

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & ZONING VARIANCE *
 E/S Aylesbury Road, 250 ft. N of * ZONING COMMISSIONER
 Crowther Avenue
 22 Aylesbury Road * OF BALTIMORE COUNTY
 8th Election District
 4th Councilmanic District * Case No. 95-301-SPHXA
 Legal Owner: Estate of Katherine
 Crowther *
 Contract Purchaser: Joseph E.
 Linhard, et ux, Petitioners *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 22 Aylesbury Road in Timonium. The Petitions are filed by the Estate of Katherine V. Crowther, property owner and Joseph E. Linhard and Katherine M. Linhard, contract purchasers. Special Hearing relief is requested to approve; (1) the nonconforming building location of an existing service garage on the subject property, or in the alternative, a variance to permit a 0 ft. side yard setback for the existing garage as requested on the accompanying Petition for Variance; and (2) the nonconforming location and use of two existing residential dwellings on site in the proposed special exception area, pending full utilization of Phase II of the special exception. The Petition for Special Exception requests approval for a service garage with a towing operation on property split zoned M.L.-I.M. and B.L.A.S., pursuant to Sections 253.2.B.3 and 230.13 of the Baltimore County Zoning Regulations (BCZR) and a five year special exception utilization period pursuant to Section 502.3 of the BCZR. Variances are requested from Sections 255.1, 238.1 and 238.2 of the BCZR to permit (1) a 0 ft. side yard setback from existing service garage, if not nonconforming, and for the Phase I addition to the existing service garage building in lieu of the required 30 ft. setback; (2) a 5 ft. side yard setback and a 10 ft. side yard setback for the Phase II service garage building in lieu of the re-

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quired 30 ft. setbacks; and (3) a 10 ft. front yard setback for the Phase II building in lieu of the required 25 ft. setback. All of the requested relief is more particularly shown on Petitioners' Exhibit No. 1, the plan to accompany the Petitions for Special Hearing, Special Exception and Variance.

Appearing at the public hearing held for this case was Joseph E. Linhard, co-Petitioner. Mr. Linhard was represented by Robert A. Hoffman, Esquire. Mickey Cornelius, Traffic Consultant, also appeared for the Petitioner. Appearing in opposition to the request were Richard L. Crowther, William A. Crowther and Margaret A. Crowther. These individuals were represented by Edward Covahey, Esquire. Also appearing in opposition were Richard A. and Dorothy F. Day.

Testimony and evidence presented was that the subject property is approximately .62 acres in area, split zoned B.L.-A.S and M.L.-I.M. The property is a rectangularly shaped parcel located between Aylesbury Road and York Road in Timonium. The property has frontage on Aylesbury Road and the rear property line abuts another lot which fronts York Road and is improved with a Duron Paint Store building. As noted above, the property is split zoned, with the predominant zoning being M.L.-I.M. The zoning line transects the property and a small portion of the rear features the B.L.-A.S. zoning classification. Presently, the site contains an existing garage building and two dwellings.

Joseph E. Linhard, contract purchaser, testified and discussed his plans for the site. He presently owns and operates the Linhard's Towing and Service Garage business located in Hunt Valley. He produced a number of photographs of his existing business location, which features a 4 bay building. His business performs auto repairs and towing services in the Timonium/Cockeysville/Hunt Valley area.

Mr. Linhard testified that he contemplates acquiring the property and relocating his business thereto. He indicated that his business needs a larger lot than presently available. He also indicated that improvements to the site would be made by way of two phases, as shown on the site plans submitted. The first phase will utilize an existing service building on the site. That building contains four bays. An addition will be constructed to the building resulting in a 6 bay service garage. Phase II of the project will require construction of a second building. This second structure will be closer to Aylesbury Road and will contain 10 bays. Mr. Linhard also discussed other improvements to the property including the installation of a fence on the southside of the site, to screen properties in that direction.

Mr. Linhard also described the business operation. He testified that his company presently owns six tow trucks and he does not foresee an increase in that number. He described the average number of trips generated by the towing business and also discussed the repair operation. The towing operation conducts business 24 hours a day on an as needed basis and the auto repair business is in operation 7 days per week.

Also testifying on behalf of the Petition was William Monk, the consultant who participated in the preparation of the site plans. Mr. Monk discussed the history of the use of the property and stated that a large portion of the property had been zoned M.L. for many years. He discussed the split zoning of the site and the B.L. zoning designation in the rear yard. He noted that all buildings on the property are located in the M.L. portion of the tract.

Mr. Monk also testified that the relevant year in determining the nonconforming use designation is 1970. He indicated that, prior to that date, and the adoption of Bill No. 100, service garages and dwellings were

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permitted by right in an M.L. zone. These uses have been prohibited in that zone, however, since the adoption of Bill 100 in 1970.

Mr. Monk also discussed in detail the proposed improvements to the site. He noted that the property is served by public utilities and opined that the proposed use would not be inconsistent with the existing use of the property. In his judgment, the use satisfies the test set forth in Section 502.1 of the BCZR and is appropriate.

Testifying in opposition to the request was Richard Day, the owner of the adjacent property. This property is presently under lease to The Charred Rib Restaurant. Mr. Day opposes the subject request believing that it will aggravate traffic in the area and detrimentally impact the existing use on his property. In his judgment, the proposal constitutes an overly intensive use of this relatively small parcel.

Considering the special hearing Petition first, I am persuaded to approve same and confer nonconforming use status for this property. Specifically, I will approve the nonconforming building location of the existing garage on site, as well as the use thereof. Moreover, I will approve the nonconforming location and use of the two existing residential dwellings on site. In this regard, the testimony was uncontradicted that the subject property has been utilized as described for many years. The Protestants conceded that the existing dwellings have been located on the property well prior to 1970 and have been residentially occupied. Moreover, the service garage building location and use thereof is of long standing nature.

A granting of the special hearing renders moots one of the variance requests. Specifically, the 0 ft. side yard setback for existing service garage is not required.

As to the special exception request, same must be denied. Although it is true that a portion of the property has been utilized as a service ga-

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[Signature]

rage, the proposed expansion both in Phase I and Phase II is inappropriate. An examination of the property as shown on the site plan shows that same is very narrow and the lot, itself, is quite small. Even after razing the existing dwellings, there is little room for the proposed improvements. The improvements will immediately abut the property line due to the narrowness of the lot and the need to conduct a sufficiently sized building.

While it is true that special exceptions carry a presumption of permissibility, they must meet the standards set forth in Section 502.1 of the BCZR. In this instance, it is my judgment that the exposed expansion will overcrowd the land contrary to the requirements of Section 502.1.D of the BCZR. Traffic is also problematic. As disclosed by Mr. Linhard, the nature of the business operation proposed is intensive. The tow business operates 24 hours a day and the auto repair business, 7 days per week. Internal traffic circulation as shown is tight owing to the limited area and width of the property. Moreover, there is no access to York Road, a major arterial street and all traffic must arrive via Aylesbury Road. I am not persuaded that the Petitioner has satisfied the requirements set forth in Section 502.1.B of the BCZR as it relates to these traffic issues. Thus, the Petition for Special Exception, both for Phase I and Phase II must be denied.

Based on this conclusion, the Petition for Variances must, likewise, not be granted. Again, the same logic applies. The proposed use will adversely impact surrounding properties. I am not convinced that the Petitioner has met the standards set forth in Section 307.1 of the BCZR.

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 in part and denied in part.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 31st day of January, 1996, that, pursuant to the Petition for

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Special Exception, approval to allow a service garage with a towing operation in an M.L.-I.M. and B.L.-A.S. zones, pursuant to Section 253.2.B.3 and 230.13 of the Baltimore County Zoning Regulations (BCZR) and a five year special exception utilization period pursuant to Section 502.3 of the BCZR, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for (1) the nonconforming building location of the existing service garage on the subject property; and (2) the nonconforming location and use of the two existing residential dwellings on site in the proposed special exception area, pending full utilization of Phase II of the special exception, be and is hereby GRANTED: and,

IT IS FURTHER ORDERED that a variance to permit a 0 ft. side yard setback for the existing garage as stated on the accompanying Petition for Variance be DISMISSED AS MOOT; and,

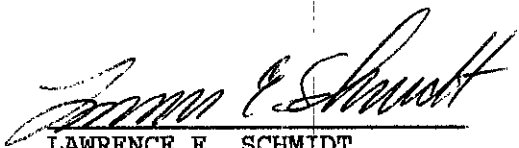
IT IS FURTHER ORDERED that variances from Sections 255.1, 238.1 and 238.2 of the BCZR to permit (1) a 0 ft. side yard setback from existing service garage, if not nonconforming, and for the Phase I addition to the existing service garage building in lieu of the required 30 ft. setback; (2) a 5 ft. side yard setback and a 10 ft. side yard setback for the Phase II service garage building in lieu of the required 30 ft. setbacks; and (3) a 10 ft. front yard setback for the Phase II building in lieu of the required 25 ft. setback, be and are hereby DENIED.

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By

LES:mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

RECEIVED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 31, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 95-301-SPHXA
Petitions for Special Hearing, Special Exception & Variance
Legal Owner: Estate of Katherine V. Crowther
Contract Purchaser: Joseph E. Linhard, et ux, Petitioners

Dear Mr. Hoffman:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Mr. and Mrs. Joseph E. Linhard
c: Richard L. and Margaret A. Crowther
William A. Crowther
Richard A. and Dorothy F. Day



298



Petition for Special Hearing

95-301-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at

22 Aylesbury Road

which is presently zoned ML-IM & BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve (i) the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a 0' side yard setback for the existing garage as indicated on the Petition for Variance submitted herewith; and, (ii) the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

X
(Type or Print Name) Joseph E. Linhard

X
Signature Katherine M. Linhard

26 Bee Tree Mill Court
Address

Parkton Md. 21120
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
(Type or Print Name)

Rob Hoffman, BY: GPW
Signature

Venable, Baetjer and Howard
210 Allegheny Ave. 494-6262
Address Phone No.

Towson Md. 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Estate of Katherine V. Crowther
(Type or Print Name)

By: Jacqueline Stephenson P.R.
Signature Jacqueline Stephenson, Personal Representative

(Type or Print Name)

Signature

15106 Eastview Dr. 526-6185
Address Phone No.

Upperco Md. 21155
City State Zipcode

Name, Address and phone number of representative to be contacted.

Robert A. Hoffman
Name
210 Allegheny Avenue
Towson Md. 21204 494-6262
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS
unavailable for Hearing

the following dates _____ Next Two Months

ALL ✓ OTHER

REVIEWED BY: GPW DATE 3/2/95



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

22 Aylesbury Road

which is presently zoned ML-IM & BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a service garage with towing operation in an ML-IM and BL-AS zone pursuant to Sections 253.2.B.3 BCZR and 230.13 BCZR and a 5-year special exception utilization period pursuant to Section 502.3 BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Joseph E. Linhard
(Type or Print Name)

Katherine M. Linhard
Signature

26 Bee Tree Mill Court
Address

Parkton Md. 21120
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
(Type or Print Name)

Venable, Baetjer and Howard
Signature
210 Allegheny Avenue 494-6262
Address Phone No.
Towson, Md. 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Estate of Katherine V. Crowther
(Type or Print Name)

By: Jaqueline Stephenson PR
Signature Jaqueline Stephenson, Personal Representative

(Type or Print Name)

Signature

15106 Eastview Dr. 526-6185
Address Phone No

Upperco Md. 21155
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
210 Allegheny Avenue
Towson, Md. 21204 494-6262
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS
unavailable for Hearing

the following dates _____ Next Two Months

ALL OWNER

REVIEWED BY Job DATE 3/2/95

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

22 Aylesbury Road

which is presently zoned

ML-IM & BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 255.1, 238.1, and 238.2 BCZR to permit: (i) a 0' side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30' setback; (ii) a 5' side yard setback and a 10' side yard setback for the Phase II service garage building in lieu of the required 30' setbacks; and (iii) a 10' front yard setback for the Phase II building in lieu of the required 30' setbacks; of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or 25' setback. practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

X Joseph E. Linhard
(Type or Print Name)

X Katherine M. Linhard
Signature
Katherine M. Linhard
26 Bee Tree Mill Court

Address

Parkton MD 21120

City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
(Type or Print Name)

Rob Hoffman, BY: GPW
Signature
Venable, Baetjer & Howard
210 Allegheny Avenue 494-6200

Address
Towson MD 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Estate of Katherine Crowther
(Type or Print Name)

By: Jacqueline Stephenson/R
Signature
Jacqueline Stephenson, Personal
Representative

(Type or Print Name)

Signature

15106 Eastview Drive 526-6185
Address Phone No.

Upperco MD 21155
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
Name
210 Allegheny Avenue
Towson, Maryland 21204 494-6200
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 HRS

the following dates

Next Two Months

ALL ☒ OTHER

REVIEWED BY

DATE

3/2/95



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

22 Aylesbury Road

which is presently zoned

ML-IM & BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

(SEE ATTACHED VARIANCE REQUEST)

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

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

X Joseph E. Linhard
(Type or Print Name)

X Katherine M. Linhard
Signature
26 Bee Tree Mill Court

Address:
Parkton MD 21120
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
(Type or Print Name)

Signature Venable, Baetjer & Howard
210 Allegheny Avenue 494-6200

Address: Towson MD 21204
City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Estate of Katherine Crowther
(Type or Print Name)

BY: Jacqueline Stephenson P.R.
Signature
Jacqueline Stephenson, Personal Representative
(Type or Print Name)

Signature

15106 Eastview Drive 526-6185
Address Phone No.
Upperco MD 21155

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
Name 210 Allegheny Avenue
Towson, Maryland 21204 494-6200
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

DROP OFF
NO REVIEW
10/6/95
4CR



Variance Request

Variances from Section 255.1, 238.1 and 238.2 of the Baltimore County Zoning Regulations to permit: (i) a 0' side yard setback for the Phase I addition to the existing service garage building in lieu of the required 30' setback; (ii) a 0' side yard setback for the Phase II service garage building in lieu of the required 30' setback; (iii) a 15' front yard setback of the Phase II building in lieu of the required 25' setback; and (iiii) from Section 409.4.B. to permit piggyback parking spaces for both Phase I and II Developments.

