

IN RE: PETITIONS FOR SPECIAL HEARING & \*  
SPECIAL EXCEPTION  
R/S Ingleside Avenue, 170 ft. +/- \*  
W of c/o Lodge Road \*  
644 Ingleside Avenue \*  
1st Election District \*  
1st Councilmanic District \*  
Legal Owner: Edward Warren, et al \*  
Contract Purchaser: Advance \*  
Automobile, Inc., Petitioner \*

\*\*\*\*\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commission on Petitions for Special Hearing and Special Exception for the property located at 644 Ingleside Avenue in the Catonsville section of Baltimore County. Special Exception relief is requested to permit an automobile service garage in a B.L. zone. As to the Special Hearing, approval is requested of a nonconforming use for parking and business access in a D.R.5.5 zone. The relief request and subject property are more particularly shown on the plat to accompany the Petitions for Special Exception and Special Hearing marked as Petitioner's Exhibit No. 3.

Appearing at the requisite public hearing were James Hannon and several members of his family, who are proprietors of the proposed business. Also present on behalf of the Petition was Matt Decker, the realtor who listed the property for sale to the Petitioner and Gerald L. Williams, a long time resident of the locale. Also appearing was Albert W. Reay, a Civil Engineer with Fisher, Collins and Carter, Inc., who prepared the site plan. Lastly, Francis A. Flannery, who owns property next door, also testified in support of the Petition. The Petitioner was represented by Francis K. Borgerding, Jr., Esquire.

Numerous individuals appeared in opposition to the Petition. These included Joanne Moresberger, appearing on behalf of the Old Salem Evangelical

cal Lutheran Church, an historic place of worship which is located across the street from the site. Other residents who testified included David S. Mortimer, Victor Pachel, Lynde Rodgers, and Mary Clark. Jeffrey Long, an employee with the Office of Planning and Zoning, also appeared and testified.

Testimony from Mr. Hannon was that he and his family are the owners and operators of the Western Exxon Station which is located slightly less than 1/2 mile from the site. This is a family business which has been at its present location for 26 years. The business includes the sale of gasoline and a service garage operation where automobiles are repaired. It is apparent that this is a successful operation which enjoys a good rapport with the surrounding community.

The Petitioner has entered into a contingent contract of sale for the subject site. Mr. Hannon proposes transferring a portion of the existing business to the site. Specifically, he wishes to operate a service garage on the property and proposes relocating the repair business to this site. There will be few changes to the existing building. Two garage doors will be added so that the building will have three bays. Interior renovations will also be made to accommodate the work area. The Petitioner does not anticipate any storage of vehicles on the site, nor sales of gasoline or other fuels from this property. The proposed hours of operation will be from 8:00 A.M. to 5:00 P.M., Monday through Friday and 9:00 A.M. to 12:00 noon on Saturday. Additional improvements are proposed to screen the property and to further landscape same. These improvements are proposed with an eye towards buffering the property from the surrounding residential community. In Mr. Hannon's view, he believes that the proposed use can be conducted on this site without negative impact to the surrounding locale.

ORDER RECEIVED FOR FILING  
Date May 19, 1994  
By Th. H. H. H.

-2-

He indicated that most of his clients schedule appointments in advance to have their vehicles repaired. Thus, he anticipates minimal traffic volume generated by the operation. Particularly, he believes that no more than ten vehicles will be required on any given day and there will not be a steady in and out of traffic, as that the facility will not be a gasoline.

Also testifying on behalf of the Petition was Albert W. Reay, a Land Consultant, who assisted in the preparation of the site plan. He described the subject site and its environs. The property is approximately 2.83 acres in net area and is split zoned B.L. and D.R.5.5. It has a long history of use as the site of the Wilhide's Florist business. In fact, the unusual zoning of this property reflects the long history of use of the building for the flower business. Particularly, as shown on the site plan, the B.L. zoning encompasses a footprint reflecting the configuration of the building. Apparently, the County Council, in recognizing the Wilhide's long use of the property, zoned the building and a small area around the perimeter of same B.L., in order to protect the validity of this business. However, the remaining acreage of the property, including much of the parking area and the perimeter of the property as a whole, is zoned D.R.5.5.

