

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE -
E/S Riverton Road, 23' N of the c/l
Leland Avenue
(103 Riverton Road)
15th Election District
6th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-370-SPHXA

Catherine A. Storms Whitfield, Owner;
D. Gary Whitfield, t/a Aero Auto Service, Lessee

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, Catherine A. Storms Whitfield, and the Contract Lessee, D. Gary Whitfield, t/a Aero Auto Service. The Petitioners request a special hearing to approve an amendment to the previously approved site plans in prior Cases Nos. 1548-S, 79-143-XA, and 99-222-SPH. In addition, the Petitioners request a special exception to permit a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, variance relief from the B.C.Z.R. as follows: From Section 1B02.3.C.1 to permit a lot area of 4,500 sq.ft. in lieu of the required 6,000 sq.ft.; from Section 409.3 to permit parking spaces with a dimension of 8 ½' x 16' in lieu of the required 8 ½' x 18'; from Section 409.4.A to permit a driveway width of 14 feet for two-way movement in lieu of the required 20 feet; from Section 409.4.C to permit a parking area with a two-way aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.4.1 to approve a parking area where vehicles are parked by an attendant. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in support of these requests were Catherine Storms Whitfield, property owner, her husband, Gary Whitfield, Lessee, Thomas J.

ORDER RECEIVED FOR FILING

Date 5/2/11

By [Signature]

Hoff, Landscape Architect who prepared the site plan for this property, and Anthony J. DiPaula, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the east side of Riverton Road, just north of its intersection with Leland Avenue in Middle River. The property contains a gross area of 0.20 acres, more or less, zoned B.L., and is improved with a 1 ½ story dwelling, an above-ground swimming pool, and a detached garage, 20' x 10' in dimension. Although the subject parcel is a separate lot of record, it apparently was held in common ownership with the adjacent property, which abuts the intersection of Riverton Road and Leland Avenue and is owned by John Blazek. Mrs. Whitfield (then known as Catherine A. Storms) acquired the subject property from Mr. Blazek approximately three years ago, and has resided therein with her husband since that time.

The adjacent parcel owned by John Blazek contains approximately .266 acres in area and is improved with a one-story block building, known as 101 Leland Avenue. It is this lot which was the subject of the prior zoning cases noted above, most notably, Case No. 99-222-SPH. Mr. Whitfield leases the building on this lot from Mr. Blazek and operates a service garage business therein. Mr. Whitfield is a skilled mechanic who specializes in servicing engines and transmissions. He does not sell cars nor does he paint or do body work. The nature of his business is by appointment only.

The Leland Avenue property currently occupied by Mr. Whitfield's business is apparently under foreclosure proceedings. The property is not particularly well-kept and has been allowed to deteriorate. In view of these circumstances, Mr. & Mrs. Whitfield propose transferring business operations to their property. They propose razing the existing 20' x 10' frame garage and constructing a new building in its place. The new building will be 55' x 28' in dimension and will include office space as well as two service bays for Mr. Whitfield's business. Additionally, a small portion of the building will be dedicated to a canvas shop which will be operated by Mrs. Whitfield, who specializes in the design and repair of canvas covers and sails for watercraft. However, in order to proceed with the proposed improvements, the relief requested is necessary.

After due consideration of the testimony and evidence presented, I am persuaded that the relief requested should be granted and the proposed redevelopment of the site is appropriate. Although used residentially, the site is zoned B.L. and the nature of the proposed use is consistent with existing uses in the area. Additionally, the fact that Mr. Whitfield's operation is "by appointment" only is compelling. He controls the flow of customers on the site and there should not be an overflow of parking onto neighborhood streets or adjacent properties. Mrs. Whitfield's business is similarly minor in scope and traffic generation. Moreover, it was indicated at the hearing that Mr. Whitfield and Mrs. Whitfield are the sole employees in their respective businesses.

Variance relief is warranted in view of the narrowness of the site and the location of existing improvements. The parking variances, in particular, are justified, and the site can be reasonably developed and utilized as proposed. In sum, I am persuaded that the Petitioners have met the requirements of Sections 502.1 as to the special exception relief sought, and Section 307 for the variances to be granted. Additionally, the special hearing relief shall be granted to allow an amendment to the previously approved site plans to reflect the proposed modifications.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of May, 2000 that the Petition for Special Hearing to approve an amendment to the previously approved site plans in prior Cases Nos. 1548-S, 79-143-XA, and 99-222-SPH, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a service garage use on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 1B02.3.C.1 to permit a lot area of 4,500 sq.ft. in lieu of the required 6,000 sq.ft.; from Section 409.3 to permit parking spaces with a dimension of 8 ½' x 16'

ORDER RECEIVED FOR FILING

Date

By

in lieu of the required 8 ½' x 18'; from Section 409.4.A to permit a driveway width of 14 feet for two-way movement in lieu of the required 20 feet; from Section 409.4.C to permit a parking area with a two-way aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.4.1 to approve a parking area where vehicles are parked by an attendant, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner is prohibited from selling automobiles from the subject site. Moreover, there shall be no painting or auto body repair work performed on the premises.
- 3) The property shall be kept free and clear of all trash and debris, including auto parts, tires and accessories.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECORDED FOR FILING
3/25/10
1002



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 1, 2000

Anthony J. DiPaula, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
E/S Riverton Road, 23' N of the c/l Leland Avenue
(103 Riverton Road)
15th Election District - 6th Councilmanic District
Catherine A. Storms Whitfield and D. Gary Whitfield - Petitioners
Case No. 00-370-SPHXA

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Gary Whitfield
103 Riverton Road, Baltimore, Md. 21220
Mr. Thomas J. Hoff, 406 Pennsylvania Avenue, Towson, Md. 21204
People's Counsel; Case File

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 103 RIVERTON ROAD

which is presently zoned BL

This Petition shall be filed with the Department of Permits and 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

AN AMENDMENT TO THE PREVIOUSLY APPROVED PLANS IN CASE NUMBERS: 1548-S AND 79-143-XA
AND 99-222-SPH.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

D. GARY WHITEFIELD t/a AERO AUTO SERVICE

Name - Type or Print

Signature

103 RIVERTON ROAD

410-574-7311

Address

Telephone No.

