

6601 Ritchie Hwy Glen Burnie MD 21062
(410)787-7854 Fax (410) 768-7602

**Motor Vehicles
Administration
Business Licensing**

JRF

Fax

To: Sophie Jennings **From:** Cheryl Lehmuth 787-7950
Fax: (410) 887-5708 **Pages:** 2
Phone: (410) 840-4070 **Date:** 3/29/99
Re: Zoning Cert - CS-053 KAB Leasing

☐ Urgent ☒ For Review ☐ Comment ☐ Please Reply ☐ Please Recycle

● **Comments:**

Sophie,

Att'd is MVA zoning verification form for 1018 York Rd Suite B and our investigator's schematic of the location.

I have zoning appeal docs that show this is 1018 Parcel A and another portion of York Rd is Parcel B. The schematic seems to show that they have now subdivided Parcel A into 2 separate "Suites" for 2 different businesses.

Does this comply with Balto Co. zoning requirements?

Any info your office can share on this one will be appreciated. This is the second application we've rec'd for a car dealer at this location. We can't approve because of it being 2 different businesses all "jumbled up" at the location.

Thanks

 MVA Motor Vehicle Administration 6601 Ritchie Highway, N.E. Glen Burnie, MD 21062	LICENSING & CONSUMER SERVICES DIVISION (301) 768-7536	ZONING APPROVAL FORM
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TO BE COMPLETED BY APPLICANT AND PRESENTED FOR APPROVAL TO THE LOCAL ZONING AUTHORITIES.

SUBMIT WITH APPLICATION

COMPANY NAME (INCLUDING TRADE NAMES)			
KAB Leasing Inc.			
BUSINESS OFFICE ADDRESS			
1018 York Road, Suite B			
Towson, Maryland 21204			
CITY	COUNTY	STATE	ZIP CODE
NAME AND TYPE OF STORAGE LOCATION			
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE
NAME AND TYPE OF ANY ADDITIONAL STORAGE LOCATIONS			
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE

TYPE OF BUSINESS (CHECK APPROPRIATE BLOCK)	
VEHICLE DEALERS	TRANSPORTER OF VEHICLES
☐ WHOLESALE	☐ INSPECTION STATION
☐ NEW	☐ VEHICLE PAINTING
☒ USED	☐ REMODELING OF VEHICLES
☐ TRAILER	☐ VEHICLE REPAIRS
☐ MOTORCYCLE	☐ INSTALLATION OF EQUIPMENT
	☐ OTHER _____

THIS SECTION TO BE COMPLETED BY ZONING OFFICIAL TO VERIFY APPLICANT HAS MET ALL LOCAL ZONING REQUIREMENTS TO CONDUCT THE TYPE OF BUSINESS SPECIFIED ABOVE.

I CERTIFY, THAT THE BUSINESS OF <u>KAB Leasing Inc. for USED CAR SALES</u>	TYPE OF BUSINESS
DOES ☒ DOES NOT _____ MEET ALL LOCAL ZONING REQUIREMENTS, INCLUDING THE ISSUANCE OF A USE AND OCCUPANCY PERMIT, IF REQUIRED.	
SEE Hearing Case # <u>94-321-XA</u>	SIGNED <u>[Signature]</u>
Zoned B.R.	OFFICIAL CAPACITY <u>Director of PDM</u>
	TELEPHONE # <u>887-3391</u>
	DATE <u>January 22, 1999</u>
	CS-053 (3-98)

NE 11A

6601 Ritchie Highway, N.E.
Glen Burnie, MD 21062
Motor Vehicle AdministrationLICENSING & CONSUMER
SERVICES DIVISION
(301) 768-7536ZONING APPROVAL
FORMTO BE COMPLETED BY APPLICANT AND PRESENTED FOR APPROVAL TO THE LOCAL ZONING AUTHORITIES.
SUBMIT WITH APPLICATION

COMPANY NAME (INCLUDING TRADE NAMES)			
KAB Leasing Inc.			
BUSINESS OFFICE ADDRESS			
1018 York Road, Suite B			
Towson, Maryland 21204			
CITY	COUNTY	STATE	ZIP CODE
NAME AND TYPE OF STORAGE LOCATION			
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE
NAME AND TYPE OF ANY ADDITIONAL STORAGE LOCATIONS			
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE

TYPE OF BUSINESS (CHECK APPROPRIATE BLOCK)	
VEHICLE DEALERS	TRANSPORTER OF VEHICLES
☐ WHOLESALE	☐ INSPECTION STATION
☐ NEW	☐ VEHICLE PAINTING
☒ USED	☐ REMODELING OF VEHICLES
☐ TRAILER	☐ VEHICLE REPAIRS
☐ MOTORCYCLE	☐ INSTALLATION OF EQUIPMENT
	☐ OTHER _____

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I CERTIFY, THAT THE BUSINESS OF <u>KAB Leasing Inc. for USED CAR SALES</u>	
TYPE OF BUSINESS	
DOES ☒ DOES NOT _____ MEET ALL LOCAL ZONING REQUIREMENTS, INCLUDING THE ISSUANCE OF A USE AND OCCUPANCY PERMIT, IF REQUIRED.	
SEE Hearing Case # 94-321-XA Zoned B.R.	SIGNED <u>[Signature]</u> OFFICIAL CAPACITY <u>Director of PDM</u> TELEPHONE # <u>847-3351</u> DATE <u>January 22, 1999</u>
	CS-053 (3-98)

FEB 24 1999

NE 11 A



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: P348961 CONTROL #: SI-1 DIST: 09 PREC: 01
DATE ISSUED: 08/05/98 TAX ACCOUNT #: 0919000691 CLASS: 06

PLANS: CONST PLOT 1 R PLAT DATA ELEC PLUM
LOCATION: 1018 YORK RD
SUBDIVISION: AND IMPROVEMENTS

OWNERS INFORMATION
NAME: BERGER, IRA
ADDR: 3422 GARRISON FARM RD 21208

TENANT: RENT-A-RECK
CONTR:
ENGR:
SELLR:

WORK: REPLACE EXHISTING SIGN THAT WAS WEATHER
 DAMAGED. ALSO RELOCATE SIGN TO FRT OF LOT
 NEW SIGN = 3'X8'X 14.3'HIGH=48SF D/F ILLUM.
 NOTE SPECIAL EXCEPTION 94-321XA APPLIES
 PER CARL R.THIS IS A NONCONFORMING SITE.SECTION
 413 BCZR APPLIES W/SPEC. EXCEPTION

BLDG. CODE:
RESIDENTIAL CATEGORY: OWNERSHIP:

 PROPOSED USE:
 EXISTING USE:

TYPE OF IMPRV:
USE:
FOUNDATION: BASEMENT:
SEWAGE: WATER:

LOT SIZE AND SETBACKS

SIZE: 106.09 X 0000.00
FRONT STREET:
SIDE STREET:
FRONT SETB: 1'
SIDE SETB: 40'/66'
SIDE STR SETB:
REAR SETB: NC

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

AS1001F

DATE: 08/03/98 ASSESSMENT TAXPAYER SERVICE
 TIME: 12:11:16
 PROPERTY NO. DIST GROUP CLASS OCC. HIST DEL FM DATE
 09 19 001830 09 2-3 06-00 N NO 12/24/97
 BERGER IRA DESC-1.. IMPSLT WS YORK RD
 BERGER TILLIE DESC-2.. 3960 S SEMINARY AVE
 3422 GARRISON FARM RD PREMISE 01024 YORK RD
 00000-0000

BALTIMORE MD 21208-1850 FORMER OWNER: BERGER IRA
 -----FCV----- TRANSFER DATA----- PROPERTY ID-----
 PRIOR PROPOSED NUMBER..... 123134 LOT.....
 LAND: 99,000 108,000 DATE..... 11/13/97 BLOCK.....
 IMPV: 44,440 47,690 PURCHASE PRICE.. 0 SECTION..
 TOTL: 143,440 155,690 GROUND RENT..... 0 FLAT.....
 PREF: 0 0 DEED REF LIBR.. 12495 BOOK..... 0000
 CURT: 0 0 DEED REF FOLIO.. 40 FOLIO.... 0000
 DATE: 12/92 05/95 YEAR BUILT..... MAP..... 0070
 NEW CONSTR YR... GRID..... 0001
 PARCEL... 0991
 TAXABLE BASIS
 98/99 62,270 LOT WIDTH.. 33.00 SB 56 .00
 97/98 60,640 LOT DEPTH.. 200.00 WB 32 .00
 96/97 59,000 LAND AREA.. 6600.000 S SS 198.90
 ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT WD 46.63
 AS1001F

