

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
 7/3 East Joppa Road, 325' E of \* DEPUTY ZONING COMMISSIONER  
 Seven Courts Road \* OF BALTIMORE COUNTY  
 (4127 E. Joppa Road) \* Case No. 93-224-A  
 11th Election District  
 6th Councilmanic District  
 Jack J. Basel  
 Petitioner

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the owner of the subject property, Jack J. Basel, and the Contract Lessee, Donald Myers, Jr. by and through their attorney, Norman W. Lauenstein, Esquire. The Petitioner requests relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet and 2 feet in lieu of the required 30 feet for each, and a rear yard setback of 16 feet in lieu of the required 30 feet. The Petitioner also requests relief from Section 409.8.A.6 of the B.C.Z.R. to permit two "blind" parking spaces in a dead-end aisle without a back-up area, and a variance from Section 409.4.C of the B.C.Z.R. to permit basement and roof parking areas to utilize 21-foot aisles for 90 degree parking in lieu of the required 22 feet. The relief requested is more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Donald Myers, Jr., Contract Lessee, and Clyde F. Hinkle with Rafitis and Associates, Inc., who prepared the site plan of the subject property. The Petitioner was represented by Norman W. Lauenstein, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 4127 East Joppa Road, consists of 0.3190 acres, more or less, zoned B.R. and is improved with a one-story building which has been the site of an automo-

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 Date 1/15/93  
 By [Signature]

bile body repair and paint shop, known as Perry Hall Auto Body & Fender, for the past nine years. The Petitioner is desirous of modernizing the property with a new two-story building in accordance with Petitioner's Exhibit 1 for the purposes of continuing his operation. The proposed building and improvements will substantially improve the subject site and make for a much nicer appearance.

There were no Protestants at the hearing and no adverse comments submitted by any agency of Baltimore County.

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, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special

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 Date 1/15/93  
 By [Signature]

circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of February, 1993 that the Petition for Zoning Variance requesting relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet and 2 feet in lieu of the required 30 feet for each, and a rear yard setback of 16 feet in lieu of the required 30 feet; a variance from Section 409.8.A.6 of the B.C.Z.R. to permit two "blind" parking spaces in a dead-end aisle without a back-up area; and a variance from Section 409.4.C of the B.C.Z.R. to permit basement and roof parking areas to utilize 21-foot aisles for 90 degree parking in lieu of the required 22 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return,

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 Date 1/15/93  
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and be responsible for returning, said property to its original condition.

[Signature]  
 TIMOTHY M. ROTROCK  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjc

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 Date 1/15/93  
 By [Signature]

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning  
 Suite 113 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204 (410) 887-4386

February 18, 1993

Norman W. Lauenstein, Esquire  
 909 Eastern Boulevard  
 Baltimore, Maryland 21221  
 RE: PETITION FOR ZONING VARIANCE  
 S/S East Joppa Road, 325' E of Seven Courts Drive  
 (4127 E. Joppa Road)  
 11th Election District - 6th Councilmanic District  
 Jack J. Basel - Petitioner  
 Case No. 93-224-A

Dear Mr. Lauenstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,  
 [Signature]  
 TIMOTHY M. ROTROCK  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjc  
 cc: Mr. Donald Myers, Jr.  
 4127 East Joppa Road, Perry Hall, Md. 21128  
 People's Counsel

**Petition for Variance** 234  
 93-224-A  
 to the Zoning Commissioner of Baltimore County  
 for the property located at 4127 East Joppa Road  
 which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property shown 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(s) 238.2 B.C.Z.R.  
 To allow a side yard of 20' and 2' in lieu of the required 30' and Section 238.2  
 To allow a rear yard of 16' in lieu of the required 30' To allow two "blind" parking spaces in a dead end aisle without backup area section 409.8.A.6 B.C.Z.R. To allow basement and roof parking areas to utilize 21' aisles for 90' parking in lieu of required 22' section 409.4.C B.C.Z.R.  
 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Due to the narrow width of this site, development would be prohibited due to side yard requirements, and the shallow depth of the site in combination with meeting the required front yard setback and irregular depth of the site severely restrict the available developable depth in combination generating hardship and practical difficulty.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertisement, 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.

<p>Legal Owner(s):          Donald Myers          [Signature]          4127 East Joppa Road          Baltimore Maryland 21128</p>	<p>Legal Owner(s):          Jack J. Basel          [Signature]          4127 East Joppa Road          Baltimore Maryland 21128</p>
<p>Address for Petitioner:          Norman W. Lauenstein          [Signature]          909 Eastern Boulevard          Baltimore Maryland 21221</p>	<p>Address:          1342 Riverside Avenue          Baltimore Maryland 21221</p>
<p>Address:          802 Eastern Boulevard          Baltimore Maryland 21221</p>	<p>Address:          Rafitis and Associates, Inc. (Clyde F. Hinkle)          1249 Engleberth Road          Baltimore Maryland 410-901-2336</p>

ORDER RECEIVED FOR FILING  
 Date 1/15/93  
 By [Signature]

Rafitis & Associates, Inc.  
 234

November 5, 1992  
**ZONING DESCRIPTION**  
 4127 East Joppa Road  
 Beginning at a point on the south side of East Joppa Road which is 89.75 feet wide at the distance of 325 feet east of the centerline of the nearest improved intersecting street, Seven Courts Road, which is 70 feet wide. Thence the following courses and distances:

- S. 20°43'03"E. 180.58 feet, N. 61°39'57"W. 63.82 feet, W. 21°01'03"W. 46.33 feet.
- N. 20°43'03"W. 121.08 feet, and S. 73°33'25"W. 63.19 feet to the place of beginning as recorded in deed Liber 5087, Folio 222.

Containing 11,050.74 S.F. (0.2537 Ac.) of land more or less and being known as 4127 East Joppa Road.

[Signature]  
 William N. Rafitis, P.E.  
 MD Reg. No. 11641

93-224-A

**CERTIFICATE OF POSTING** 93-224-A  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland  
 District: 11A Date of Posting: 1/22/93  
 Posted for: [Signature]  
 Petitioner: Jack Basel & Donald Myers  
 Location of property: S/S East Joppa Rd., 325' E of Seven Courts Rd.  
 Location of Sign: [Signature]  
 Remarks:  
 Posted by: [Signature] Date of return: 1/22/93  
 Number of Signs: 1

**CERTIFICATE OF PUBLICATION**  
 TOWSON, MD., 1993  
 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 1 successive weeks, the first publication appearing on 1/22, 1993  
 THE JEFFERSONIAN,  
 S. Zebe Publisher

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

234

RECEIVED

FOR: PETITION FOR VARIANCE

DATE: 1/20/93

AMOUNT: \$250.00

PAID TO: DAN RUDOLPH, CLERK

VALIDATION ON DEPARTMENT OF CASHERS

93-224-A

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21284

Account: R-001-6180  
Number

Date: 1/08/93

H9300234

PUBLIC HEARING FEES	QTY	PRICE
080 - ZONING VARIANCE (OTHER)	1 X	\$250.00
TOTAL:		\$250.00

LAST NAME OF OWNER: BASEL

Please Make Checks Payable To: Baltimore County

Cashier Validation

Receipt

Account: R-001-6180  
Number

Date: 1/08/93

H9300234

93-224  
HPD-219

PUBLIC HEARING FEES	QTY	PRICE
080 - ZONING VARIANCE (OTHER)	1 X	\$250.00
TOTAL:		\$250.00

LAST NAME OF OWNER: BASEL

PERRY HALL AUTO BODY

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 2-2-93

Donald Myers  
4127 E. Joppa Road  
Baltimore, Maryland 21286

RE: CASE NUMBER: 93-224-A (Item 234)  
5/8 E. Joppa Road, 325' E of Seven Courts Road  
4127 E. Joppa Road  
11th Election District - 6th Councilmanic  
Legal Owner(s): Jack J. Basel  
Lessee: Donald Myers  
HEARING: TUESDAY, FEBRUARY 9, 1993 at 11:30 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 70.05 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE HEARING 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 forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make sure payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon  
DIRECTOR

cc: Norman W. Lauenstein, Esq.