BALTIMORE

MARYLAND

21220

City

State

Zip Code

Attorney For Petitioner:

ANTHONY J. DIPAUOLA

Name - Type or Print

Signature

COVAHEY & BOOZER, P.A.

Company

614 BOSLEY AVENUE

410-828-9441

Address

Telephone No.

TOWSON

MARYLAND

21204

City

State

Zip Code

Legal Owner(s):

CATHERINE A. STORMS WHITFIELD

Name - Type or Print

Signature

Name - Type or Print

Signature

103 RIVERTON ROAD

410-574-7311

Address

Telephone No.

BALTIMORE

MARYLAND

21220

City

State

Zip Code

Representative to be Contacted:

THOMAS J. HOFF

Name

406 PENNSYLVANIA AVENUE

410-296-3668

Address

Telephone No.

TOWSON

MARYLAND

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

UNAVAILABLE FOR HEARING _____

Reviewed By mta Date 3/13/00

Case No. 00-370-SPHXA

Date 3/15/98
By [Signature]

ORDER RECEIVED FOR FILING



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 103 RIVERTON ROAD

which is presently zoned BL

This Petition shall be filed with the Department of Permits and 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 PURSUANT TO BCZR SECTION 230.13.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

D. GARY WHITFIELD t/a AERO AUTO SERVICE

Name - Type or Print

Signature

103 RIVERTON ROAD

410-574-7311

Address

Telephone No.

BALTIMORE

MARYLAND

21220

City

State

Zip Code

Attorney For Petitioner:

ANTHONY J. DIPAULA

Name - Type or Print

Signature

COVAHEY & BOOZER, P.A.

Company

614 BOSLEY AVENUE

410-828-9441

Address

Telephone No.

TOWSON

MARYLAND

21204

City

State

Zip Code

Legal Owner(s):

CATHERINE A. STORMS WHITFIELD

Name - Type or Print

Signature

Name - Type or Print

Signature

103 RIVERTON ROAD

410-574-7311

Address

Telephone No.

BALTIMORE

MARYLAND

21220

City

State

Zip Code

Representative to be Contacted:

THOMAS J. HOFF

Name

406 PENNSYLVANIA AVENUE

410-296-3668

Address

Telephone No.

TOWSON

MARYLAND

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

UNAVAILABLE FOR HEARING

Reviewed By MTA Date 3/13/08

ORDER RECEIVED FOR FILING

Date

By

Case No. 00-370-SPHXA

REV 09/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 103 RIVERTON ROAD

which is presently zoned BL

This Petition shall be filed with the Department of Permits and 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) **1B02.3.C.1 TO ALLOW A LOT AREA OF 4500 SQ. FT. IN LIEU OF THE REQUIRED 6000 SQ. FT.; SECTION 409.3 TO ALLOW PARKING SPACES OF 8 1/2 FT. X 16 FT. IN LIEU OF THE REQUIRED 8 1/2 X 18 FT.; SECTION 409.4.A TO ALLOW A 14 FT. WIDE DRIVEWAY FOR TWO-WAY MOVEMENT IN LIEU OF THE REQUIRED 20 FT.; AND SECTION 409.4.C TO ALLOW A PARKING AREA WITH A TWO-WAY AISLE OF 18 FT. IN LIEU OF THE REQUIRED 22 FT.** ~~SECTION 409.4.1. TO APPROVE A PARKING AREA WHERE VEHICLES ARE PARKED BY AN ATTENDANT.~~ of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons. (indicate hardship or practical difficulty)

[Signature]

THE PROPERTY IS A LOT FROM AN OLD SUBDIVISION THAT PRE-DATES THE ZONING REGULATIONS IN QUESTION, AND CANNOT BE MADE TO CONFORM TO CURRENT REQUIREMENTS.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

~~Contract Purchaser~~ Lessee:

D. GARY WHITFIELD t/a AERO AUTO SERVICE

Name - Type or Print
D. Gary Whitfield
Signature
103 RIVERTON ROAD 410-574-7311
Address Telephone No.
BALTIMORE MARYLAND 21220
City State Zip Code

Attorney For Petitioner:

ANTHONY J. DIPAULA
Name - Type or Print
[Signature]
Signature
COVAHEY & BOOZER, P.A.
Company
614 BOSLEY AVENUE 410-828-9441
Address Telephone No.
TOWSON MARYLAND 21204
City State Zip Code

Legal Owner(s):

CATHERINE A. STORMS WHITEFIELD
Name - Type or Print
Catherine A. Storms Whitfield
Signature
103 RIVERTON ROAD 410-574-7311
Address Telephone No.
BALTIMORE MARYLAND 21220
City State Zip Code

Representative to be Contacted:

THOMAS J. HOFF
Name
406 PENNSYLVANIA AVENUE 410-296-3668
Address Telephone No.
TOWSON MARYLAND 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr

UNAVAILABLE FOR HEARING
Reviewed By mtk Date 3/13/01

Case No. 00-370-SPHX-A

Date 9/15/98

ORDER RECEIVED FOR FILING

Date

By

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD, 21204
410-296-3668
FAX 410-296-5326

March 8, 2000

Description One, 101 & 103 Riverton Road, to Accompany Petition for Special Hearing to amend the previously approved plan in Cases No. 1548-S, 79-143-XA and 99-222-SPH.

