 1991 at
9:00 a.m.
Special Exception for garage-service Variance: to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. by variance granted in Zoning Case 87-54-A, to permit a front yard setback of 5 ft. in lieu of the required 25 ft., and to amend the previously approved plans in Zoning Cases 87-54-A and 85-64-A.
Zoning Commissioner of Baltimore County
T. J. B. 150, August 15

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____, 19____

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 _____ successive weeks, the first publication appearing on _____, 19____.

THE JEFFERSONIAN,
S. Zake Olson
Publisher

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 100 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 9:00 a.m.
Case Number: 92-31-XA
614 Cockeysville Road and Williamson Lane
200 Cockeysville Road
8th Election District
3rd Councilmanic District
Petitioner(s):
William E. Gerber
Hearing Date: Friday
Sept. 27, 1991 at
9:00 a.m.
Special Exception for garage-service Variance: to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. by variance granted in Zoning Case 87-54-A, to permit a front yard setback of 5 ft. in lieu of the required 25 ft., and to amend the previously approved plans in Zoning Cases 87-54-A and 85-64-A.
Zoning Commissioner of Baltimore County
T. J. B. 150, August 15

Baltimore County Zoning Commissioner

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: P-001 6150
Number: _____

Date: _____

Please Make Checks Payable To: Baltimore County

Cashier Validation

Date: _____

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Administration
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

DATE: 8/12/91

William E. Gerber
200 Cockeysville Road
Cockeysville, Maryland 21030

RE:
Case Number: 92-31-XA
614 Cockeysville Road and Williamson Lane
200 Cockeysville Lane
8th Election District - 3rd Councilmanic District
Petitioner(s): William E. Gerber
HEARING: FRIDAY, SEPTEMBER 27, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 145.53 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 103, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21284

887-3353

August 2, 1991

COPY

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 21284 as follows:

Case Number: 92-31-XA
MC Cocksylville Road and Williamson Lane
200 Cocksylville Lane
8th Election District - 3rd Councilmanic
Petitioner(s): William E. Gerber
HEARING: FRIDAY, SEPTEMBER 27, 1991 at 9:00 a.m.

Special Exception for garages-service.
Variance to permit a side yard setback of 7.5 ft. in lieu of the required 30 ft., reduced to 13 ft. by variance granted in Zoning Case 67-54-A; to permit a front yard setback of 5 ft. instead of the required 25 ft.; and to amend the previously approved plans in Zoning Cases 67-54-A and 67-44-A.

J. Robert Hines
Zoning Commissioner of
Baltimore County

cc: William E. Gerber
Edward C. Covahey, Jr., Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21284

887-3353

September 12, 1991

Edward C. Covahey, Esquire
614 Bosley Avenue
Towson, MD 21204

RE: Item No. 21, Case No. 92-31-XA
Petitioner: William E. Gerber
Petition for Special Exception and
Zoning Variance

Dear Mr. Covahey:

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. William E. Gerber
200 Cocksylville Road
Cocksylville, MD 21030

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21284

887-3353

September 12, 1991

Dear Mr. Covahey:

Your petition has been received and accepted for filing this 31st day of July, 1991.

Carl Jablon
ARNOLD JABLON
DIRECTOR

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William E. Gerber
Petitioner's Attorney: Edward C. Covahey

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 11, 1991

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

SUBJ: Gerber Property, Item No. 21

The Hunt Valley area has been the subject of a recent planning study. Although the study is not complete, one of the major objectives for the area is to encourage basic industrial and high quality office park land uses. To seek this end we shall among others, seek improvement in the appearance and function of the area.

Wally Lippincott and Kathy Schlabach of the Planning Office met with the petitioner's representative, Norman Gerber, to review the proposed plan and to ensure that it could meet the intent of the plan which is being developed.