Mr. Reay also discussed the surrounding locale. As noted above, the property bears an Ingleside Avenue address and is located between Maryland Route 40 and the Baltimore Beltway (I-695). Obviously, these roads are major thoroughfares and there is much commercial business use on the Baltimore National Pike (Route 40). However, the subject property is located within an enclave of residential properties. Residential properties exist immediately adjacent to the site, although some of these residential structures have been converted to business uses nearby. Most importantly, the Old Salem Evangelical Lutheran Church is located across the street from the

ORDER RECEIVED FOR FILING  
Date May 19, 1994  
By Th. H. H. H.

-3-

property. This is an historic landmark which has been on the County's list of historic places for many years. Also, across the street is the R.I.E. Corporate Park, an office complex which contains five single story office buildings.

Mr. Reay discussed the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), which govern all special exception uses. In his view, the proposed use will not be detrimental to the surrounding locale.

Also testifying was Matt Decker, a Realtor with O'Connor, Piper and Flynn. Mr. Decker outlined the history of the property and its long use as a flower shop, as discussed above. He believes that the proposed use is appropriate.

Mr. Jerry Millman also testified. He was a long standing customer of the Wilhide's Florist and remembers buying flowers at that location in 1942. He testified that the florist use was there for many years and quite probably existed prior to World War II. He was less than clear on cross examination, however, as to the exact area of the parking lot at that time. It is clear that there was a parking area on the site to serve Wilhide's Florist but the exact location of the improvements and parking areas were unclear.

Lastly, Francis Flannery, who resides next door, also testified. He supports the proposed use. He is particularly concerned over the present use of the property. Apparently, it is run down and has been used for storage and dumping purposes since Wilhide's Florist left the site. In his view, installation of the proposed business next door would clean up the property and improve same.

ORDER RECEIVED FOR FILING  
Date May 19, 1994  
By Th. H. H. H.

-4-

In opposition to the request, testimony was received from Joanne Moresberger, a Director of the Old Salem Church. She noted that the Church is a historic landmark and has been so designated by both Baltimore County, the State of Maryland and the Federal Government. She and her fellow directors on the Church's Board oppose the special exception. They believe that same is inappropriate in this area. She is desirous of protecting the Church property and preserving the visibility of the neighborhood. These comments were echoed by Jeffrey Long from the Office of Planning. Mr. Long related the history of the zoning of the property and provided an explanation of the unusual B.L./D.R.5.5 zoning. His office also opposes the special exception. He noted that this was an older urban area and that service garages are among the least favored uses in this type of locale. He believes that the granting of a special exception would be detrimental to the Church and a destabilizing factor to the surrounding neighborhood.

As to the many neighbors who testified, their comments were uniform in opposition to the proposed use. They fear increased traffic congestion, pollution and similar negative effects associated with this proposed business. They wish to preserve the residential character of the neighborhood and also believe that the proposed use would be aesthetically damaging to the surrounding locale.

As is well settled, any Petition for Special Exception must be evaluated pursuant to those standards set forth in Section 502.1 of the B.C.Z.R. Therein, numerous considerations are listed as to the proposed uses including potential impact on traffic, pollution, overcrowding of land, etc. In essence, the Petitioner must adduce testimony and evidence that the proposed use can be operated without detriment to the health, safety and general welfare of the locale.

Moreover, the case law requires the Petitioner demonstrate that the proposed use at the particular location can be allowed only if it would not have adverse impact above and beyond that inherently associated with the special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

Thus, the uniqueness of the property and its environs are significant when considering any special exception request. In the instant case, I am persuaded that the Petitioner has failed to meet its burden. I have no doubt that Mr. Hannon runs a clean operation at his present address and will continue to do so at any new location where he expands. He appears to be a conscientious businessman who is sensitive to public concerns. Nonetheless, the inherent effects of any service garage use are apparent. They are particularly incompatible to the locale in this case due to the historic church which is located within close proximity. In my view, the existence of the church at this location makes this site unique and amplifies the negative impacts of the operation above and beyond which might be expected. The negative impact produced by the use will be particularly detrimental to the historic character of the property immediately across the street. Thus, the Petition for Special Exception must and should be denied.