BEGINNING FOR THE SAME at a point on the east R/W line of Riverton Road, being North 04 degrees 40 minutes 30 seconds West 23.0 feet more or less from the intersection of the east R/W line of Riverton Road and the northeast R/W line of Leland Avenue.

Thence binding on the east side Riverton Road,

1) South 04 degrees 40 minutes 30 seconds West 23.0 feet,

Thence leaving the east side of Riverton Road and binding on the northeast side of Leland Avenue,

2) South 47 degrees 40 minutes 30 seconds East 48.00 feet,

3) Southeasterly by a curve to the right having a radius of 788.20 feet and a length of 146.00 feet subtended by the chord South 82 degrees 02 minutes 19 seconds East 145.78 feet to the west side of a 10 foot alley,

Thence binding on the west side of the 10 foot alley,

4) North 04 degrees 40 minutes 30 seconds West 140.00 feet,

Thence leaving the west side of the 10 foot alley,

5) South 85 degrees 19 minutes 30 seconds West 175.00 feet to the east side of Riverton Road,

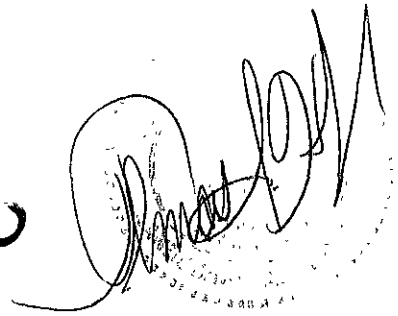
Thence binding on the east side of Riverton Road,

6) South 04 degrees 40 minutes 30 seconds East 50.0 feet to the place of beginning,

Containing 0.46 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.

370 
00-370-SPHXA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 078935

DATE 3/13/77 ACCOUNT 001-6150

AMOUNT \$ 650.00

RECEIVED FROM: Alen R. Silva - 103 River Rd.

FOR: 070-SPHXA - \$ 650.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

RECEIVED
BALTIMORE COUNTY
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT
DATE 3/13/77
AMOUNT \$ 650.00
FROM Alen R. Silva - 103 River Rd.
FOR 070-SPHXA - \$ 650.00

00-370-SPHXA

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-370-SPHXA

103 Riverton Road

E/S Riverton Road, 150' N of centerline Martin Boulevard

15th Election District - 5th Councilmanic District

Legal Owner(s): Catherine A. Storms Whitfield

Lessee: D. Gary Whitfield

Special Hearing: to approve an amendment to the approved plans in case numbers 1548-S, 79-143-XA, and 99-222-SPH. **Special Exception:** for a service garage. **Variance:** to allow a lot area of 4500 square feet in lieu of the required 6000 square feet, to allow parking spaces of 8-1/2 feet by 16 feet in lieu of the required 8-1/2 feet by 18 feet, to allow a 14-foot wide driveway for two-way movement in lieu of the required 20 feet, to allow a parking area with a two-way aisle of 18 feet in lieu of the required 22 feet, and to approve a parking area where vehicles are parked by an attendant.

Hearing: Tuesday, April 25, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

4/23 April 6

C381872

CERTIFICATE OF PUBLICATION

TOWSON, MD, 4/7/, 2000

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 4/6/, 2000.

S. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-370 SPHXA

Petitioner/Developer: C & D. WHITEFIELD, AERO/DIPAUULA, ET AL
COVAHEY & BOOZER

Date of Hearing/Closing: 4/25/00
JRS

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #103 RIVERTON RD.

The sign(s) were posted on

4/10/00

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 4/12/2000
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

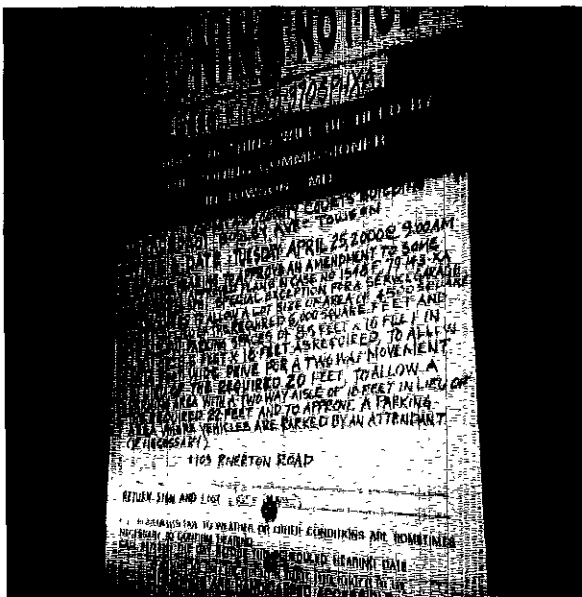
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



00-370-SPHXA

#103-RIVERTON RD.

P-4/10/00
1-4/10/00

A. DIPAUULA - 823-2530 F

4/25/00

4/25/00

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE

103 Riverton Road, E/S Riverton Rd,
150' N of c/I Martin Blvd
15th Election District, 5th Councilmanic

Legal Owner: Catherine A. S. Whitfield
Contract Purchaser: D. Gary Whitfield
T/A Aero Auto Service
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case No. 00-370-SPHXA

* * * * *

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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Anthony J. DiPaula, Esq., Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 27, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-370-SPHXA
103 Riverton Road
E/S Riverton Road, 150' N of centerline Martin Boulevard
15th Election District – 5th Councilmanic District
Legal Owner: Catherine A. Storms Whitfield
Lessee: D. Gary Whitfield

Special Hearing to approve an amendment to the approved plans in case numbers 1548-S, 79-143-XA, and 99-222-SPH. Special Exception for a service garage. Variance to allow a lot area of 4500 square feet in lieu of the required 6000 square feet, to allow parking spaces of 8-1/2 feet by 16 feet in lieu of the required 8-1/2 feet by 18 feet, to allow a 14-foot wide driveway for two-way movement in lieu of the required 20 feet, to allow a parking area with a two-way aisle of 18 feet in lieu of the required 22 feet, and to approve a parking area where vehicles are parked by an attendant.