298
95-301-SPHXA

**ZONING DESCRIPTION
22 AYLESBURY ROAD
BALTIMORE COUNTY, MARYLAND**

Beginning for the same on the westerly right-of-way line of Aylesbury Road, having a variable right-of-way, said point being 250 +/- feet north of the centerline of Crowther Avenue, 40 feet wide; thence leaving said right-of-way and binding North 75 degrees East 280 feet +/-; thence North 15 degrees West 100 feet +/-; thence South 75 degrees West 254 feet +/-; to intersect with aforementioned right-of-way of Aylesbury Road; thence binding on said right-of-way South 04 degrees 15 minutes East 102 feet +/- to the point and place of beginning.

Containing .62 acres of land, more or less.

wpm31



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-301-SHA

District.....

Date of Posting 3/18/95

Posted for:

Petitioner: Estate of K. Crowther & L. & K. Linhard

Location of property: 22 Fyllosbury Rd.

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by M. H. Harty

Date of return: 3/24/95

Signature

Number of Signs: 1

6000 1000000



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 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-301-SPHXA
(Item 298)
22 Aylesbury Road
E/S Aylesbury Road, 250'
N of Crowther Avenue
8th Election District
4th Councilmanic
Legal Owner(s):
Estate of Katherine V.
Crowther
Contract Purchaser(s):
Joseph E. Linhard and
Katherine M. Linhard
Hearing: Tuesday,
April 4, 1995 at 11:00
a.m. in Rm. 118, Old
Courthouse

Special Hearing to approve the non-conforming building location, use, and service garage on the subject property, a variance to permit a zero foot side yard setback for the existing service garage indicated on the subject property; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception. Special Exception for a service garage with towing operation and a 5-year special exception utilization period. Variance to permit a zero foot side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30-foot setback; a 5-foot side yard setback and a 10-foot side yard setback for the Phase II service garage building in lieu of the required 30-foot setback; and a 10-foot front

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

March 17 1995

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 16 1995.

THE JEFFERSONIAN,

A. H. Henrichson
LEGAL AD. • TOWSON



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

75-301-SPHXA

Account: R-001-6150

Number

298

By JLL

Date

3/2/95

070
SPHXA CODE. FOR MAX FEE

650.00

3 SIGNS 080

105.00

TOTAL \$ 755.00

OWNER Estate of Katherine V. Crouther
22 Aylesbury Rd.

MICROFILMED

01A01#0137MI-CHRC

\$755.00

BA 0011:51AM03-02-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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 accessed 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.



ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 298

Petitioner: Estate of Katherine Crowther

Location: 22 W. Aylesbury Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara Ormord

ADDRESS: Venable, Baetjer & Howard
210 Allegheny Ave.
Towson, MD 21204

PHONE NUMBER: 494 - 6201

TO: PUTUXENT PUBLISHING COMPANY
March 16, 1995 Issue - Jeffersonian

Please forward billing to:

Barbara Ormord
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
410-494-6201

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

CASE NUMBER: 95-301-SPHXA (Item 298)
22 Aylesbury Road
E/S Aylesbury Road, 250' N of Crowther Avenue
8th Election District - 4th Councilmanic
Legal Owner(s): Estate of Katherine V. Crowther
Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard
HEARING: TUESDAY, APRIL 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.

Special Exception for a service garage with towing operation and a 5-year special exception utilization period.

Variance to permit a zero foot side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30-foot setback; a 5-foot side yard setback and a 10-foot side yard setback for the Phase II service garage building in lieu of the required 30-foot setbacks; and a 10-foot front yard setback for the Phase II building in lieu of the required 25-foot setback.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

MICROFILMED

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 10, 1995

NOTICE OF HEARING

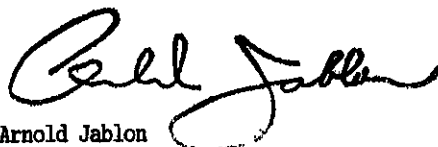
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-301-SPHXA (Item 298)
22 Aylesbury Road
E/S Aylesbury Road, 250' N of Crowther Avenue
8th Election District - 4th Councilmanic
Legal Owner(s): Estate of Katherine V. Crowther
Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard
HEARING: TUESDAY, APRIL 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.

Special Exception for a service garage with towing operation and a 5-year special exception utilization period.

Variance to permit a zero foot side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30-foot setback; a 5-foot side yard setback and a 10-foot side yard setback for the Phase II service garage building in lieu of the required 30-foot setbacks; and a 10-foot front yard setback for the Phase II building in lieu of the required 25-foot setback.


Arnold Jablon
Director

cc: Jacqueline Stephenson
Koseph and Katherine Linhard
Robert A. Hoffman, Esq.

RECEIVED

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

PLEASE NOTE: SECOND HEARING DATE CHANGE

October 27, 1995

NOTICE OF REASSIGNMENT

Continued from 4/4/95

CASE NUMBER: 95-301-SPHXA (Item 298)

22 Aylesbury Road

E/S Aylesbury Road, 250' N of Crowther Avenue

8th Election District - 4th Councilmanic

Legal Owner(s): Estate of Katherine V. Crowther

Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.

Special Exception for a service garage with towing operation and a 5-year special exception utilization period. Variance to permit a zero foot side yard setback for the Phase I addition to the existing service garage building in lieu of the required 30 foot setback; a zero foot side yard setback for the Phase II service garage building in lieu of the required 30 foot setback; a 15 foot front yard setback of the Phase II building in lieu of the required 25 foot setback; and to permit piggyback parking spaces for both Phase I and II Developments.

HEARING: TUESDAY, NOVEMBER 28, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson MD 21204.

ARNOLD JABLON
DIRECTOR

cc: Jacqueline Stephenson/15106 Eastview Dr/Upperco 21155
Joseph and Katherine Linhard/26 Bee Tree Mill Ct/Parkton 21120
Robert A. Hoffman, Esq./210 Allegheny Ave/Towson 21204
Agnes O'Ferrall/7206 Oxford Rd/21212
Richard, Sam & Margaret Crowther/2 Sandsbury Rd/Lutherville 21093
W. A. Crowther/3132 Dry Branch Rd/Lutherville 21093
Richard and Dorothy Day/1236 Clearfield Circle/Lutherville 21093
Tony Campagna/824 Upper Glencoe Rd/21152
Anthony Campagna/16 Tremblant Ct/Lutherville 21093
Roger Sullivan/614 Bosley Avenue/Towson 21204



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 27, 1995

Robert A. Hoffman
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 298
Case No.: 95-301-SPHXA
Petitioner: Estate of K. Crowther

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 2, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: March 20, 1995
Zoning Administration and Development Management

FROM: *PWB* Bert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 20, 1995
Item No. 298

The Developers Engineering Section has reviewed the subject zoning item. This proposal is subject to the Landscape Manual.

RWB:sw

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-10-95

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

Re: Baltimore County
Item No.: +298 (JLL)

Dear Ms. Watson:

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,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/10/95

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

RE: Property Owner: ESTATE OF KATHERINE V. CROWTHER

LOCATION: E/S AYLESBURY RD., 250' N OF CROWTHER AVE. (22 AYLESBURY RD.)

Item No.: 298

Zoning Agenda: SPECIAL HEARING
SPECIAL EXCEPTION, VARIANCE

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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.

RECEIVED
MAR 14 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

100-1102F



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 17, 1995

SUBJECT: 22 Aylesbury Rd.

INFORMATION:

Item Number: 298

Petitioner: Estate of Katherine V. Crowther

Property Size: .62 acres

Zoning: ML-IM and BL-AS

Requested Action: Special Hearing, Special Exception & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant proposes a Special Hearing to approve the nonconforming building location of the existing service garage on site, or in the alternative, a variance to permit a 0' side yard setback for the existing garage as indicated on the Petition for Variance, and the nonconforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the Special Exception.

Based upon a review of the information provided, the staff does not oppose the applicant's request providing that the following conditions are met:

- 1) The proposed use should not impose additional negative impacts on the adjacent residential uses.
- 2) Building facades of the existing and proposed addition should be visually compatible and improved quality such as brick.
- 3) Applicant should submit a landscape plan to the Landscape Architect.

MICROFILMED

4) Sidewalks and streettrees should be provided along Aylesbury Road, and pedestrian access must be provided to interior uses.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kern

PK/JL

RECEIVED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-16-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. #298

CASE NO. 95-301-SPHXA
REV 10/6/95

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 2, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, ZADM

SUBJECT: Item #298
22 Aylesbury Road

Advised attorney that statement of authority for representative of
Estate of Katherine Crowther not provided as normally required.

JLL:scj

PETITION PROBLEMS - AGENDA OF 3/13/95

#296 - JLL

1. No printed or typed title for person signing for person signing for Warren Group.
2. No authorization for person signing for Warren Group.

#297 - JLL

1. No authorization for person signing for Bell Atlantic.

#298 - JLL

1. Need power of attorney statement for personal representative.
(See JLL's note to the hearing officer.)

#302 - CAM

1. No telephone number for legal owner.
2. Plan is too large to be microfilmed. (Should not be larger than 24" x 36")
3. Receipt was not given to petitioner.

#303 - JJS

1. No authorization for person signing for American PCS.
2. No authorization for person signing for Longview Executive Park.

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION	*	
PETITION FOR VARIANCE	*	ZONING COMMISSIONER
22 Aylesbury Road, E/S Aylesbury Road,	*	
250' N of Crowther Avenue, 8th	*	OF BALTIMORE COUNTY
Election District, 4th Councilmanic	*	
	*	CASE NO. 95-301-SPHXA
Estate of Katherine V. Crowther	*	
Petitioner	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County


CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

00000000000000000000

Re: 95-301

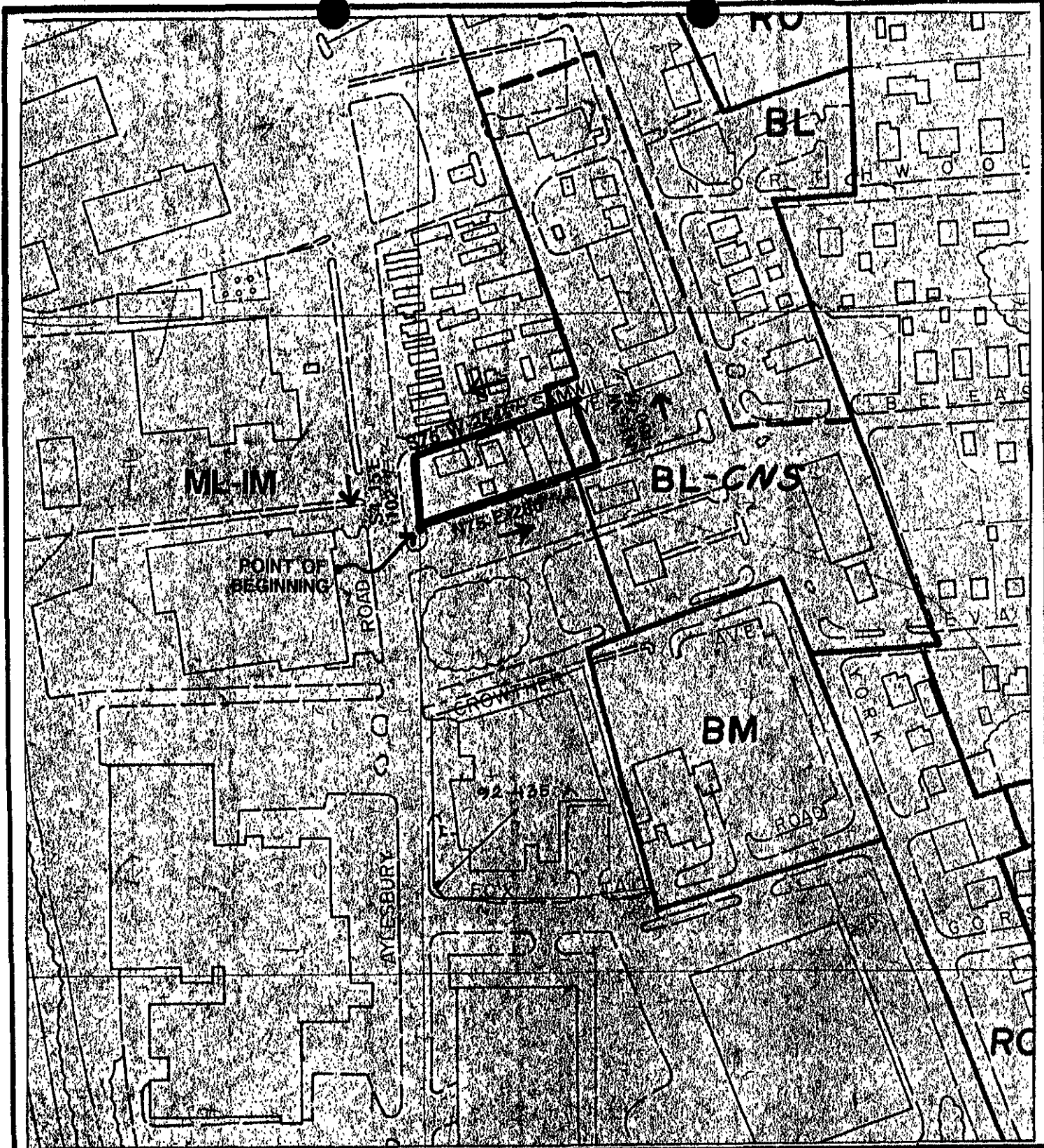
Willy,

Agustin O'Ferrall

7206 Capital Road

Beth MD 21212

306	Andrew Benjamin/Ora Linda Benjamin/12516 Sagamore Forest Lane	95-314
307	Ronald & Jaon Diedeman/Jerome I. Rebold/14100 Robcastle Road	95-315
308	Kevin Warner/Diana Gordon/1700 Broadway Road	95-309
309	J.R. Development Corp./Stonegate at Patapsco/S/S Johnnycake Rd 300' W Fairbrook Rd	95-316
310	Charles & Sharon Brickell/7020 Greenbank Road	95-310
311	Thomas O. Frech/4422 Camellia Road	95-311
312	Frederick & Sherian Radike/8240 Northview Road	95-317
313	Perry Hall Baptist/Gunview Farms II/3919 Schroeder Avenue	95-307
314	Gwendolyn L. Baylor/2409 Lodge Farm Road	95-321
315	Mark * Margaret Clements/5702 Edmondson Avenue	95-322
316	Peter and Sophie Gerard/1824 Circle Road	95-318
317	Kenneth Carey Dansicker/15729 Home Road	95-323
318	Joseph F. Cox/Evelyn M. Dacosta/647 Charles Street Avenue	95-319
319	David & Marsha Lieberman/1800 Elk Road	95-324
320	William and June Sturm/2117 Highland Ridge Drive	95-320
321	Ramon and Tammy Diaz/ 3018 Wells Avenue	95-328
322	Double T Enterprises/American PCS, L.P./5602 Baltimore National Pike	95-330
323	RRIG Corporation/34 Glenwood Avenue	95-329
324	Donald and Deborah Hannahs/8618 Northfields Circle	95-325
325	Bruno A. Commodari/3217 Woodside Avenue	95-326
326	Donald and Bonnie Kraemer/2623 Manor Avenue	95-331
327	Gibraltar Mausoleum Corp/Gardens of Faith Cemetery/5598 Trumps Mill Road	95-332