Baltimore County Government  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

JAN 13 1993

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, 014 Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-224-A (Item 234)  
5/8 E. Joppa Road, 325' E of Seven Courts Road  
4127 E. Joppa Road  
11th Election District - 6th Councilmanic  
Legal Owner(s): Jack J. Basel  
Lessee: Donald Myers  
HEARING: TUESDAY, FEBRUARY 9, 1993 at 11:30 a.m. in Rm. 106, Office Building.

Variance to allow a side yard of 20 feet (more or less) and 2 feet (more or less) in lieu of the required 30 feet; to allow a rear yard of 16 feet (more or less) in lieu of the required 30 feet; to allow two "blind" parking spaces in a dead end aisle without back-up area; to allow basement and roof parking areas to utilize 21 foot aisles for 90-degree parking in lieu of required 22 feet.

Arnold Jablon  
DIRECTOR

cc: Jack J. Basel  
Donald Myers  
Norman W. Lauenstein, Esq.  
Bafitis and Associates, Inc.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 26, 1993

Norman W. Lauenstein, Esquire  
809 Eastern Boulevard  
Baltimore, MD 21221

RE: Case No. 93-224-A, Item No. 234  
Petitioner: Jack J. Basel, et al  
Petition for Variance

Dear Mr. Lauenstein:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 7th day of January 1993.

Arnold Jablon  
DIRECTOR

Received By:  
W. Carl Richard Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Jack J. Basel, et al  
Petitioner's Attorney: Norman W. Lauenstein, Esquire

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: January 20, 1993

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

SUBJECT: Petitions from Zoning Advisory Committee  
(January 19, 1993)

The Office of Planning and Zoning has no comments on the following petition(s):

William and Jeanette Clark, Item No. 221  
Zigmas and Ona Bucovicus, Item No. 224  
Ronald and Norma Jewell, Item No. 225  
Steven and Deborah Benson, Item No. 226  
Louis Slabotinek, Item No. 232  
Jack J. Basel, Item No. 234

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

Prepared by: Francis Morsey

Division Chief: \_\_\_\_\_

PK/PN:rdn

221.ZAC/ZAC1

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

January 18, 1993

Ms. Julie Winiarski  
Zoning Administration and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. +234 (Leo)  
US 1  
Jones Car Wash

Dear Ms. Winiarski:

This office has reviewed the referenced item and offer the following:

We have no objection to approval of the variance request to allow a car wash in a B.L. Zone and to allow a drive lane in a D.R. Zone.

However, we have had the opportunity to review both the concept plan and development plan for this development and have provided our comments in a letter dated January 13th to Robert Covahy, Chief of the Bureau of Public Services, regarding the access onto a State highway and on-site development.

If you have any questions, please contact Bob Small of this office at 410-333-1350.

Thank you for the opportunity to review this plan.

Very truly yours,  
John Contestable, Chief  
Engineering Access Permits  
Division

BS:maw

My telephone number is 410-333-1350 (Fax# 333-1041)

383-7555 Baltimore Metro - 345-0451 D.C. Metro - 1-800-492-5883 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JACK J. BASEL  
Location: #4127 EAST JOFFA ROAD  
Item No.: +234 (LEO) Zoning Agenda: JANUARY 19, 1993

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.

REVIEWERS: Carl J. Quinn Noted and Approved JP  
Planning & Zoning Fire Prevention Bureau  
Special Inspection Division

JP/KEK

DPW/Developers Engineering Division (Public Services) 01/27/93  
Development Review Committee Response Form  
Authorized signature John A. Kennedy Date 2/1/93

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Zygnas J. And Ona E. Bucevicius	224		1-19-93 NC
DED DEPRM RP STP TE	Ronald D. And Norma J. Jewell	225		NC
DED DEPRM RP STP TE	Steven P. and Deborah J. Benson	226		NC
DED DEPRM RP STP TE	Deereco Limited Partnership	227		NC
DED DEPRM RP STP TE	James R. and Cecile Myrick	228		NC
DED DEPRM RP STP TE	Goucher Woods Development, Inc.	229		NC
DED DEPRM RP STP TE	Connelly Funeral Home	230		Comment
DED DEPRM RP STP TE	Orville M. Jones	231		NC
DED DEPRM RP STP TE	Louis A. Slavotinek	232		NC
DED DEPRM RP STP TE	Jack J. Basel	234		NC
COUNT 10				
DED DEPRM RP STP TE	G & R No. 3, Inc.	233		1-25-93
DED DEPRM RP STP TE	Congregation Darchei Tzedek, Inc.	235		comment

DP2/Strategic Planning (Design Review Section) 01/27/93  
Development Review Committee Response Form  
Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Connelly Funeral Home	230	Comment	1-19-93
DED DEPRM RP STP TE	Orville M. Jones	231	NC	
DED DEPRM RP STP TE	Louis A. Slavotinek	232	NC	
DED DEPRM RP STP TE	Jack J. Basel	234	NC	
COUNT 10				
DED DEPRM RP STP TE	G & R No. 3, Inc.	233	Comment	1-25-93
DED DEPRM RP STP TE	Congregation Darchei Tzedek, Inc.	235		
DED DEPRM RP STP TE	Francis M. and Phyllis K. Coppersmith	236	NC	
DED DEPRM RP STP TE	John W. Armacost, Jr., Trustee	237	NC	
DED DEPRM RP STP TE	Michael I. and Gail G. Brooks	238	NC	
DED DEPRM RP STP TE	Richard P. and Lenore E. Koors	243	NC	
DED DEPRM RP STP TE	Charles H. and Beatrice G. Payne	245	NC	

Department of Environmental Protection & Resource Management 01/27/93  
Development Review Committee Response Form  
Authorized signature John A. Kennedy Date 2-1-93

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Louis A. Slavotinek	232		1-19-93 NO COMMENTS
DED DEPRM RP STP TE	Jack J. Basel	234		NO COMMENTS
COUNT 10				
DED DEPRM RP STP TE	G & R No. 3, Inc.	233		1-25-93 In process
DED DEPRM RP STP TE	Congregation Darchei Tzedek, Inc.	235		In process
DED DEPRM RP STP TE	Francis M. and Phyllis K. Coppersmith	236		In process
DED DEPRM RP STP TE	John W. Armacost, Jr., Trustee	237		In process
DED DEPRM RP STP TE	Michael I. and Gail G. Brooks	238		In process
DED DEPRM RP STP TE	Steven E. Meconi	242		In process
DED DEPRM RP STP TE	Richard P. and Lenore E. Koors	243		In process
DED DEPRM RP STP TE	Charles H. and Beatrice G. Payne	245		In process
DED DEPRM RP STP TE	Carl T. and Edward V. Julio	246		In process
DED DEPRM RP STP TE		244		IN PROCESS
DED DEPRM RP STP TE		251		IN PROCESS