HEARING: Tuesday, April 25, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon, Director

C: Anthony DiPaula, Esquire, 614 Bosley Avenue, Towson 21204
Catherine Storms Whitfield, 103 Riverton Road, Baltimore 21220
D. Gary Whitfield, 103 Riverton Road, Baltimore 21220
Thomas Hoff, 406 Pennsylvania Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 10, 2000.**
(2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
(3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, April 6, 2000 Issue – Jeffersonian

Please forward billing to:
Gary Whitfield
103 Riverton Road
Baltimore, MD 21220

410-574-5361

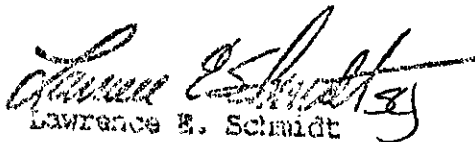
NOTICE OF ZONING HEARING

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CASE NUMBER: 00-370-SPHXA
103 Riverton Road
E/S Riverton Road, 150' N of centerline Martin Boulevard
15th Election District – 5th Councilmanic District
Legal Owner: Catherine A. Storms Whitfield
Lessee: D. Gary Whitfield

Special Hearing to approve an amendment to the approved plans in case numbers 1548-S, 79-143-XA, and 99-222-SPH. Special Exception for a service garage. Variance to allow a lot area of 4500 square feet in lieu of the required 6000 square feet, to allow parking spaces of 8-1/2 feet by 16 feet in lieu of the required 8-1/2 feet by 18 feet, to allow a 14-foot wide driveway for two-way movement in lieu of the required 20 feet, to allow a parking area with a two-way aisle of 18 feet in lieu of the required 22 feet, and to approve a parking area where vehicles are parked by an attendant.

HEARING: Tuesday, April 25, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

370

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-370-SPHXA

Petitioner: Gary Whitfield

Address or Location: 103 Riverton Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: GARY WHITFIELD

Address: 103 RIVERTON RD.

BALTIMORE, MD. 21220

Telephone Number: 410-574-5361



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 21, 2000

Attorney Anthony J. DiPaula
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson MD 21204

Dear Attorney DiPaula:

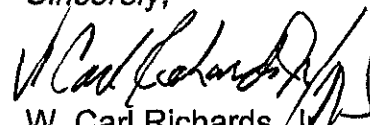
RE: Case Number 00-370-SPHXA , 103 Riverton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 30, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: CATHERINE A. STORMS-WHITFIELD - 370
ANNE LELAND - 373
KA REAL ESTATE ASSOCIATES, LLC -380

Location: DISTRIBUTION MEETING OF MARCH 27, 2000

Item No.: 370, 373, AND 380

Dear Ms. Stephens:

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", 1994 edition prior to occupancy.

** IN REFERENCE TO ITEM #370, THE FOLLOWING APPLIES:
THE VEHICLE ACCESS DRIVEWAY MUST BE AT LEAST 18' IN WIDTH FOR
FIRE DEPARTMENT ACCESS.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RM*

DATE: April 10, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of March 27, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
370	103 Riverton Road
372	1 Woods Court
374	323 N. Beaumont Road
375	5701 & 5709 Trumps Mill Road
376	301 Golf Course Road
378	2 Forest Drive
379	1603 Dennis Avenue
380	10324 S. Dolfield Road
334	8741-8771 Mylander Lane

les
4/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 5, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

APR - 6

SUBJECT: 103 Riverton Road

INFORMATION:

Item Number: 370

Petitioner: Catherine A. Storms Whitfield

Zoning: BL

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The subject property is part of (staff) issue 5-004. The petitioner has indicated that he would like to get BR zoning for his property in order to sell used cars.

The Office of Planning supports the undersized lot request to allow a lot area of 4,500 sq. ft. in lieu of the minimum required 6,000 sq. ft. The Office of Planning also supports allowing parking spaces of 8 1/2 ft. x 16 ft. in lieu of the minimum required 8 1/2 x 18 ft., and a 14 ft. parking area with a two-way aisle of 18 ft. in lieu of the minimum required 22 ft. provided the following conditions are met:

1. The subject property suffers to some extent from deferred maintenance. Staff believes the property should be brought up to an acceptable standard. This desire was communicated when a Petition for Special Exception was filed in Case No.99-222-5SHP. Some improvements have been made, however, additional attention to general upkeep would be desirable;
2. The sales of used vehicles should be prohibited.

Prepared by: 

Section Chief: 

AFK:MAC:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.27.00

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

RE: Baltimore County
Item No. 370 MTK

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ANTHONY J. DiPAULI, ESQ.