WILLIAM MONK, INC.
 PLANNING, LANDSCAPE DESIGN
 ENVIRONMENTAL RESOURCE MANAGEMENT
 COURTHOUSE COMMONS
 222 BOSLEY AVENUE, SUITE B-7
 TOWSON, MD 21204
 (410) 494-8931

ZONING MAP
 TO ACCOMPANY
 95-301-SPH XA
22 AYLESBURY ROAD
BALTIMORE CO., MD

MAP #:
 NW 13-A

SCALE:
 1"=200'

FILE #:
 94-98

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Rob Hoffman

JOE LINTARD

MICK CORNELIUS

ADDRESS

210 Allegheny Ave 21204

11011 York Rd 21031

40 W. Chesapeake Ave 21204



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Robert Hoffman

210 Allegheny Ave 21204

JOE KINHARD

11011 York RD 21031

000000000000

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Margaret A. Pawtuck
Richard A. Pawtuck
W.A. Growth
Richard A. Day
Len Growth
Tony Campagna
Marthy Day
Anthony S. Campagna

#2 Sandbury Road
Lutherville, MD, 21093
3132 DRYBRANCH RD
1236 CLEARFIELD Circle ^{Lutherville} MD 21093
2 Sandbury Rd.
824 UPPER GRACOR RD 21152
1236 Clearfield Ci #21093
16 Tremblant Ct. #21093

Regis Sullivan
6

614 Betsy Ave
Lusson MD 21204

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

RICHARD L. CROWTHER

William A CROWTHER

MARGARET A. CROWTHER

Dorothy F. Day

Richard A. Day

2 SANDSBURY RD. LUTHERVILLE 21093

3132 DRY BRANCH WHITEHALL MD

2 SANDSBURY RD, LUTHERVILLE, MD, 21093

1236 Clearfield Ct. Lutherville Md 21093

1236 Clearfield Ct. Lutherville, Md. 21093



RECYCLED

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



VIEW OF EXISTING SERVICE GARAGE AND
SAM WILL AVENUE - LOOKING WEST

PETITIONER'S
EXHIBIT 6A

RECEIVED
JAN 27 1994

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



VIEW OF SITE LOOKING NORTH
FROM ADJACENT PROPERTY (CHARRED RIB PARKING LOT)

PETITIONER'S
EXHIBIT 60

EXHIBIT 60

WILLIAM MONK, INC.

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

LAND USE PLANNING • LANDSCAPE DESIGN



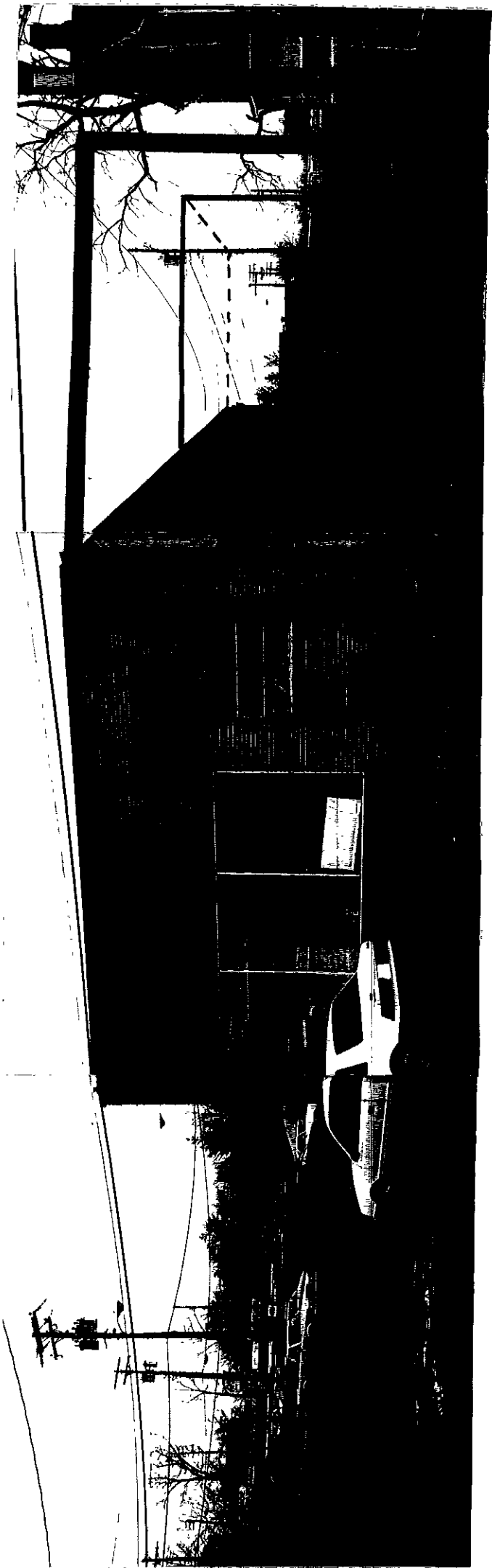
**W. AYLESBURY ROAD
VIEW LOOKING NORTH**

**PETITIONER'S
EXHIBIT 6C**

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



**EXISTING STRUCTURES WITH PROPOSED
PHASE 1 ADDITION TO SERVICE GARAGE**

MICROFILMED

**PETITIONER'S
EXHIBIT** CD



COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

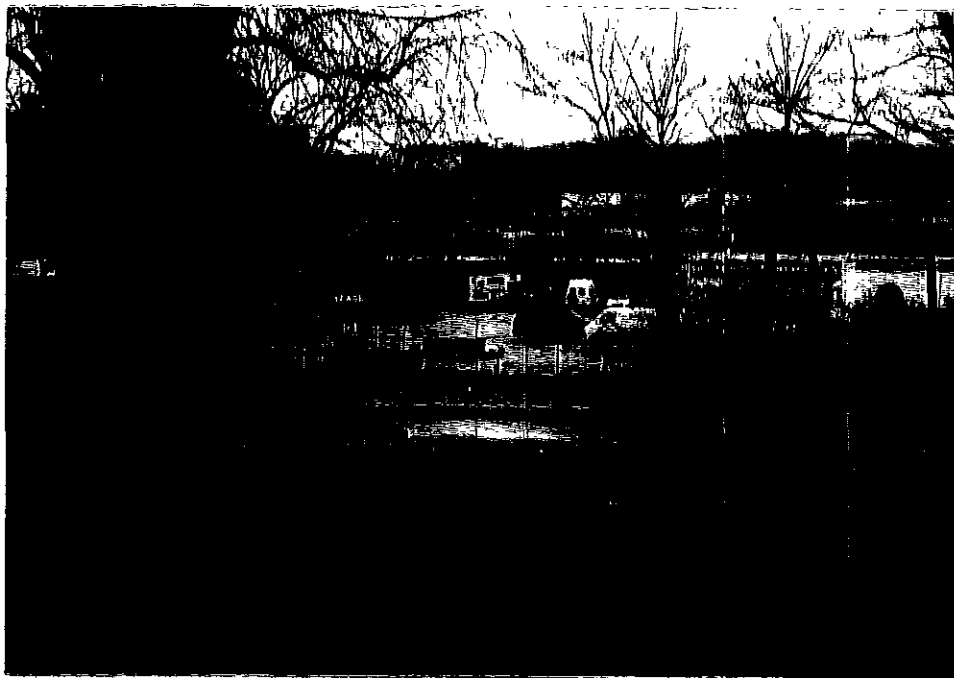
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

SAM WILL AVENUE (~~PRIVATE~~)



VIEW LOOKING EAST FROM AYLESBURY ROAD



VIEW LOOKING WEST TOWARDS AYLESBURY ROAD

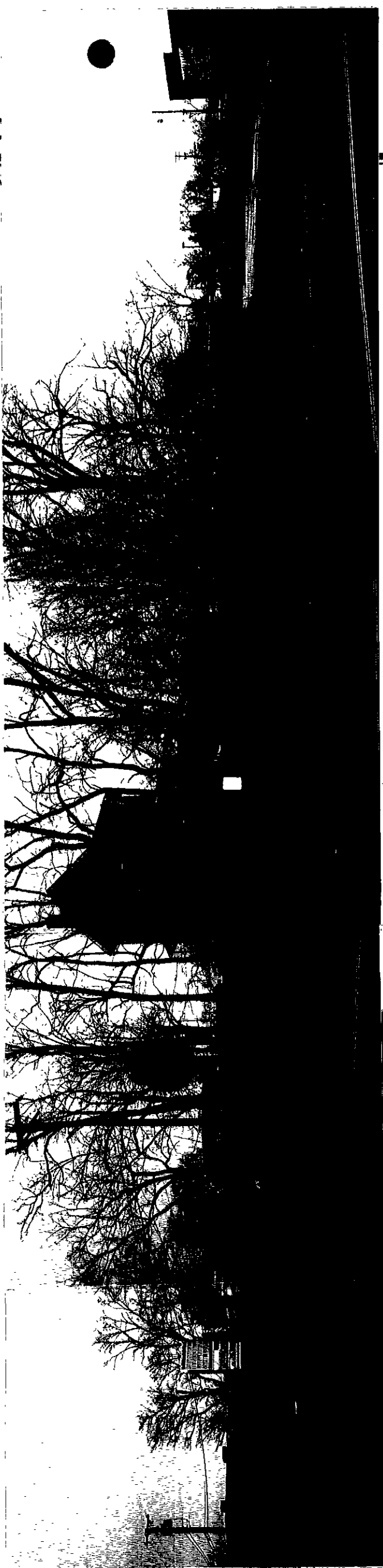
MICROFILMED

**PETITIONER'S
EXHIBIT** 6E

WILLIAM MC

LAND USE PLANN

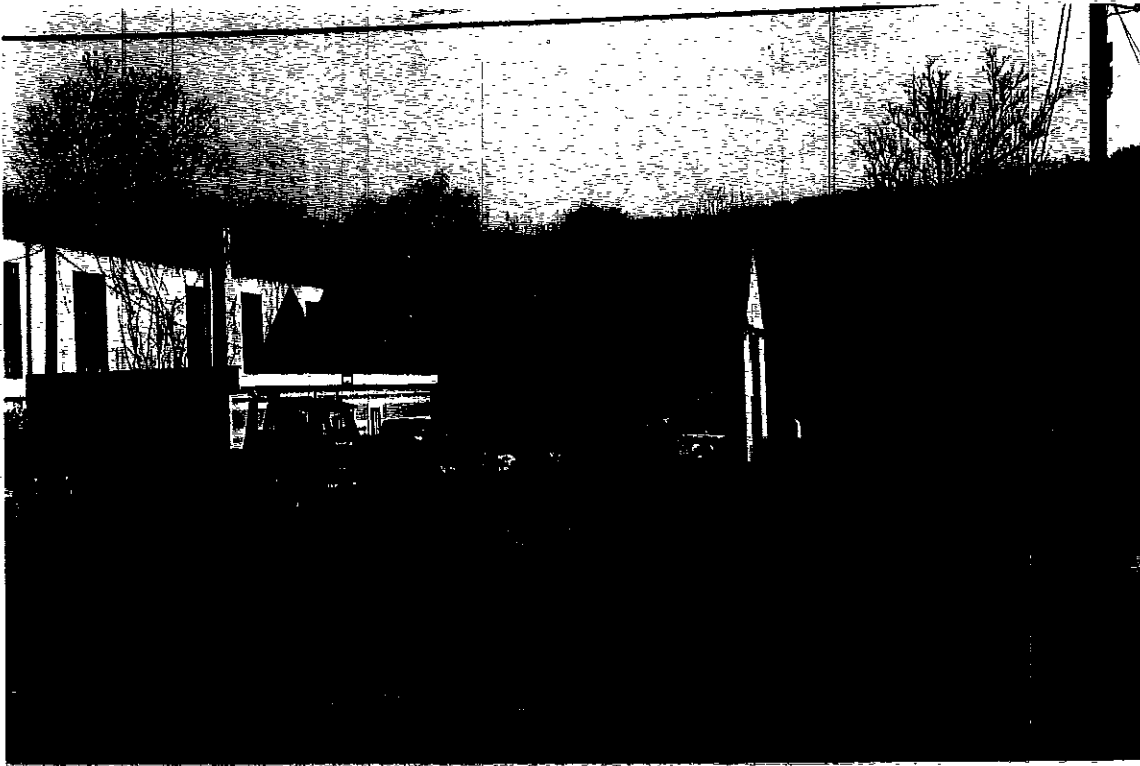
COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



VIEW OF SITE
LOOKING EAST FROM W. AYLESBURY ROAD

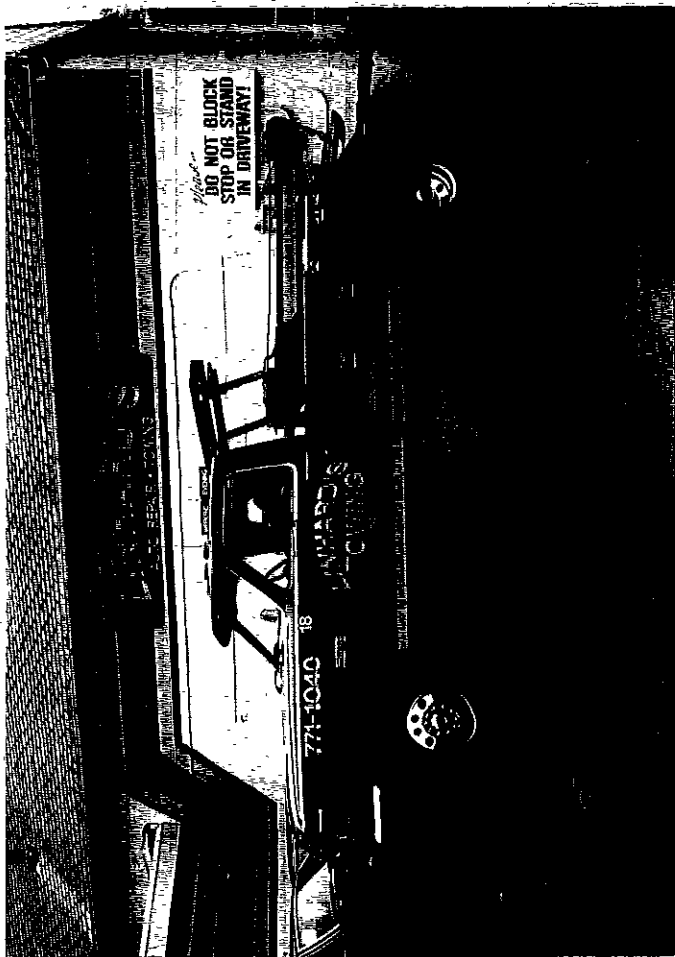
PETITIONER'S
EXHIBIT 6F

Handwritten signature or initials, possibly "W. Aylesbury Road".