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

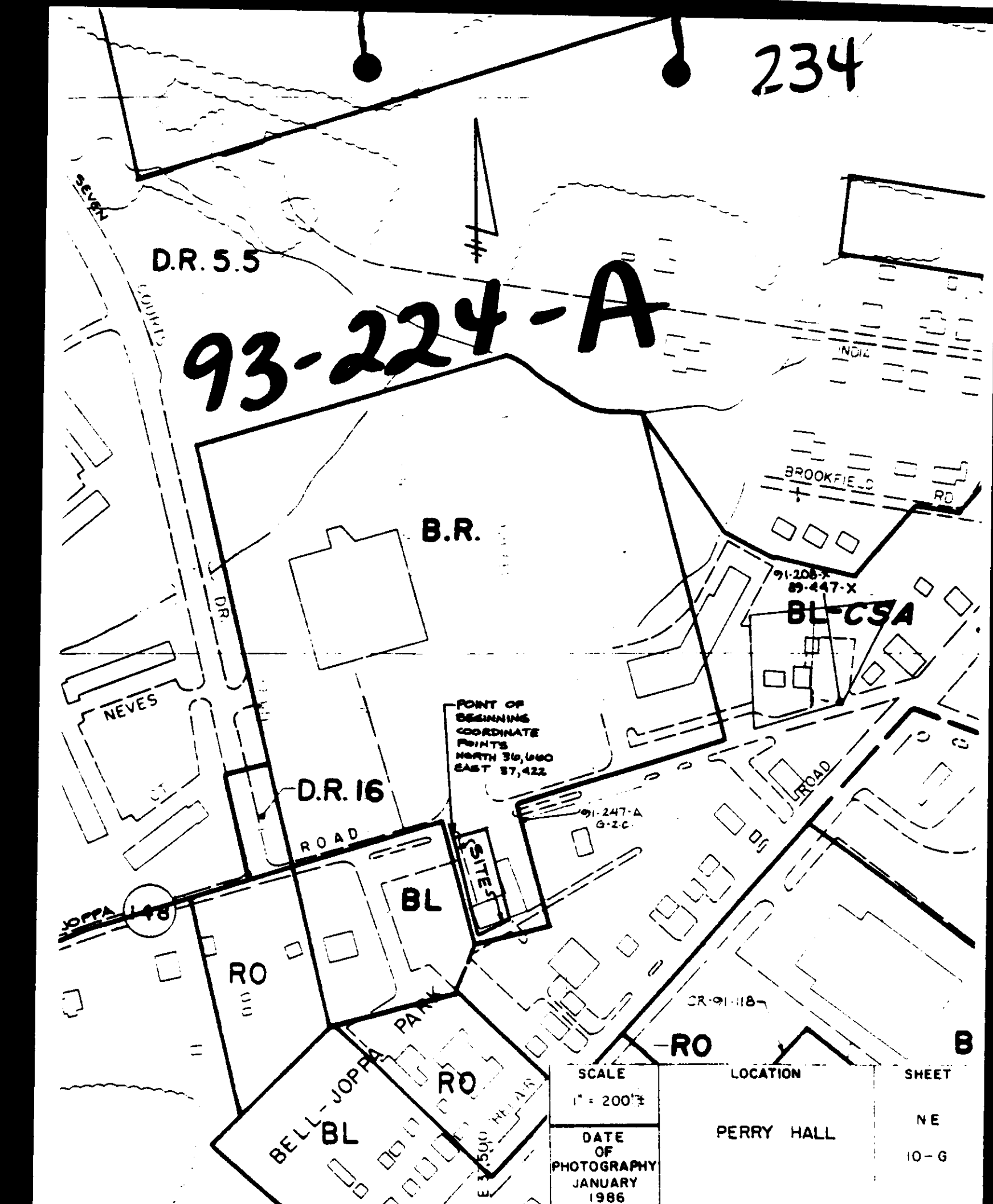
NAME	ADDRESS
<u>Ronald Myers</u>	<u>4855 Howard Cemetery Rd</u>
<u>Andy Hinkle</u>	<u>1209 Englehardt Rd</u>
<u>Stephen W. Kuntz</u>	<u>809 Eastern Blvd East 212</u>

Petitioner's Exhibits 3A-3J  
photographs  
Case 93-224-571A

PERRY HALL  
AUTO BODY



SCALE 1" = 200' ±  
LOCATION PERRY HALL  
SHEET N.E. 234  
DATE OF PHOTOGRAPHY JANUARY 1986



- GENERAL NOTES**
- Topography shown herein is field run, 1992.
  - This site has no one-hundred-year floodplains or flood areas riverine or tidal.
  - This site has no tidal or non-tidal wetlands.
  - There are no buildings, property or sites within or contiguous to the proposed development included on the Maryland Historical Trust Inventory of Historic Properties, the National Register of Historic Places, the Maryland Archaeological Survey, or the National Register of Historic Places covering the proposed development.
  - There are no known underground storage tanks on this site.
  - There are no known hazardous materials buried within this site.
  - There are no known wells or septic areas on this site.
  - Storm Water Management:
    - A waiver of Quantity Management requirements was granted September 1, 1992.
    - Requirements regarding Water Quality Management will be addressed prior to the issuance of building permits.
  - Variations Requested:
    - Side Yard: To allow a side yard of 20' and 2' in lieu of the required 30' section 238.2 BCR.
    - Rear Yard: To allow a rear yard of 16' in lieu of the required 30' section 238.2 BCR.
    - Parking: To allow two "blind" parking spaces in a dead end aisle without backup area section 409.8.A.4 BCR. To allow basement and roof parking areas to utilize 2' aisles for 90° parking in lieu of required 22' section 409.4.C BCR.
  - Parking spaces not within the service bays will not be utilized for servicing vehicles.
  - All parking spaces will be permanently striped.

**BENCHMARK: 7/8" IRON BAR FLUSH TO BACK EDGE OF SIDEWALK ON THE SOUTHWEST SIDE OF BELAIR ROAD - 800' S. OF EBENEZER ROAD. TRAVERSE STATION HUB NO. 10652. ELEVATION = 231.096**

**SITE DATA (CONTINUED)**

**Parking Required**

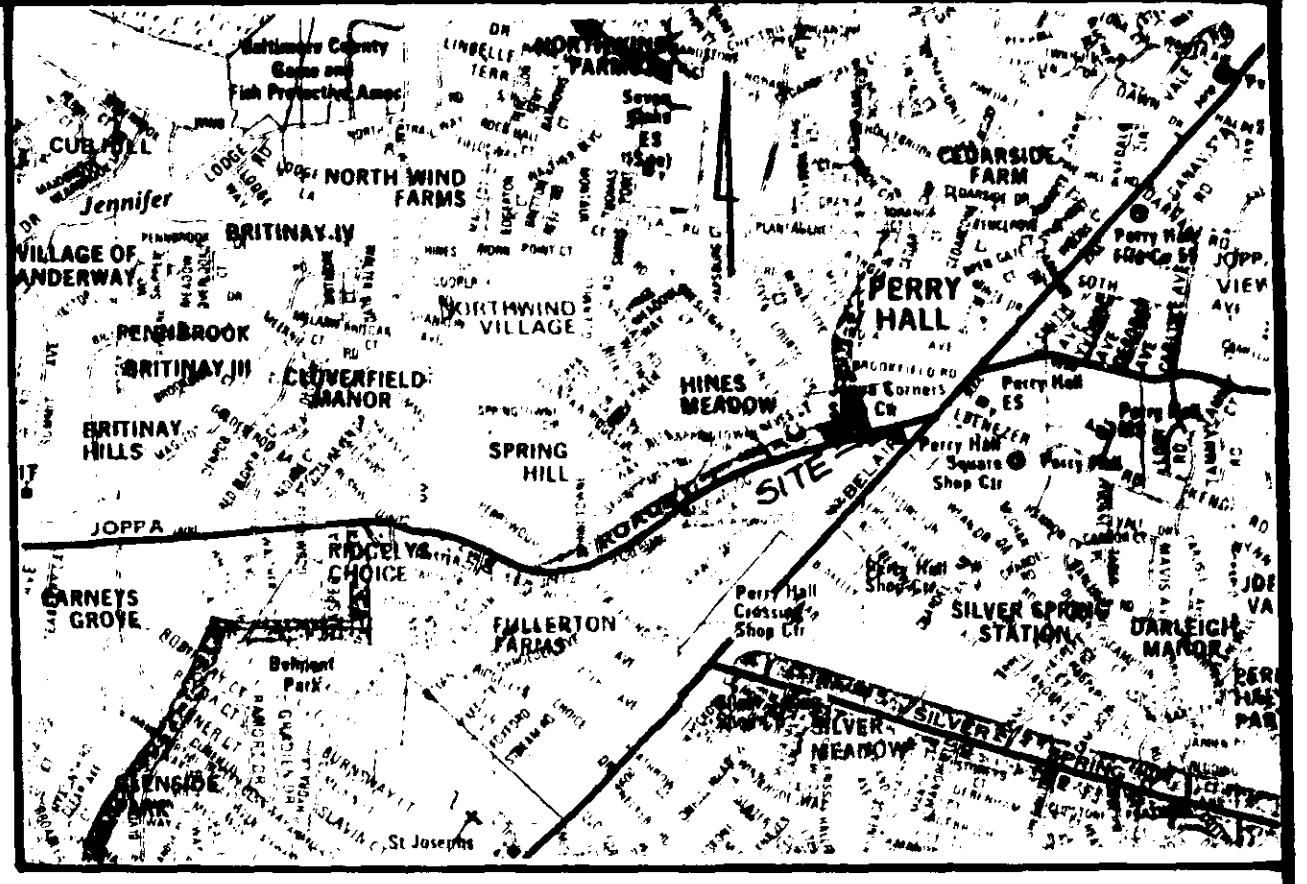
4444 S.F.	
3.5 P.S./1000 S.F.	
3.5 X 4.44 = 15.54 P.S.	16 P.S.
2nd Floor Office = 770 S.F.	
Employee Lounge = 770 S.F.	
1540 S.F.	
3.5 X 1.54 = 5.39 P.S.	5 P.S.
	21 P.S.

