

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE
S/S of Dundalk Avenue, 240 ft. +/- W
centerline of Sollers Point Road
12th Election District
7th Councilmanic District
(7899 Dundalk Avenue)

Ron's Auto Services, Inc.,
By: Ronald K. Lygren, Jr.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-266-SPHXA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the legal owner of the property, Ron's Auto Services, Inc., by Ronald K. Lygren, Sr., Petitioners. The property, which is the subject of this request, is located at 7899 Dundalk Avenue in the eastern area of Baltimore County and is zoned BL/AS. The Petitioners are requesting a special hearing pursuant to Section 500.7 of the B.C.Z.R., to amend the site plan and Order in Case No. 95-21-SPHXA. The Petitioners are also requesting a variance from Section 232.3.B of the B.C.Z.R., for a rear yard setback of 0 ft. in lieu of the required 20 ft. Finally, the Petitioners are requesting a special exception to permit a service garage in a BL-AS zone.

The property was posted with Notice of Hearing on January 5, 2005, for 15 days prior to the hearing in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 4, 2005 to notify any interested persons of the scheduled hearing date.

Amended Petition

At the outset of the hearing the Petitioner indicated that in addition to the variance requesting a rear yard setback of 0 ft., the new addition would be within 6 ft. of the property line along Dundalk Avenue. This was noted on the site plan in note 24 that the Petitioner was

ORDER RECEIVED FOR FILING

1/26/05

By

By

requesting a front yard setback of 6 ft. in lieu of the required 10 ft. per Section 232.1 of the B.C.Z.R. He indicated that this second request was inadvertently left off of the actual Petition and therefore requested the Petition be amended accordingly.

Applicable Law

Section 307 of the B.C.Z.R. - *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights. A ZAC comment was received from the Office of Planning dated December 8, 2004, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Department of Environmental Protection & Research Management (DEPRM) dated December 17, 2005, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the special hearing request were Rick Richardson, Professional Engineer who prepared the Plan to Accompany and Ron Lygren on behalf of the Petitioners. John B. Gontrum, Esquire represented the Petitioners. There were no citizens or protestants at the hearing. People's Counsel entered their appearance in the case.

Findings of fact and conclusions of law

Petitioner's testimony indicated that the subject property consists of 0.293 acres of land, more or less and is zoned BL-AS. The property is improved with an existing one bay service garage which Mr. Gontrum proffered has been operated by the Petitioner for many years. However, he indicated that the actual special exception granted in Case No. 95-21-SPHXA was for a fuel service station. The Petitioner would like to formally abandon this use and be granted a special exception for a service garage.

In addition to site improvements, the Petitioner also proposes to erect two additions to the existing one-bay service building. Mr. Gontrum noted that the existing building is physically located on the rear property line, which lies along a 15 ft. alley separating this use from residences behind the building. The two new wings would extend the building along the rear property line. Mr. Gontrum indicated that the property is triangular in shape occupying the acute intersection of Sollers Point Road and Dundalk Avenue as shown on Petitioners' Exhibit 1. He noted that there simply is no room to have the new wings of the building moved back from the alley the 20 ft. required by the B.C.Z.R. if a practical addition is to be made. In addition, the existing building would still need a 0 ft. setback variance as it is impractical to move the existing building. Finally, he noted that the new addition would be within 6 ft. of the property line along Dundalk Avenue. He indicated that in note 24 of the site plan, the Petitioner was requesting a front yard setback of 6 ft. in lieu of the required 10 ft. per Section 232.1 of the B.C.Z.R. Again, this variance is needed to allow a practical addition on this side of the building.

In regard to the special exception for a service garage, he noted that this site has been used for that purpose or a fuel service station for many years. He introduced a preliminary Landscape Plan as Exhibit No. 2, which he noted would improve the site substantially. Consequently, he believed that abandoning the fuel service station special exception and granting a service garage special exception to this site would not adversely affect the community. In fact, he indicated that the Petitioner was working with the Dundalk Renaissance Committee so that the site improvements would be compatible with that Committee's work and goals. He further indicated that this plan meets all the criteria of Section 502.1 of the B.C.Z.R.

For the same reasons, he indicated that the special hearing to amend the site plan in the prior case (95-21-SPHXA) should be approved.

In regard to the comments from the Office of Planning, he indicated that the Petitioner agreed with all comments except #4 concerning the 6 ft. lawn and #6 concerning the location of

the dumpster. Regarding the dumpster location, he indicated that the dumpster would be fully enclosed with a structure that looked like a simple extension of the main building. The public would not see it. However, the Petitioner indicated that he could not relocate the dumpster to the fenced area on the Sollers Point side of the building where the damaged vehicles are to be stored because of the large trucks that pick up the dumpster. The large trucks can not reasonably get into the fenced area because it is only approximately 15 ft. wide. He noted that the location on the Dundalk Avenue side, as shown on the Plan to Accompany, will allow these trucks to service the dumpster more readily. In addition, he indicated that damaged vehicles would be stored inside the fenced area and would often block the truck from servicing the dumpster. Consequently, he requested that the dumpster remain as shown.