As to the Petition for Special Hearing, same is rendered moot by the denial of the Petition for Special Exception. Special Hearing relief had been requested to validate the continued parking and business use of a portion of the property as a nonconforming use. The testimony offered by the Petitioner in this respect was unsettled. Although it is clear that business parking has been on the site for many years serving the Wilhide business, it is not certain exactly where that parking occurred. However,

ORDER RECEIVED FOR FILING  
Date May 19, 1994  
By Th. H. H. H.

-5-

since the Wilhide business has discontinued operations on site, it is uncertain whether there has been a discontinuance or an interruption of this nonconforming use. In any event, I decline to specifically rule on this issue in view of my decision to deny the Petition for Special Exception.

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 denied.

THEREFORE, IT IS ORDERED by the Zoning Commission for Baltimore County this 20th day of May, 1994 that, pursuant to the Petition for Special Exception, approval to permit an automobile service garage in a B.L. zone, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, as per the decision on the Petition for Special Exception, no decision is made on the Petition for Special Hearing and is considered MOOT.

James E. Schmitt  
JAMES E. SCHMITT  
Zoning Commissioner for  
Baltimore County

LEJ:mn

ORDER RECEIVED FOR FILING  
Date May 19, 1994  
By Th. H. H. H.

-6-

Baltimore County Government  
Zoning Commission  
Office of Planning and Zoning



Suite 113 Courthouse  
600 Washington Avenue  
Towson, MD 21204

(410) 987-4336

May 19, 1994

Francis K. Borgerding, Jr., Esquire  
Suite 600, 409 Washington Avenue  
Towson, Maryland 21204

RE: Case No. 94-365-SPEX  
Petitions for Special Hearing and Special Exception  
Legal Owner: Edward J. Warren, et al  
Contract Purchaser: Advance Automobile, Inc.  
Location: 644 Ingleside Avenue

Dear Mr. Borgerding:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Special Exception have been denied, 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 807-1291.

Very truly yours,

James E. Schmitt  
JAMES E. SCHMITT  
Zoning Commissioner

LEJ:mn  
encl.  
cc: James Hannon, President, Advance Automobile, Inc.  
cc: Protestants listed on Sign-in Sheet

76

Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at 644 Ingleside Ave., Baltimore, MD 21226 which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property above in Baltimore County and which is described herein and made known hereby petition for a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for an automobile service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, the undersigned, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and will be bound by the zoning regulations and conditions of Baltimore County applicable to the zoning use in Baltimore County.

Current Petitioner: Advance Automobile, Inc. 944-4392 Edward J. Warren 944-4392 919 Circle Drive, Towson, MD 21226

Witness: Francis A. Borcarding, Jr. 944-4392 409 Washington Ave., Ste. 600 Towson, MD 21204 298-6820

Notarized by: [Signature] 3/17/94 ITEM # 353

#353

Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at 644 Ingleside Ave., Baltimore, MD 21226 which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property above in Baltimore County and which is described herein and made known hereby petition for a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for an automobile service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, the undersigned, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and will be bound by the zoning regulations and conditions of Baltimore County applicable to the zoning use in Baltimore County.

Current Petitioner: Advance Automobile, Inc. 944-4392 Edward J. Warren 944-4392 919 Circle Drive, Towson, MD 21226

Witness: Francis A. Borcarding, Jr. 944-4392 409 Washington Ave., Ste. 600 Towson, MD 21204 298-6820

Notarized by: [Signature] 3/17/94 ITEM # 353

#353

DESCRIPTION OF THE ZONING AREA: WILDLIFE PROPERTY FIRST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point North 03°20' West 170 feet, more or less, from the intersection of the center-line of Ingleside Avenue and Lodge Road, and running thence binding along the BL Zoning line, as shown on a "Plan to accompany a Special Exception Hearing of the Wildlife Property", as now described.

- 1) North 15°32'57" West 59.50 feet,
- 2) North 74°27'03" East 64.70 feet,
- 3) South 15°32'57" East 15.00 feet,
- 4) North 74°27'03" East 10.00 feet,
- 5) South 15°32'57" East 12.20 feet,
- 6) North 74°27'03" East 18.40 feet,
- 7) South 15°32'57" East 50.30 feet,
- 8) South 74°27'03" West 61.30 feet,
- 9) North 15°32'57" West 18.00 feet,
- 10) South 74°27'03" West 31.80 feet to the point of beginning; containing 5,992 square feet of land, more or less.