PETITIONER'S
EXHIBITS

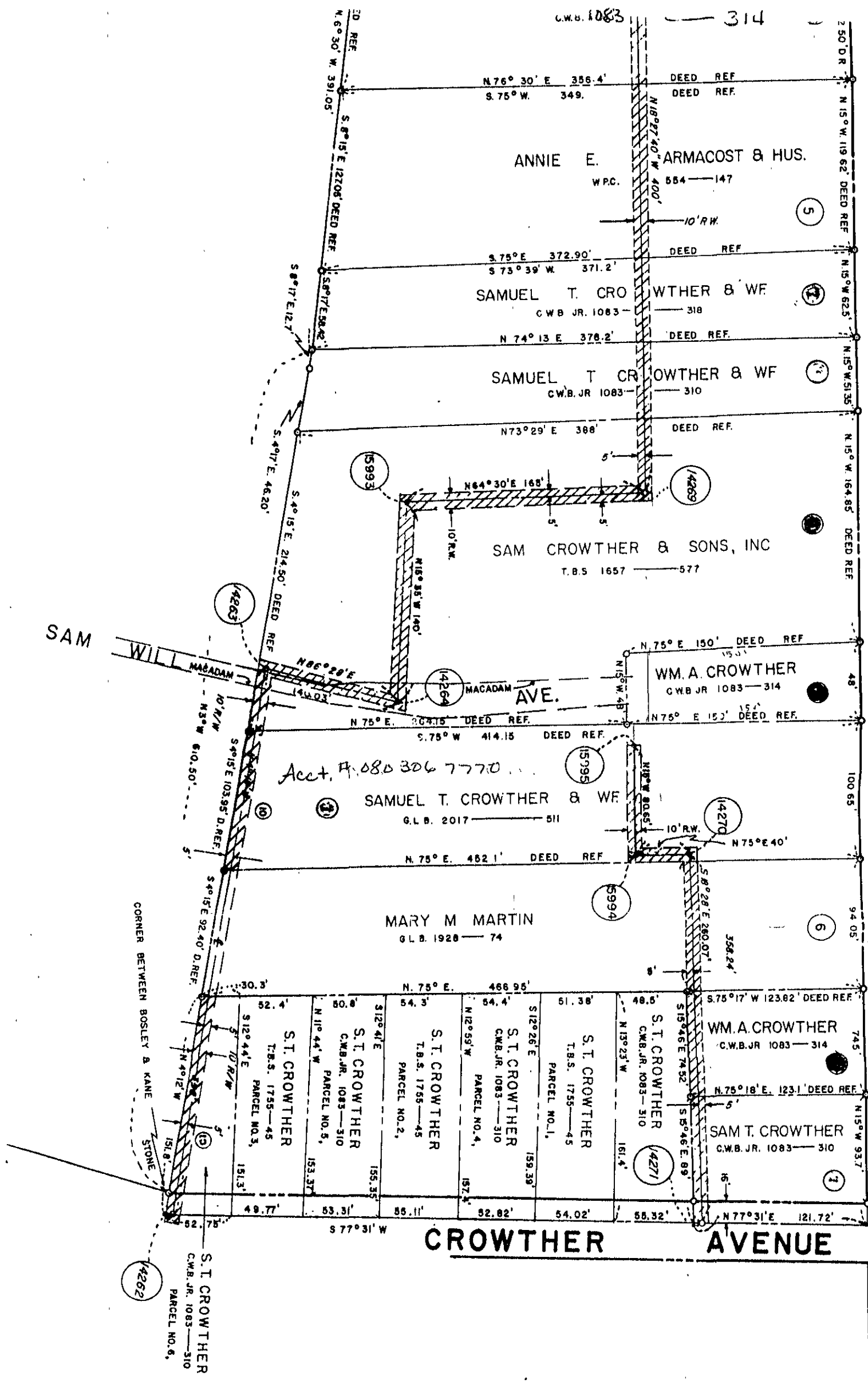
2A



2B



2C



ROAD

CROWTHER AVENUE

SAM

CORNER BETWEEN BOSLEY & KANE
STONE

Acct. 4,080 306 7770

ANNIE E. ARMACOST & HUS.
W.P.C. 554-147

SAMUEL T. CROWTHER & WF
C.W.B. JR. 1083-318

SAMUEL T. CROWTHER & WF
C.W.B. JR. 1083-310

SAM CROWTHER & SONS, INC
T.B.S. 1657-577

WM. A. CROWTHER
C.W.B. JR. 1083-314

SAMUEL T. CROWTHER & WF
G.L.B. 2017-511

MARY M. MARTIN
G.L.B. 1928-74

WM. A. CROWTHER
C.W.B. JR. 1083-314

SAM T. CROWTHER
C.W.B. JR. 1083-310

S.T. CROWTHER
C.W.B. JR. 1083-310
PARCEL NO. 6,

S.T. CROWTHER
T.B.S. 1755-45
PARCEL NO. 3,

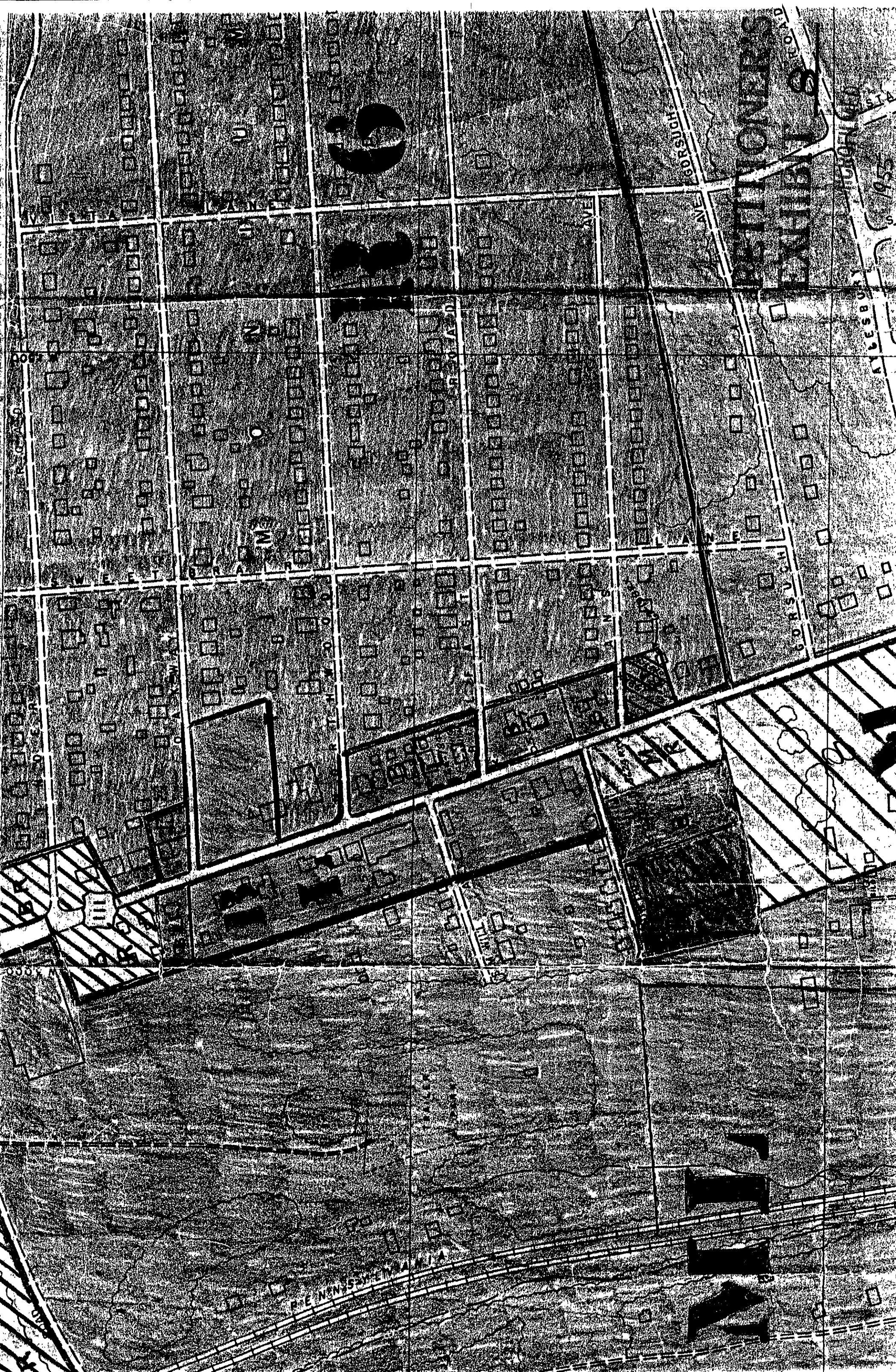
S.T. CROWTHER
C.W.B. JR. 1083-310
PARCEL NO. 5,

S.T. CROWTHER
T.B.S. 1755-45
PARCEL NO. 2,

S.T. CROWTHER
C.W.B. JR. 1083-310
PARCEL NO. 4,

S.T. CROWTHER
T.B.S. 1755-45
PARCEL NO. 1,

S.T. CROWTHER
C.W.B. JR. 1083-310





SCALE 1" = 200'

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
TIMONIUM

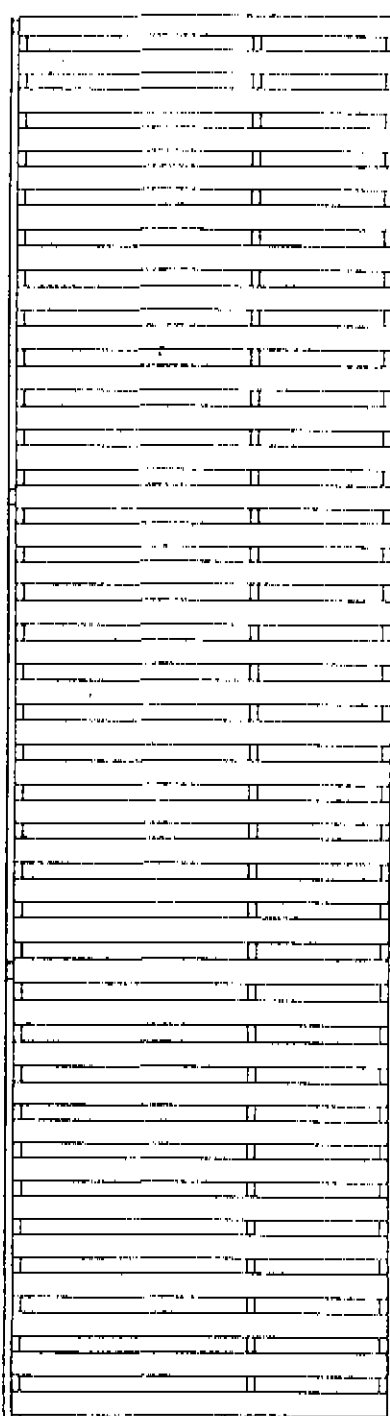
SHEET
N.W.
13-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

Page No 10

PROPOSED 8' WOOD STOCKADE FENCE

SCALE 1/4" = 1'-0"