**Parking Provided**

11 Bays	
1 P.S./Bay = 9 P.S.	
Basement Level = 9 P.S.	
Second Level = 10 P.S.	
Exterior = 2 P.S.	
Proposed 31 P.S. Total	

**Required Landscaping**

Adjacent Road 53.13	1.6
Interior Road 160	8.0
70	
Required	9.6 may 10 total
Major Trees (50A) = 5	
Minor Trees = 5	
Total Proposed = 10 Total	
Paving Area = 4,900 S.F.	
Required Landscaping = 78 X 4,900 = 383 S.F.	
1 planting per 17 parking spaces = 4/12 = 0.33 may 3.0 (Major)	
Total trees required: Major 6	
Minor 10	
Proposed 11 Total	



**VICINITY MAP**  
SCALE 1" = 2000'

**SITE DATA**

**Owner:** Jack A. Babel  
1342 Ravenridge Avenue  
Baltimore, Maryland 21221

**Applicant:** Donald Myers  
417 East Joppa Road  
Perry Hall, Maryland 21128  
410 529-1954

**Site Area:** Net = 11,059.74 = 0.2532 Ac.  
Gross = 13,474 = 0.3190 Ac.

**Existing Zoning:** BR

**Existing Use:** Automobile Body Repair and Paint Shop & PARKING

**Proposed Use:** Automobile Body Repair and Paint Shop & Parking

**Proposed Maximum Height of Buildings:** 35'

**Tax Account Number:** 16-00-006649

**Deed Reference:** 5081722

**Election District:** 11

**Councilmanic District:** 6

**Census Tract:** 4114.02

**Watershed:** 6

**Subwatershed:** 22

**Water Designation:** M-17A

**Sewer Designation:** S-17A

**Average Daily Trip:**

4444 x 1.540 S.F. = 6,844
5,984 x 2.5 x 10 = 149,600 trips
(based on automotive car centers)

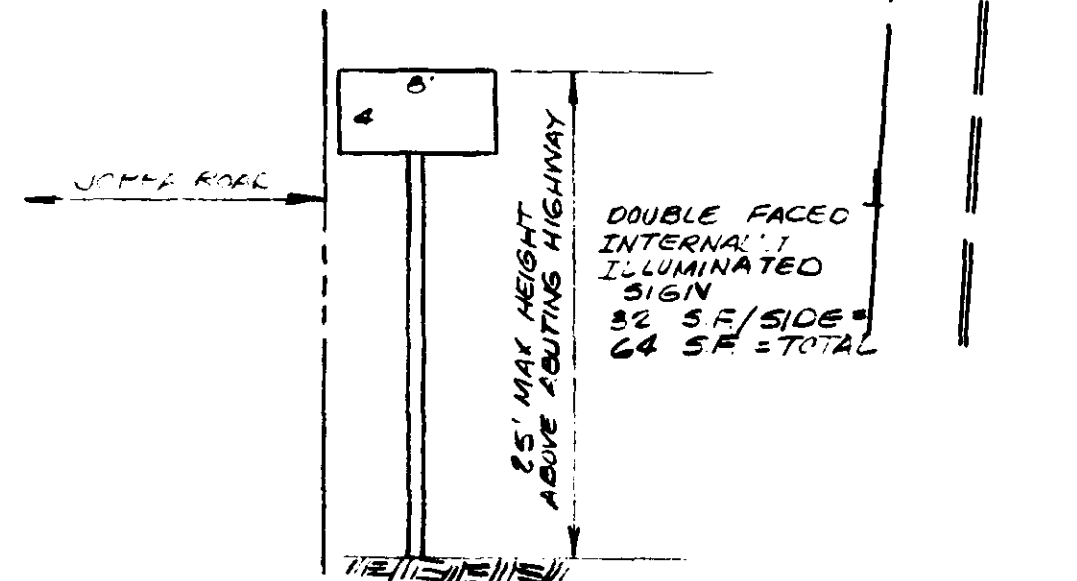
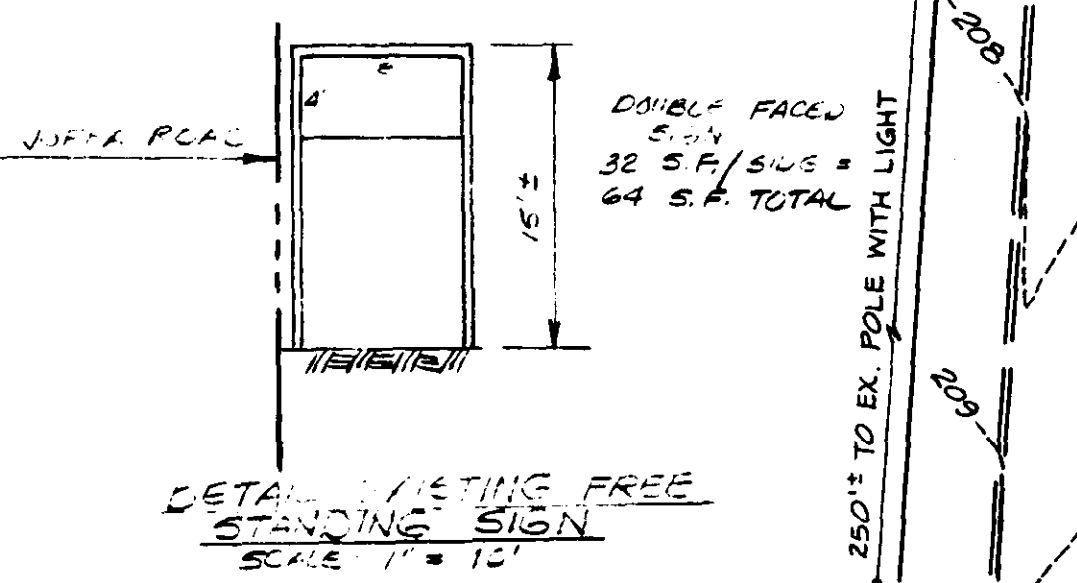
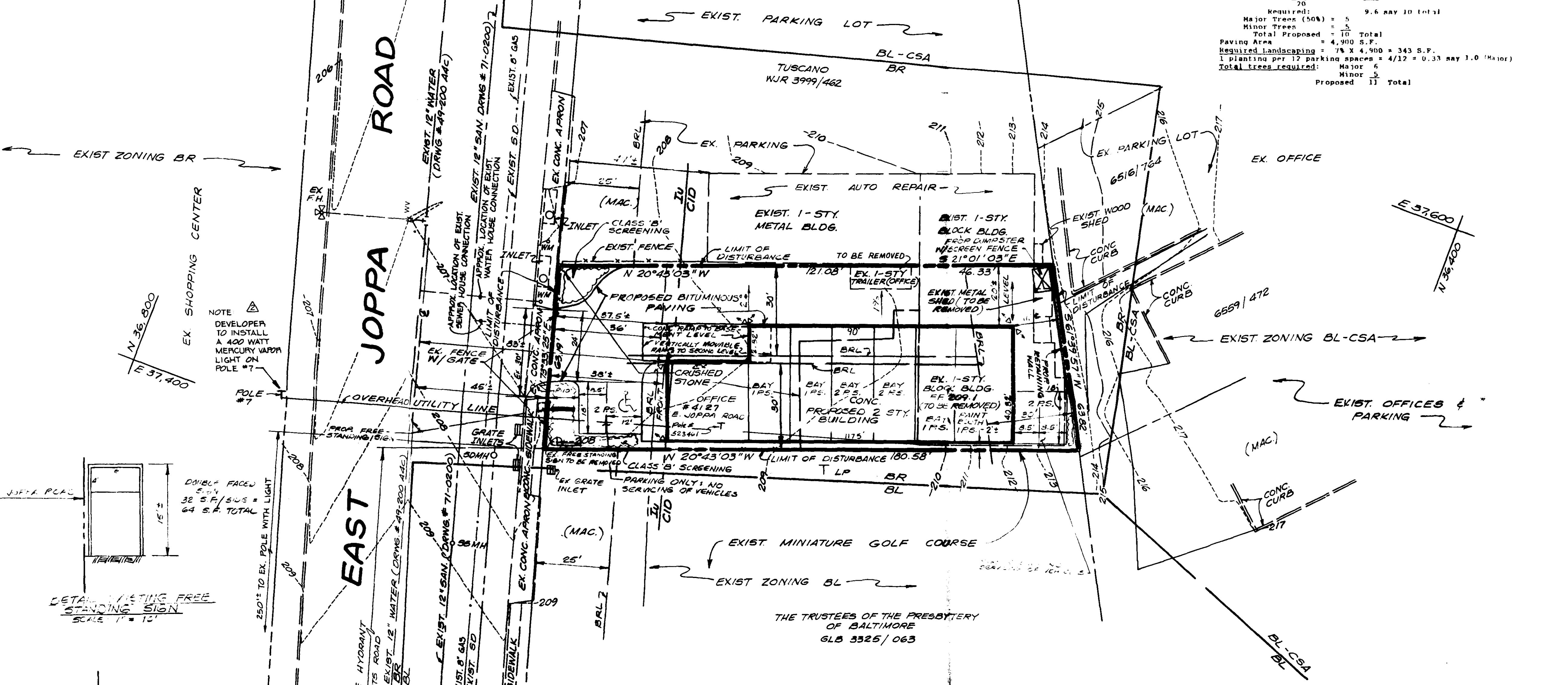
**Proposed Building Area:**