614 BOSLEY AVE. 21204

GARY WHITFIELD

103 RIVERTON RD.

Cathy Storms Whitfield

103 Riverton Rd.

THOMAS J. HOFF

406 W. PENNSYLVANIA AVE.



Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: # 101 RIVERTON ROAD

Subdivision name: BLAZEK PROPERTY

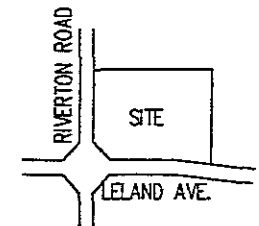
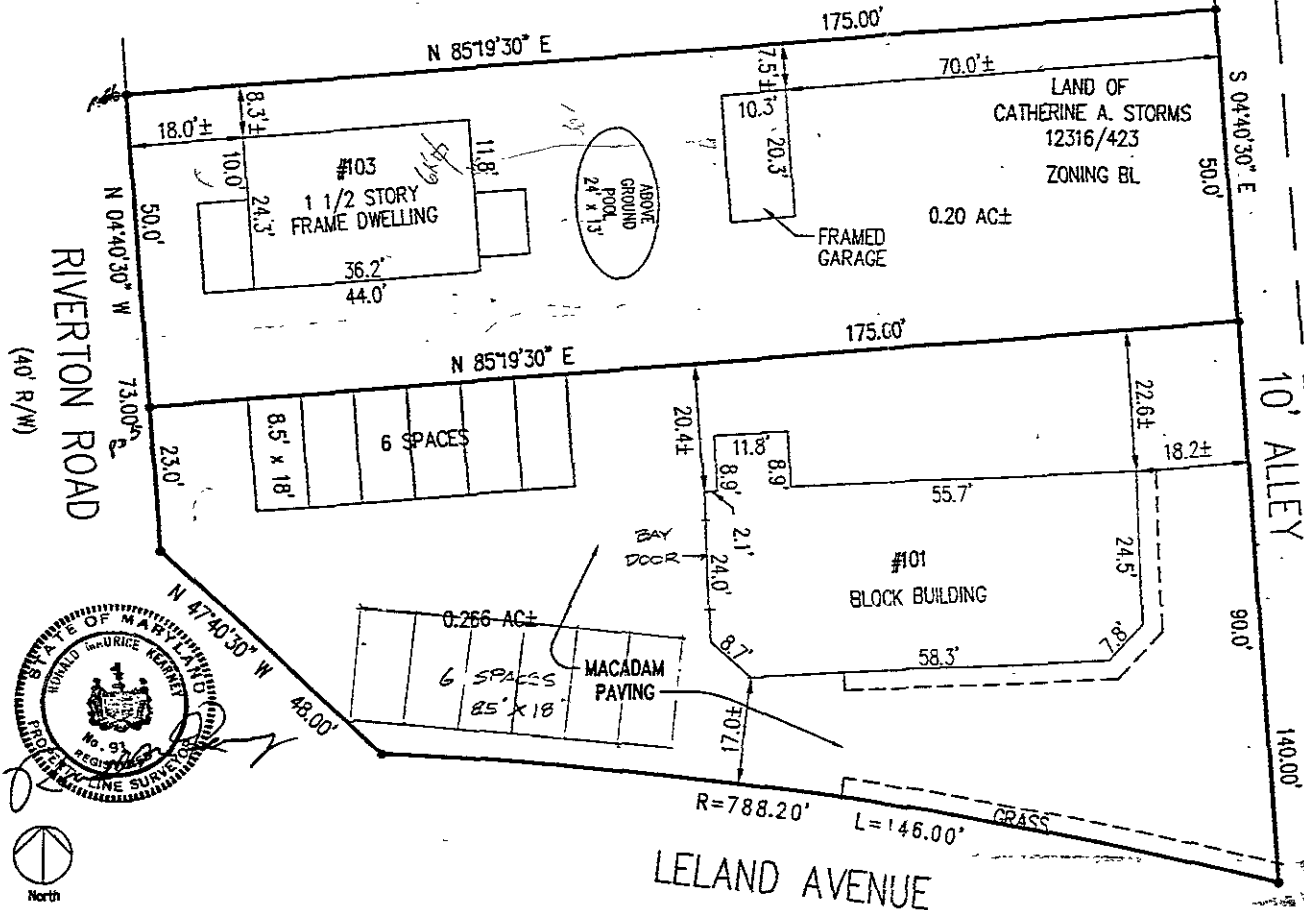
plat book# _____ folio# _____ lot# _____ section# _____

OWNER: JOHN MATTHEW BLAZEK (12430/190)

ZONING BL

LAND OF
CHRISTOPHER BOSWORTH
1138±/686

see pages 5 & 6 of the CHECKLIST for additional required information



LOCATION INFORMATION

Councilmanic District: 6

Election District: 15th

1" = 200' scale map# N.E. 4-I

Zoning: BL

Lot size: 0.266 acreage 11,587 square feet

SEWER: ☒ ☐

WATER: ☒ ☐

Cheapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: 79-143XA

Zoning Office USE ONLY!