DATE: 08/03/98 ASSESSMENT TAXPAYER SERVICE
 TIME: 12:11:59
 PROPERTY NO. DIST GROUP CLASS OCC. HIST DEL FM DATE
 09 19 000690 09 2-3 06-00 N NO 12/24/97
 BERGER IRA DESC-1.. LT WS YORK RD
 BERGER TILLIE DESC-2.. 3960 S SEMINARY AV
 3422 GARRISON FARM RD PREMISE 01024 YORK RD
 00000-0000

BALTIMORE MD 21208-1850 FORMER OWNER: BERGER IRA
 -----FCV----- TRANSFER DATA----- PROPERTY ID-----
 PRIOR PROPOSED NUMBER..... 123134 LOT.....
 LAND: 55,890 40,440 DATE..... 11/13/97 BLOCK.....
 IMPV: 0 0 PURCHASE PRICE.. 0 SECTION..
 TOTL: 55,890 40,440 GROUND RENT..... 0 FLAT.....
 PREF: 0 0 DEED REF LIBR.. 12495 BOOK..... 0000
 CURT: 0 0 DEED REF FOLIO.. 40 FOLIO.... 0000
 DATE: 12/92 05/95 YEAR BUILT..... MAP..... 0070
 NEW CONSTR YR... GRID..... 0001
 PARCEL... 0595
 TAXABLE BASIS
 98/99 16,170 LOT WIDTH.. 27.00 SB 56 .00
 97/98 16,170 LOT DEPTH.. 207.00 WB 32 .00
 96/97 16,170 LAND AREA.. 5589.000 S SS .00
 ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT WD 46.63
 AS1001F

DATE: 08/03/98 ASSESSMENT TAXPAYER SERVICE
 TIME: 12:12:24
 PROPERTY NO. DIST GROUP CLASS OCC. HIST DEL FM DATE
 09 19 000691 09 2-3 06-00 N NO 12/24/97
 BERGER IRA DESC-1.. IMPSLOT WS YORK ROAD
 BERGER TILLIE DESC-2.. 3960 S SEMINARY AVE
 3422 GARRISON FARM RD PREMISE. 01020+ YORK RD
 00000-0000

BALTIMORE		MD 21208-1850		FORMER OWNER: BERGER IRA		---PROPERTY ID---	
-----FCV-----		-----TRANSFER DATA-----					
	PRIOR	PROPOSED	NUMBER.....	123134	LOT.....		
LAND:	322,250	322,250	DATE.....	11/13/97	BLOCK....		
IMPV:	61,580	65,460	PURCHASE PRICE..	0	SECTION..		
TOTL:	383,830	387,710	GROUND RENT.....	0	PLAT.....		
PREF:	0	0	DEED REF LIBR..	12495	BOOK.....	0000	
CURT:	0	0	DEED REF FOLIO..	40	FOLIO....	0000	
DATE:	12/92	05/95	YEAR BUILT.....		MAP.....	0070	
			NEW CONSTR YR...		GRID.....	0001	
					PARCEL...	0595	
TAXABLE BASIS					SB 56	.00	
98/99	155,080	LOT WIDTH..	106.09		WB 32	.00	
97/98	154,560	LOT DEPTH..	.00		SS	.00	
96/97	154,040	LAND AREA..	22225.000 S		WD	46.63	
ENTER-INQUIRY1 PA1-PRINT PF4-MENU PF5-QUIT							

 Maryland Department of Transportation MOTOR VEHICLE ADMINISTRATION 6601 RITCHIE HIGHWAY, N.E. GLEN BURNIE, MARYLAND 21062	LICENSING & CONSUMER SERVICES DIVISION (301) 768-7536	ZONING APPROVAL FORM
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TO BE COMPLETED BY APPLICANT AND PRESENTED FOR APPROVAL TO THE LOCAL ZONING AUTHORITIES.

SUBMIT WITH APPLICATION

COMPANY NAME (INCLUDING TRADE NAMES) European Motor Sales Ltd.				Supplemental Case #94-321-XA	
BUSINESS OFFICE ADDRESS 1020 York Road (Parcel "B")					
Towson		Md.		21204	
CITY	Towson	COUNTY		STATE	ZIP CODE
				Md.	21204
NAME AND TYPE OF STORAGE LOCATION					
STREET ADDRESS		CITY OR COUNTY		STATE	ZIP CODE
NAME AND TYPE OF ANY ADDITIONAL STORAGE LOCATIONS					
STREET ADDRESS		CITY OR COUNTY		STATE	ZIP CODE

TYPE OF BUSINESS (CHECK APPROPRIATE BLOCK)	
VEHICLE DEALERS	TRANSPORTER OF VEHICLES
☐ WHOLESALE	☐ INSPECTION STATION
☐ NEW	☐ VEHICLE PAINTING
☒ USED	☐ REMODELING OF VEHICLES
☐ TRAILER	☐ VEHICLE REPAIRS
☐ MOTORCYCLE	☐ INSTALLATION OF EQUIPMENT
	☐ OTHER _____

THIS SECTION TO BE COMPLETED BY ZONING OFFICIAL TO VERIFY APPLICANT HAS MET ALL LOCAL ZONING REQUIREMENTS TO CONDUCT THE TYPE OF BUSINESS SPECIFIED ABOVE.

I CERTIFY, THAT THE BUSINESS OF <u>European Motor Sales Ltd.</u>	
TYPE OF BUSINESS	
DOES <u>X</u> DOES NOT _____ MEET ALL LOCAL ZONING REQUIREMENTS, INCLUDING THE ISSUANCE OF A USE AND OCCUPANCY PERMIT, IF REQUIRED.	
See 94-321XA WCR	SIGNED <u>Carl J. Jaber</u>
	OFFICIAL CAPACITY <u>Director, PDM</u>
	TELEPHONE # <u>887-3391</u>
	DATE <u>March 15, 1996</u>

CS-53 (9-88)