1. EXISTING USE: SERVICE GARAGE AND 2 SINGLE FAMILY DETACHED DWELLINGS

2. PROPOSED USE: TWO SERVICE GARAGE BUILDINGS WITH TOWNHOMES

3. REQUIRED SETBACKS (BY USE):

4. SERVICE GARAGE (PHASE I):

5. SERVICE GARAGE (PHASE II):

6. SERVICE GARAGE (PHASE III):

7. SERVICE GARAGE (PHASE IV):

8. SERVICE GARAGE (PHASE V):

9. SERVICE GARAGE (PHASE VI):

10. SERVICE GARAGE (PHASE VII):

11. SERVICE GARAGE (PHASE VIII):

12. SERVICE GARAGE (PHASE IX):

13. SERVICE GARAGE (PHASE X):

14. SERVICE GARAGE (PHASE XI):

15. SERVICE GARAGE (PHASE XII):

16. SERVICE GARAGE (PHASE XIII):

17. SERVICE GARAGE (PHASE XIV):

18. SERVICE GARAGE (PHASE XV):

19. SERVICE GARAGE (PHASE XVI):

20. SERVICE GARAGE (PHASE XVII):

21. SERVICE GARAGE (PHASE XVIII):

22. SERVICE GARAGE (PHASE XIX):

23. SERVICE GARAGE (PHASE XX):

24. SERVICE GARAGE (PHASE XXI):

25. SERVICE GARAGE (PHASE XXII):

26. SERVICE GARAGE (PHASE XXIII):

27. SERVICE GARAGE (PHASE XXIV):

28. SERVICE GARAGE (PHASE XXV):

29. SERVICE GARAGE (PHASE XXVI):

30. SERVICE GARAGE (PHASE XXVII):

31. SERVICE GARAGE (PHASE XXVIII):

32. SERVICE GARAGE (PHASE XXIX):

33. SERVICE GARAGE (PHASE XXX):

34. SERVICE GARAGE (PHASE XXXI):

35. SERVICE GARAGE (PHASE XXXII):

36. SERVICE GARAGE (PHASE XXXIII):

37. SERVICE GARAGE (PHASE XXXIV):

38. SERVICE GARAGE (PHASE XXXV):

39. SERVICE GARAGE (PHASE XXXVI):

40. SERVICE GARAGE (PHASE XXXVII):

41. SERVICE GARAGE (PHASE XXXVIII):

42. SERVICE GARAGE (PHASE XXXIX):

43. SERVICE GARAGE (PHASE XL):

44. SERVICE GARAGE (PHASE XLI):

45. SERVICE GARAGE (PHASE XLII):

46. SERVICE GARAGE (PHASE XLIII):

47. SERVICE GARAGE (PHASE XLIV):

48. SERVICE GARAGE (PHASE XLV):

49. SERVICE GARAGE (PHASE XLVI):

50. SERVICE GARAGE (PHASE XLVII):

51. SERVICE GARAGE (PHASE XLVIII):

52. SERVICE GARAGE (PHASE XLIX):

53. SERVICE GARAGE (PHASE L):

54. SERVICE GARAGE (PHASE LI):

55. SERVICE GARAGE (PHASE LII):

56. SERVICE GARAGE (PHASE LIII):

57. SERVICE GARAGE (PHASE LIV):

58. SERVICE GARAGE (PHASE LV):

59. SERVICE GARAGE (PHASE LVI):

60. SERVICE GARAGE (PHASE LVII):

61. SERVICE GARAGE (PHASE LVIII):

62. SERVICE GARAGE (PHASE LIX):

63. SERVICE GARAGE (PHASE LX):

64. SERVICE GARAGE (PHASE LXI):

65. SERVICE GARAGE (PHASE LXII):

66. SERVICE GARAGE (PHASE LXIII):

67. SERVICE GARAGE (PHASE LXIV):

68. SERVICE GARAGE (PHASE LXV):

69. SERVICE GARAGE (PHASE LXVI):

70. SERVICE GARAGE (PHASE LXVII):

71. SERVICE GARAGE (PHASE LXVIII):

72. SERVICE GARAGE (PHASE LXIX):

NOTE: PROPOSED PARKING AREA TO BE SCREENED AS PART OF PHASE II CONSTRUCTION IN COMPLIANCE WITH SECTION 405A OF THE B.C.Z.R. SUBMITTED AT THAT TIME.

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN

PHASE I

VARIANCE REQUIRED - SEE NOTE D.30

VARIANCE REQUIRED - SEE NOTE D.30

VARIANCE REQUIRED - SEE NOTE D.30

VARIANCE REQUIRED - SEE NOTE D.30

VARIANCE REQUIRED - SEE NOTE D.30

VARIANCE REQUIRED - SEE NOTE D.30

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WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN

22 BOULEVARD AVENUE, SUITE B-7

TOWSON, MARYLAND 21204

(410) 494-8931

COURTHOUSE COMMONS

22 BOULEVARD AVENUE, SUITE B-7

TOWSON, MARYLAND 21204

(410) 494-8931

DATE: 01/31/95

JOB NO: 94-98

SCALE: 1"=30'

REVISIONS:

02/08/95 - CHANGES

PER 2/7/95 MEETING

9/5/95

REVISED ACCESS AND LAYOUT

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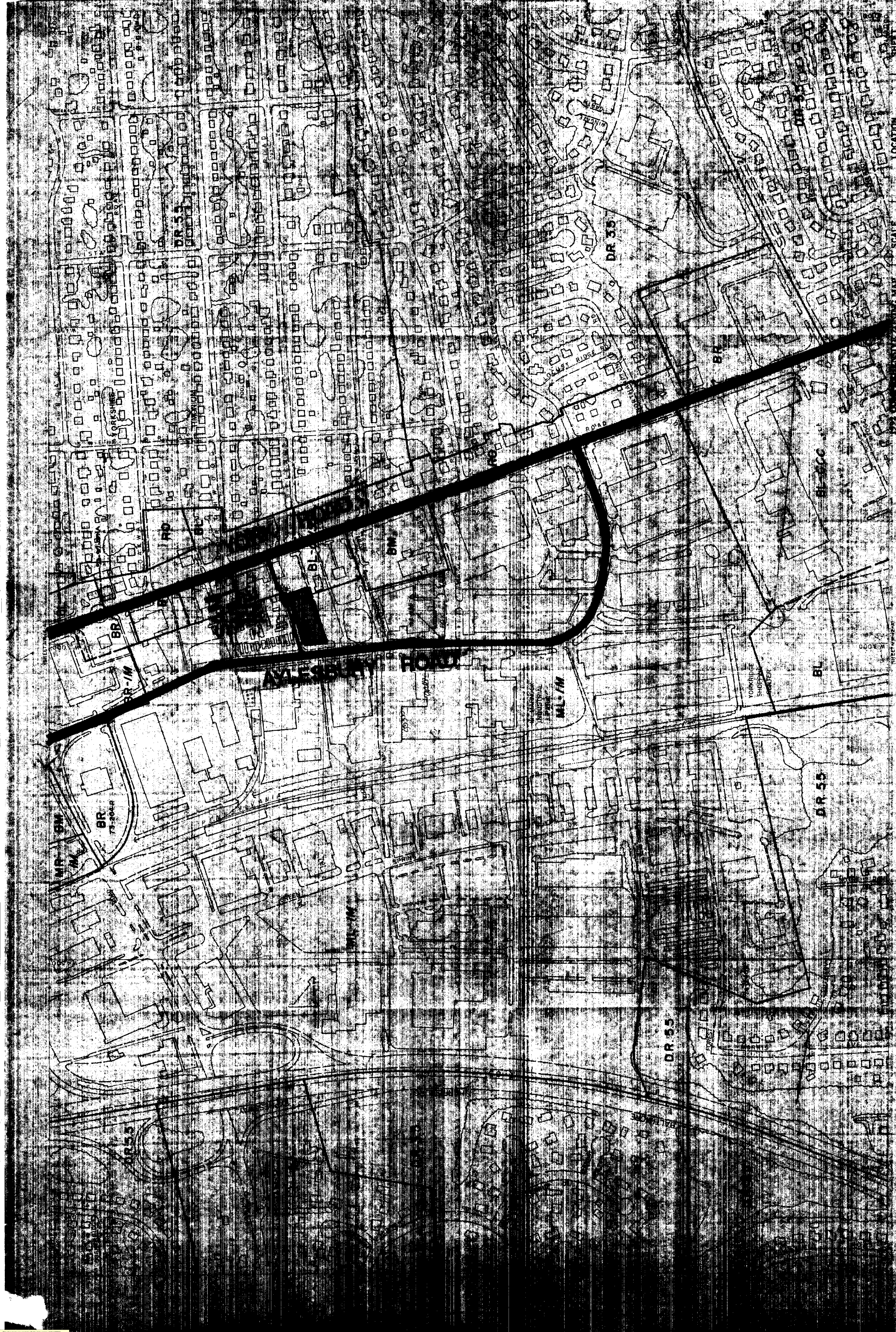
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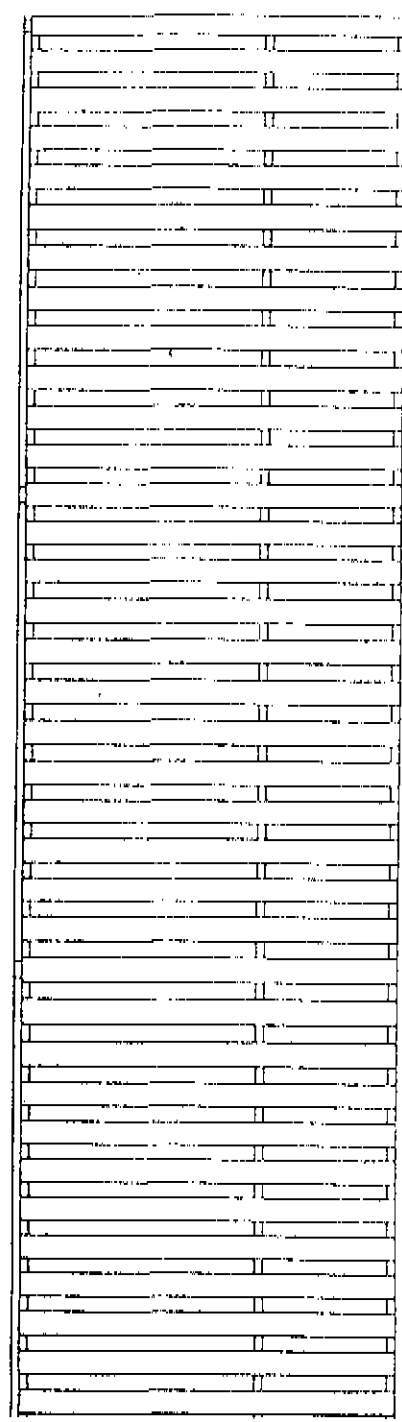


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200'
LOCATION
TIMONUM
DATE
1/1/78

PETITIONERS
EXHIBIT

PROPOSED 8' WOOD STOCKADE FENCE
SCALE 1/4"=1'-0"



* VARIANCE REQUIRED, SEE SECTION D.3 (iii)

** VARIANCE REQUIRED, SEE SECTION D.3 (iii)

1. EXISTING USE: SERVICE GARAGE AND 2 SINGLE FAMILY DETACHED DWELLINGS

2. PROPOSED USE: TWO SERVICE GARAGE BUILDINGS WITH TOWING OPERATION

3. REQUIRED SETBACKS BY USE:

4. BUILDING HEIGHT:

5. DAMAGED OR INJURED BY MOTOR VEHICLES, TOW TRUCKS, AND PARKS SHALL BE

6. ALL SERVICES AND REPAIRS SHALL TAKE PLACE WITHIN COMPLETELY ENCLOSED

7. PARKING SPACES: 12

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CHARTERED COUNTY ENGINEER

BAITMORE COUNTY METROPOLITAN AREA

PHOTOGRAMMETRIC MAP OF

PETITIONER'S
EXHIBIT

MICROFILMED



REVISION DATE 7-11-70

TIMONUM

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE *
E/S Aylesbury Road, 250 ft. N of * ZONING COMMISSIONER
Crowther Avenue *
22 Aylesbury Road * OF BALTIMORE COUNTY
8th Election District *
4th Councilmanic District * Case No. 95-301-SPHXA
Legal Owner: Estate of Katherine *
Crowther *
Contract Purchaser: Joseph E. *
Linhard, et ux, Petitioners *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 22 Aylesbury Road in Timonium. The Petitions are filed by the Estate of Katherine V. Crowther, property owner and Joseph E. Linhard and Katherine M. Linhard, contract purchasers. Special Hearing relief is requested to approve; (1) the nonconforming building location of an existing service garage on the subject property, or in the alternative, a variance to permit a 0 ft. side yard setback for the existing garage as requested on the accompanying Petition for Variance; and (2) the nonconforming location and use of two existing residential dwellings on site in the proposed special exception area, pending full utilization of Phase II of the special exception. The Petition for Special Exception requests approval for a service garage with a towing operation on property split zoned M.L.-I.M. and B.L.A.S., pursuant to Sections 253.2.B.3 and 230.13 of the Baltimore County Zoning Regulations (BCZR) and a five year special exception utilization period pursuant to Section 502.3 of the BCZR. Variances are requested from Sections 255.1, 238.1 and 238.2 of the BCZR to permit (1) a 0 ft. side yard setback from existing service garage, if not nonconforming, and for the Phase I addition to the existing service garage building in lieu of the required 30 ft. setback; (2) a 5 ft. side yard setback and a 10 ft. side yard setback for the Phase II service garage building in lieu of the re-

quired 30 ft. setbacks; and (3) a 10 ft. front yard setback for the Phase II building in lieu of the required 25 ft. setback. All of the requested relief is more particularly shown on Petitioners' Exhibit No. 1, the plan to accompany the Petitions for Special Hearing, Special Exception and Variance.

Appearing at the public hearing held for this case was Joseph E. Linhard, co-Petitioner. Mr. Linhard was represented by Robert A. Hoffman, Esquire. Mickey Cornelius, Traffic Consultant, also appeared for the Petitioner. Appearing in opposition to the request were Richard L. Crowther, William A. Crowther and Margaret A. Crowther. These individuals were represented by Edward Covahey, Esquire. Also appearing in opposition were Richard A. and Dorothy F. Day.

Testimony and evidence presented was that the subject property is approximately .62 acres in area, split zoned B.L.-A.S and M.L.-I.M. The property is a rectangularly shaped parcel located between Aylesbury Road and York Road in Timonium. The property has frontage on Aylesbury Road and the rear property line abuts another lot which fronts York Road and is improved with a Duron Paint Store building. As noted above, the property is split zoned, with the predominant zoning being M.L.-I.M. The zoning line transects the property and a small portion of the rear features the B.L.-A.S. zoning classification. Presently, the site contains an existing garage building and two dwellings.

Joseph E. Linhard, contract purchaser, testified and discussed his plans for the site. He presently owns and operates the Linhard's Towing and Service Garage business located in Hunt Valley. He produced a number of photographs of his existing business location, which features a 4 bay building. His business performs auto repairs and towing services in the Timonium/Cockeysville/Hunt Valley area.