BEING A part of the Firstly described parcel of that land which by deed dated January 1985 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 6851 at Folio 137 was granted and conveyed by Theodore Harper Withilde and Kathryn V. Withilde to Theodore Harper Withilde. Withilde, Des D.18

FISHER, COLLINS & CARTER, INC. 311 Baltimore Boulevard, Suite 100, Baltimore, Maryland 21202

CERTIFICATE OF POSTING: BALTIMORE COUNTY, MARYLAND

District: 1st Election District  
Petitioner: Edward J. Warren & Francis A. Borcarding, Jr.  
Location of property: 644 Ingleside Ave., Towson, MD  
Location of signs: Signs are presently being posted  
Notarized by: [Signature]  
Date of return: 3/15/94

CERTIFICATE OF PUBLICATION: TOWSON, MD. April 1, 1994

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 March 31, 1994.

THE JEFFERSONIAN, LEGAL AD. - TOWSON  
A. Henrichson

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue, Towson, MD 21204 (410) 887-3333

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURE

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl J. [Signature]  
Arnold J. [Signature]

For newspaper advertising:  
Item No. 353  
Petitioner: Advance Automotive, Inc.  
Location: 644 Ingleside Ave.  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: JAMES HANCOCK  
ADDRESS: 919 Circle Drive, Towson, Maryland 21204  
PHONE NUMBER: 744-4392

TO: PETERSON PUBLISHING COMPANY  
March 31, 1994 Issue - Jeffersonian

Please forward billing to:  
James Hancock  
919 Circle Drive  
Towson, Maryland 21227  
410-746-4722

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 on:

Room 106, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-365-SPHX (Item 353)  
644 Ingleside Avenue  
6th/7th Election District - 1st Councilman  
Legal Owner(s): Edward J. Warren and Thomas Booth  
Contract Petitioner(s): Advance Automotive, Inc.  
HEARING: TUESDAY, APRIL 26, 1994 at 2:00 p.m., in: 118 Old Courthouse.

Special Hearing to approve a non-conforming use for parking and business access in a D.R.-5.5 zone.  
Special Exception for an automobile service garage.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE RECAPTURED ACCESSIBLE FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.  
(2) FOR INFORMATION CONCERNING THE FILE NO./ON HEARING, PLEASE CALL 887-3333.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue, Towson, MD 21204 (410) 887-3333

March 24, 1994

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 on:

Room 106, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-365-SPHX (Item 353)  
644 Ingleside Avenue  
6th/7th Election District - 1st Councilman  
Legal Owner(s): Edward J. Warren and Thomas Booth  
Contract Petitioner(s): Advance Automotive, Inc.  
HEARING: TUESDAY, APRIL 26, 1994 at 2:00 p.m., in: 118 Old Courthouse.

Special Hearing to approve a non-conforming use for parking and business access in a D.R.-5.5 zone.  
Special Exception for an automobile service garage.

Carl J. [Signature]  
Arnold J. [Signature]

NOTES: (1) HEARINGS ARE RECAPTURED ACCESSIBLE FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.  
(2) FOR INFORMATION CONCERNING THE FILE NO./ON HEARING, PLEASE CALL 887-3333.

receipt 94-365-SPHX

DATE: 3/17/94

ADVANCE AUTOMOTIVE, INC.  
# 644 INGLESIDE AVE.  
TOWSON, MD. 21226

640 - SPECIAL HEARING - \$ 250.00  
650 - " " " - \$ 500.00  
660 - 2 SIGNS - \$ 70.00  
TOTAL = \$ 820.00

03/03/94 SPACED  
03/03/94 SPACED  
Please Make Checks Payable To: Baltimore County