In regard to comment #4, the Petitioner agrees to submit a landscape plan for approval as requested by the Office of Planning. However, the Office of Planning also requests that the Petitioner provide 6 ft. of lawn between the back of the sidewalk and edge of the parking. He noted that the site was fully paved and substantial paving would have to be removed to accomplish this request. Furthermore, he said that this would greatly reduce the usable area of the site considering its triangular shape and small size. Apparently in further discussion with the Office of Planning, that office now withdraws the request for the 6 ft. lawn area.

Findings of Facts and Conclusions of Law

In regard to the Special Exception for a service garage, I note that the zoning on this property is BL-AS, that is business local with an auto service overlay. This is the zoning in which such service garages are encouraged. The site has been used for this use and as a fuel service station for many years and its continued use will not have any adverse impact on the community. I find that this request meets all of the criteria of Section 502.1 of the B.C.Z.R. and should be granted. Finally, I find that the Petitioner has abandoned the special exception granted in Case No. 95-21-SPHXA and that this special exception is now null and void.

For these same reason I will grant the special hearing relief to amend the previously approved site plan to reflect this use.

The Petitioner requests a rear yard setback of 0 ft. in lieu of the required 20 ft. and a front yard setback of 6 ft. in lieu of the required 10 ft. The existing one-bay service garage is already on the rear property line for which a variance has been granted in Case No. 95-21-SPHXA. The new request is to extend the building along the same line for the new additions. Given the triangular shape of the lot and the small size, I find that there is a peculiar structure on the site that qualifies the site as unique in a zoning sense. In addition, I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Without this relief the new additions would be impracticably small and oddly shaped. Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The new landscaping and building improvement will improve the site substantially. Hopefully, this site will become a true partner in the Dundalk Renaissance.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the requested relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26 day of January, 2005, that the Special Hearing requested pursuant to Section 500.7 of the B.C.Z.R., to amend the site plan and Order in Case No. 95-21-SPHXA, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

1/26/05
Ray

2. The Petitioners shall submit elevations (all sides) of the proposed structure, and a sign elevation of any proposed sign(s) to the Office of Planning for review and approval. Building elevations shall include exterior materials and color;
3. The Petitioners shall provide sidewalks along both rights-of-way;
4. The Petitioners shall submit fencing detail including proposed materials, color and height;
5. The Petitioners shall submit a landscape plan to the Office of Planning for review and approval but shall not be required to incorporate a 6 ft. minimum lawn area between the back of the sidewalk and the edge of the parking area;
6. The Petitioner shall coordinate the location of access points with the traffic circle planned for Sollers Point Road and Dundalk Avenue;
7. The Petitioners shall screen the proposed dumpster so that it is not visible from public view as shown on Petitioners' Exhibit 1. Petitioners shall provide the Office of Planning with an elevation of the dumpster enclosure for review and approval;
8. The Petitioners must comply with the ZAC recommendations submitted by DEPRM dated December 17, 2004, a copy of which is attached hereto and made a part hereof; and
9. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that the Petitioners' request for a variance from Section 232.3.B of the B.C.Z.R., for a rear yard setback of 0 ft. in lieu of the required 20 ft., and for a front yard setback of 6 ft. in lieu of the required 10 ft. per Section 232.1 of the B.C.Z.R., be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that the Petitioners' request for special exception to permit a service garage in a BL-AS zone, be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


 JOHN V. MURPHY
 DEPUTY ZONING COMMISSIONER
 FOR BALTIMORE COUNTY

JVM:raj

WHEN RECEIVED FOR FILING
 1/26/05
 By: [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

January 27, 2005

John B. Gontrum, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing, Special Exception & Variance
Case No. 05-266-SPHXA
Property: 7899 Dundalk Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing, special exception and variance have been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Rick Richardson, Richardson Engineering, 110 Old Padonia Rd., Suite 101
Cockeysville, MD 21030
Ron Lygren, Ron's Auto Services, Inc., 7899 Dundalk Ave., Baltimore, MD 21222

Visit the County's Website at www.baltimorecountyonline.info





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7899 Dundalk Avenue
which is presently zoned BL-AS

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
To amend the Site Plan and Order Case No.: 95-21SPHXA

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Gontrum, Esquire

Name - Type or Print

City

Signature

Whiteford, Taylor & Preston LLP
Company

210 W. Pa. Ave., 4th Fl.

Address

(410) 832-2000

Telephone No.

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

Ron's Auto Services, Inc.

Name - Type or Print

Signature

Ronald K. Lygren, Sr.

Name - Type or Print

Signature

7899 Dundalk Avenue

Address

Telephone No.

Baltimore, MD 21222 (410) 288-1525

State

Zip Code

Representative to be Contacted:

John B. Gontrum, Esquire

Name

210 W. Pa. Ave., 4th Fl.

Address

(410) 832-2000

Telephone No.

Towson, MD 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 11-19-04

Case No. 05-266-SPHXA

REV 1/15/98

ORDER RECEIVED FOR FILING

1/26/05

By



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7899 Dundalk Avenue

which is presently zoned BL-AS

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

To permit a service garage in a BL-AS Zone.

[Signature]

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Gontrum, Esquire

Name - Type or Print

City

Signature

Whiteford, Taylor & Preston LLP
Company

210 W. Pa. Ave., 4th Fl.

Address

Telephone No.