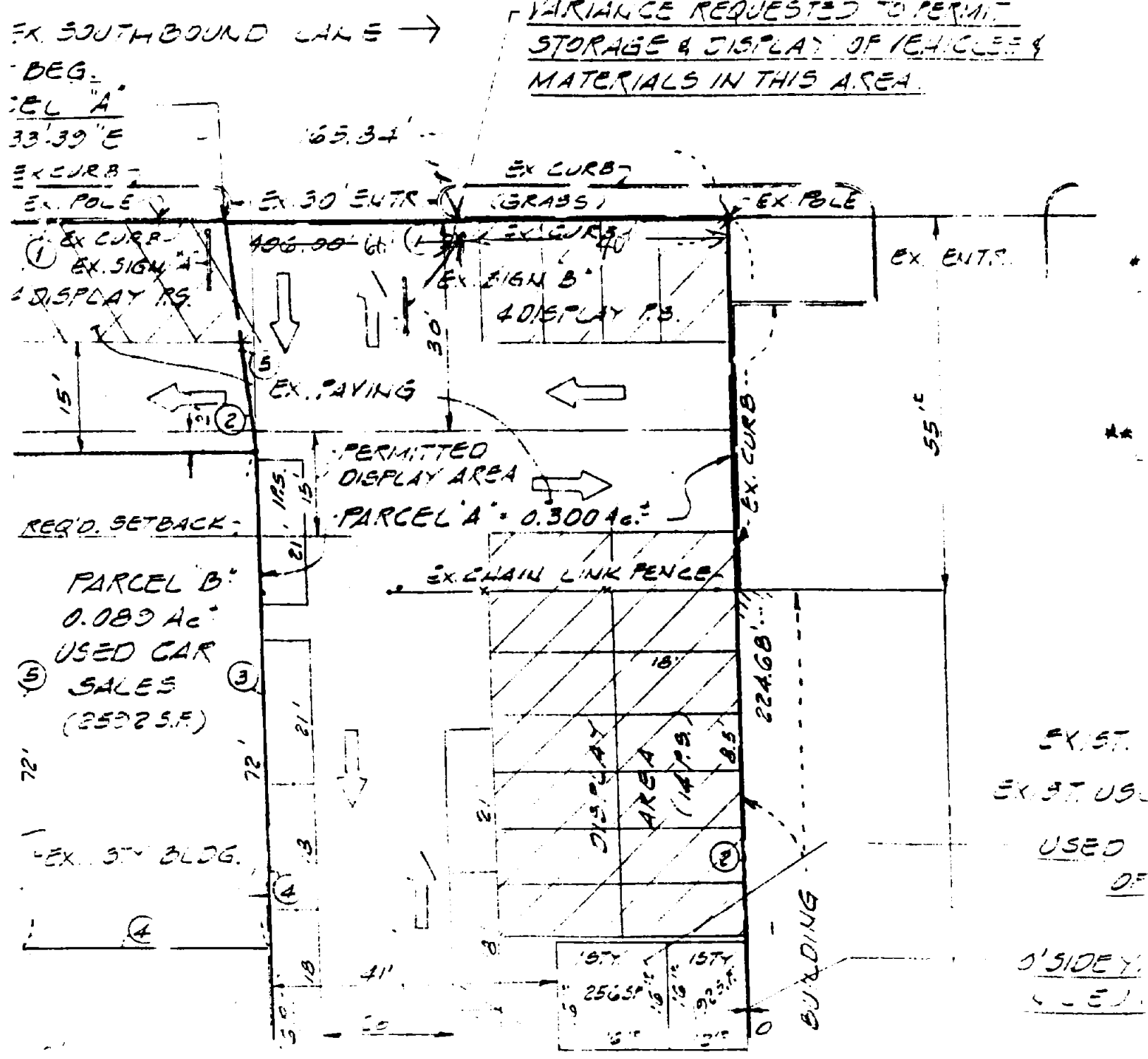
LANE

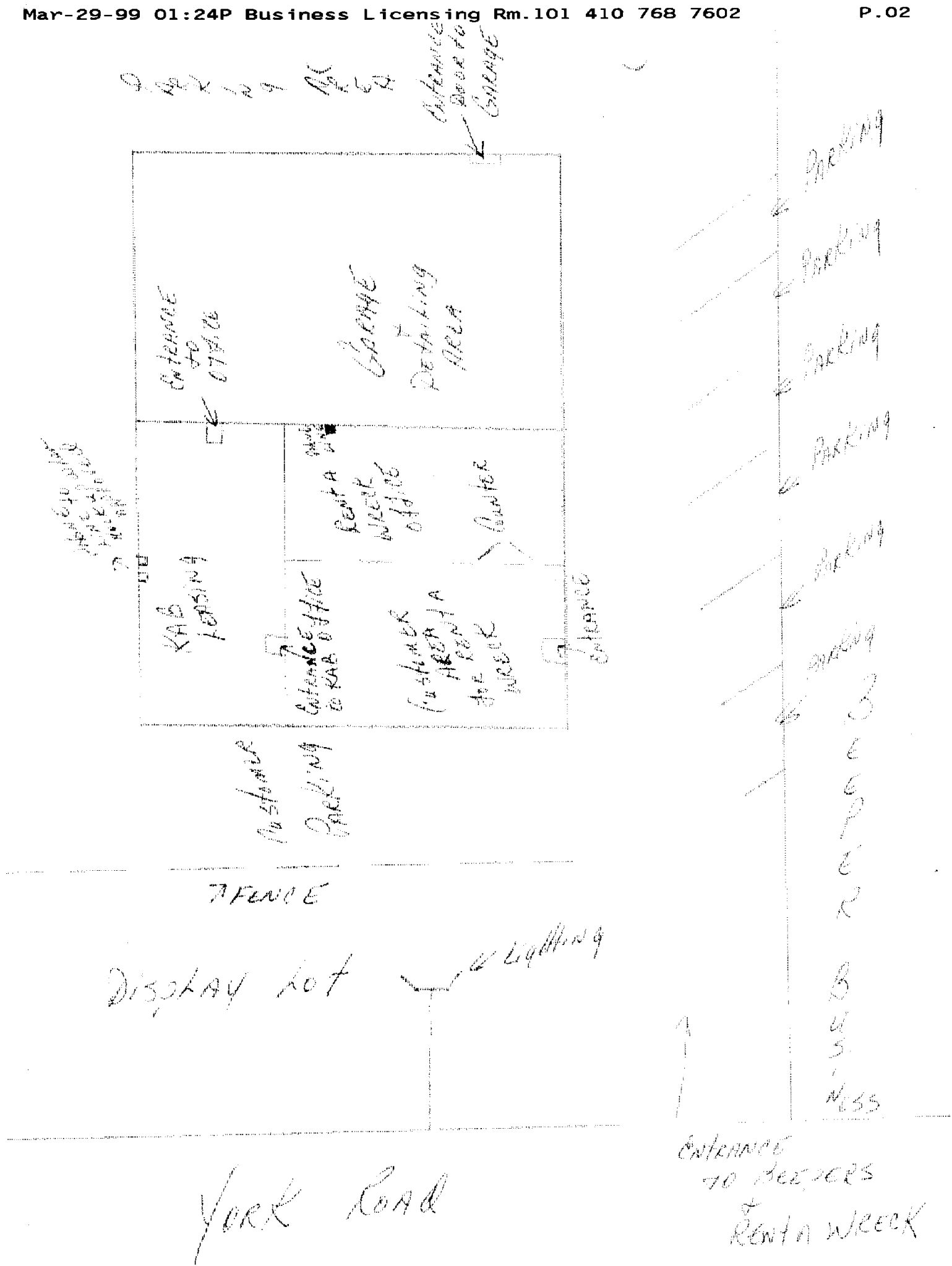
Relocate begin

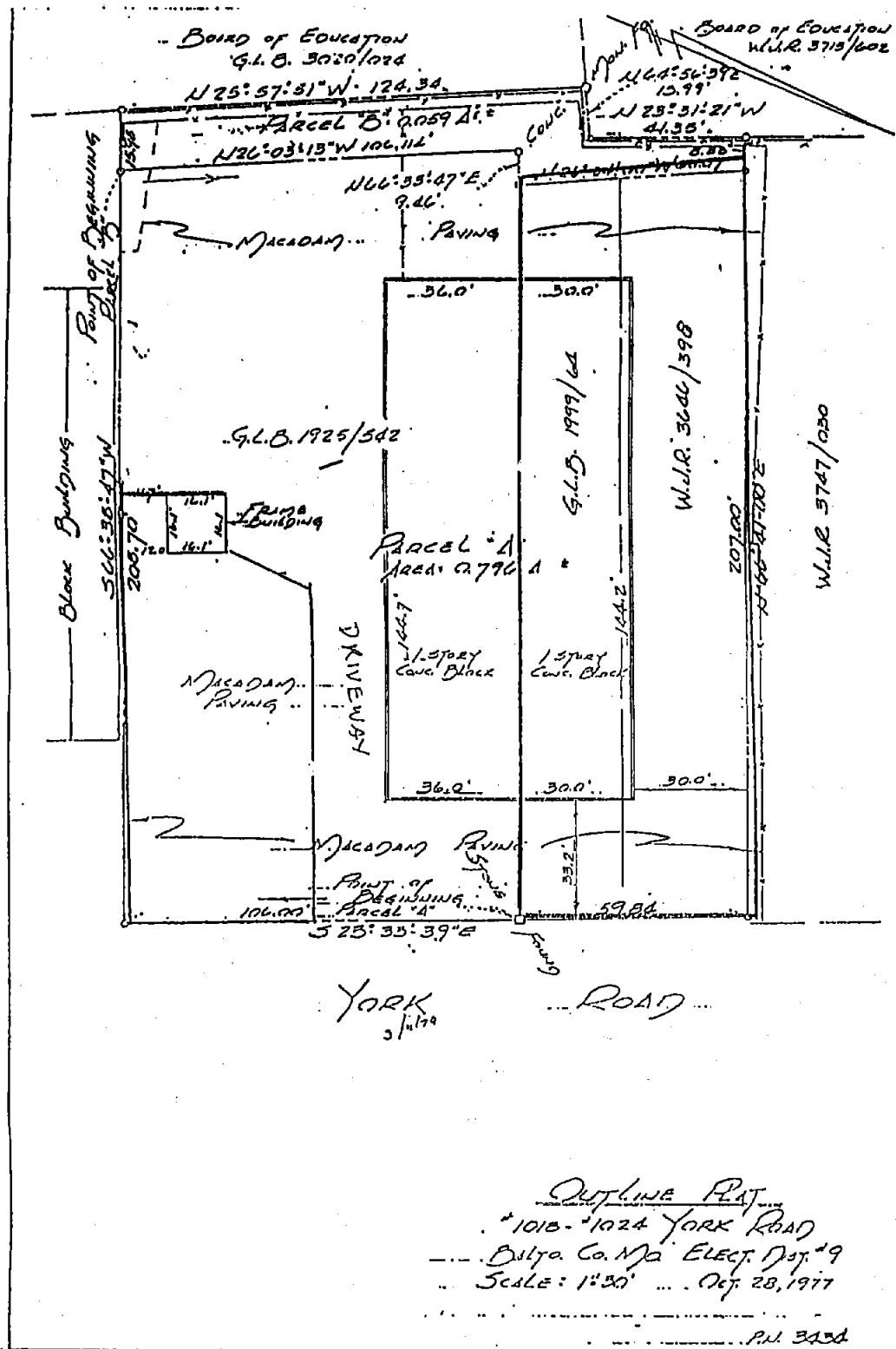
94-72174
Approved by
Wick
on 4/13/11

1 x 6
wood peg
Wick
for 412 Black spray for

VARIANCE REQUESTED TO PERMIT
STORAGE & DISPLAY OF VEHICLES &
MATERIALS IN THIS AREA.