# ROUTE 40 CORRIDOR

## Baltimore National Pike

- 5206
  - 5217
  - 5301
  - 5408
  - 5410
  - 5620
  - 5630
  - 5603
  - 5610
  - 5612
  - 5625
  - 5627
  - 5641
  - 5645
  - 5651
  - 5656
  - 5691
  - 5717
  - 5931
  - 5932
  - 6001
  - 6008
  - 6013
  - 6034
  - 6037
  - 6102
  - 6116
  - 6200
  - 6323
  - 6323
  - 6323
  - 6323
  - 6324
  - 6332
  - 6427
  - 6431
  - 6431
  - 6431
  - 6431
  - 6440
  - 6456
  - 6515
  - 6525
  - 6555
  - 6600
  - 6600
  - 6616
  - 6824
  - 6831
  - 6700
- Charing Crossing Car Care Center  
Crown (Gas Only)  
Merchants Tire and Auto Center  
All Tuna and Lube  
All Tuna Supply  
Maine  
Chrysler Plymouth West  
Kimmel Tire Auto Center (Rt. 40 & Johnsmdake Rd.)  
Catonsville Transmission & Auto Center  
Firestone  
Prices Amoco  
Vareity Auto Repair  
Catonsville Auto Body  
Speedy Muffler King  
Goodyear  
Windshield America  
Hercules Auto Parts  
Hummel's Dodge  
Gallagher Amoco (Gas Only)  
Beltway Shell Service Center  
Brianna Crown (Gas Only)  
Caton Auto Clinic  
Savon Gas (Gas Only)  
Homestead Auto Service  
40 West Exxon  
Fisher Auto Parts  
Jiffy Lube  
Precision Tune  
One Mile West Exxon  
40 West Chevron  
Banner Glass  
Eurosport  
Rumors (Closed for Remodeling)  
Mr. Tire Auto Service Center  
Lockett's Auto Care  
Manik Mufflers  
Import and Domestic Auto Brake and Tuneups  
Discount Tire Express  
All Tune and Lube  
Antwerp Motor Cars  
Rosehill Shell  
Pep Boys  
Wurtz's Garage  
Nidas Muffler and Brake Shop  
Exxon Lube-M-Tune  
Car Sounds  
Russell BMW/Quick  
40 West VW-Mazda-Subaru  
Fox Hyundai Lincoln Mercury  
Russell Toyota

## LEGEND

- Red - Auto Repair Shop (45)  
Blue - Car Dealers (7)  
Yellow - Gas Stations (20) (5 are gas only)  
Green - Auto Parts Stores (11)  
Orange - Suitable Vacancies (5)

## TOTAL AUTO RELATED BUSINESSES (88)

Map taken from the Rand McNally Baltimore and Baltimore County street finder page 58. Map segment shown is 3.2 miles wide and 2.4 miles high - showing a 7.68 square mile area bordered by Baltimore City on the east, Patapsco State Park on the west, and Route 70 to the north and some points south of Frederick Road.

- ROUTE 40 CORRIDOR**
- Lenlie Avenue**
- 1005
  - 1011
  - 1011
  - 1011
  - 1014
- Same Auto Repair  
Carion Specialty Auto Body Services  
Rolling Road Auto Center  
Speed Pro  
Ziebart Tidy Car

- Rolling Road**
- 700
  - 1000
  - 1100
  - 1101
- 40 West Shell  
Boiling Road Shell  
Firestone  
Maco Auto Painting and Body Works

## Inglestone Avenue (North Side of Route 40)

- 920
  - 1022
  - 1316
- Westview Shell  
Westview Service Center  
Shoolden Garage

- Johnsmdake Road**
- 6200
- Dickson Mobil Service Station

## KIRKCONDON AVENUE

- 5317
  - 5505
  - 6122
  - 6132
  - 620
- Ten Hills Shell  
Westway Auto Parts  
Westowne Exxon  
Catonsville Car Care Center Inc.  
Ingwood Amoco

## FREDERICK ROAD CORRIDOR

- Frederick Road**
- 408
  - 585
  - 607
  - 608
  - 608
  - 715
  - 752
  - 2118
  - 6352
  - 6352
- Booths Gas and Go (Gas Only)  
Ridgeway Automotive  
Morgue Amoco Service Station  
Jiffy Lube  
Fire Body Shop  
Catonsville Auto Parts  
Catonsville Auto Repair  
CJ Auto Repair  
Lamara's Auto Repair  
Kaufers Amoco Service Center

## FREDERICK ROAD CORRIDOR

### Smith Lane

- 79
  - 80
  - 81
  - 82
  - 83
- European Motors, Inc.  
Hamilton Machine Shop  
Catonsville Automobile  
L & I Auto Repair  
American Glass and Upholstery