Basement Lounge	770 S.F.
Basement Parking	3,078 S.F.
First Floor	4,444 S.F.
Second Floor Office	770 S.F.
Second Floor Parking	3,078 S.F.
Total Floor Area	11,112 S.F.

**Floor Area Ratio**

Floor Area Ratio Allowed	7.0
Floor Area Ratio Proposed	9.658
Gross Building Area	13,332
Gross Site Area	13,894

(SITE DATA CONTINUED)

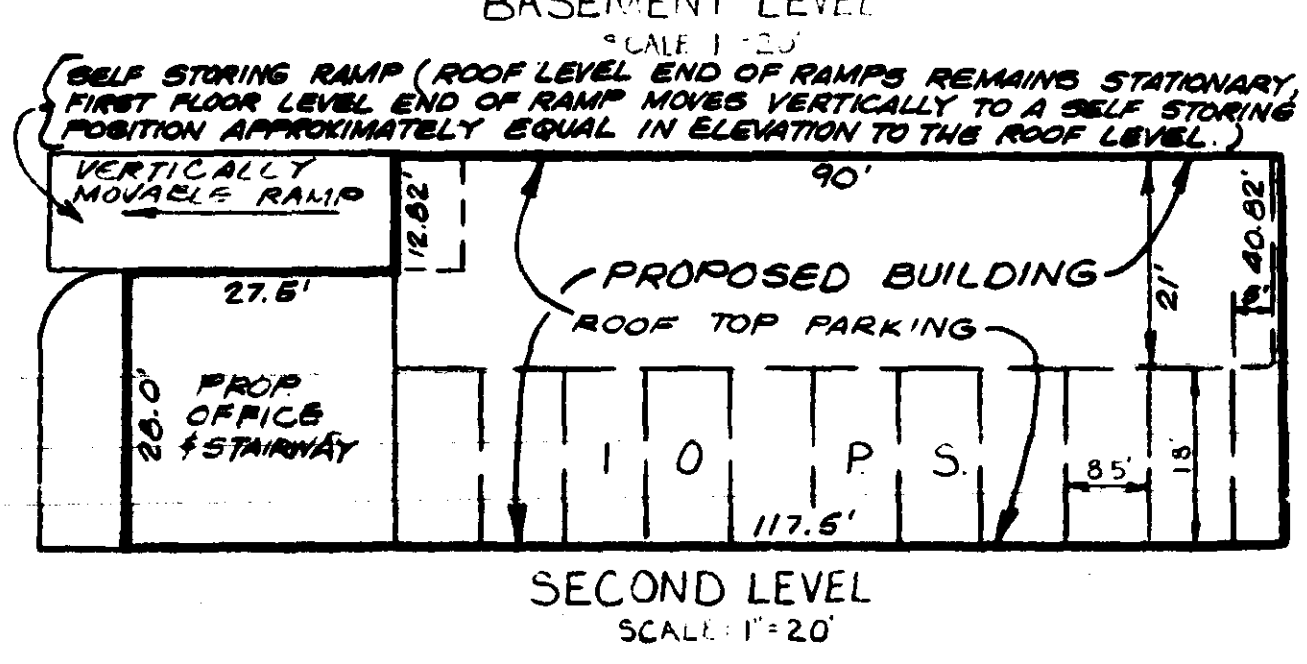
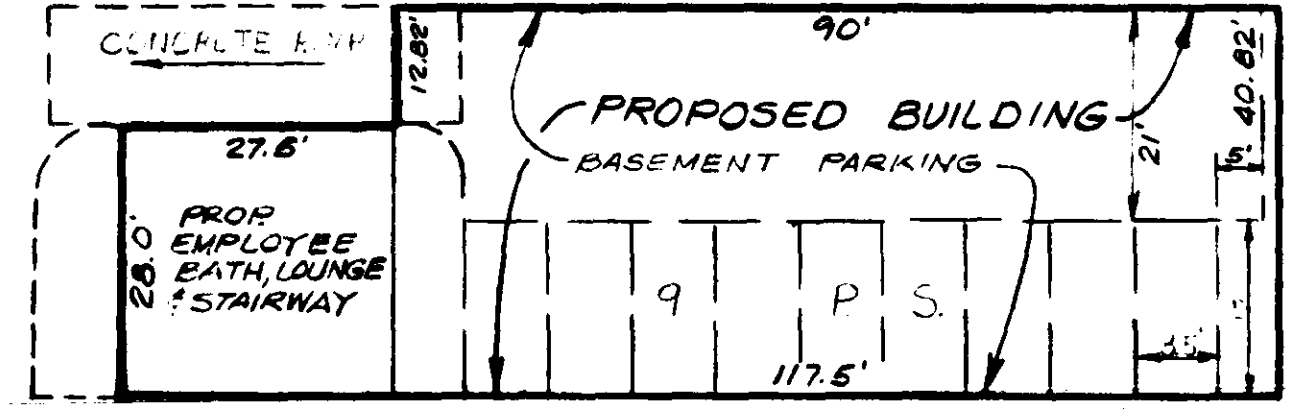


**SOILS LIMITATIONS CHART**

Type	Series	With Basement	Without Basement	Streets and Parking Lot	Class
Iu	Iuka	severe: flooding hazard	severe: flooding hazard	severe: flooding hazard	C
CID	Chillum	slight to moderate: slope	slight to moderate: slope	severe: slope	C

IuD - Iuka silt loam  
CID - Chillum - urban land complex, 5 to 15 percent slopes

FROM THE BALTIMORE COUNTY SOILS SURVEY



**DETERMINATION OF FRONT YARD SETBACK REQUIRED**

- SETBACK OF EXISTING PERMANENT COMMERCIAL BUILDINGS WITHIN 100' OF SUBJECT SITE. = 47'
- BR-ZONING FRONT YARD SETBACK. = 25'

72 + 2 = AVERAGE = 36'

- LEGEND**
- T BOUNDARY LINE
  - 0 WV LIGHT POLE / UTILITY POLE
  - 0 30MM WATER VALVE
  - 0 30MM SANITARY SEWER MANHOLE
  - 0 30 FH EXIST CONTOURS
  - 0 30MM FIRE HYDRANT
  - 0 30MM STORM DRAIN MANHOLE
  - 0 WV WATER METER
  - JV LOT LINES
  - CID SOILS LINE
  - PROF LIGHTING

**CERTIFICATION AS TO DELINQUENT ADJUSTS**

This Certification is submitted in connection with the development known as **417 EAST JOPPA ROAD** and is given in accordance with the provisions of section 22-55 (c) of the Baltimore County Code, 1978, as amended.