-3-

ORDER RECEIVED FOR FILING
Date 1/31/96
By M. Linhard

Special Exception, approval to allow a service garage with a towing operation in an M.L.-I.M. and B.L.-A.S. zones, pursuant to Section 253.2.B.3 and 230.13 of the Baltimore County Zoning Regulations (BCZR) and a five year special exception utilization period pursuant to Section 502.3 of the BCZR, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for (1) the nonconforming building location of the existing service garage on the subject property; and (2) the nonconforming location and use of the two existing residential dwellings on site in the proposed special exception area, pending full utilization of Phase II of the special exception, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a 0 ft. side yard setback for the existing garage as stated on the accompanying Petition for Variance be DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that variances from Sections 255.1, 238.1 and 238.2 of the BCZR to permit (1) a 0 ft. side yard setback from existing service garage, if not nonconforming, and for the Phase I addition to the existing service garage building in lieu of the required 30 ft. setback; (2) a 5 ft. side yard setback and a 10 ft. side yard setback for the Phase II service garage building in lieu of the required 30 ft. setbacks; and (3) a 10 ft. front yard setback for the Phase II building in lieu of the required 25 ft. setback, be and are hereby DENIED.

LBS:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 1/31/96
By M. Linhard

rage, the proposed expansion both in Phase I and Phase II is inappropriate. An examination of the property as shown on the site plan shows that same is very narrow and the lot, itself, is quite small. Even after razing the existing dwellings, there is little room for the proposed improvements. The improvements will immediately abut the property line due to the narrowness of the lot and the need to conduct a sufficiently sized building.

While it is true that special exceptions carry a presumption of permissibility, they must meet the standards set forth in Section 502.1 of the BCZR. In this instance, it is my judgment that the exposed expansion will overcrowd the land contrary to the requirements of Section 502.1.D of the BCZR. Traffic is also problematic. As disclosed by Mr. Linhard, the nature of the business operation proposed is intensive. The tow business operates 24 hours a day and the auto repair business, 7 days per week. Internal traffic circulation as shown is tight owing to the limited area and width of the property. Moreover, there is no access to York Road, a major arterial street and all traffic must arrive via Aylesbury Road. I am not persuaded that the Petitioner has satisfied the requirements set forth in Section 502.1.B of the BCZR as it relates to these traffic issues. Thus, the Petition for Special Exception, both for Phase I and Phase II must be denied.

Based on this conclusion, the Petition for Variances must, likewise, not be granted. Again, the same logic applies. The proposed use will adversely impact surrounding properties. I am not convinced that the Petitioner has met the standards set forth in Section 307.1 of the BCZR.

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 in part and denied in part.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 31st day of January, 1996, that, pursuant to the Petition for

-5-

ORDER RECEIVED FOR FILING
Date 1/31/96
By M. Linhard

Mr. Linhard testified that he contemplates acquiring the property and relocating his business thereto. He indicated that his business needs a larger lot than presently available. He also indicated that improvements to the site would be made by way of two phases, as shown on the site plans submitted. The first phase will utilize an existing service building on the site. That building contains four bays. An addition will be constructed to the building resulting in a 6 bay service garage. Phase II of the project will require construction of a second building. This second structure will be closer to Aylesbury Road and will contain 10 bays. Mr. Linhard also discussed other improvements to the property including the installation of a fence on the southside of the site, to screen properties in that direction.

Mr. Linhard also described the business operation. He testified that his company presently owns six tow trucks and he does not foresee an increase in that number. He described the average number of trips generated by the towing business and also discussed the repair operation. The towing operation conducts business 24 hours a day on an as needed basis and the auto repair business is in operation 7 days per week.

Also testifying on behalf of the Petition was William Monk, the consultant who participated in the preparation of the site plans. Mr. Monk discussed the history of the use of the property and stated that a large portion of the property had been zoned M.L. for many years. He discussed the split zoning of the site and the B.L. zoning designation in the rear yard. He noted that all buildings on the property are located in the M.L. portion of the tract.

Mr. Monk also testified that the relevant year in determining the nonconforming use designation is 1970. He indicated that, prior to that date, and the adoption of Bill No. 100, service garages and dwellings were

-3-

ORDER RECEIVED FOR FILING
Date 1/31/96
By M. Linhard

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 31, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 95-301-SPHXA
Petitions for Special Hearing, Special Exception & Variance
Legal Owner: Estate of Katherine V. Crowther
Contract Purchaser: Joseph E. Linhard, et ux, Petitioners

Dear Mr. Hoffman:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LBS:mmm
encl.
c: Mr. and Mrs. Joseph E. Linhard
c: Richard L. and Margaret A. Crowther
William A. Crowther
Richard A. and Dorothy F. Day

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permitted by right in an M.L. zone. These uses have been prohibited in that zone, however, since the adoption of Bill 100 in 1970.

Mr. Monk also discussed in detail the proposed improvements to the site. He noted that the property is served by public utilities and opined that the proposed use would not be inconsistent with the existing use of the property. In his judgment, the use satisfies the test set forth in Section 502.1 of the BCZR and is appropriate.

Testifying in opposition to the request was Richard Day, the owner of the adjacent property. This property is presently under lease to The Charred Rib Restaurant. Mr. Day opposes the subject request believing that it will aggravate traffic in the area and detrimentally impact the existing use on his property. In his judgment, the proposal constitutes an overly intensive use of this relatively small parcel.

Considering the special hearing Petition first, I am persuaded to approve same and confer nonconforming use status for this property. Specifically, I will approve the nonconforming building location of the existing garage on site, as well as the use thereof. Moreover, I will approve the nonconforming location and use of the two existing residential dwellings on site. In this regard, the testimony was uncontradicted that the subject property has been utilized as described for many years. The Protestants conceded that the existing dwellings have been located on the property well prior to 1970 and have been residentially occupied. Moreover, the service garage building location and use thereof is of long standing nature.

A granting of the special hearing renders moots one of the variance requests. Specifically, the 0 ft. side yard setback for existing service garage is not required.

As to the special exception request, same must be denied. Although it is true that a portion of the property has been utilized as a service ga-

-4-

ORDER RECEIVED FOR FILING
Date 1/31/96
By M. Linhard



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 22 Aylesbury Road
which is presently zoned M-L-IM & B-L-AS

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 Hearing under Section 500.1 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner should approve (i) the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a 0' side yard setback for the existing garage as indicated on the Petition for Variance submitted herewith; and, (ii) the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser(s)
By: *Joseph E. Linhard*
Name: Joseph E. Linhard
Address: 26 Bee Tree Mill Court
Parkton Md. 21120
City State Zipcode

Attorney for Petitioner
Robert A. Hoffman
By: *Robert Hoffman*
Name: Robert Hoffman
Address: 210 Allegheny Avenue
Towson Md. 21204
City State Zipcode

Legal Owner(s)
Estate of Katherine V. Crowther
By: *Josephine Stephenson*
Name: Josephine Stephenson
Address: 15106 Pastview Dr.
Upperco Md. 21155
City State Zipcode

15106 Pastview Dr. 526-6185
Upperco Md. 21155
Robert A. Hoffman
210 Allegheny Avenue
Towson Md. 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING 2 HRS
DATE 3/2/95



VIEW OF SITE LOOKING NORTH
FROM ADJACENT PROPERTY (CHARRED RIB PARKING LOT)

PETITIONER'S
EXHIBIT 6C

WILLIAM MONK, INC.

LAND USE PLANNING - LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



EXISTING STRUCTURES WITH PROPOSED
PHASE 1 ADDITION TO SERVICE GARAGE

PETITIONER'S
EXHIBIT 6D

WILLIAM MC

LAND USE PLANNING

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



W. AYLESBURY ROAD
VIEW LOOKING NORTH

PETITIONER'S
EXHIBIT 6C

WILLIAM MONK, INC.

LAND USE PLANNING - LANDSCAPE DESIGN

SAM WILL AVENUE (PRIVATE)