## VACANCIES

- Old location of Catonsville Transmission on Route 40
- Previous gas station on Route 40
- Smith Lane
- 40 West Auto Park
- Previous car dealership on Route 40

Pen & Charles Jarboe  
611 Ingleside Ave

I've purchased our home from our Blitha-in-law's family almost 2 years ago. The home has been in this family since it was built in 1898 by the grandfather. We are renovating the home since the home in the existing area are older, well maintained. This road is a residential area and should remain so. There are 4 school bus stops on this road between Calverton Road and Edmondson Avenue. Traffic is fairly busy, police are regularly setting up speed traps. A service car center will increase traffic. Increase pollution. Increase noise. We are utilizing this area for a retail or office building or retaining it to a residential area.

Don Jarboe

April 26, 1974

Dear Sir

I have lived at 700 Ingleside Ave for 10 years. There is a residential family community surrounding the entire location in question. The commercial property is set away from this location. Since there is no demand particularly for this type of business and that it would not fit into the scheme of a family oriented neighborhood and community, I do commend the zoning for this location be denied.

Vicki Parker  
Thank you





Ref No 8

[illegible]

| PRINT NAME             | ADDRESS/PHONE               | SIGNATURE     |
|------------------------|-----------------------------|---------------|
| * Edna + Elmore Bevier | 612 Taylor Ave. 747-8463    | Edna Bevier   |
| Helene Fisher          | 6114 Taylor Ave. 747-2998   | Helene Fisher |
| Marnie Murre           | 615 Ingelaine Ave. 744-8734 | Marnie Murre  |
| Fran + Charles Jacob   | 611 Ingelaine Ave. 744-8504 | M. Jacob      |

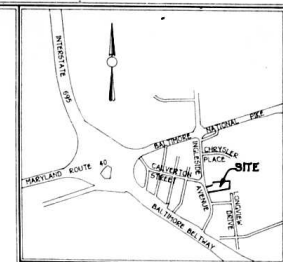
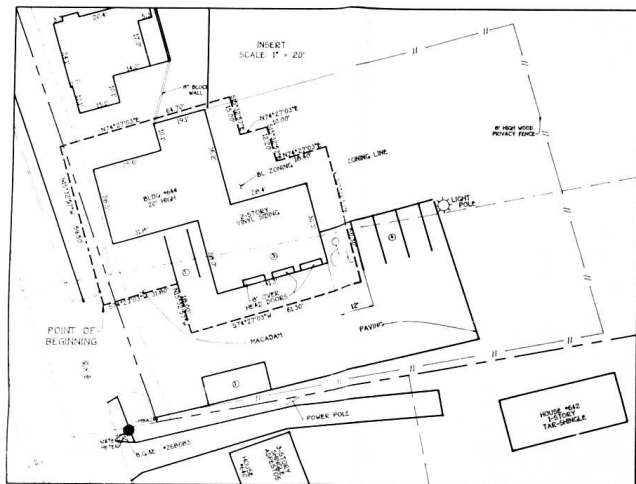
April 24, 1994

Very truly yours,  
  
 Jolene T. Morsberger  
 President  
 Board of Directors

JTM/ics

Mary E. Clark 3 Lodge Rd Catonsville Md 21228  
 \* Mary E. Clark 3 Lodge Rd Catonsville Md 21228  
 Mrs. Lee Norbrennan 3 Lodge Rd 21228  
 \* Lyndell L. Clark 3 Lodge Rd 21228  
 \* Mrs. L. Norbrennan 4 Lodge Rd 21228  
 Susan I. Mathewson 4 Lodge Rd Balt, MD 21228

John Swenson 622 Longview Dr. Cheseville, md 21228  
Edward J. Swenson 620 Longview Dr. Baltimore md 21228  
Scene L. Webb 624 Longview Dr. Cheseville md 21228  
Dani S. Webb 628 Exline Ave. Catonsville md 21228  
Richard E. Lutz 626 Longview Drive Cheseville Md 21228  
R. Earl C. Lutz 626 Longview Dr. Balt. Md 21228



VICINITY MAP  
SCALE 1" = 200'