The following changes to the plan were agreed upon:

- (1) Change note 1 on the June 28, 1991 plan to specify 253.2b3.
- (2) The plan must comply with the Baltimore County Landscape Manual
- (3) The use of the property for car storage and repair will be incidental to the truck repair
- (4) If at such time as Williamson Road should become a county road, the existing parking along the private road will be redesigned to prohibit backing out onto the motor way
- (5) Construct a solid fence that provides a 30' setback around the day care facility.

If there should be any questions, or if this office can provide additional information, please contact Wally Lippincott in the Office of Planning at 887-3480.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 24, 1991

TO: Zoning Commissioner
Office of Planning and Zoning

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #21, Zoning Advisory Committee Meeting of July 30, 1991, William E. Gerber, MC Cocksylville Road and Williamson Lane, (#200 Cocksylville Lane), D-8, Public Water and Sewer

COMMENTS ARE AS FOLLOWS:

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.

SSF:mp
21ZNG/GWRMK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
August 15, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 21
PROPERTY OWNER: William E. Gerber
LOCATION: MC Cocksylville Road & Williamson Lane
(#200 Cocksylville Lane)
ELECTION DISTRICT: 8th
COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- (X) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- (X) NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () STORAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER - be in compliance with sections 905.2 and 905.3 of the 1990 BOCA Basic Building Code.

The entire building shall comply with the height and area (see back) PERMITS MAY BE APPLIED FOR 9 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

Rec'd 8/24/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: August 1, 1991

FROM: Robert W. Bowling, P.E.

SUBJECT: Zoning Advisory Committee Meeting
For July 30, 1991

The Developers Engineering Division has reviewed the subject zoning item and we have no comments for items 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 27, 30 and 31.

For Item 10, the extension of public water, sewer and paving may be required, prior to issuance of a building permit for this lot.

For Item 20, the previous County Review Group comments are still applicable.

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

RWB:lc

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: August 30, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

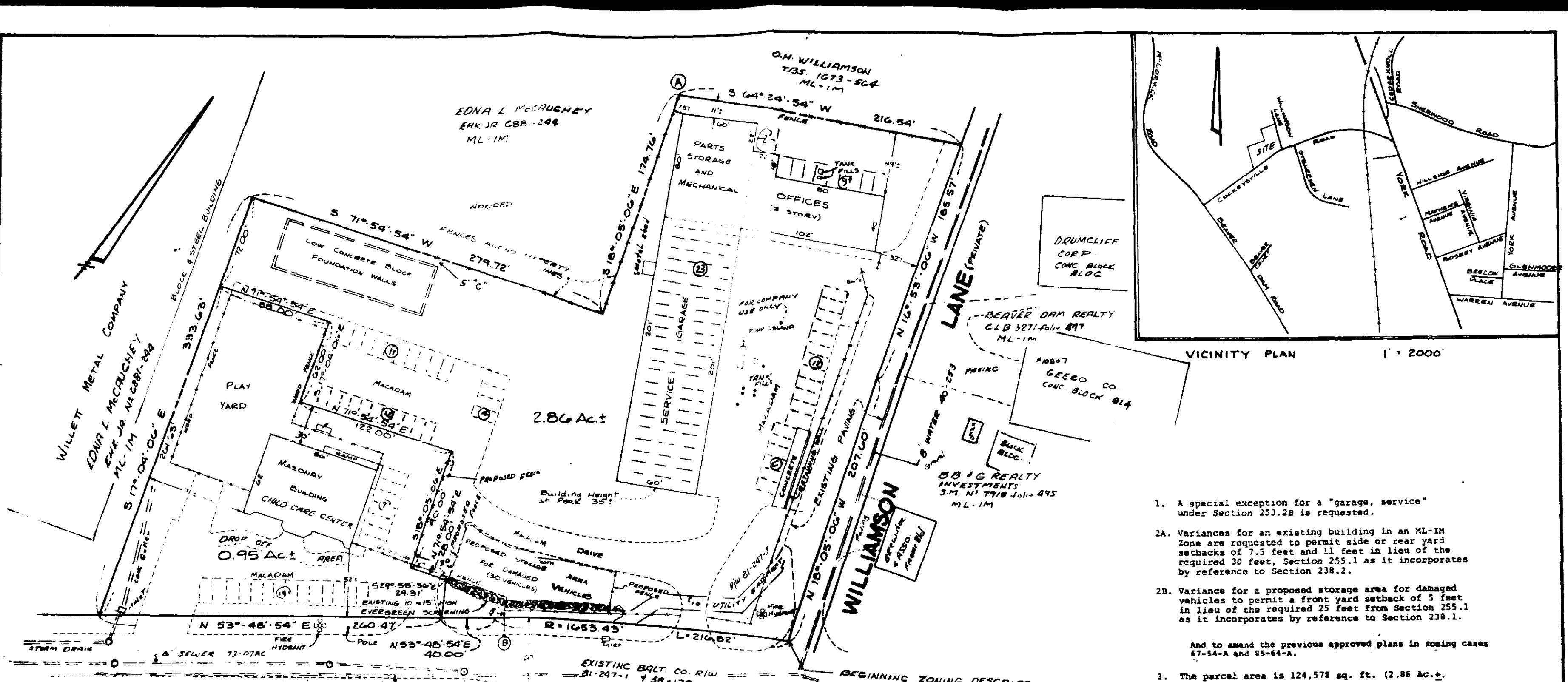
SUBJECT: Z. A. C. Comments
Z. A. C. MEETING DATE: July 30, 1991