1018-1020-1024 YORK ROAD
 TOWSON, MARYLAND 21204

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
2878 York Road, approx. 430 ft. * OF BALTIMORE COUNTY
SE of c/o West Road * OF BALTIMORE COUNTY
1018-1024 York Road * Case No. 94-321-5A
7th Elec. Dist. District
4th Councilman's District
Legal Owner: Ira Berger, et al
Contract Purchaser: General
Auto Sales, Inc.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as both a Petition for Special Exception and Petition for Zoning Variance for the property known as 1018, 1020 and 1024 York Road in Towson. Within the Petition for Special Exception, two special exceptions are requested for used car sales, namely on parcel A, located at 1018 York Road and on parcel B, located at 1024 York Road. As to the Petition for Zoning Variance, relief is requested from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 32 ft., in lieu of the required 45 ft.; from Section 238.4 to permit storage and display of vehicles and materials in the front yard setback area in lieu of the requirement that the front yard area to a depth of 30 ft. remain vehicle free; from Section 238.2 of the B.C.Z.R. to permit a 0 ft. side yard setback in lieu of the required 30 ft.; from Section 238.2 to permit a 0 and 41 ft. distance between buildings in lieu of the required 60 ft. and 19 ft., respectively; and from Section 413.2 to permit a total sign area of 175.98 sq. ft. for two signs, in lieu of the required 100 sq. ft. All of the relief requested and subject property is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petitions for Special Exception and Variance.

Appearing at the public hearing held for this case was Ira Berger, owner of the subject property and one of the businesses thereon with

Lillie Berger, his wife. Also appearing was Michael Fein on behalf of Rent-A-Wreck Inc., a tenant on the subject property. Paul Lee, an engineer who prepared the site plan also appeared at the hearing and participated. The Petitioner was represented by Newton A. Williams, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject is .855 acres in net area and is split zoned B.R. and D.R. 5.5. The property is predominantly zoned B.R. with but a small sliver of the parcel zoned D.R. 5.5 to the rear. The subject property is well known to this Zoning Commissioner and is located on York Road in Towson. The property has long been used to support commercial activity including the sale of new and used cars. The property is located on the west side of York Road between the intersections of York Road/West Road and York Road/Fairmount Avenue in Towson, not far from the access to the Baltimore Beltway (I-695).

As shown on the site plan prepared by Mr. Lee, the property has been divided into 4 distinct parcels, lettered A through D. Moreover, several different businesses conduct operations from the subject site. There are actually two buildings on the subject property, which are clearly shown on the aerial photograph submitted as Petitioner's Exhibit No. 2. The largest building is on the north side of the site and is located on parcels B, C and D. In the front of the building is the existing headquarters of the used car sales operation. This operation known as European Motors, is operated by Mr. Berger and several members of his family. In this respect, Mr. Berger, through counsel, characterized the long history of this use. The property has housed a used car business selling foreign and sports cars for many years. The present business continues this long history of this type commercial use on the property.

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Date 4/11/94

By [Signature]

Within the rear portion of the building occupied by European Motors, is a retail sales business. This business sells auto parts and accessories. This part of the building is shown on the site plan and is identified as parcel C. The third business use in the "main building" is parcel D. This is on the northern side of the building and is a seven bay service garage use. As noted above, these three uses (used car operation, retail sales and service garage) all occupy the same building.

The fourth business on site is a small building adjacent to the southern property line. This building serves as the offices of the Rent-A-Wreck operation. This is a rental vehicle business which is operated by Mr. Fein. The business specializes in used car rentals.

As to the Petition for Special Exception, the property owner requests special exception relief to permit used car sales and rental, namely, on parcel A (Rent-A-Wreck) and parcel B (European Motors). The sale of used cars are a permitted commercial operations in a B.R. zone, pursuant to Section 236.4 of the B.C.Z.R. It is of note that the proposed special exception applies only to parcels A and B. These parcels are known as 1018 and 1024 York Road, respectively. The special exception relief is not requested for the balance of the tract, including parcel C (the retail store) or parcel D (the service garage).

As noted above, a used car sales operation is permitted in a B.R. zone by Section 236.4 of the B.C.Z.R. The Petitioner bears the burden of adducing testimony and evidence that the proposed special exception meets the standards contained within Section 502.1 of the B.C.Z.R. Therein

it is provided that a special exception can be granted only if same is not detrimental to the health, safety and general welfare of the locale involved. Moreover, a number of factors are identified in Section 502.1

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ORDER RECEIVED FOR FILING

Date 4/11/94

By [Signature]

property and the business hindered. Moreover, as the photographs show, vehicles have been stored in the front part of the property for sometime.

The third variance relates to the setback distance between the small building (Rent-A-Wreck) and the side property line. That building sits immediately adjacent to that property line. Moreover, it is to be noted that the business on the neighboring property, Nidas Ruffler Shop, also abuts the property line. Again, this variance is needed to legitimize an existing situation.

The fourth variance relates to the distances between the subject buildings. Again, this variance is necessary to legitimize an existing situation and permit the location of the existing two buildings on this lot.

Lastly, a variance is requested as to signage requirements, to permit 175.98 sq. ft. of signage on two signs in lieu of the required 100 sq. ft.

As is well settled, the B.C.Z.R. permits variances to be granted from area, height and sign regulations for so long as the Petitioner can satisfy the burden set forth in Section 307 of the regulations. That section sets forth the three pronged test which must be satisfied. First, the Petitioner must show that practical difficulty would result if the variances were denied. Secondly, the relief can be granted only if such approval is within the spirit and intent of the regulations. Lastly, the granting of the variance may not detrimentally affect the surrounding locale.

The concept of practical difficulty has been well set out by the appellate courts of this State. See Belton v. Soler, 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 compliance unnecessarily burdensome;

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- 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. 20 (1974).

In this case, I am persuaded that the Petitioner has met its burden for all variances. I particularly rely upon the fact that this property has been used in its present fashion for many years. Clearly, this is a commercial parcel with existing improvements. Relocation of these improvements to provide strict adherence to the zoning regulations is impractical and not warranted. Moreover, the site, itself, is limited by its size and configuration. In my view, a denial of the subject variances would result in a practical difficulty to the Petitioner and its property. Moreover, I believe that the relief can be granted so as to be consistent with the spirit and intent of the B.C.Z.R. and continued use of the property in the manner proposed would not be detrimental to the surrounding community. Thus, the variances should be granted.

Notwithstanding my relief of the request granted, several comments are in order about suggested restrictions and conditions within the ZAC comments. These comments are offered by a number of the reviewing agencies of Baltimore County. First, the Department of Public Works (DPW) questions whether the site is subject to the provisions of Bill 172-93. Based upon my review of the bill, the answer to that question must be in the negative. Thus, the Petition is properly filed.

Secondly, both DPW and OPS recommend landscaping in the front of the property and certain other improvements to that portion of the site. I am

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ORDER RECEIVED FOR FILING

Date 4/11/94

By [Signature]

well acquainted with this property. As noted above, the site lies on the west side of York Road between West Road and Fairmount Avenue. This is not a pedestrian thoroughfare. None of the other businesses in this locale have sidewalks. Rather, this section of York Road contains shopping centers, car washes and other commercial uses.

Due to the character of this section of York Road, I am not convinced that additional landscaping treatment is necessary. An installation of a sidewalk would only detract from usable space on the Petitioner's property and not provide any practical assistance to the public. For these reasons, I am persuaded that additional landscaping treatment or installation of sidewalk is not warranted.

Nonetheless, I am cognizant of the goals set forth by OPS and their desire to improve the visual streetscape along this portion of York Road. I concur with their assessment that a limitation should be placed upon the advertising and signage on the site. Thus, although approving the sign variance and allowing the Petitioner to retain the existing European Motor and Rent-A-Wreck sign, I will condition this Order and restrict additional outdoor advertising. That is, other than the two signs identified on the site plan, there shall be no other outdoor advertising signs, banners, streamers, balloons, etc., be they temporary or permanent. That is, the sole means of advertising will be the two signs referenced above, permissible lettering on the facade of the buildings and prices/signs may be written on the windshields of the vehicles. Any other means of outdoor advertising, be they temporary or permanent, will be excluded. This restriction is placed in this Order as a condition precedent to the relief granted. Violation of the terms of this restriction would be subject to prosecution as a zoning violation.