I, **DONALD MYERS**, now make oath that to the best of my knowledge and belief there are no delinquent accounts for any other development due and owed Baltimore County, Maryland by the applicant, a person with a financial interest in the proposed development, or any person who will perform contractual services on behalf of the proposed development.

Notary Public

**NOTARY PUBLIC STATE OF MARYLAND**  
My Commission Expires March 23, 1996

**NOTE:**  
If applicant is a corporation, this certification must be completed by an authorized officer; and if applicant is a partnership or joint venture, it must be completed by a general partner or venture or an officer thereof, if the partner or venture is a corporation.

**Pet Ex #1**

William N. Bafitis, P.E.  
301-391-2336

Bafitis & Associates, Inc.  
Civil Engineers / Land Planners / Surveyors  
1249 Englebert Rd. Baltimore, Md. 21221

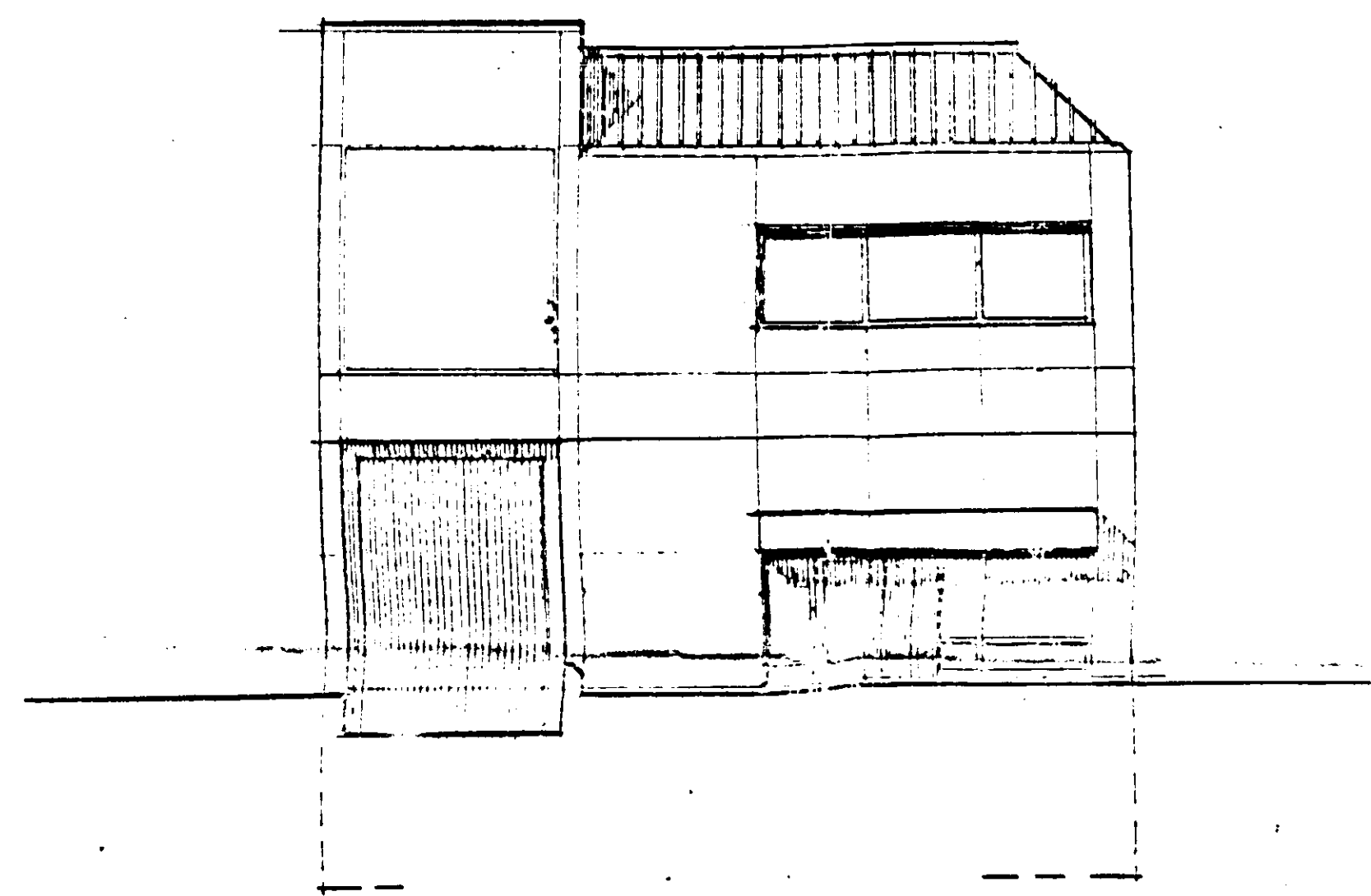
**PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE/DEVELOPMENT PLAN FOR PERRY HALL AUTO BODY & FENDER**

**4127 EAST JOPPA ROAD**  
11 ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

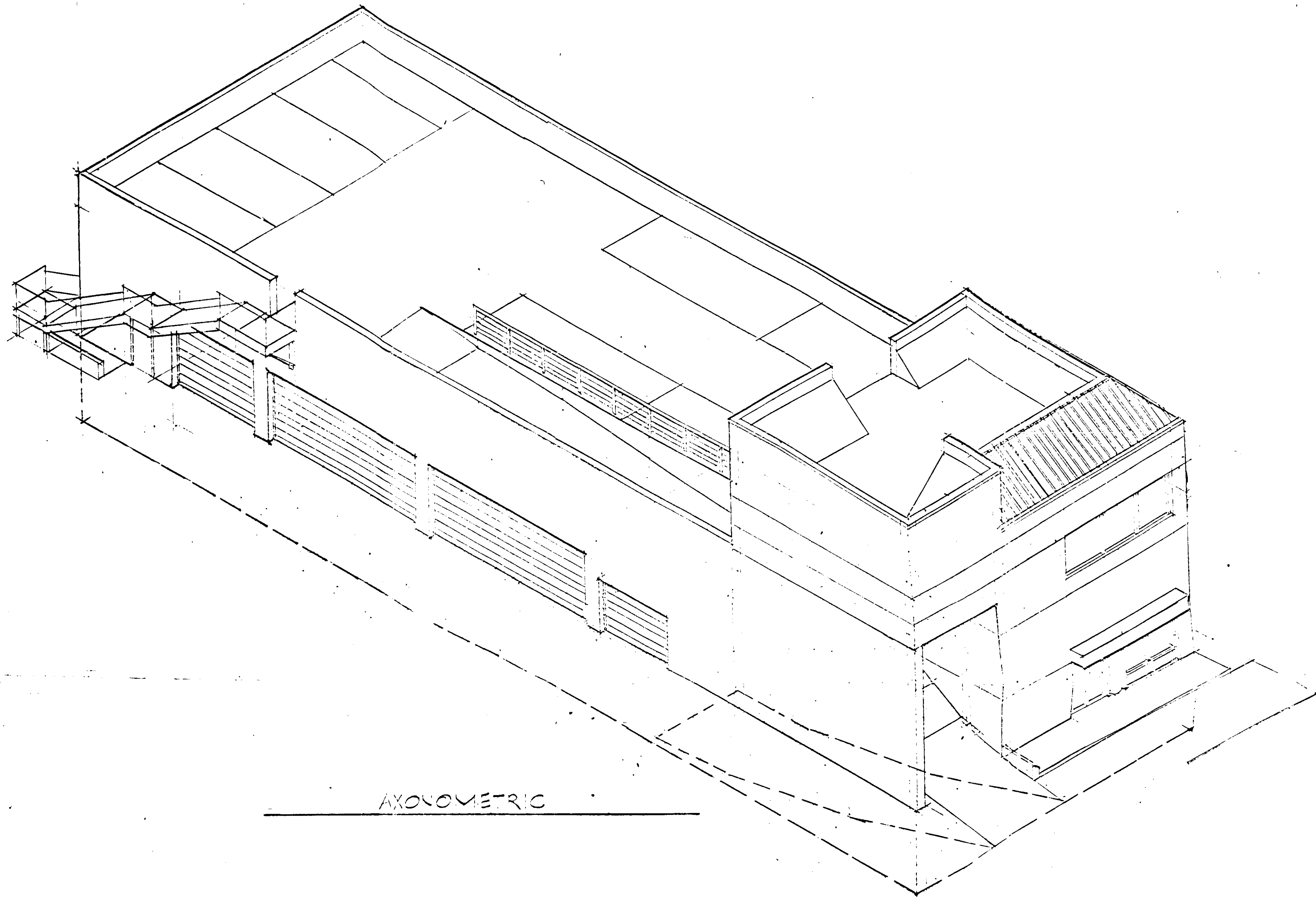
**STATE OF MARYLAND**  
THIS PLAN HAS BEEN PREPARED IN COMPLIANCE WITH CURRENT BALTIMORE COUNTY MD. DEVELOPMENT REGULATIONS.