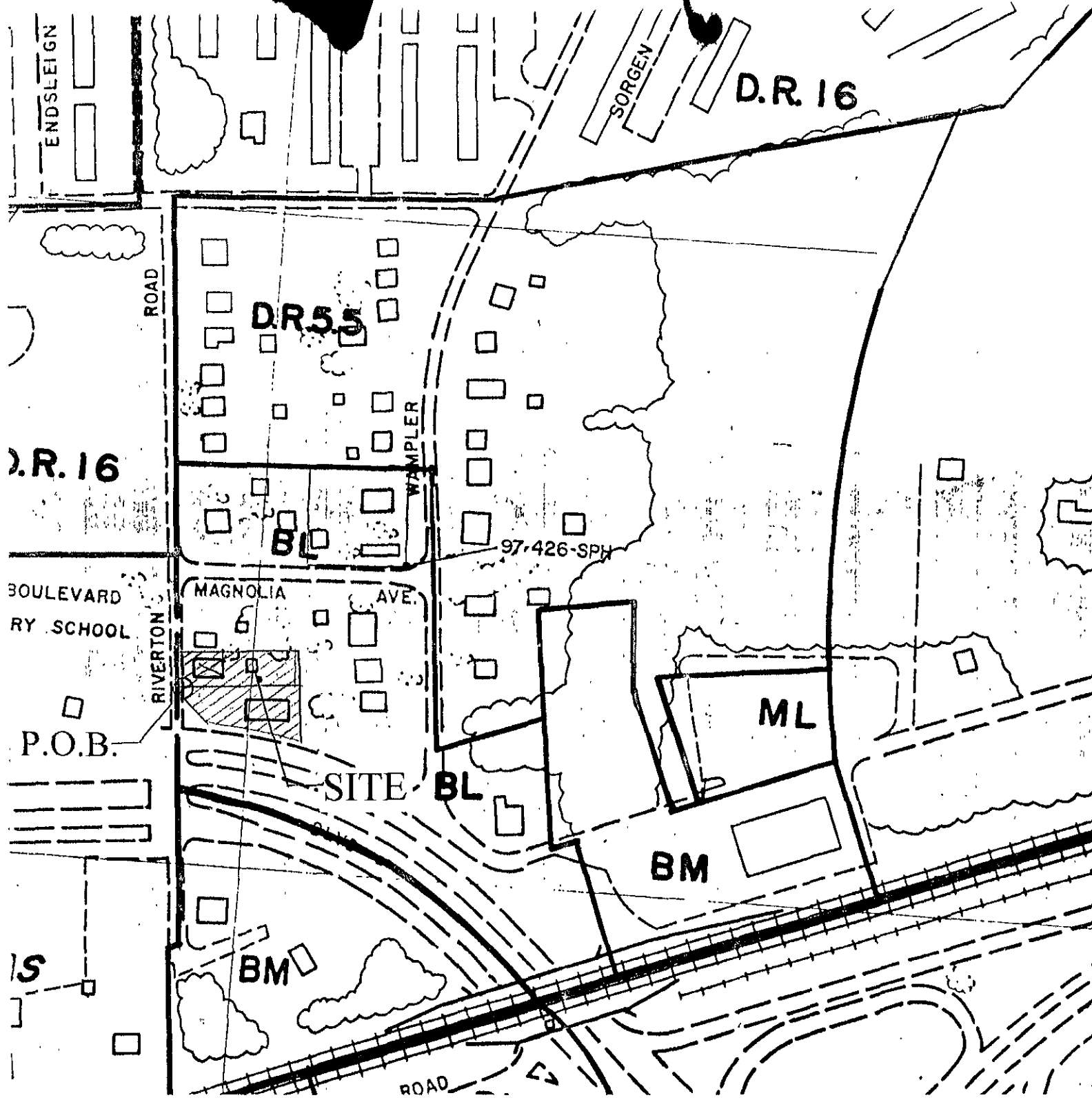
reviewed by: _____ ITEM # _____ CASE# _____

JL 222

date: 5/12/98

prepared by: K.L.S. CONSULTANTS, INC. Scale of Drawing: 1" = 20'

99-222-SDH



SCALE: 1"=200'

N. E.

4 - I

370

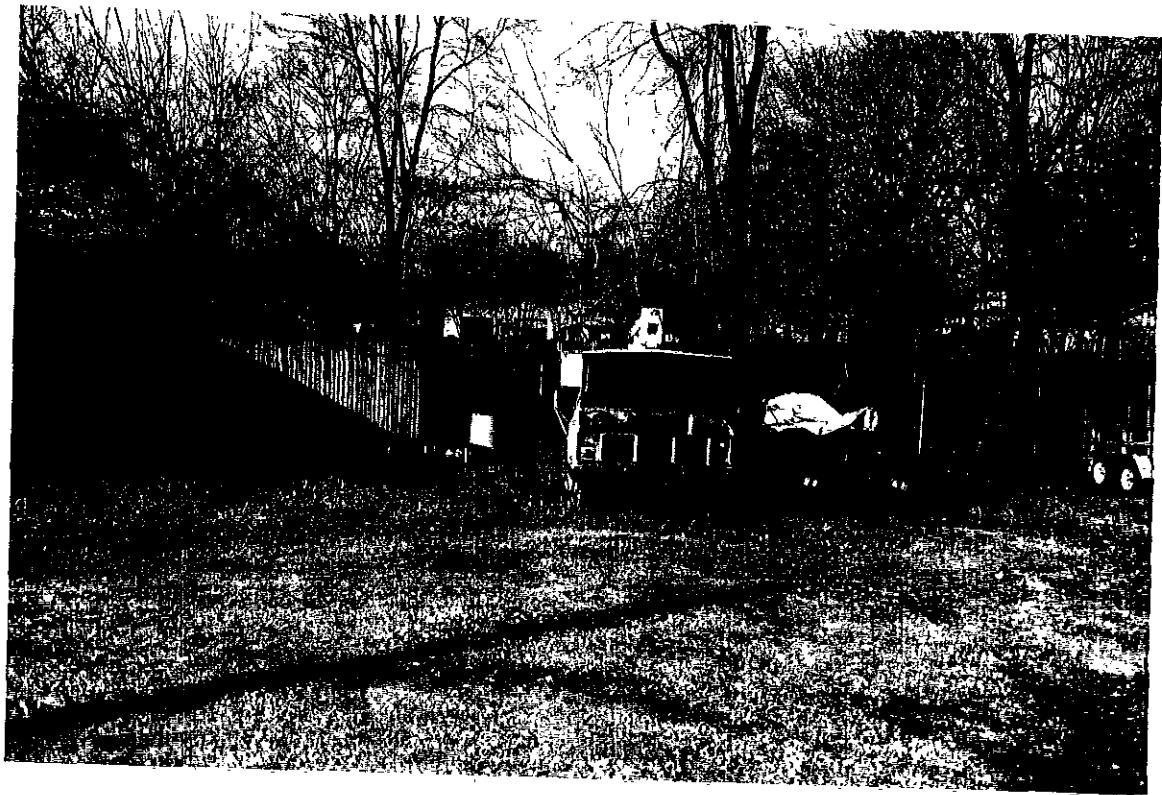
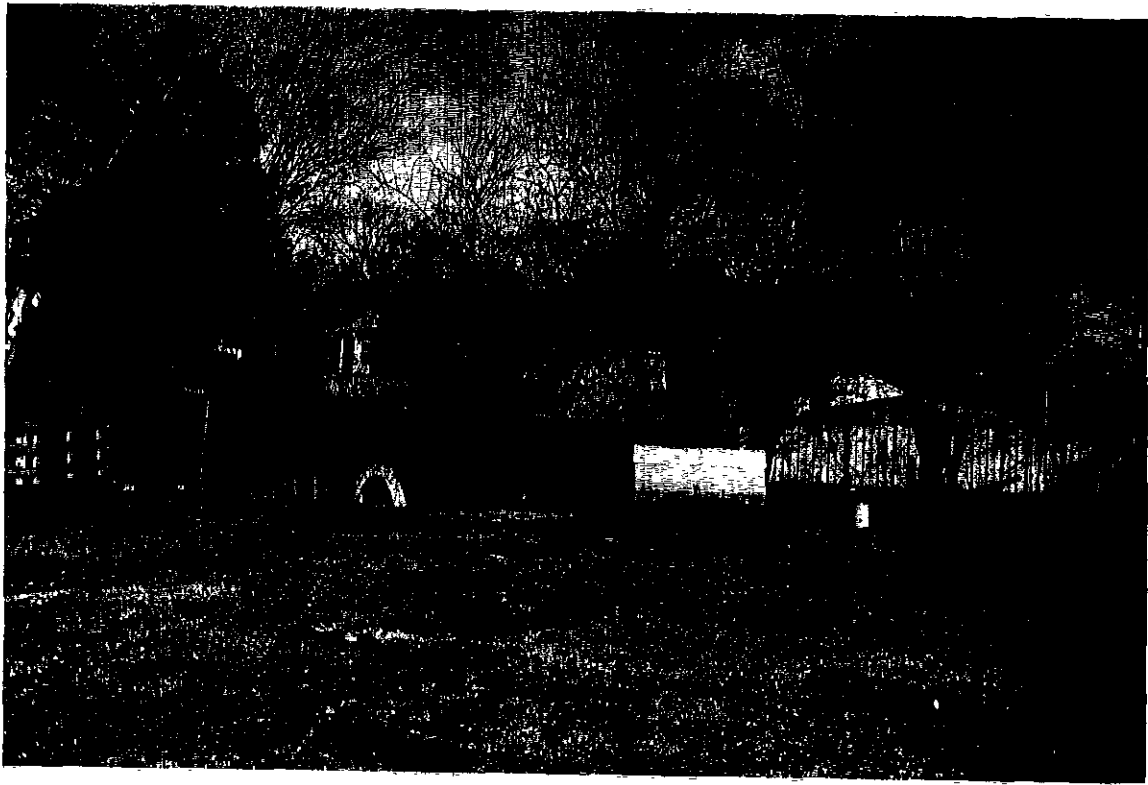
00-370-SPH XA