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ORDER RECEIVED FOR FILING

Date 4/11/94

By [Signature]

which must be addressed by the Petitioner. The factors relate to such items as traffic, public utilities, pollution, etc.

In this case, it is clear that the proposed special exception is appropriate for this site and should be granted. As noted, this site has long been used in this manner. This portion of York Road in Towson is highly commercial in character. In fact, the Zoning Plans Advisory Committee (ZAC) comment from the Office of Planning and Zoning (OPZ), although recommending certain restrictions, acknowledges that the special exception use is compatible with this area. I am convinced, based on the uncontradicted evidence and testimony presented, that the special exception will not be detrimental to the locale and should be granted.

As to the variances, several in number are requested. The first variance seeks relief from the strict adherence to Section 303.2 of the B.C.Z.R. to permit a 32 ft. setback from the main building to the right of way line. This distance is measured from the right of way line on the front of the property adjacent to York Road to the large building which houses the used car sales operation, the retail store operation and the service garage. Clearly, this building has been in place for many years and the variance is to legitimize an existing situation.

The second variance relates to a request for relief from Section 238.4 of the B.C.Z.R. That section would require a 30 ft. unoccupied setback from the front right of way line wherein no vehicles could be stored or displayed. That is, the purpose of that section is to reserve an unoccupied/clear area in the front of the property. The Petitioner indicated that this was not possible in that the lot is small and storage of vehicles in the front portion of the property is vital. If that part of the parcel were not utilized, the site would be overcrowded towards the rear of the

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ORDER RECEIVED FOR FILING

Date 4/11/94

By [Signature]

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 ____ day of April, 1994 that, pursuant to the Petition for Special Exception, approval for used car sales, namely on parcel A, located at 1018 York Road and on parcel B, located at 1024 York Road, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 32 ft., in lieu of the required 45 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.4 to permit storage and display of vehicles and materials in the front yard setback area in lieu of the requirement that the front yard area to a depth of 30 ft. remain vehicle free, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 of the B.C.Z.R. to permit a 0 ft. side yard setback in lieu of the required 30 ft.; from Section 238.2 to permit a 0 and 41 ft. distance between buildings in lieu of the required 60 ft. and 19 ft., respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 413.2 to permit a total sign area of 175.98 sq. ft. for two signs, in lieu of the required 100 sq. ft., be and is hereby GRANTED; subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The 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

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ORDER RECEIVED FOR FILING

Date 4/11/94

By [Signature]

returning, said property to its original condition.

2. The Petitioner shall not allow the placement of any other outdoor advertising signs, banners, streamers, balloons, etc. That is, the sole means of advertising will be the two signs referenced herein, appropriate lettering on the facade of the building and prices/signs on any be written on the windshield of the vehicles. Any other means of outdoor advertising, be they temporary or permanent, will be excluded.

LAWRENCE E. SCHWIDT
Zoning Commissioner for
Baltimore County

LEB:mm

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113, Courthouse
401 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 8, 1994

Newton A. Williams, Enquire
Holan, Plumbhoff and Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Zoning Variance
Case No. 94-221-XA
Property: 1018-1024 York Road
Legal Owner: Ira Berger, et al.
Contract Purchaser: Generic Auto Sales, Inc., Petitioner

Dear Mr. Williams:

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 807-3591.

Very truly yours,

LAWRENCE E. SCHWIDT
Zoning Commissioner

LEB:mm
att:
cc: Ira Berger
cc: Michael Fein
cc: Paul Lee Engineering, Inc.

323



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1018 and 1024 York Road

which is presently zoned B.R.

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated 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 Regulations of Baltimore County, to use the herein described property for two (2) special exceptions for used car sales, namely, on Parcel A at 1018 York Road and on Parcel B at 1024 York Road.

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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lender:

Generic Auto Sales, Inc.

11440 Conbridge Drive

Chesapeake Hills, Maryland 21117

1020 York Road 825-6800

Towson, Maryland 21204

Newton A. Williams, Enquire

Holan, Plumbhoff & Williams, CTD.

700 Court Towers

210 W. Pennsylvania Avenue

Towson, Maryland 21204

825-7800

Newton A. Williams

700 Court Towers

210 W. Pennsylvania Avenue

Towson, Maryland 21204

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Towson, Maryland 21204

825-7800

Newton A. Williams

700 Court Towers

210 W. Pennsylvania Avenue



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1018, 1020 and 1024 York Road

which is presently zoned B.R.

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated 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 Baltimore County.

See attached Exhibit A

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

See attached Exhibit B

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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lender:

Generic Auto Sales, Inc.

11440 Conbridge Drive

Chesapeake Hills, Maryland 21117

1020 York Road 825-6800

Towson, Maryland 21204

Newton A. Williams, Enquire

Holan, Plumbhoff & Williams, CTD.

700 Court Towers

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825-7800

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700 Court Towers

210 W. Pennsylvania Avenue

Towson, Maryland 21204

825-7800

Newton A. Williams

700 Court Towers

210 W. Pennsylvania Avenue

EXHIBIT A

REQUESTED VARIANCES

1. A variance to Section 303.2 to permit a front yard setback of thirty two (32) feet in lieu of the required forty five (45) foot average setback; a variance of thirteen (13) feet;
2. A variance to Section 238.4 to permit storage and display of vehicles and materials in the front yard setback in lieu of the required three (3) feet in front of the front building face (permitted display area - required front yard setback = 15 feet - 45'-15'-30'); and
3. A variance to Section 238.2 to permit a zero (0) foot side yard setback in lieu of the required thirty (30) feet;
4. A variance to Section 238.2 to permit a zero (0) and forty one (41) foot distance between buildings in lieu of the required sixty (60) feet; (variances of sixty (60) feet and nineteen (19) feet); and
5. A variance from Section 413.2 to permit a total sign area of 179.98 S.F. (2 Signs) in lieu of the required 100 S.F. (A variance of 79.98 S.F. + or -).

EXHIBIT B

REASONS FOR VARIANCES

1. The site is a long established automotive sales and service site, and no new buildings are proposed, nor changes to existing paving or driveways, entrances or exits.
2. The site, a former new and used car dealership is merely dropping used car sales and substituting two used car operations, and other B.R. uses.
3. The existing buildings and front setbacks are to be maintained, and the public will see only a change in operators, but not a change in setback or uses.
4. The existing setbacks are consistent as to side, front and building distances with others in the area along York Road.
5. The requested special exceptions and variances will allow the Berger family to maintain a long association with this site, with Towson and with the car business.
6. That without the requested variances the Petitioners will sustain practical difficulty and unreasonable hardship.
7. That the requested variances will not harm, but rather, will foster the health, safety and welfare of the area by keeping business and auto uses on site.
8. That the requested variances are in harmony with the spirit and intent of the Regulations.

6403C

6403C

323

Paul Lee P.E.

Paul Lee Engineering Inc.

303 W. Pennsylvania Ave.

Towson, Maryland 21204

410-881-5341

DESCRIPTION

0.855 ACRE PARCELS (Whole Tract)

ELECTION DISTRICT 9 - BALTIMORE COUNTY, MARYLAND

"TOTAL SITE"

Beginning for the same at a point on the west side of York Road, said point also being located Southeast - 430 feet ± from the center of West Road; thence binding on the west side of York Road (1) S 23°33'39" E - 73.00 feet to the south property line; thence leaving said west side of York Road and binding along part of the south property line (2) S 66°30'47" W - 186 feet ± thence leaving said south property line (3) N 23°21'13" W - 70 feet ± to the south wall of 1020 York Road, thence binding on part of said south wall (4) N 66°30'47" E - 153 feet ± to the southeast corner of 1020 York Road; thence leaving said southeast corner of 1020 York Road (5) N 61°24'40" E - 32.87 feet to the point of beginning.

Containing 0.855 Acres of land more or less.



2/11/94
J.O. 93-019

Engineers - Surveyors - Site Planners

323

Paul Lee P.E.

Paul Lee Engineering Inc.

303 W. Pennsylvania Ave.

Towson, Maryland 21204

410-881-5341

DESCRIPTION

0.300 ACRE PARCELS - PARCELS "A" (1018 YORK ROAD)

ELECTION DISTRICT 9 - BALTIMORE COUNTY, MARYLAND

"USED CAR SALES & SERVICE"

Beginning for the same at a point on the west side of York Road, said point also being located Southeast - 522.04 feet ± from the center of West Road; thence binding on the west side of York Road (1) S 23°33'39" E - 73.00 feet to the south property line; thence leaving said west side of York Road and binding along part of the south property line (2) S 66°30'47" W - 186 feet ± thence leaving said south property line (3) N 23°21'13" W - 70 feet ± to the south wall of 1020 York Road, thence binding on part of said south wall (4) N 66°30'47" E - 153 feet ± to the southeast corner of 1020 York Road; thence leaving said southeast corner of 1020 York Road (5) N 61°24'40" E - 32.87 feet to the point of beginning.