Towson, MD 21204 (410) 832-2000

City

State

Zip Code

Legal Owner(s):

Ron's Auto Services, Inc.

Name - Type or Print

Signature

Ronald K. Lygren

Name - Type or Print

Signature

7899 Dundalk Avenue (410) 288-1525

Address

Telephone No.

Baltimore, MD 21222

State

Zip Code

Representative to be Contacted:

John B. Gontrum, Esquire

Name

210 W. Pa. Ave., 4th Fl.

Address

Telephone No.

Towson, MD 21204 (410) 832-2000

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By

JRF

Date

11/19/04

RECEIVED FOR FILING

Case No. 05-266-SPAXA

REV 03/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7899 Dundalk Avenue

which is presently zoned BL-AS

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)

Variance is Requested per Section 232.3.B for a rear yard setback of 0' in lieu of the required 20'

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

renovation and expansion of existing building on uniquely configured lot

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Gontrum, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston LLP

Company

210 W. Pa. Ave., 4th Fl.

Address

Telephone No.

Towson, MD

21204

(410)

832-2000

City

State

Zip Code

Legal Owner(s):

Ron's Auto Services, Inc.

Name - Type or Print

Signature

Ronald K. Lygren, Sr.

Name - Type or Print

Signature

7899 Dundalk Avenue

Address

Telephone No.

Baltimore, MD

21222

(410)

288-1525

State

Zip Code

Representative to be Contacted:

John B. Gontrum, Esquire

Name

210 W. Pa. Ave., 4th Fl.

Address

Telephone No.

Towson, MD

21204

(410)

832-2000

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

11/19/04

REV. 9/15/98

ORDER RECEIVED FOR FILING
1/26/05

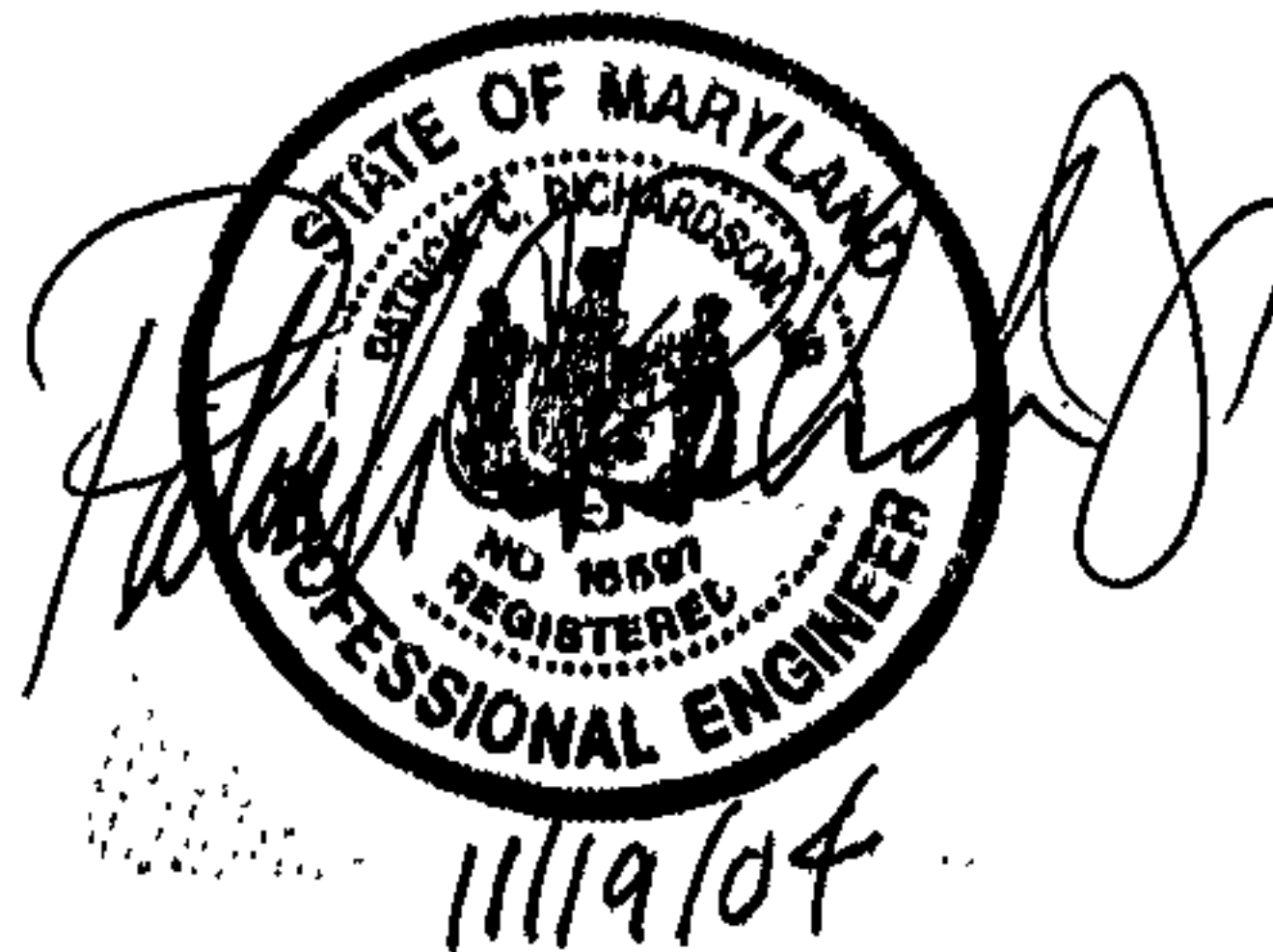
730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