This office has no comments for item numbers 505, 3, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30 and 31.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF:bza

Rec'd 9/14/91



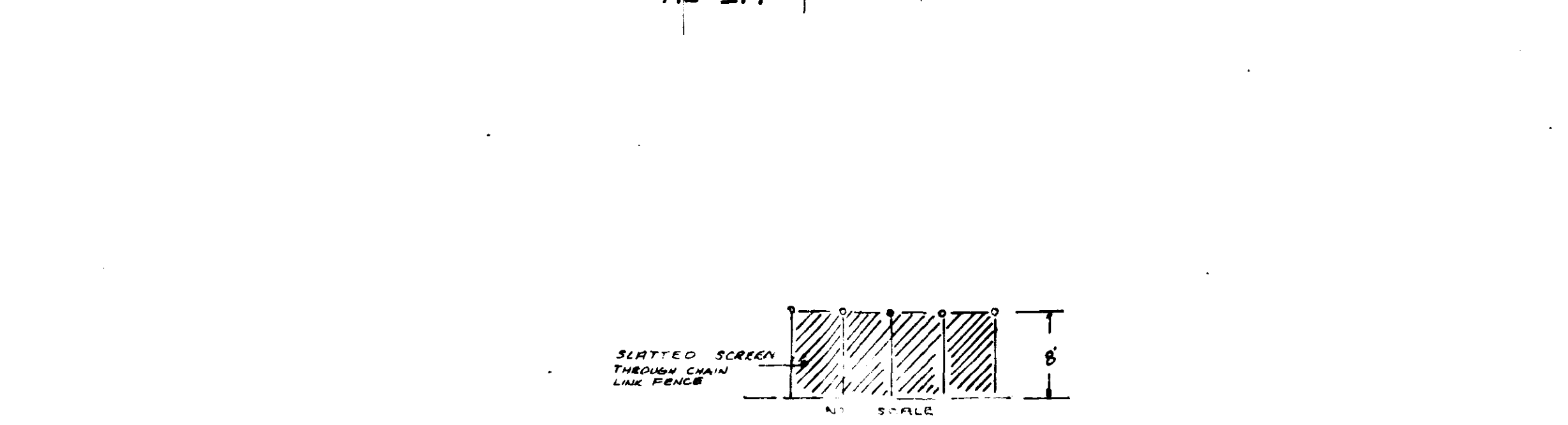
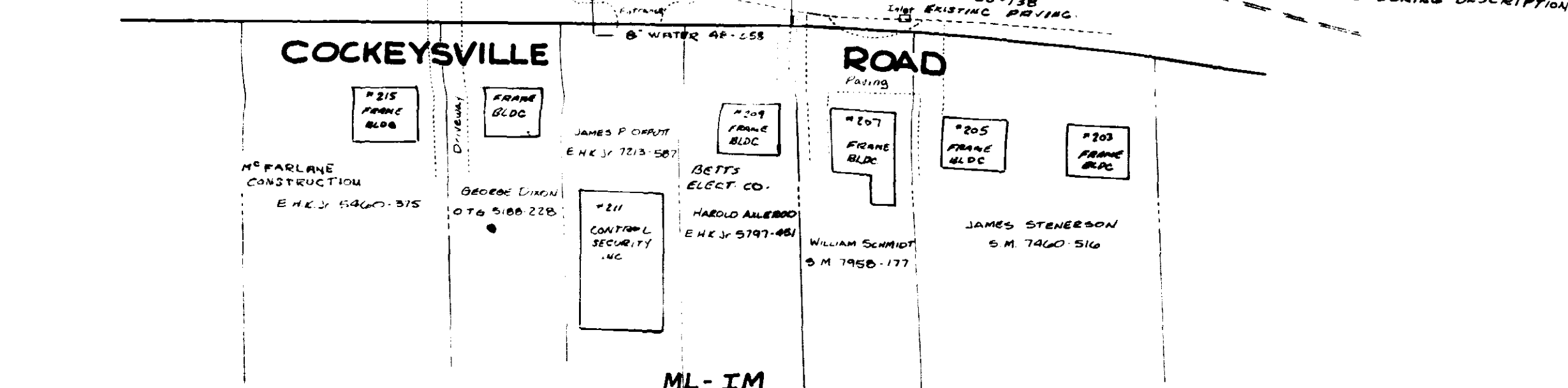
1. A special exception for a "garage, service" under Section 233.2B is requested.
 2. Variances for an existing building in an ML-IM zone are requested to permit side or rear yard setbacks of 7.5 feet and 11 feet in lieu of the required 30 feet, Section 235.1 as it incorporates by reference to Section 238.2.
 - 2B. Variance for a proposed storage area for damaged vehicles to permit a front yard setback of 5 feet in lieu of the required 25 feet from Section 235.1 as it incorporates by reference to Section 238.1.
- And to amend the previous approved plans in zoning cases 87-14-A and 89-24-A.
3. The parcel area is 124,578 sq. ft. (2.86 Ac.).
 4. Off street parking data:
 - A. Offices: 4476 sq. ft. x 3.3 x 1,000 = 15 spaces
 - First Floor: 4476 sq. ft. x 3.3 x 1,000 = 15 spaces
 - B. Garage: 12,640 sq. ft. x 3.3 x 1,000 = 40 spaces
 - C. Storage Area: 1 employee = 1 space
 5. Floor Area Ratio: 25,812 ÷ 124,578 = 0.207
 6. Spaces required 71
 7. Spaces shown 79
 8. Typical space size: 8.5' by 18'
 9. Paving Type: macadam
 10. All parking and maneuvering areas will be permanently striped.
 11. The damaged and disabled automobile storage area shall be paved as required by Section 405.A.2 of the Baltimore County Zoning Regulations.
 12. The drive aisle between the Child Care and Storage Area for Damaged Vehicles use is under same ownership. The lot line is for special exception purposes only.