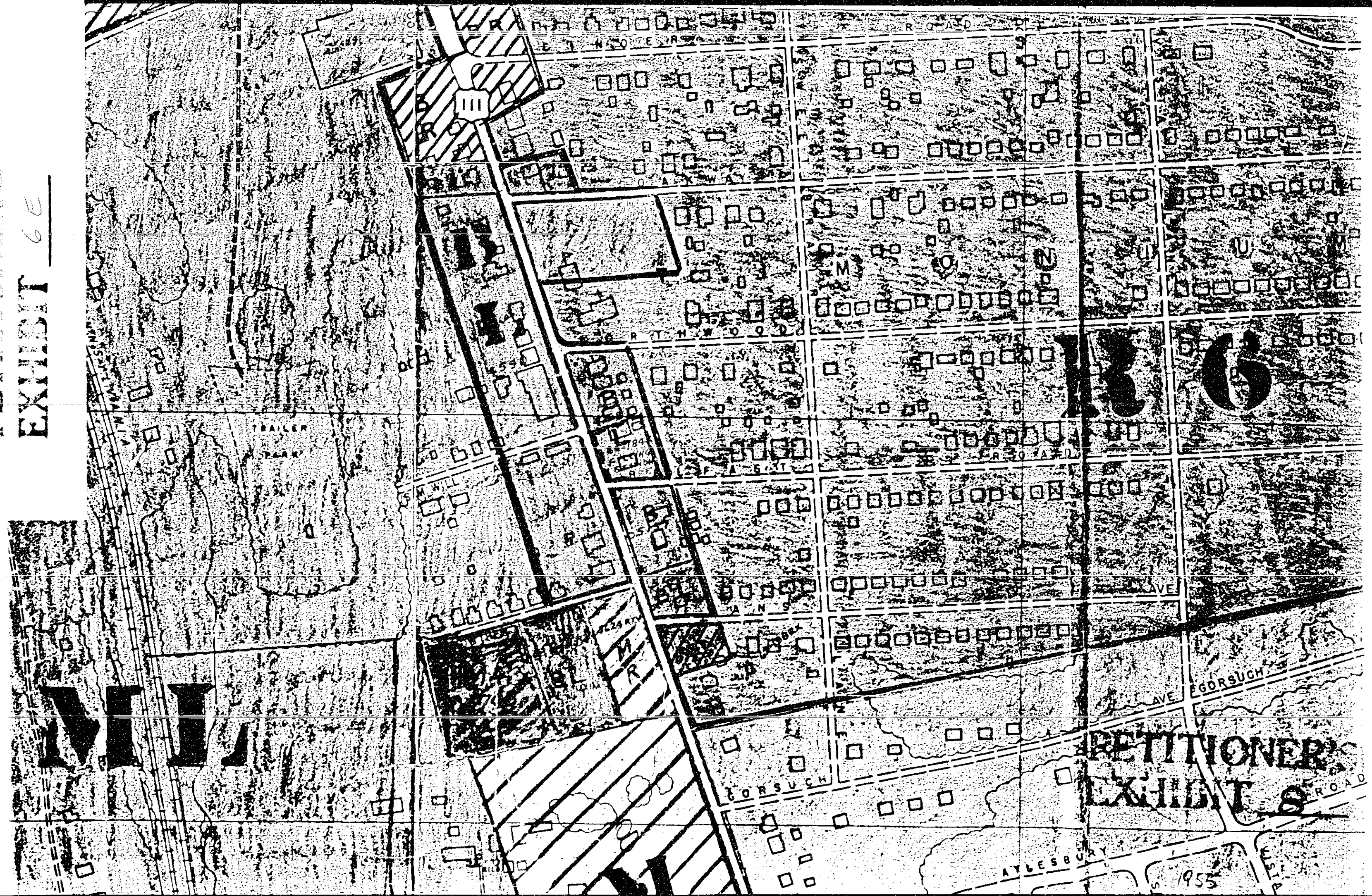


VIEW LOOKING EAST FROM AYLESBURY ROAD



VIEW LOOKING WEST TOWARDS AYLESBURY ROAD

PETITIONER'S
EXHIBIT 6E



VIEW OF SITE
LOOKING EAST FROM W. AYLESBURY ROAD

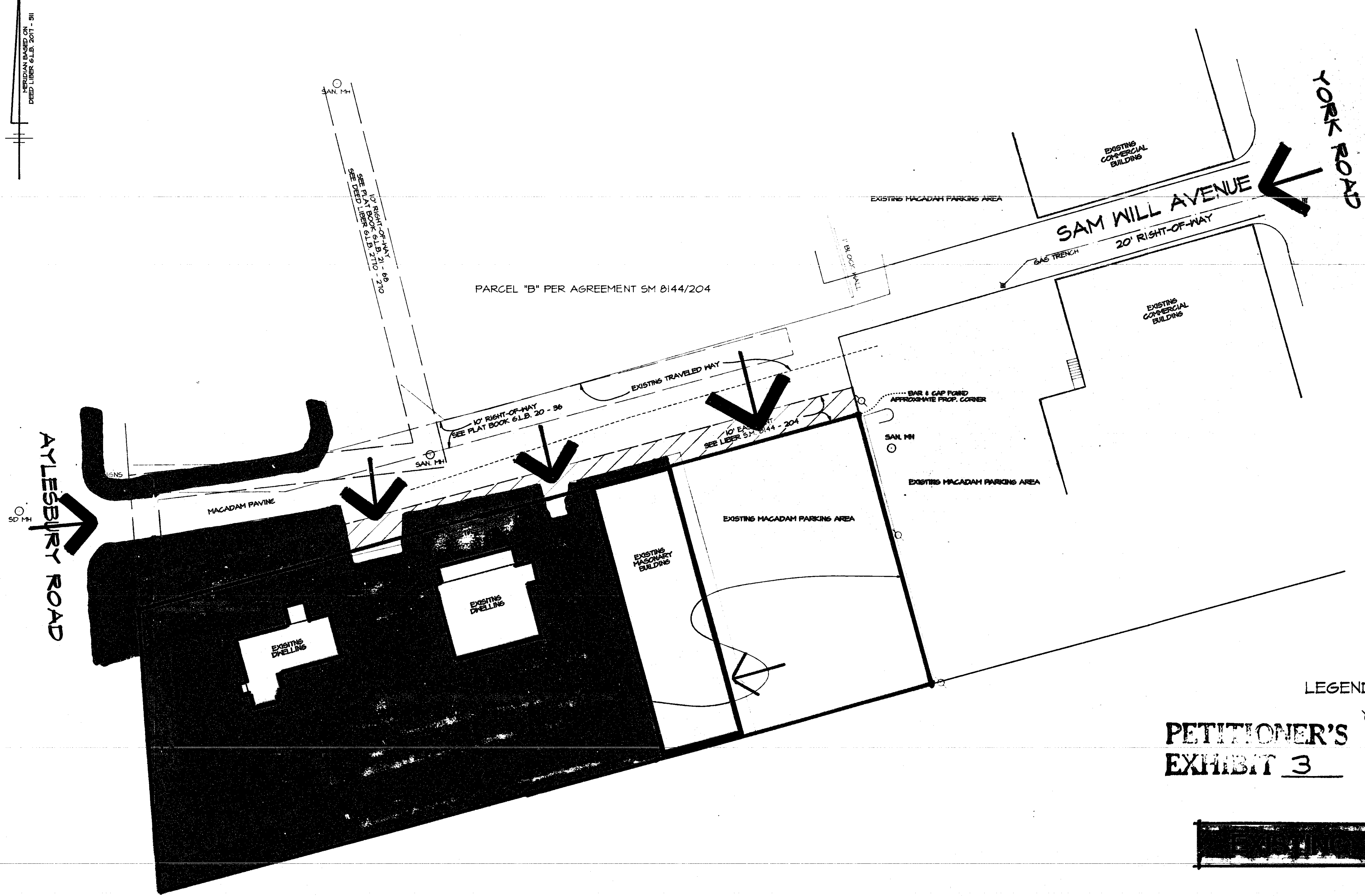
PETITIONER'S
EXHIBIT 6F

WILLIAM MC

LAND USE PLANNING

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

MERIDIAN BASED ON
DRED LIBER 61B, 2011 - 91



LEGEND

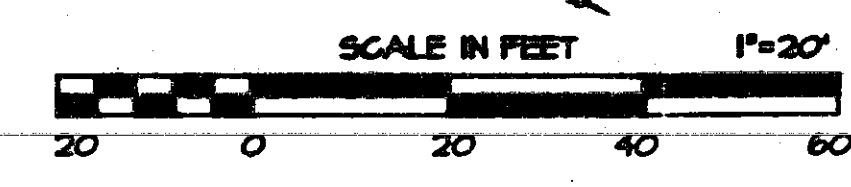
PETITIONER'S
EXHIBIT 3

- Q TELEPHONE POLE
- O SIGN
- O MANHOLE
- GAS VALVE

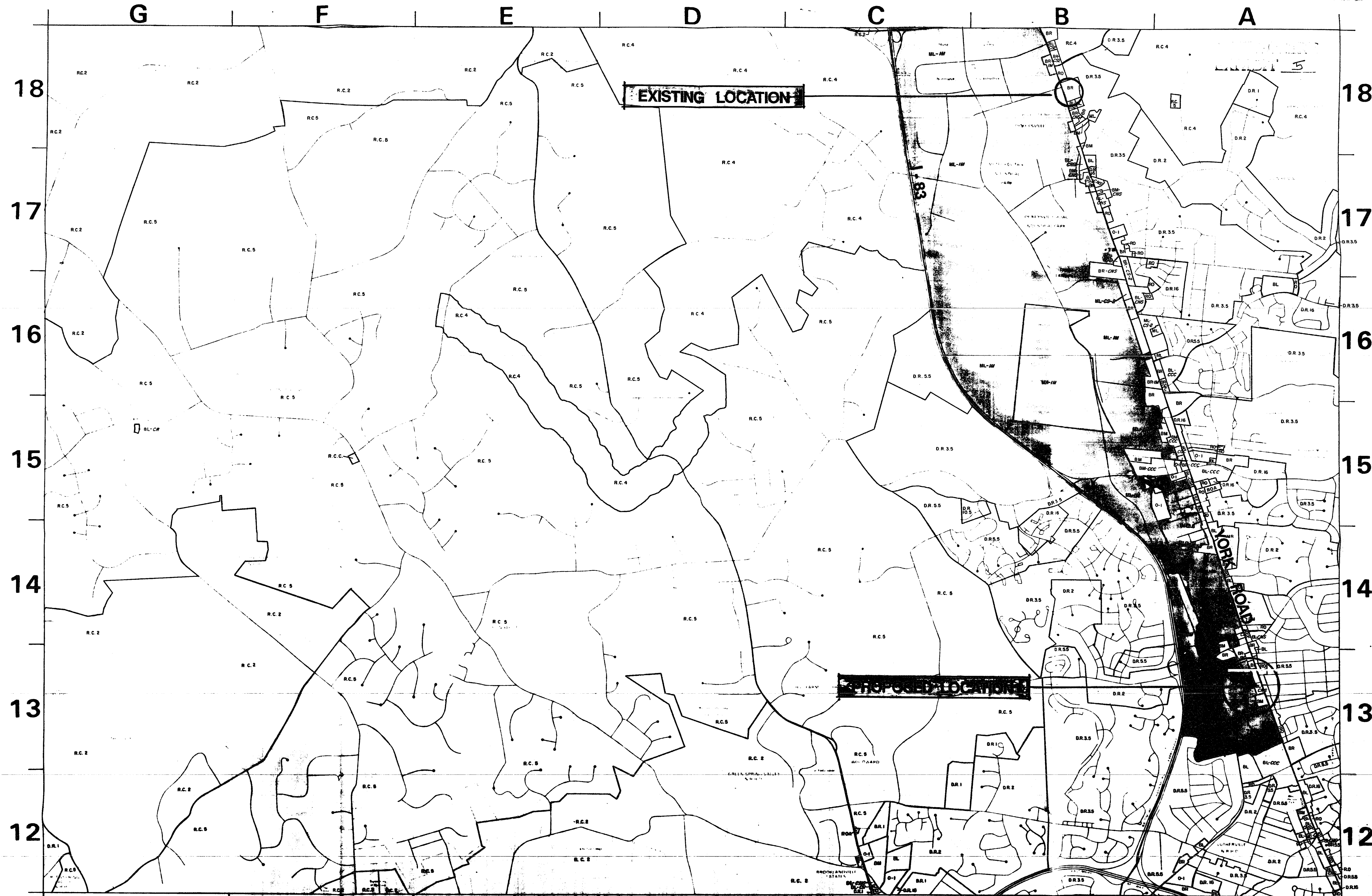
EXISTING CONDITIONS



PLANIMETRIC SURVEY
OF
SAM WILL AVENUE
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=20' DATE: MARCH 17, 1995



GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
520 East Towsontown Boulevard
Towson, Maryland 21286
(410) 825-4470



1995 Comprehensive Zoning Ordinance
Adopted by the Baltimore County Board
Oct. 15, 1995
Ord. No. 95-01, 95-02, 95-03, 95-04, 95-05, 95-06, 95-07, 95-08, 95-09, 95-10, 95-11, 95-12, 95-13, 95-14, 95-15, 95-16, 95-17, 95-18, 95-19, 95-20, 95-21, 95-22, 95-23, 95-24, 95-25, 95-26, 95-27, 95-28, 95-29, 95-30, 95-31, 95-32, 95-33, 95-34, 95-35, 95-36, 95-37, 95-38, 95-39, 95-40, 95-41, 95-42, 95-43, 95-44, 95-45, 95-46, 95-47, 95-48, 95-49, 95-50, 95-51, 95-52, 95-53, 95-54, 95-55, 95-56, 95-57, 95-58, 95-59, 95-60, 95-61, 95-62, 95-63, 95-64, 95-65, 95-66, 95-67, 95-68, 95-69, 95-70, 95-71, 95-72, 95-73, 95-74, 95-75, 95-76, 95-77, 95-78, 95-79, 95-80, 95-81, 95-82, 95-83, 95-84, 95-85, 95-86, 95-87, 95-88, 95-89, 95-90, 95-91, 95-92, 95-93, 95-94, 95-95, 95-96, 95-97, 95-98, 95-99, 95-100



Baltimore County, Maryland

A1	A2
B1	B2
C1	C2
D1	D3
E1	E2
F1	F2
G1	G2

Map Index

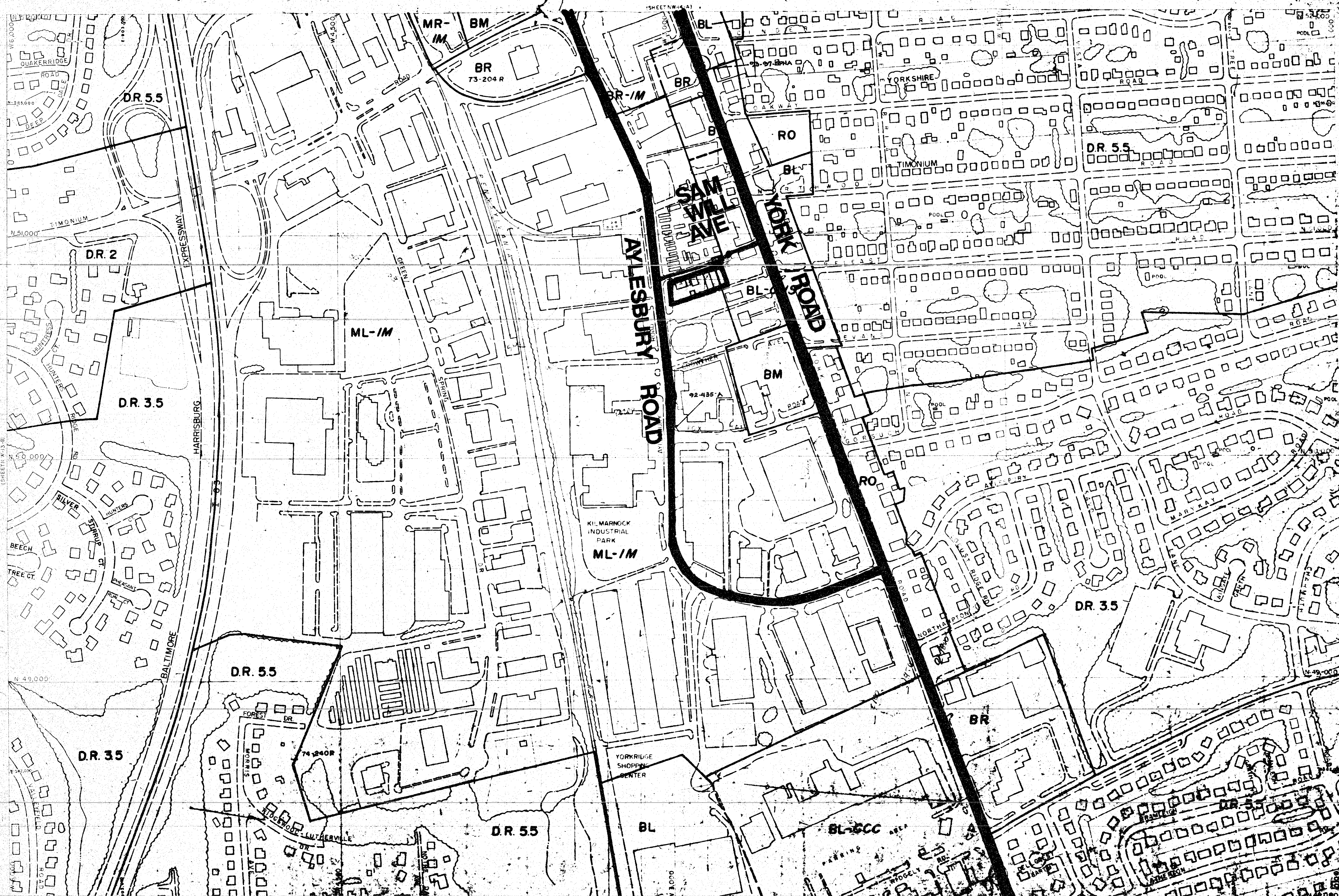
Revisions

Grid North

Scale: 1"=1000'

Miles

Feet



P-SW
P-NW

THIS MAP HAS BEEN REVISIONED BY THE ACTION AREA
TOPOGRAPHY COMPILED BY PHOTOGRAPHIC METHODS
BY BUCHART-MOEN, INC. BALTIMORE, MD. 21208

BALTIMORE COUNTY

OFFICE OF PLANNING AND ZONING

OFFICIAL ZONING MAP

1992 OFFICIAL ZONING MAP
Adopted by the Baltimore County Council
Dec. 22, 1992

SCALE
1" = 200'