SCALE: 1" = 20'  
JOB ORDER NO.: 92026  
DATE: OCTOBER 27, 1992

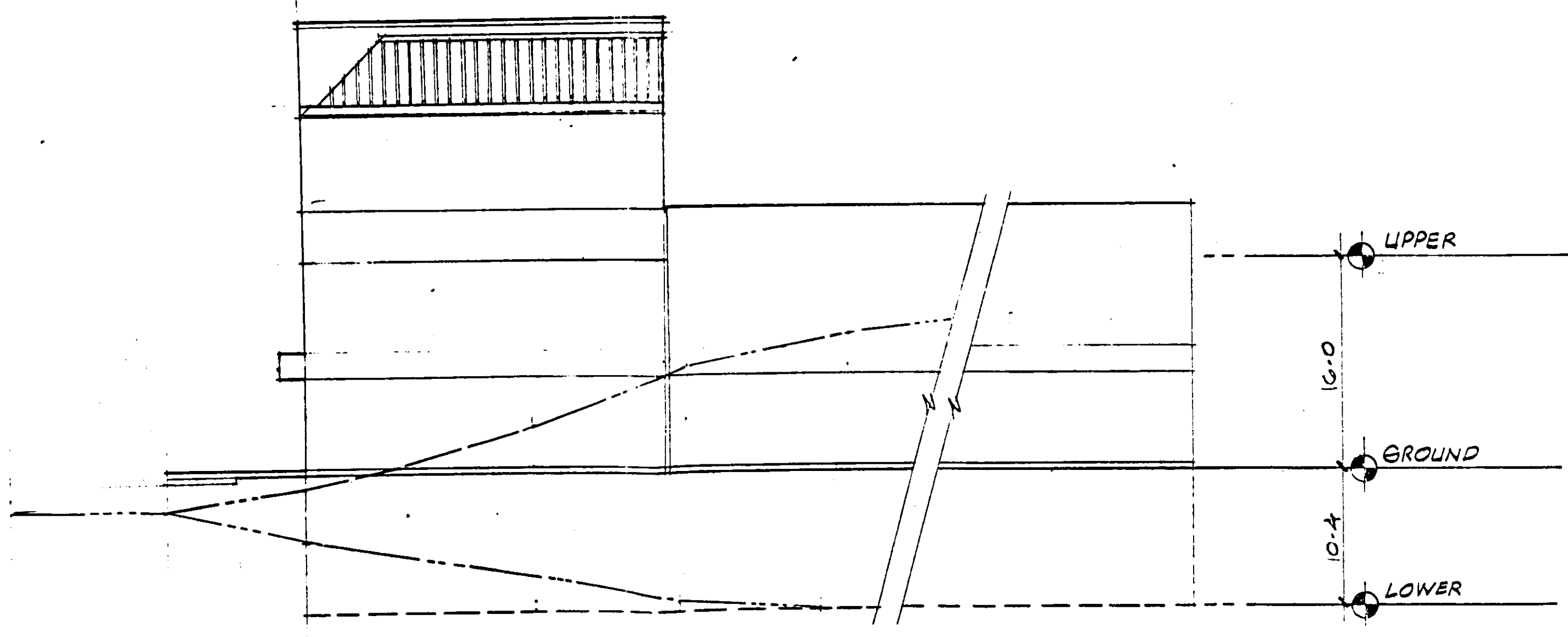
NO.	REVISIONS	DATE
1	County Review comments & variance request.	12/30/92
2	County Review comments re lighting - Pole #7	1/27/93