**ZONING DESCRIPTION
RON'S AUTO SERVICES, INC.
7899 DUNDALK AVENUE
12TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side of Dundalk Avenue, 240'± west of where it intersects Sollers Point Road, thence running and binding on the south side of the Dundalk Avenue right-of-way (1) South 86 degrees 13 minutes 20 seconds East 94.17 feet, (2) along a curve to the right with a radius of 399.00 feet for a length of 96.00 feet, and a chord of South 79 degrees 21 minutes 49 seconds East 97.77 feet, (3) along a curve to the right with a radius of 14.00 feet for a length of 30.46 feet, and a chord of South 10 degrees 04 minutes 15 seconds East 24.80 feet,, thence binding on the west side of Sollers Point Road, (4) South 37 degrees 44 minutes 20 seconds East 1.00 feet, (5) South 52 degrees 15 minutes 40 seconds West 122.61 feet, thence following along a 15 foot alley, (6) North 37 degrees 44 minutes 20 seconds West 156.97 feet, to the point of beginning.

Containing a net area of 0.293 acres of land, more or less.



264

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 42865

DATE 11-12-04

ACCOUNT 001-006-6150

AMOUNT \$ 800.00

RECEIVED FROM: Pen's Auto Services Inc.

7899 Dandouk Ave.

ITEM # 26C

FOR: SPAXA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE TIME DAY

11/22/04 11:17:00 11/22/04

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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: #05-266-SPHXA
7899 Dundalk Avenue
S/side of Dundalk Ave., at the distance of 240 feet +/-
west of the centerline of Sollers Point Road
12th Election District — 7th Councilmanic District
Legal Owner(s): Ron's Auto Services, Inc.,
Ronald K. Lygren, Sr.

Special Hearing: to amend the Site Plan and Order in Case No. 95-21-SPHXA. Special Exception: to permit a service garage in a B1-AS zone. Variance: to permit a rear yard setback of 0 feet in lieu of the required 20 feet.
Hearing: Thursday, January 20, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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) 887-3381.
JT 1/6/3 January 4 34601

CERTIFICATE OF PUBLICATION

1/6/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/4/, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-266-SPHXA

Petitioner/Developer: RON'S AUTO

SERVICE, RONALD K. LYGREN

Date of Hearing/Closing: 1/20/05

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

ATTN: Kristen Matthews {(410) 887-3394}

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: _____

7899 DUNDALK AVE

The sign(s) were posted on 1/5/05
(Month, Day, Year)

Sincerely,

Robert Black 1/8/05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

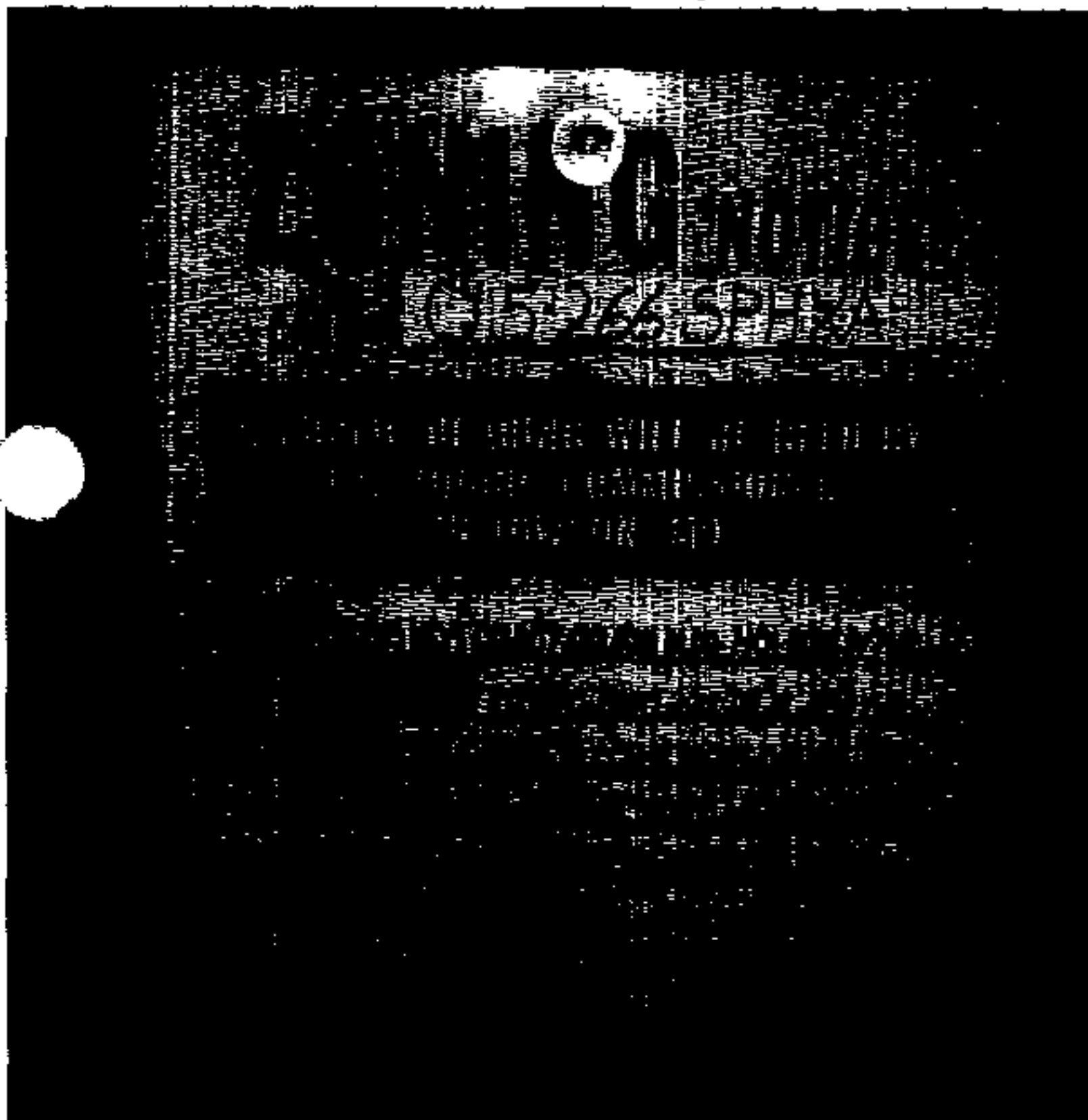
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 4, 2005 Issue - Jeffersonian