Containing 0.300 Acres of land more or less.



2/11/94
J.O. 93-019

Engineers - Surveyors - Site Planners

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

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

*John Cooney, Chief
Engineering Access Permits
Division*

HS/

My telephone number is

Maryland Motor Sales for Insured Hearing or Speech
1-800-735-2758 Statewide Toll Free
Selling Address: P.O. Box 117 • Baltimore, MD 21203-0117
Street Address: 102 North Carroll Street • Baltimore, Maryland 21202

(410) 887-4386

Baltimore County Government
Office of Planning and Zoning



July 25, 1994

Suite 111 Courthouse
400 Washington Avenue
Towson, MD 21204

Mr. Kenneth L. Blum, Jr.
President
Generic Auto, Inc./d/b/a
Rent A Wreck
11840 Cropper Lane Drive
Owings Mills, Maryland 21117

RE: Case No. 94-321-XA
Legal Owner: Ira Berger, et ux
Contract Purchaser: Generic Auto Sales, Inc.
Property: 1028-1024 York Road

Dear Mr. Blum:

This is to acknowledge receipt of your letter dated June 23, 1994, received by this office on July 6, 1994.

I have reviewed the case file relative to this matter, including my opinion and order dated April 11, 1994, the site plan, and other evidence submitted at the public hearing held in this matter.

First, let me note that the Baltimore County Code and Baltimore County Zoning Regulations mandate the period of time during which my orders can be reconsidered and/or appealed. In either case, a request for reconsideration or an appeal of the decision to the County Board of Appeals must be requested within 30 days from the date of the decision. Any such request must have been filed on or before May 11, 1994, under the circumstances, I am legally barred from reconsidering my decision, in accordance with your letter. At this point, the proper procedural path for an amendment to my order would be for the property owner to file a zoning petition for Special Hearing, formally requesting a public hearing for reconsideration of the restrictions contained in my order.

Mr. Kenneth L. Blum, Jr.
President
Generic Auto, Inc./d/b/a Rent A Wreck
page 2 of 2

Respectively of the procedural requirements, let me offer the following comments regarding this case. I would not be inclined to remove the restriction in my order. I first note that I indicated my intention to add such a restriction at the public hearing and there was no opposition expressed to such a restriction at that time. According to the Petitioner's Sign-In Sheet, listing those attending the hearing, you were not present; however, Richard Fell was present on behalf of your company. Thus, I think Mr. Fell should have raised any objections at the time of the hearing so that they could have been fully evaluated and discussed.

More importantly, I do not believe the restriction to be unfair and inappropriate. The subject property is but a small parcel which contains multiple businesses. Allowing each business on the site unlimited outdoor advertising signs would detract from this property and the vicinity. I have afforded both your company and European Motors the opportunity to have their own permanent sign. Also, I have not required landscaping which the Baltimore County Office of Planning and Zoning supported. I believe my decision, in this respect, has been more than fair to you and that you have not been singled out or unduly penalized.

Let me also note that the York Road corridor is blighted by the vast numbers of permanent and temporary signage. I believe it appropriate that steps be taken to eliminate this visual pollution. I intend on imposing similar restrictions on other businesses as cases come before me. Moreover, as I indicated at the hearing, your type of business, as well as European Motors, does not lend itself to temporary signs. In my view, unlike some businesses which relate to the impulse buyers, your business draws customers who intend on patronizing the business well prior to the time they approach the property on York Road. This is not a business where it is reasonable by a temporary sign that a portion of sales is made at home. I doubt anyone that drives down York Road and spontaneously rents a vehicle from you because of your advertising. Thus, the only sign necessary for your marketing would be one to identify the location of the business.

For these reasons, I would not be inclined to revise my order, even if I am procedurally able. I regret that I cannot accommodate your request. However, I trust that I have satisfactorily explained the reasons for this restriction.

Very truly yours,

Lawrence S. Schaefer
Zoning Commissioner

cc: Newton A. Williams, Engineer
cc: Councilman Douglas A. Riley, Attn: Lisa Keir
cc: Paul Lee Engineering Co.
cc: Pat Keller, Director, Office of Planning and Zoning

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5506

(410) 887-4500

DATE: 02/25/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
WALL 2708-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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", 1991 edition prior to occupancy. FOR THE FOLLOWING ITEM NUMBERS: 305, 314, 315, 320 AND 323.

RECEIVED
FEB 28 AM
ZADA

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 687-6881, MB-1102P

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: March 16, 1994

SUBJECT: 1018 and 1024 York Road

INFORMATION:

Item Number: 323

Petitioner: Ira Berger

Property Size:

Zoning: B.R.

Requested Action:

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The proposed Special Exception for used car sales and numerous variances are requested at 1018-1024 York Road along the York Road North commercial corridor. The Town of Towson Plan, adopted February 1, 1992, established Urban Design areas. Subsequently, design guidelines were developed for this Urban design area which apply to this site and the requested hearing.

Two of the Variances requested are inconsistent with the design guidelines and the Town of Towson Plan, i.e., the setback variance requested for the display and storage area and the sign variance for two signs totaling 175-98 sq. ft. in lieu of the permitted 100 sq. ft. The eight display spaces should be reconfigured to accommodate the proposed streetscape system for York Road which involves a five foot attached sidewalk, shrubs (brown and green), and street trees (balders) placed in a 10' wide landscaped area.

The display area should be revised to provide for the streetscape improvement. Additionally, the site is prominently located just south of a designated gateway to Towson (York and the Beltway). The sign variance, if granted, would do little to decrease clutter along York Road; the design guidelines recommend low ground mounted signs instead of pole signs. Numerous temporary banners and streamers were observed on an site visit on 3/3/94. These types of signs increase the visual clutter and should be removed.

ZAC. 323/PZ08/ZAC1

Page 1

In conclusion, this office will not oppose the requested Special Exception and setback variances, provided an adequate streetscape improvement occurs.

Prepared by: *Jeffrey W. Long*
Division Chief: *Chris C. Lewis*

PK/323:lw

ZAC. 323/PZ08/ZAC1

ZAC. 323/PZ08/ZAC1

Page 2

Baltimore County Government
Office of Planning and Zoning
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3553

Provisional Approval
Permit No. 94-321-XA

DATE: 3/12/94

LOCATION: 1020 York Road

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following conditions (Please check appropriate boxes):

☒ Owner has filed for a public hearing, item # 323.
☐ Owner must file for a public hearing within 30 days before the Zoning Commission meeting held from all conflicts with the Baltimore County Zoning Regulations.
☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within 30 days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

Carl J. Jones
DIRECTOR OF PLANNING AND ZONING
AND DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the Zoning Commission. If applicable in this matter, I also hereby certify that I understand and in fact the matter and if applicable, the contract purchaser and not just the permit user.

Signature: *Ira Berger*
Owner
(Please print clearly)
Name: *Ira Berger*
Address: *1020 York Road, Baltimore, MD 21204*
Home Phone: *410-333-1350*
Home Phone: *410-333-1350*

Signature: *Pat Keller*
Contract Purchaser
(Please print clearly)
Name: *Pat Keller*
Address: *1020 York Road, Baltimore, MD 21204*
Home Phone: *410-333-1350*
Home Phone: *410-333-1350*

		LICENSING & CONSUMER SERVICES DIVISION (911) 756-7555	ZONING APPROVAL FORM
TO BE COMPLETED BY APPLICANT AND PRESENTED FOR APPROVAL TO THE LOCAL ZONING AUTHORITY.			
SUBMIT WITH APPLICATION			
COMPANY NAME (INCLUDING TRADING NAME) EUROPEAN MOTOR SALES LTD.			
BUSINESS OFFICE ADDRESS 1020 YORK ROAD			
CITY	COUNTY	STATE	ZIP CODE
TOWSON	BALTIMORE	MARYLAND	21204
NAME AND TYPE OF STORAGE LOCATION	CITY OR COUNTY	STATE	ZIP CODE
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE
NAME AND TYPE OF ANY ADDITIONAL STORAGE LOCATION	CITY OR COUNTY	STATE	ZIP CODE
STREET ADDRESS	CITY OR COUNTY	STATE	ZIP CODE
TYPE OF BUSINESS (CHECK APPROPRIATE BOXES)			
VEHICLE DEALERS ☐ WHOLESALE ☐ NEW ☐ USED ☐ TRAILER ☐ MOTORCYCLE		TRANSPORTER OF VEHICLES ☐ INSPECTION STATION ☐ VEHICLE PAINTING ☐ REMODELING OF VEHICLES ☐ VEHICLE REPAIRS ☐ INSTALLATION OF EQUIPMENT ☐ OTHER	
THIS SECTION TO BE COMPLETED BY ZONING OFFICIAL TO VERIFY APPLICANT HAS MET ALL LOCAL ZONING REQUIREMENTS TO CONDUCT THE TYPE OF BUSINESS SPECIFIED ABOVE.			
I CERTIFY THAT THE BUSINESS OF _____ Used Car Sales			
DOES _____ DOES NOT _____ MEET ALL LOCAL ZONING REQUIREMENTS, INCLUDING THE ISSUANCE OF A USE AND OCCUPANCY PERMIT, IF REQUIRED.		SIGNATURE: <i>Carl J. Jones</i> OFFICIAL CAPACITY: <i>Director, ZAM</i> TELEPHONE # <i>887-3391</i> DATE <i>2/17/94</i>	
*Provisional Approval (see letter) - MCR TWA # 323		CR-88-08	