NORTH ELEVATION

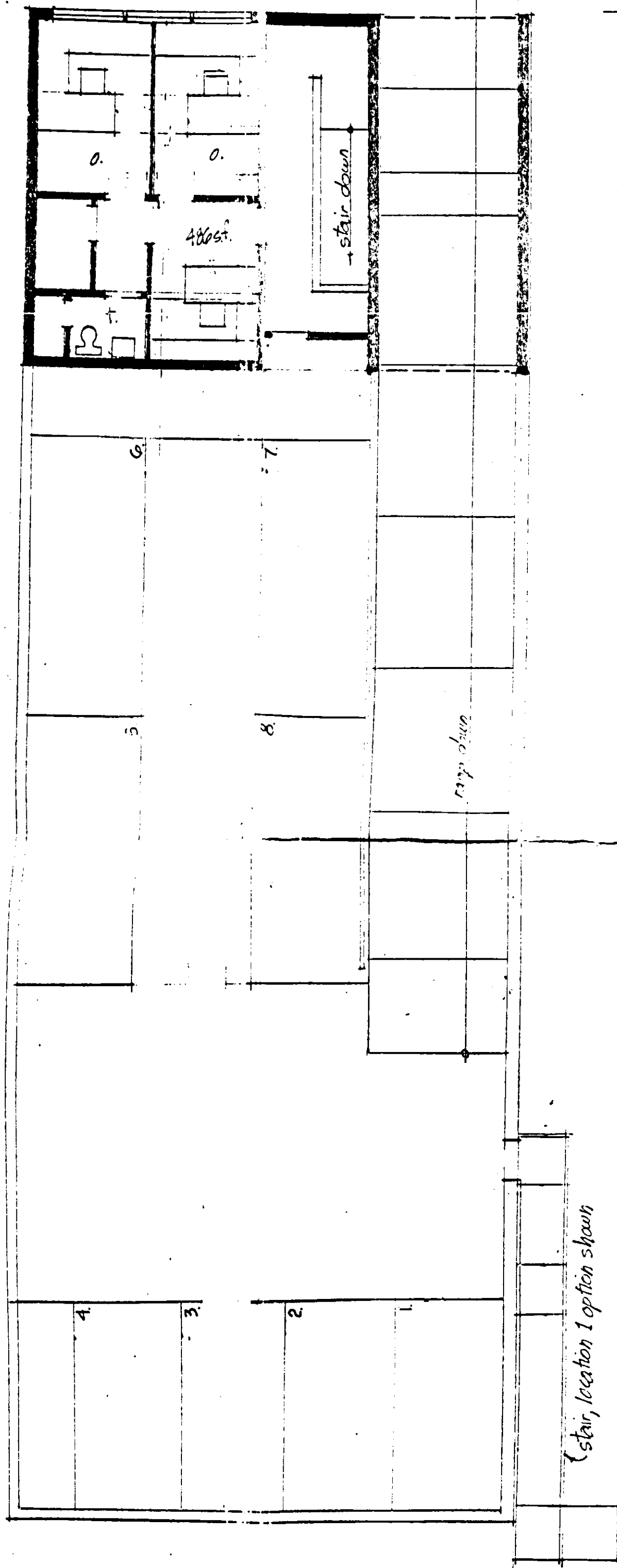


AXONOMETRIC

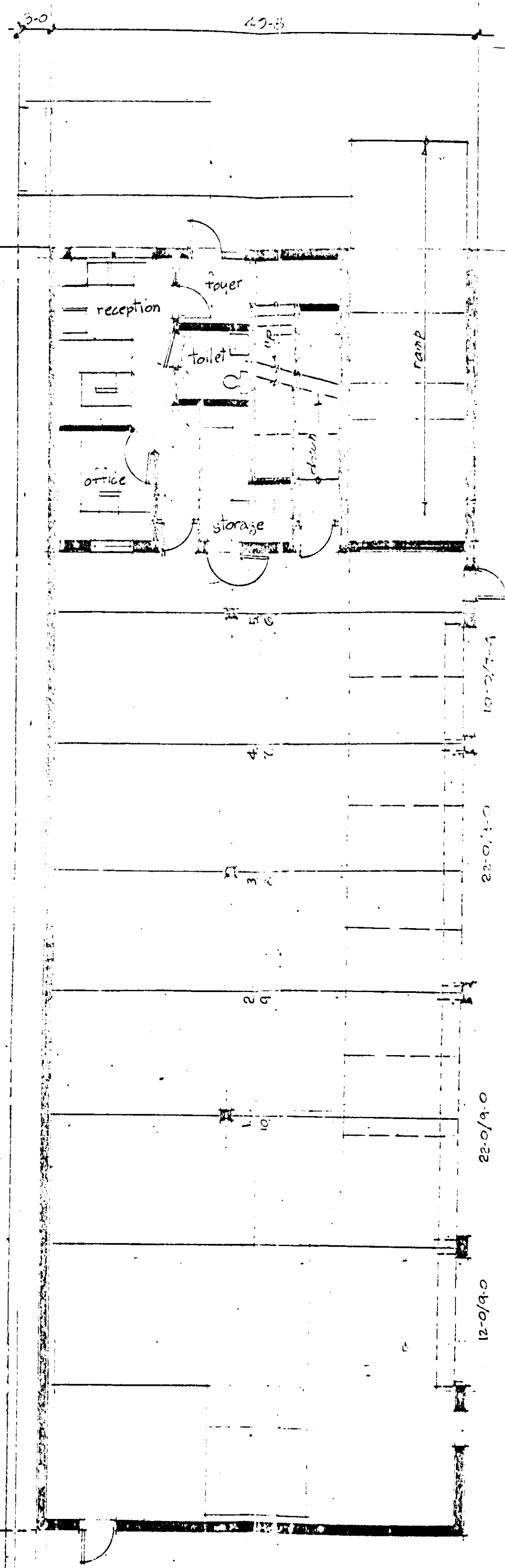


EAST ELEVATION

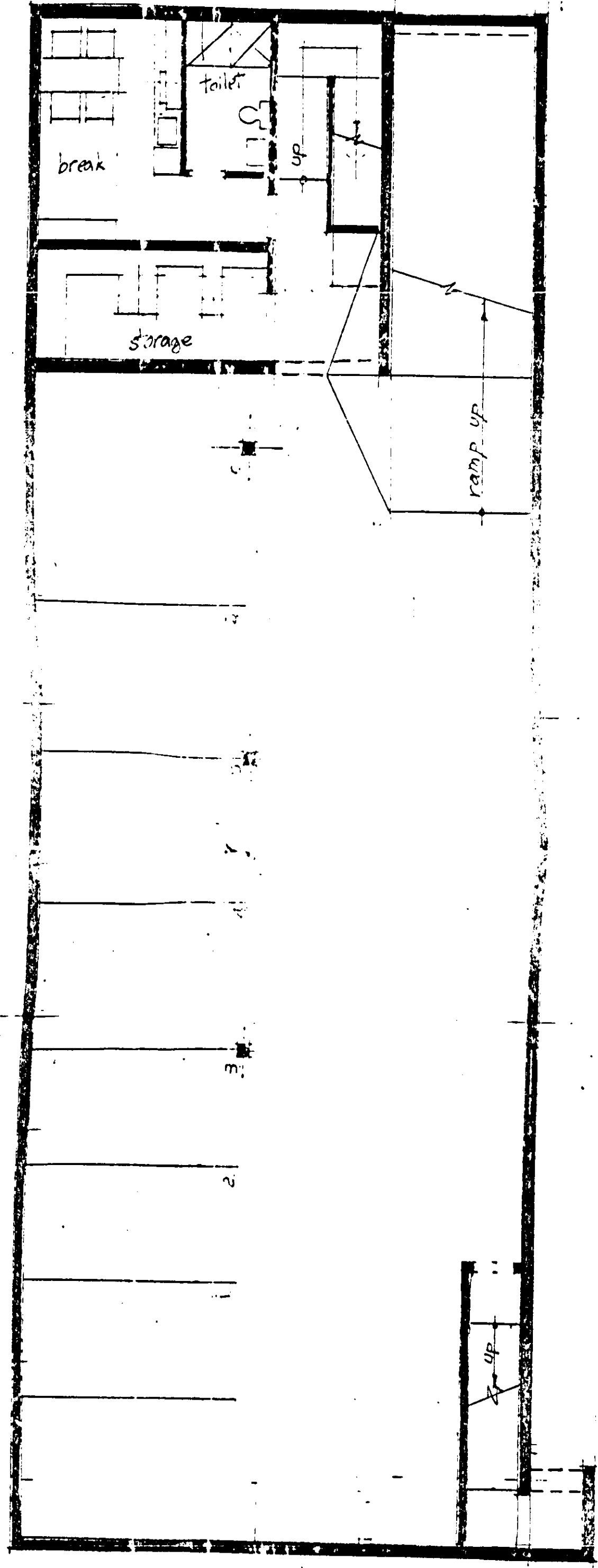
Ret Lix 2A



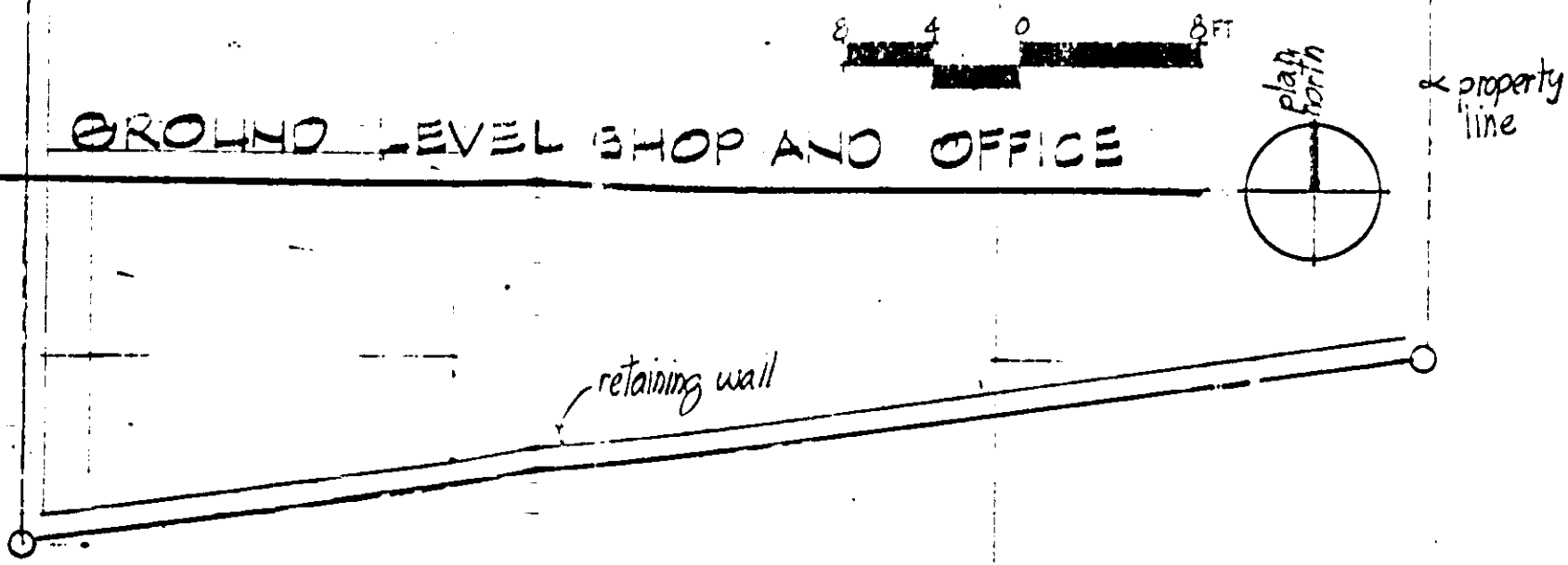
UPPER LEVEL AUTO STORAGE AND OFFICE



GROUND LEVEL SHOP AND OFFICE



LOWER LEVEL AUTO STORAGE



Ref Ex 2B