**SITE PLAN TO ACCOMPANY
PETITION FOR CONFORMATORY
SPECIAL EXCEPTION AND VARIANCES
GERBER PROPERTY
200 COCKEYSVILLE ROAD
LOCATED IN
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DEED REF: E.H.K. J. 6796 folio 627
CONTAINING 3.81 Ac.
ZONED: ML-IM
3RD COUNCILMANIC DISTRICT
OWNER: WILLIAM E. GERBER**

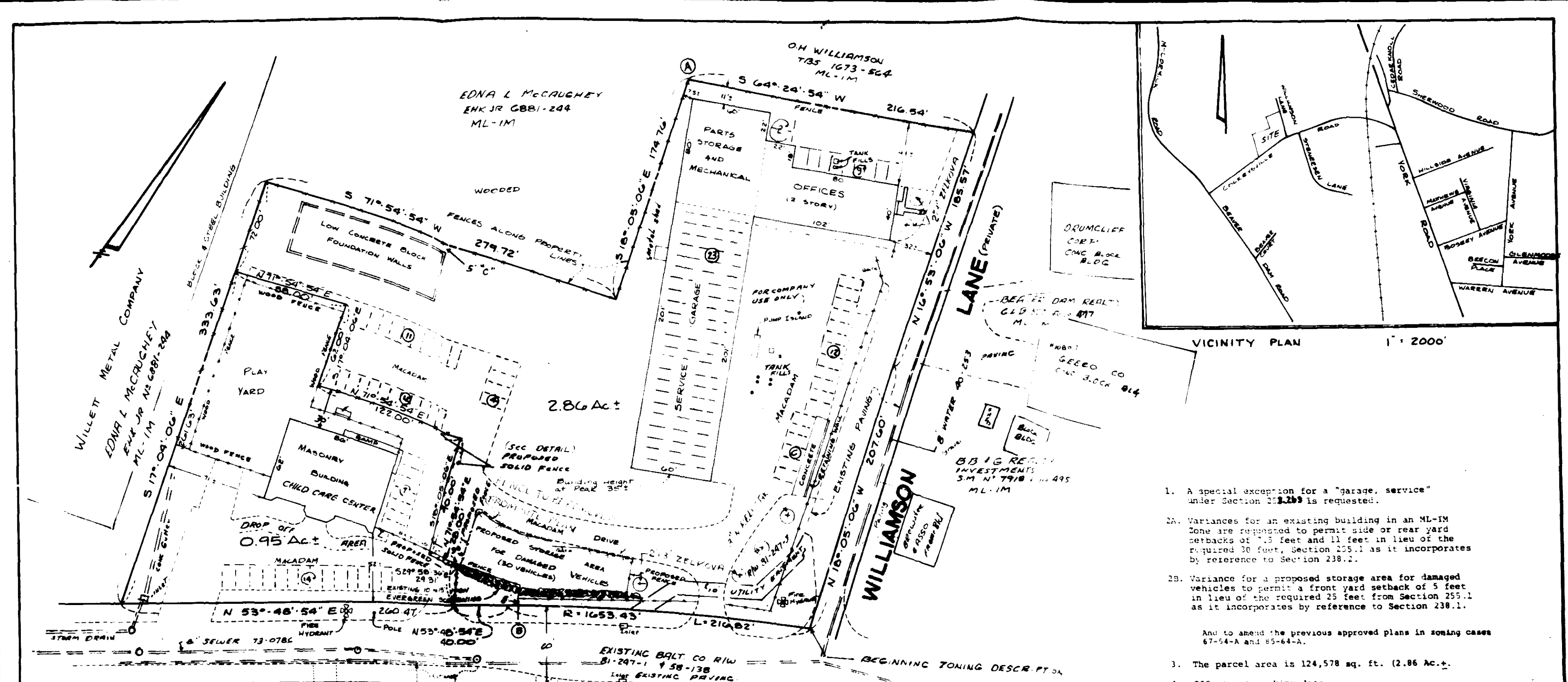
**PETITIONER'S
EXHIBIT 1**

92-31-XA

REVISED JUNE 28, 1991
SCALE 1" = 50' JUNE 20, 1990
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
402 BALTIMORE AVENUE
BALTIMORE, MARYLAND 21202
PHONE: 527-6900