Mr. Jablon
Page Three
July 20, 1993

We look forward to discussing the matter on Monday, July 26, 1993, and we appreciate the early appointment. With best regards, I am,

Respectfully,

Newton
Newton A. Williams

NAM/pmk

cc: Mr. and Mrs. Ira Berger
Mr. Carl Richardson, ZADM

Speed
Letter

Newton,

Based on the information you have provided relating to prior approvals and use of the property for used vehicle sales (not ancillary to a new vehicle dealer), this office will provisionally approve the use. This approval is subject to the conditions in the attached "Provisional Approval" form which must be completed and returned with any applications for approval. If you have any questions or need any assistance with your client's application, please contact me in this office.

July 27, 1993

Sincerely,

W. Carl Richardson, Jr.
W. Carl Richardson, Jr.
Zoning Coordinator

WCR/jc

For Signature

NEWTON A. WILLIAMS
TOWSON, MARYLAND
NOLAN, PLUMHOFF & WILLIAMS
CHRYSLER
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
410-853-7800
TELEFAX 410-856-8785
March 8, 1994

Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner
Old Court House
400 Washington Avenue
Towson, Maryland 21204

RE: The Berger, former European Motors
Property, 1018-1024 York Road
Case No. 1-24-321-20 (Item 323)
Schedule Hearing Date
Friday, March 23, 1994 at 2:00 p.m.

Dear Commissioner Schmidt:

As our case will disclose, certain changes in the automobile business have caused us to petition for certain relief regarding used cars, building variances and sign variances on the Berger property. As you can see from the enclosed Notice of Hearing, the Notice says 1018-1024 York Road.

The proposal is to place a rental car operation with incidental used car sales on Parcel A at 1018, while a request is also being made on the building collectively known as 1020 and 1024.

As the description correctly shows, and as the plat shows, the portion of the building at 1020 and 1024 being sought for used car use is actually at 1020, rather than 1024.

However, the addresses are virtually indistinguishable by the post office, this is all one building, and the plat, the zoning notice, the Notice of Hearing and the descriptions all properly show this request.

RECEIVED
MAR 9 1994

ZADM

To: Newton Williams Esq.

If you feel that in order to show that 'not only will our business appear to be the same, to the public, as regards traffic, congestion etc., the following sales figures may be important. The lower sales also reflect lower stocking and congestion of space.

Year Number of sales

1986	164
1987	168
1988	141
1989	142
1990	153
1991	97
1992	109
1993	73

GENERIC AUTO, INC. dba
RENT-A-WRECK

June 23, 1994

Lawrence E. Schmidt
Zoning Commissioner
Suite 113-Courthouse
400 Washington Avenue
Towson, MD 21204

Dear Commissioner Schmidt:

Recently, approval was given to a site I am leasing at 1018 York Road (Case 94-321-KA). The zoning was to allow used car sales. While the site had been a used car lot for many years, the county nonetheless felt it necessary to approve it again for the same thing. Being a member of the Northwest community, I appreciate the concern for aesthetic cleanliness in the York Road corridor. However, I feel I have been unfairly singled out to comply with a rule that applies to no one but me.

The restriction on outside advertising such as balloons and banners is clearly directed at only my business. Many businesses within 1/2 mile from my location currently have banners and additional signage. While I have complied with this minor restriction, it is extremely detrimental to my business. If my competitors are allowed to have banners and balloons, then so should I. In the interest of fair trade, I insist that you repeal your restriction on business and Towson could lose a valuable member of its community. Towson Rent-A-Wreck.

Legal fees for this matter have cost me thousands of dollars. I hope that it won't cost me thousands more simply to resolve this issue. I would like to discuss this matter further. Please call me at your earliest convenience at 581-5755 x 48. I look forward to speaking with you.

Sincerely,

Kenneth L. Blum, Jr.
Kenneth L. Blum, Jr.
President

KLBlw
cc: Councilman Doug Riley
Senator Vernon Boerger
Delegate John Bishop
Delegate Gerry Brewster
Delegate Martha Kilias

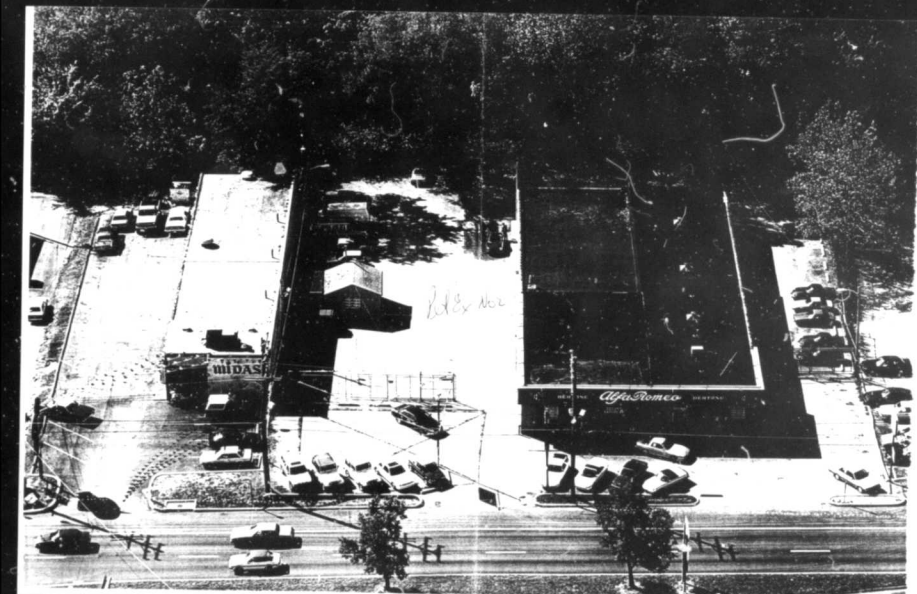
11400 Cromridge Drive, Owings Mills, Maryland 21117
(800) 421-7253 • (410) 881-5755 • Fax (410) 881-1500

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Buyer 74-041-XA

NAME	ADDRESS
Newton Williams, Esq.	700 Court Towers, 21204-527-7800
Carl Richardson	210 West Pennsylvania Ave. 21204
Don Berger	1020 York Road, 21204
Michael Bern	11400 Cromridge Dr. 21117
Jeffrey Day	11400 Cromridge Dr. 21117
Jeffrey Day	7774 Fleet Street, 21204





A. Frontage, looking S from intersection
Bundling

The Rayer Property
1018, 1020 and 1024



B. South side of property, 1018 York Rd.
Rental of used cars and
some sales, proposed.



C. Front view of 1020 and 1024
looking South



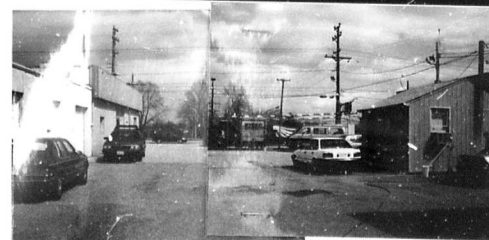
D. Small office and shed at 1018 for
mobile / used car sales.