Please forward billing to:

Ron Lygren
Ron's Auto Service, Inc.
7899 Dundalk Avenue
Baltimore, MD 21222

410-288-1525

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: 05-266-SPHXA

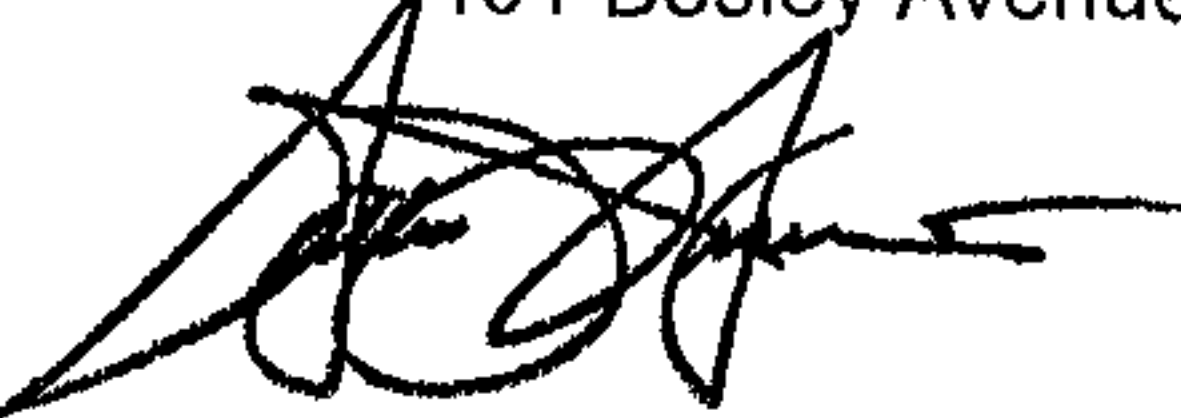
7899 Dundalk Avenue

S/side of Dundalk Ave., at the distance of 240 feet +/- west of the centerline of Sollers Point Rd.
12th Election District - 7th Councilmanic District

Legal Owners: Ron's Auto Services, Inc., Ronald K. Lygren, Sr.

Special Hearing to amend the Site Plan and Order in Case No. 95-21-SPHXA. Special Exception to permit a service garage in a BL-AS zone. Variance to permit a rear yard setback of 0 feet in lieu of the required 20 feet.

Hearing: Thursday, January 20, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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.

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 3, 2004

NOTICE OF ZONING HEARING

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CASE NUMBER: 05-266-SPHXA

7899 Dundalk Avenue

S/side of Dundalk Ave., at the distance of 240 feet +/- west of the centerline of Sollers Point Rd.

12th Election District – 7th Councilmanic District

Legal Owners: Ron's Auto Services, Inc., Ronald K. Lygren, Sr.

Special Hearing to amend the Site Plan and Order in Case No. 95-21-SPHXA. Special Exception to permit a service garage in a BL-AS zone. Variance to permit a rear yard setback of 0 feet in lieu of the required 20 feet.

Hearing: Thursday, January 20, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: John B. Gontrum, 210 W. Pennsylvania Ave., 4th Fl., Towson 21204
Ronald K. Lygren, Sr., 7899 Dundalk Avenue, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 5, 2005.**
- (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.**



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 05-266 - SPHXA

Petitioner RON'S AUTO SERVICE, INC.

Address or Location: 7899 DUNDALK AVE

PLEASE FORWARD ADVERTISING BILL TO

Name RON LYGEN

Address RON'S AUTO SERVICE, INC.