Petitioner's
Exhibits
3A - 3F

photographs
00-370-SPN/A







1. NO C.R.S. CASE ON THIS SITE.
2. NO PREVIOUS COMMERCIAL PERMIT ON THIS SITE.

1. CASE #540-5; PETITION FOR SPECIAL PERMIT TO USE THE PROPERTY OF GASOLINE SERVICE STATION. GRANTED 10/14/91.
2. CASE #74-143-XA; PETITION FOR SPECIAL EXCEPTION TO ALLOW THE STORAGE AND DISPLAY OF VEHICLES (BOATS AND CARS) WITHIN ZERO (0) FEET OF THE PROPERTY LINE IN LIEU OF THE REQUIRED EIGHT FEET. GRANTED 01/08/91.
3. CASE #94-222-59H; PETITION FOR SPECIAL HEARING TO REAFFIRM THE USE OF THE SERVICE GARAGE AND BOAT REPAIR FACILITY/ CANVAS SHOP AS APPROVED IN PRIOR CASES #540-5 AND #74-143-XA. GRANTED 2/10/91.



EX. 49° S (DWS. #10-0385)
(50° K/A-DWS. #85-0131)

EX. 8th S (DWS. #70-0305)

EX. 0° W (DWS. #05-0130)

Ad No 2

**THOMAS J.
HOFF, INC.**

**Land Development
Consultants
and Landscape
Architects**

406 W. PENNSYLVANIA AVE.
TOWSON, MD 21204
410-296-3668
FAX: 296-5326

**SITE PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCES,
SPECIAL HEARING AND SPECIAL EXCEPTION**

103 RIVERTON ROAD

TAX MAP #40, GRID #11, PARCEL #704
ELECTION DISTRICT: 15 COUNCILMANIC DISTRICT: 05
BALTIMORE COUNTY, MD

REVISIONS

SCALE: 1" = 10'