**GENERAL NOTES:**

1. GROSS AREA OF SITE: 2.92 ACRES.
2. NET AREA OF SITE: 2.80 ACRES.
3. ZONING: RES-15.
4. THE REASONS & DISTANCES SHOWN HEREON ARE BASED ON A COMPLETION OF DEEDS, EASEMENTS AND EASE-OF-WAY PLATS AFFECTING THE PROPERTY AND IS NOT THE RESULT OF A BOUNDARY SURVEY.
5. UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN LOCATED BY ACTUAL FIELD MEASUREMENT, SUPPLEMENTED BY INFORMATION OBTAINED FROM THE UNEDGED ADJACENT PROPERTIES. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY HERE THE COMPLETION OF THE INFORMATION RECEIVED. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO THEIR OWN SATISFACTION PRIOR TO THE START OF CONSTRUCTION.
6. LOCATION OF INDIVIDUAL ELECTRIC, TELEPHONE, GAS, WATER AND SANITARY SEWER SERVICE CONNECTIONS AS SHOWN HEREON ARE UNCERTAIN. THE LOCATION OF SAID CONNECTIONS HAVE BEEN FIELD LOCATED WHERE POSSIBLE, BUT IN CASES WHERE THE LINES HAVE BEEN CONSTRUCTED AND BACKLASHED OR PAVED OVER, THE CONNECTIONS SHOWN ARE BASED ON EXISTING PLAN INFORMATION OR AN ESTIMATION OF POSSIBLE LOCATION. SHOULD ELEVATION BECOME NECESSARY FOR MAINTENANCE, REPAIR OR CONSTRUCTION WITHIN THE VICINITY OF THESE LINES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY DETERMINE THEIR LOCATION PRIOR TO COMMENCING WORK.
7. THE PETITIONER TO REQUESTING APPROVAL OF A SPECIAL EXCEPTION TO PLACE AND MAINTAIN A RESTAURANT GARAGE WITHIN AN EXISTING RES-15 ZONE PER SECTION 2301J OF THE BALTIMORE COUNTY ZONING REGULATIONS.
8. THE PETITIONER IS REQUESTING APPROVAL OF THE NON-CONFORMING USE STATUS, ALLOWING PARKING AND BUSINESS ACCESS IN A RES-15 ZONE.
9. BUILDING MAX AT INGLESIDE AVENUE CONTAINS 2,718 SQFT OF FLOOR AREA.
10. PARKING REQUIRED: 9 (13 SPACES/1,000 SQFT FLOOR AREA) PROVIDED: 9 (13 SPACES/1,000 SQFT FLOOR AREA)
11. INCLUDES 1 HANDICAPPED SPACE AND 3 GARAGE BAYS
12. DIMENSIONS OF PARKING SPACES: 8'0" x 18'0" (PERPENDICULAR PARKING) 20' x 25' (PARALLEL PARKING) 12' x 25' (HANDICAPPED SPACE)
13. MINIMUM FLOOR AREA RATIO IN RES-15 ZONE: 2.0
14. (1) IDENTIFIED NUMBERS OF PARKING SPACES.

CALVERTON STREET

INGLESIDE AVENUE

LONGVIEW DRIVE

LODGE ROAD

OWNER  
EDWARD J. WARREN & THOMAS BOOTH  
501 EDMONDSON AVENUE  
BALTIMORE, MARYLAND 21228

PETITIONER  
JAMES HARRON JR.  
THE DECKER GROUP, INC.  
C/O FMS. MATT DECKER  
505 N. KOLLING ROAD  
BALTIMORE, MARYLAND 21228

FISHER, COLLINS & CARTER, INC.  
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
807 BALTIMORE NATIONAL PIKE, SUITE 100  
ELICOTT CITY, MARYLAND 21043  
410.461.2855

PETITIONER'S  
EXHIBIT 3

PLAT TO ACCOMPANY  
A SPECIAL EXCEPTION HEARING  
WILHIDE PROPERTY  
ELECTION DISTRICT 1C1  
BALTIMORE COUNTY, MARYLAND  
DATE: FEBRUARY 15, 1994  
SCALE: 1" = 50'



H-NE G-NW

**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

Ord. Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

*William A. Howard*  
Chairman, County Council

SCALE  
1" = 200'

LOCATION

CATONSVILLE

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

SHEET

S.W.