7899 DUNDALK AVE

BALTIMORE MD 21222

Telephone Number 410-288-1525

**Department of Permits
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

January 12, 2005

John B. Gontrum
Whiteford, Taylor & Preston, LLP.
210 W. Pennsylvania Avenue 4th Fl.
Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number:05-266-SPHXA , 7899 Dundalk Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 19, 2004 .

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Ronald K. Lygren, Sr. 7899 Dundalk Avenue Baltimore 21222

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

November 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 29, 2004

Item No.: 251, 253, 255-266

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: December 9, 2004

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For December 6, 2004
Item Nos. 251, 253, 255, 256, 257,
258, 259, 260, 261, 263, 264, 265,
and 266

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr ⁴⁰⁰
DEPRM

DATE: December 17, 2004

SUBJECT: Zoning Item # 05-266
Address 7899 Dundalk Ave. (Ron's Auto Service)

Zoning Advisory Committee Meeting of November 29, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is located in the Intensely Developed Area (IDA) of the CBCA. Any improvements to the property must comply with the 10% Pollutant Reduction standards for the CBCA. Contact the Environmental Impact Review section of this Department for additional information.

There is an open Groundwater Contamination Case for this property. Contact the Maryland Department of the Environment's Oil Control Program for additional information.

Reviewer: Michael Kulis, Sue Farrinetti

Date: December 16, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: December 8, 2004

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

SUBJECT: 7899 Dundalk Avenue

INFORMATION:

Item Number: 5-266

Petitioner: Ronald K. Lygren

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions re met:

1. Submit elevations (all sides) of the proposed structure, and a sign elevation of any proposed sign(s) to this office for review and approval. Building elevations shall include exterior materials and color.
2. Provide sidewalks along both rights-of-way.
3. Submit fencing detail including proposed materials, color, and height.
4. Submit a landscape plan to this office for review and approval that incorporates the 6-foot minimum lawn area between the back of the sidewalk and the edge of the parking area.
5. A traffic circle is planned for the intersection of Sollars Point Road and Dundalk Avenue. The petitioner should consult with DPW concerning the location of the proposed driveway locations.
6. Relocate and screen the proposed dumpster so that it is not visible from public view. Provide an elevation of the dumpster enclosure.

RECEIVED

DEC 9 2004

ZONING COMMISSIONER

Butt
1/20
Jm

For further information concerning the matters stated herein, please contact Amy Mantay at 410-887-3480.

Prepared by: Mark A. Cunningham

Division Chief: John J. [Signature]

AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 11-26-04

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

RE: Baltimore County
Item No. 266 JRF

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SPECIAL EXCEPTION & VARIANCE *
7899 Dundalk Avenue; S/side Dundalk * ZONING COMMISSIONER
Avenue, 240' W c/line Sollers Point Road *
12th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): Ron's Auto Services, Inc, *
Ronald K Lygren, Jr * BALTIMORE COUNTY
Petitioner(s) *
05-266-SPHXA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 1st day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

Per.....

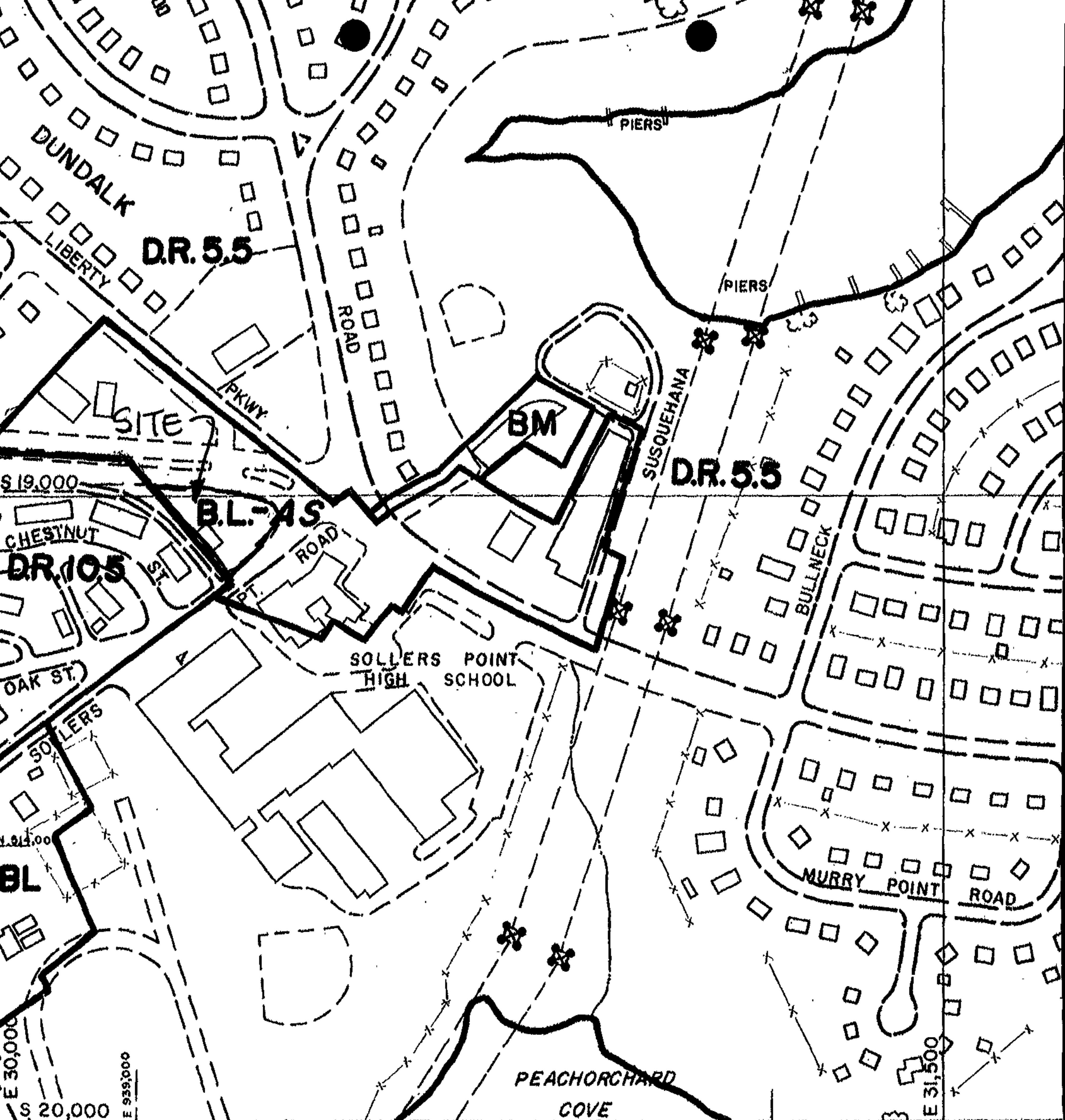
Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 7899 Dundas Ave
CASE NUMBER 05-266-SHXA
DATE 1/20/05