JOB NO.: 386-01

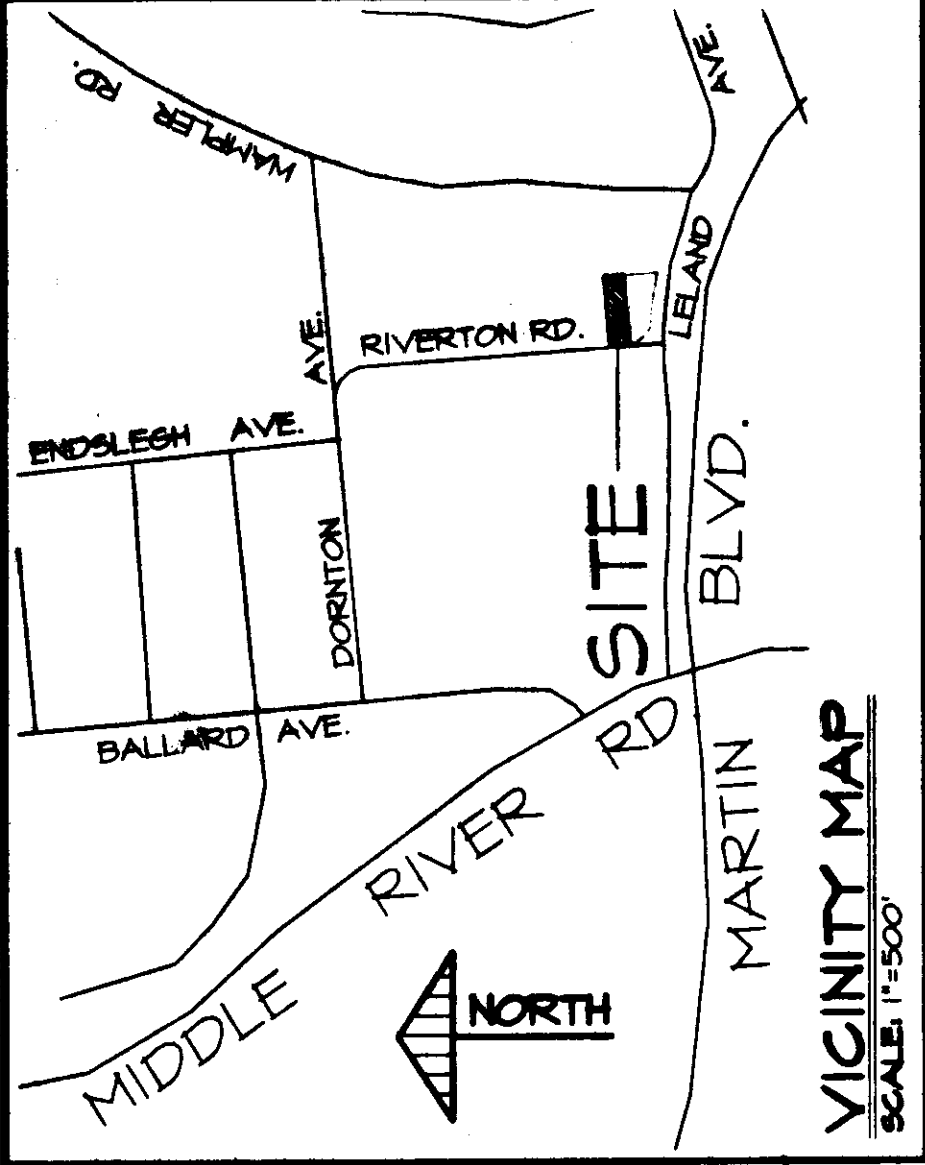
DRAWN: SL

CHECKED:

NON-

30 SHEET

© 1998 by the American Psychological Association



NET SITE AREA: 0.7500 = 0.20 AC.±
EXISTING ZONING: BL
ZONING MAP: NE, 4-1

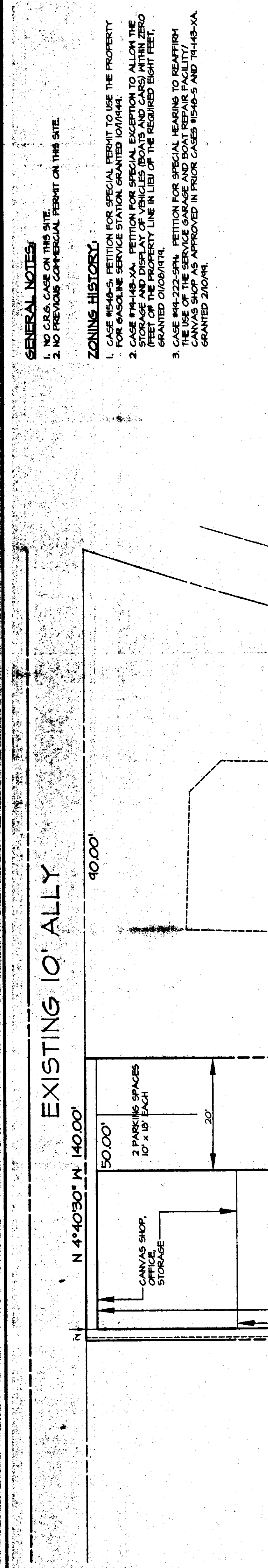
REQUIRED PARKING:
 FOR RESIDENCE (SECTION 409.6.A.1) = 2 P. SPACES
 FOR THE SERVICE GARAGE (SECTION 409.6.A.1) 1540 SQ. FT.
 GARAGE BUILDING @ 3.3/1000 SQ. FT. = 5.1 OR 6 P. SPACES
TOTAL PARKING REQUIRED: 8 P. SPACES

FULL SIZE STALLS = 2
 Ø 1/2' x 16' WITH DIRECT ACCESS TO AISLE = 3
 Ø 1/2' x 16' WITHOUT DIRECT ACCESS TO AISLE =
 2 SERVICE BAYS = 2

2015年11月15日

TO AMEND THE PREVIOUSLY APPROVED PLANS IN CASE #1540-S,
#19-143-XA AND #19-222-SPH.

1. SECTION 1B02.3 G.I. TO ALLOW A LOT AREA OF 4,500 SQ. FT. IN LIEU OF THE REQUIRED 6,000 SQ. FT.
2. SECTION 404.3 TO ALLOW PARKING SPACES OF $8' 1/2" \times 16' 10"$ IN LIEU OF THE REQUIRED $8' 1/2" \times 16'$.
3. SECTION 404.4 TO ALLOW A 14' WIDE DRIVEWAY FOR TWO-WAY MOVEMENT IN LIEU OF THE REQUIRED 20'.
3. SECTION 404.4.C TO ALLOW A PARKING AREA WITH A TWO-WAY AISLE OF 10' IN LIEU OF THE REQUIRED 22'.



00-370-SPHXA

Ref No 1