F. 1024 York Rd - Service Garage.
Star Auto



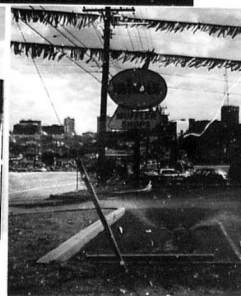
G. Looking East on property, N/S approach
by Star Motors Service Garage



E. Looking East from rear of property, 1018 on right, 1020 on left.



H. Looking South from
adjacent property

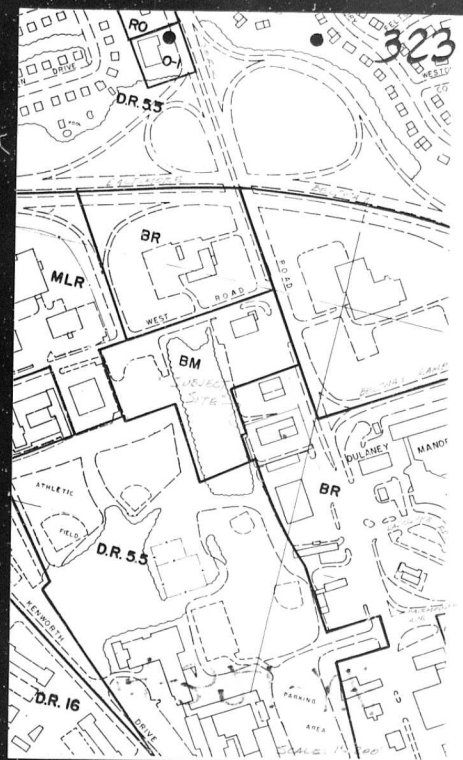


I. Looking South at Muffler
Operations next door.



J. Looking North at Rite and
Service Garage, next door.

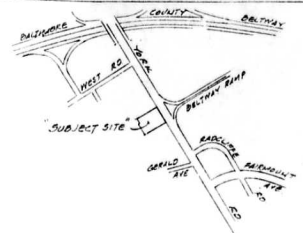
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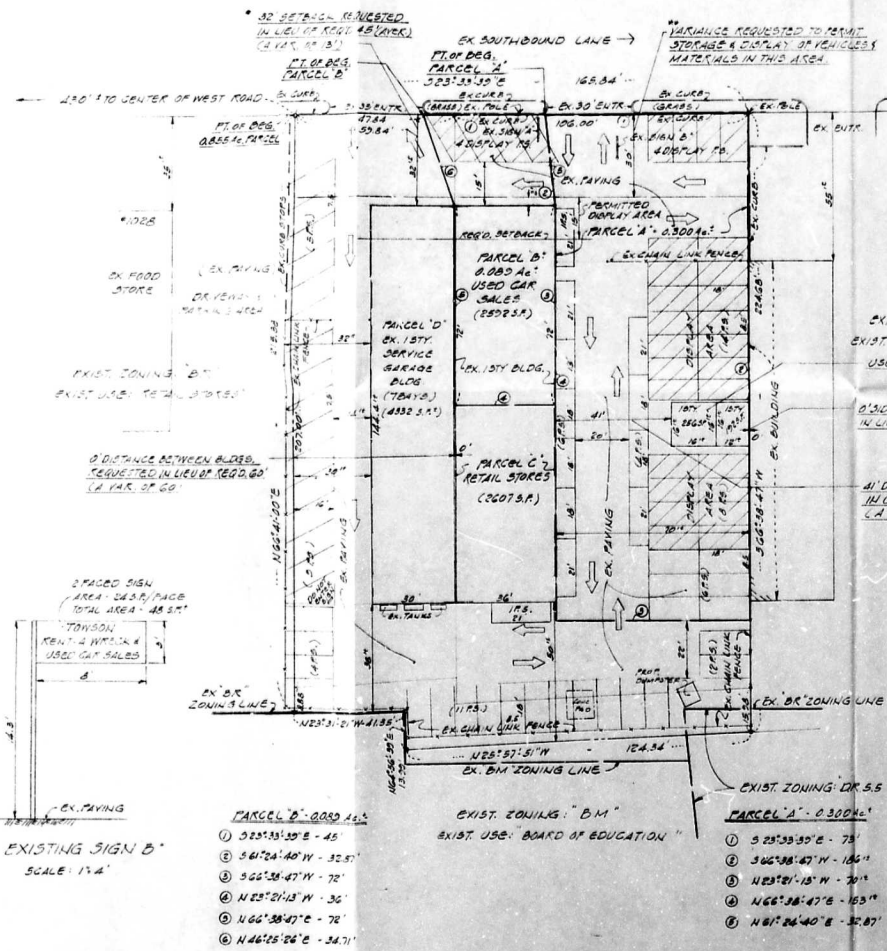
RENTA WRECK

ROAD

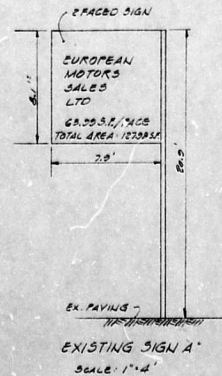
← EX. NORTHBOUND LANE



LOCATION PLAN
SCALE: 1" = 300'



1. AREA OF PROPERTY = .0055 AC (30000 SQ. FT. - 40000 SQ. FT.) PARCEL A = .0004 AC, PARCEL B = .0004 AC.
2. EXISTING ZONING OF PROPERTY = "R" OR "D" 5.5."
3. EXISTING USE OF PROPERTY = "EUROPEAN MOTORCYCLES SALES LTD. SERVICE GARAGE, USED CAR SALES & RETAILS."
4. PROPOSED ZONING OF PROPERTY = "B" W/SP. EXCEPTION 1 "D" 5.5."
5. PROPOSED USE OF PROPERTY = "SERVICE GARAGE, USED CAR SALES & RETAIL, RETAIL STORE."
6. REQUIRED OFF-STREET PARKINGS:
 - A. EXISTING SERVICE GARAGE - 4332 A.F. (3.3) / 1000 SF. = 14.3
 - B. EXIST. USED CAR SALES & RETAIL, PARCEL A = .0004 AC = 448 S.F. (3.3) / 1000 SF. = 12.06
 - C. EXISTING USED CAR SALES - "PARCEL B" = .0004 AC = 448 S.F. (3.3) / 1000 SF. = 12.06
 - D. PROPOSED RETAIL STORE - "PARCEL C" = .0007 S.F. (3.3) / 1000 SF. = 13.04
 - E. TOTAL PARKING SPACES REQUIRED = 42.54 = 43 S.F.
7. NUMBER OF PARKING SPACES SHOWN = 66 S.F.
(CUSTOMER PARKING - 43 S.F., SERVICE BLDG - 7, USED CAR DISPLAY - 30)
8. PETITIONER REQUESTS A SPECIAL EXCEPTION TO PERMIT USED CAR SALES & RETAIL IN A "B" ZONE (SECTION 228.4.1) (3000 S.F.)
9. PETITIONER REQUESTS A SPECIAL EXCEPTION TO PERMIT A USED CAR DISPLAY IN A "B" ZONE. (PARCEL B = .0004 AC.)
10. ANY DAMAGED VEHICLES TO BE REPAIRED WILL BE STORED OVERNIGHT INSIDE SERVICE BLDG.
11. PETITIONER REQUESTS A VARIANCE TO SECTION 228.4.1 OF THE BOZER TO PERMIT STORAGE AND DISPLAY OF VEHICLES AND MATERIALS WITHIN THE FRONT PARKING/STACK AREA IN LIEU OF THE PERMITTED 3' FROM THE FRONT OF THE EXISTING BUILDING (PERMITTED DIST. 10' FROM FRONT OF EXISTING BLDG. (45' - 10' = 35'))
12. PETITIONER REQUESTS A VARIANCE TO SECTION 228.4.2 OF THE BOZER TO PERMIT A 0' SIDEYARD SETBACK IN LIEU OF THE REQD. 30' (A VARIANCE OF 30').
13. PETITIONER REQUESTS A VARIANCE TO PERMIT A 5' AND IN DISTANCE BETWEEN BUILDINGS IN LIEU OF THE REQD. 60' (A VARIANCE OF 60' AND 15').
14. PETITIONER REQUESTING A VARIANCE TO SECTION 418.1.F OF THE BOZER TO PERMIT A TOTAL 5' IN AREA OF 175.00 S.F. (25' X 7') IN LIEU OF THE PERMITTED 100 S.F. (A VARIANCE OF 25.00 S.F.)
15. PETITIONER REQUESTS A VARIANCE TO SECTION 228.2.2 OF THE BOZER TO PERMIT A FRONT YARD SETBACK OF 12' IN LIEU OF THE REQUIRED 48' (AVERAGE SETBACK) A VARIANCE OF 15'.
16. PROPERTY SERVED BY PUBLIC UTILITIES.
17. PERMITTED P.A.R. = 1.0 EXISTING P.A.R. = 0.05



PLAT TO ACCOMPANY PETITION
FOR

SPECIAL EXCEPTION & VARIANCES
*1013-1024 YORK ROAD

5TH ELECT. DIST.
SCALE: 1" = 20'

BALTIMORE COUNTY, MD.
FEB. 16, 1994

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



94-321-A

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Ref. Ex No 1