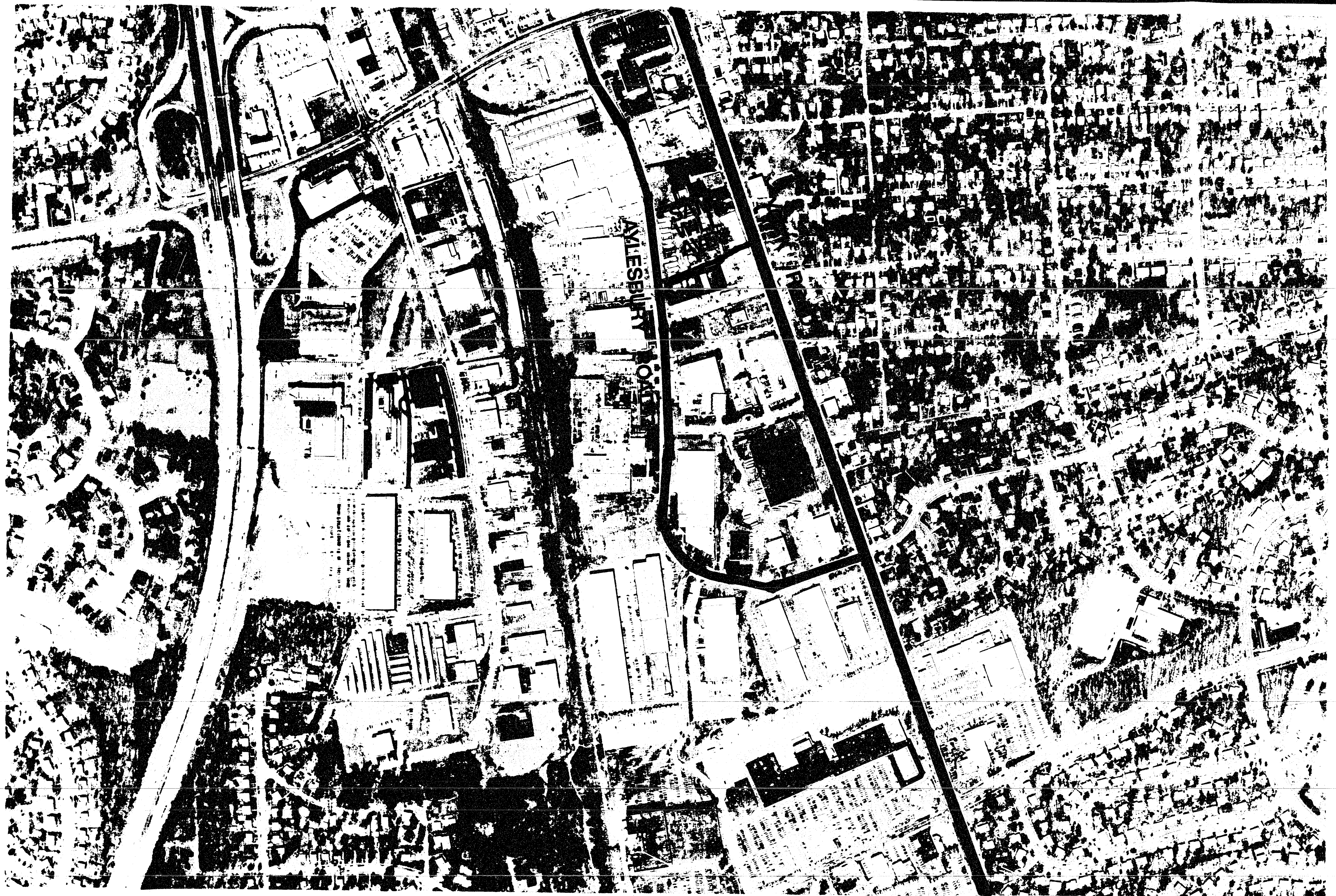
DATE
1992

LOCATION
TIMONIUM

SHEET
13-A

PETITIONER'S





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

TIMONIUM

N.W.
13-A

Plot No 10



Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 22 Aylesbury Road

which is presently zoned ML-1M & BL-AS

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 a service garage with towing operation in an ML-1M and BL-AS zone pursuant to Sections 253.2.B.3 BCZR and 230.13 BCZR and a 5-year special exception utilization period pursuant to Section 502.3 BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor
Type or Print Name: Joseph E. Linhard
Signature: *Joseph E. Linhard*
Address: 26 Bee Tree Mill Court
City: Parkton MD 21120
State: MD Zipcode: 21120
Legal Owner(s)
Type or Print Name: Estate of Katherine V. Crowther
Signature: *Katherine V. Crowther*
Address: 15106 Eastview Dr. 526-6185
City: Upperco MD 21155
State: MD Zipcode: 21155
Agency for Petitioner
Type or Print Name: Robert A. Hoffman
Signature: *Robert A. Hoffman*
Address: 210 Allegheny Avenue 494-6262
City: Towson MD 21204
State: MD Zipcode: 21204
ESTIMATED LENGTH OF HEARING: 2 HRS
The following dates: 3/6/95
ALL REVIEWED BY: *[Signature]* DATE: 3/6/95



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 22 Aylesbury Road

which is presently zoned ML-1M & BL-AS

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 Section(s) 255.1, 238.1, and 238.2 BCZR to permit: (i) a 0' side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30' setback; (ii) a 5' side yard setback and a 10' side yard setback for the Phase II service garage building in lieu of the required 30' setbacks; and (iii) a 10' front yard setback for the Phase II building in lieu of the required 30' setbacks of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or 25' setback practical difficulty)

To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor
Type or Print Name: Joseph E. Linhard
Signature: *Joseph E. Linhard*
Address: 26 Bee Tree Mill Court
City: Parkton MD 21120
State: MD Zipcode: 21120
Legal Owner(s)
Type or Print Name: Estate of Katherine Crowther
Signature: *Katherine Crowther*
Address: 15106 Eastview Drive 526-6185
City: Upperco MD 21155
State: MD Zipcode: 21155
Agency for Petitioner
Type or Print Name: Robert A. Hoffman
Signature: *Robert A. Hoffman*
Address: 210 Allegheny Avenue 494-6200
City: Towson MD 21204
State: MD Zipcode: 21204
ESTIMATED LENGTH OF HEARING: 2 HRS
The following dates: 3/2/95
ALL REVIEWED BY: *[Signature]* DATE: 3/2/95



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 22 Aylesbury Road

which is presently zoned ML-1M & BL-AS

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 Section(s)
(SEE ATTACHED VARIANCE REQUEST)
To be determined at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor
Type or Print Name: Joseph E. Linhard
Signature: *Joseph E. Linhard*
Address: 26 Bee Tree Mill Court
City: Parkton MD 21120
State: MD Zipcode: 21120
Legal Owner(s)
Type or Print Name: Estate of Katherine Crowther
Signature: *Katherine Crowther*
Address: 15106 Eastview Drive 526-6185
City: Upperco MD 21155
State: MD Zipcode: 21155
Agency for Petitioner
Type or Print Name: Robert A. Hoffman
Signature: *Robert A. Hoffman*
Address: 210 Allegheny Avenue 494-6200
City: Towson MD 21204
State: MD Zipcode: 21204
ESTIMATED LENGTH OF HEARING: 2 HRS
The following dates: 3/2/95
ALL REVIEWED BY: *[Signature]* DATE: 3/2/95

Variance Request

Variances from Section 255.1, 238.1 and 238.2 of the Baltimore County Zoning Regulations to permit: (i) a 0' side yard setback for the Phase I addition to the existing service garage building in lieu of the required 30' setback; (ii) a 0' side yard setback for the Phase II service garage building in lieu of the required 30' setback; (iii) a 15' front yard setback of the Phase II building in lieu of the required 25' setback; and (iii) from Section 409.4.B. to permit piggyback parking spaces for both Phase I and II Developments.

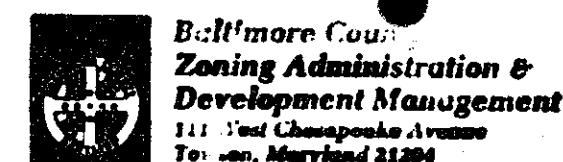
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: Date of Posting: 3/19/95
Petitioner: *Estate of Katherine V. Crowther & Joseph E. Linhard*
Location of property: *22 Aylesbury Rd.*
Location of Sign: *Front of property, on property being zoned*
Remarks:
Posted by: *[Signature]* Date of return: 3/21/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 17, 1995
THIS IS TO CERTIFY that the named advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 consecutive weeks, the first publication appearing on March 17, 1995

THE JEFFERSONIAN
LEGAL AD. - TOWSON



receipt

95-301-SPHXA

Number 298
By JLC

SPHXA 070
3 SIGNS OBO 650.00
TOTAL \$ 755.00

OWNER: Estate of Katherine V. Crowther
22 Aylesbury Rd.

0140100137N1CHMC
00 0011514003-02-PS

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 DENY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 298
Petitioner: Estate of Katherine Crowther
Location: 22 W. Aylesbury Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Barbara Ormord
ADDRESS: Venable, Baetjer & Howard
210 Allegheny Ave.
Towson, MD 21204
PHONE NUMBER: 494-6201

AJ:ggg

(Revised 04/09/93)

TO: POTTERY PUBLISHING COMPANY
March 16, 1995 Issue - Jeffersonian

Please forward billing to:

Barbara Ormond
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
410-494-6201

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

CASE NUMBER: 95-301-SPHZA (Item 298)
22 Aylesbury Road,
2/5 Aylesbury Road, 250' N of Crowther Avenue
8th Election District - 4th Councilmanic
Legal Owner(s): Estate of Katherine V. Crowther
Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard
HEARING: TUESDAY, APRIL 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.
Special Exception for a service garage with towing operation and a 5-year special exception utilization period.
Variance to permit a zero foot side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30-foot setback; a 5-foot side yard setback and a 10-foot side yard setback for the Phase II service garage building in lieu of the required 30-foot setback; and a 10-foot front yard setback for the Phase II building in lieu of the required 25-foot setback.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 10, 1995

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

CASE NUMBER: 95-301-SPHZA (Item 298)
22 Aylesbury Road,
2/5 Aylesbury Road, 250' N of Crowther Avenue
8th Election District - 4th Councilmanic
Legal Owner(s): Estate of Katherine V. Crowther
Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard
HEARING: TUESDAY, APRIL 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.
Special Exception for a service garage with towing operation and a 5-year special exception utilization period.
Variance to permit a zero foot side yard setback for the existing service garage, if required, and for the Phase I addition to the existing service garage building in lieu of the required 30-foot setback; a 5-foot side yard setback and a 10-foot side yard setback for the Phase II service garage building in lieu of the required 30-foot setback; and a 10-foot front yard setback for the Phase II building in lieu of the required 25-foot setback.

Arnold Jablon
Director

cc: Jacqueline Stephenson
Joseph and Katherine Linhard
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

PLEASE NOTE: SECOND HEARING DATE CHANGE

October 27, 1995

NOTICE OF REASSIGNMENT

Continued from 4/4/95
CASE NUMBER: 95-301-SPHZA (Item 298)
22 Aylesbury Road,
2/5 Aylesbury Road, 250' N of Crowther Avenue
8th Election District - 4th Councilmanic
Legal Owner(s): Estate of Katherine V. Crowther
Contract Purchaser(s): Joseph E. Linhard and Katherine M. Linhard

Special Hearing to approve the non-conforming building location of the existing service garage on site, or in the alternative, a variance to permit a zero foot side yard setback for the existing garage as indicated on the petition for variance; and the non-conforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the special exception.
Special Exception for a service garage with towing operation and a 5-year special exception utilization period. Variance to permit a zero foot side yard setback for the Phase I addition to the existing service garage building in lieu of the required 30 foot setback; a zero foot side yard setback for the Phase II service garage building in lieu of the required 30 foot setback; a 15 foot front yard setback of the Phase II building in lieu of the required 25 foot setback; and to permit piggyback parking spaces for both Phase I and II developments.

HEARING: TUESDAY, NOVEMBER 28, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson MD 21204.

ARNOLD JABLON
DIRECTOR

cc: Jacqueline Stephenson/15106 Eastview Dr/Upperco 21155
Joseph and Katherine Linhard/26 Bee Tree Hill Ct/Farmton 21120
Robert A. Hoffman, Esq./210 Allegheny Ave/Towson 21204
Agnes O'Connell/726 Oxford Rd/21212
Richard, Son & Margaret Crowther/7 Sandhurst Rd/Lutherville 21093
W. A. Crowther/3132 Dry Branch Rd/Lutherville 21093
Richard and Dorothy Day/1236 Clearfield Circle/Lutherville 21093
Tony Campagna/624 Upper Glacoe Rd/21152
Anthony Campagna/16 Tremblant Ct/Lutherville 21093
Roger Sullivan/614 Rosley Avenue/Towson 21204

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 27, 1995

Robert A. Hoffman
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 298
Case No.: 95-301-SPHZA
Petitioner: Estate of K. Crowther

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 2, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 20, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 20, 1995
Item No. 298

The Developers Engineering Section has reviewed the subject zoning item. This proposal is subject to the Landscape Manual.

RWB:aw

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

TO: ZADM DATE: 3/20/95
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 3/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 296
298
299
300
301

LS:sp

LETTY2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

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

Re: Baltimore County
Item No.: 298 (JLL)

Dear Ms. Watson:

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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/10/95

Arnold Jablon
Director
Zoning Administration and
Development Management
County Office Building
Towson, MD 21204
PH: 887-3353

RE: PROPERTY OWNER: ESTATE OF KATHERINE V. CROWTHER

LOCATION: 22 AYLESBURY RD., 250' N OF CROWTHER AVE, 22 AYLESBURY RD.,

Item No.: 298

Zoning Agenda: SPECIAL HEARING
SPECIAL EXCEPTION, VARIANCE

Comments:

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.

1. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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.

RECEIVED
MAR 14 1995

ZADM

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 17, 1995

SUBJECT: 22 Aylesbury Rd.

INFORMATION:

Item Number: 298

Petitioner: Estate of Katherine V. Crowther

Property Size: .62 acres

Zoning: ML-IM and BL-AS

Requested Action: Special Hearing, Special Exception & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant proposes a Special Hearing to approve the nonconforming building location of the existing service garage on site, or in the alternative, a variance to permit a 0' side yard setback for the existing garage as indicated on the Petition for Variance, and the nonconforming location and use of the two existing residential dwellings on site in the proposed special exception area pending full utilization of Phase II of the Special Exception.

Based upon a review of the information provided, the staff does not oppose the applicant's request providing that the following conditions are met:

- 1) The proposed use should not impose additional negative impacts on the adjacent residential uses.
- 2) Building facades of the existing and proposed addition should be visually compatible and improved quality such as brick.
- 3) Applicant should submit a landscape plan to the Landscape Architect.

ITEM298/PZONE/TXTJWL

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4) Sidewalks and streetrees should be provided along Aylesbury Road, and pedestrian access must be provided to interior uses.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Kern

PK/JL

ITEM298/PZONE/TXTJWL

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. #298
CASE NO. 95-301-SPHXA
REV 10/6/95

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 2, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, ZADM

SUBJECT: Item #298
22 Aylesbury Road

Advised attorney that statement of authority for representative of
Estate of Katherine Crowther not provided as normally required.

JLL:scj

PETITION PROBLEMS - AGENDA OF 3/13/95

#296 - JLL

1. No printed or typed title for person signing for person signing for Warren Group.
2. No authorization for person signing for Warren Group.

#297 - JLL

1. No authorization for person signing for Bell Atlantic.

#298 - JLL

1. Need power of attorney statement for personal representative.
(See JLL's note to the hearing officer.)

#302 - CAM

1. No telephone number for legal owner.
2. Plan is too large to be microfilmed. (Should not be larger than 24" x 36")
3. Receipt was not given to petitioner.

#303 - JUS

1. No authorization for person signing for American PCS.
2. No authorization for person signing for Longview Executive Park.

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
22 Aylesbury Road, E/S Aylesbury Road,
250' N of Crowther Avenue, 8th
Election District, 4th Councilmanic
Estate of Katherine V. Crowther
Petitioner
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Denilio
CAROLE S. DENILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Re: 95-301-SPHXA
10-16-95
Copy to C. Terrell
7206 Capital Road
Baltimore MD 21212