2-F

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21215

ITEM # 353

94-365-SRHX











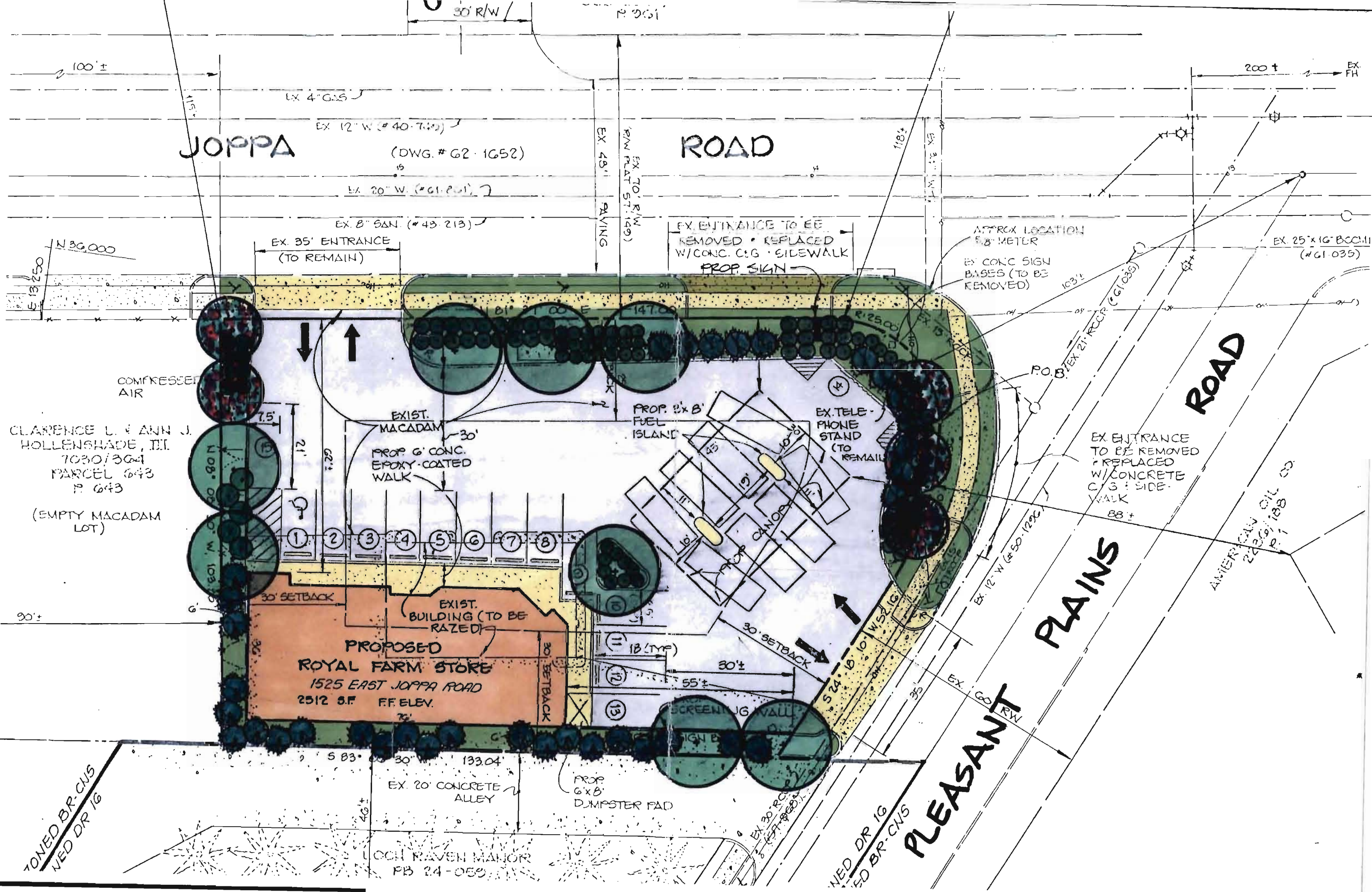
















RECEIVED

APR 26 1995

OFFICE OF  
PLANNING & ZONING