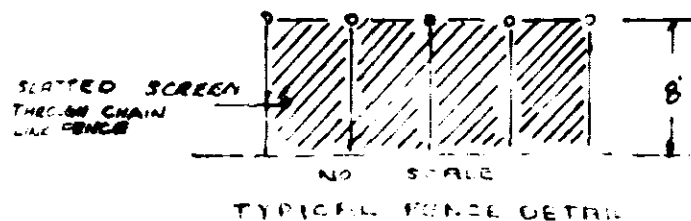
- CHILD CARE CENTER**
1. The parcel area is 41,351 sq. ft. = .95 Ac.
 2. Floor Area Ratio = 5,332 ÷ 41,351 = 0.129
 3. Off Street Parking
Spaces required: 1 space per employee
10 Employees = 10 spaces
Spaces shown 21
- Previous Zoning Hearings
- *67-54-A to permit a rear yard setback of 13.5 feet A. in lieu of 30 feet. Granted Sept. 15, 1966. Subject to approval of site plan by Bureau of Public Services and Planning and Zoning.
 - *85-C-6-A Variance of 5 foot rear yard setback in lieu of 30 feet. C. Granted Sept. 14, 1989.
1. Subject to compliance with comments of Zoning Plans Advisory Committee.
 2. Detailed Site Plan.
 3. Landscaping in accordance with Landscape Manual of Baltimore County, Maryland.



1. A special exception for a "garage, service" under Section 233.2B is requested.
 2. Variances for an existing building in an ML-IM zone are requested to permit side or rear yard setbacks of 7.5 feet and 11 feet in lieu of the required 30 feet, Section 235.1 as it incorporates by reference to Section 238.2.
 - 2B. Variance for a proposed storage area for damaged vehicles to permit a front yard setback of 5 feet in lieu of the required 25 feet from Section 235.1 as it incorporates by reference to Section 238.1.
- And to amend the previous approved plans in zoning cases 87-14-A and 89-24-A.
3. The parcel area is 124,578 sq. ft. (2.86 Ac.).
 4. Off street parking data:
 - A. Offices: 4476 sq. ft. x 3.3 x 1,000 = 15 spaces
 - Second Floor: 4476 sq. ft. x 3.3 x 1,000 = 15 spaces
 - B. Garage: 12,640 sq. ft. x 3.3 x 1,000 = 40 spaces
 - C. Storage Area: 1 employee = 1 space
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**LANDSCAPE PLAN
SITE PLAN TO ACCOMPANY
PETITION FOR CONFORMATORY
SPECIAL EXCEPTION AND VARIANCES
GERBER PROPERTY
200 COCKEYSVILLE ROAD
LOCATED IN
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DEED REF: E.H.K. J. 6796 folio 627
CONTAINING 3.81 Ac.
ZONED: ML-IM
3RD COUNCILMANIC DISTRICT
OWNER: WILLIAM E. GERBER**

21's Exp #1A



- CHILD CARE CENTER**
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 - *85-C-6-A Variance of 5 foot rear yard setback in lieu of 30 feet. C. Granted Sept. 14, 1989.
1. Subject to compliance with comments of Zoning Plans Advisory Committee.
 2. Detailed Site Plan.
 3. Landscaping in accordance with Landscape Manual of Baltimore County, Maryland.
- (FOR TREE PLANTING) November 25, 1991
REVISED JUNE 28, 1991
SCALE 1" = 50' JUNE 20, 1990
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
402 BALTIMORE AVENUE
BALTIMORE, MARYLAND 21202
PHONE: 527-6900



V - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 BM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

[Signature]
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION COCKEYSVILLE	SHEET NW 17-B
DATE OF PHOTOGRAPHY JANUARY 1986	92-31-XA	