E-MAIL

[illegible]



F-SE E-SW
B-NE B-NW

MAP SE 5F
1" = 200'

#266

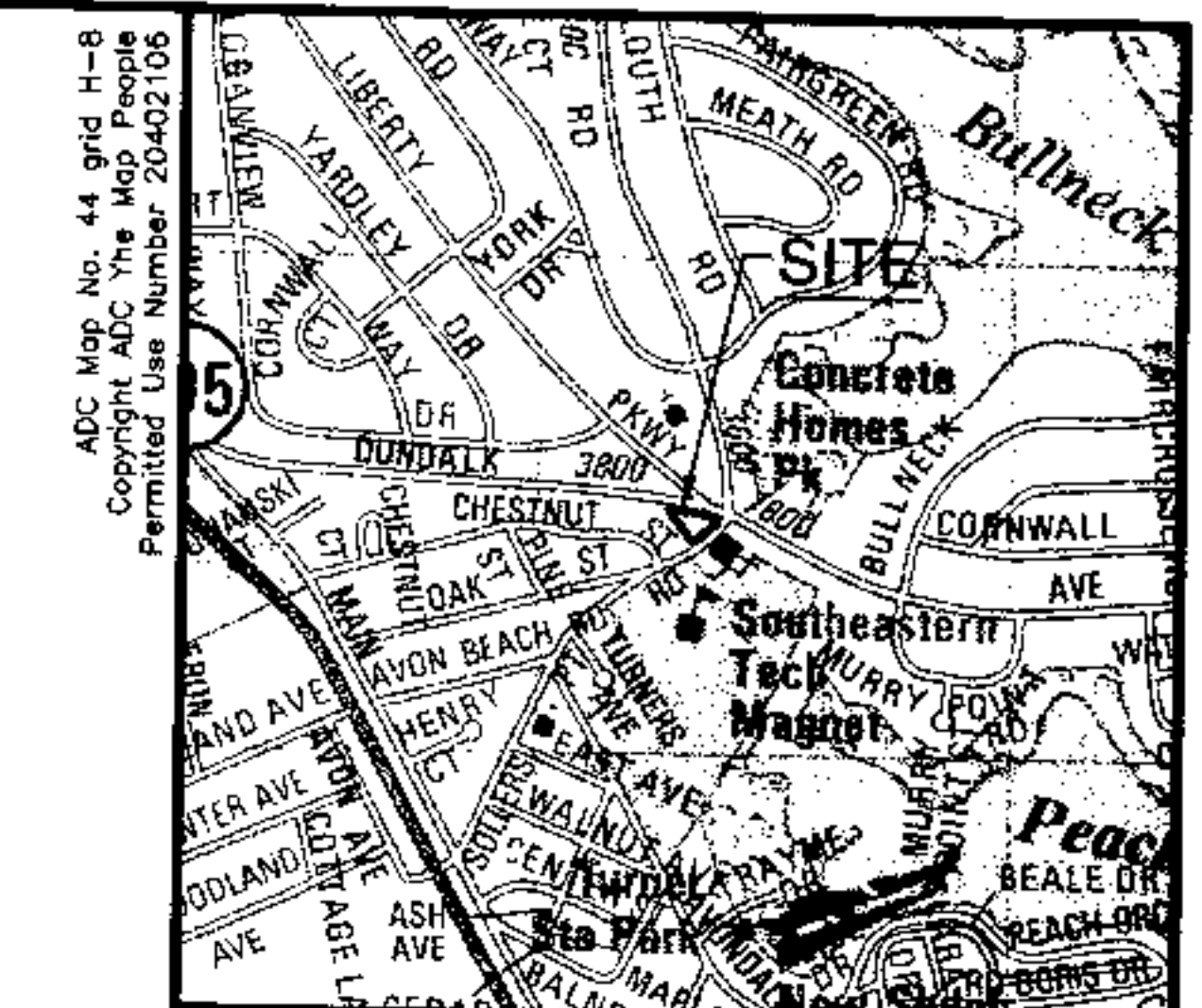
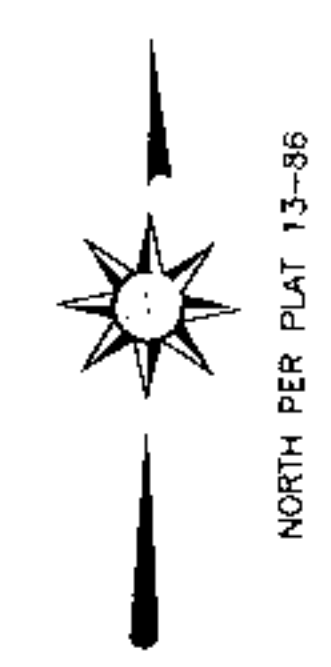
2000 COMPREHENSIVE ZONING
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000

Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00

Joseph Bartolucci
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	14.00'	30.46'	24.80'	S 10°04'15" E	124°39'50"	26.70'
C2	399.00'	96.00'	24.80'	S 79°21'49" E	13°47'57"	48.23'
C3	400.00'	96.24'	96.01'	S 79°21'49" E	13°47'57"	48.33'
C4	15.00'	32.64'	26.57'	S 10°04'15" E	124°39'50"	28.61'



GENERAL NOTES: LOCATION MAP

- OWNER: RONALD K. & FRANCINE J. LYGRIN
#7703 MEATH ROAD
BALTIMORE, MD 21222
- SITE AREA : 12,784 SF. OR 0.293 AC.
- AREA OF SPECIAL EXCEPTION: 12,784 SF OR 0.293 AC.
- EXISTING BUILDING: 1,161 SF
- PROPOSED BUILDING: 1,890 SF.
- UTILITIES
WATER: PUBLIC SEWER: PUBLIC
- NO 100 YR FLOODPLAINS ON SITE
- PARKING REQUIRED:
PERSONAL SERVICE: 3,051 SF @ 3.3/ 1000 = 10 SPACES
- PARKING PROVIDED: 14 SPACES.
- SETBACKS: PROVIDED
FRONT 10'
SIDE 10'
REAR 20'
- TAX ACCOUNT #1205071051
- DEED REF: 6954 / 226
- COUNCILMANIC DISTRICT 7TH
- REGIONAL PLANNING DISTRICT 329C
- CENSUS TRACT 4213
- WATERSHED: BALTIMORE HARBOR
- ZONING: BL-AS
(PER 1"=200' ZONING MAP SE 5-F)
- FLOOR AREA RATIO: 24% OF SITE
- PREVIOUS DRC #0820016
- PREVIOUS ZONING CASE #95-21-SPHXA
- PREVIOUS PERMITS: B465907C (PROJECT NOT BUILT)
- SPECIAL EXCEPTION PER SECTION 253.2.B.3 TO PERMIT A SERVICE GARAGE.
- VARIANCE REQUESTED PER SECTION 232.3.B FOR A REAR YARD SETBACK OF 0' IN LIEU OF THE REQUIRED 20'.
- VARIANCE REQUESTED PER SECTION 232.1 FOR A FRONT YARD SETBACK OF 6' IN LIEU OF THE REQUIRED 10'.

RESTRICTIONS CASE 95-21SPHXA:

IT IS FURTHER ORDERED THAT THE PETITION FOR VARIANCE FROM SECTION 232.3.B OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.) TO PERMIT REAR YARD SETBACKS OF 0 FEET AND 7 FEET IN LIEU OF THE REQUIRED 20 FEET EACH FOR AN EXISTING BUILDING AND A PROPOSED SHED, RESPECTIVELY, IN ACCORDANCE WITH PETITIONER EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS:

- THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER. HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.
- THE PETITIONER SHALL PAINT THE EXISTING TWO-BAY SERVICE STATION BUILDING TO ENHANCE ITS APPEARANCE.
- THE PETITIONER SHALL REPLACE THE EXISTING FENCE WITH A NEW FENCE WHICH SHALL SCREEN THE REAR OF THE SITE ALONG THE 15-FOOT WIDE CONCRETE ALLEY SOUTHWEST OF THE SUBJECT PROPERTY.
- ALL DAMAGED AND DISABLED VEHICLES SHALL BE STORED IN A PROPERLY SCREENED AREA SO AS NOT TO BE VISIBLE FROM EITHER DUNDALK AVENUE OR SOLLERS POINT ROAD.
- WHEN APPLYING FOR ANY PERMITS, THE SITE PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

IT IS FURTHER ORDERED THAT THE PETITIONER SHALL COMPLY FULLY AND COMPLETELY WITH ALL REQUIREMENTS AND RECOMMENDATIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, AS SET FORTH IN THEIR COMMENTS DATED AUGUST 8, 1994, ATTACHED HERETO AND MADE A PART HEREOF.

Richardson Engineering, LLC

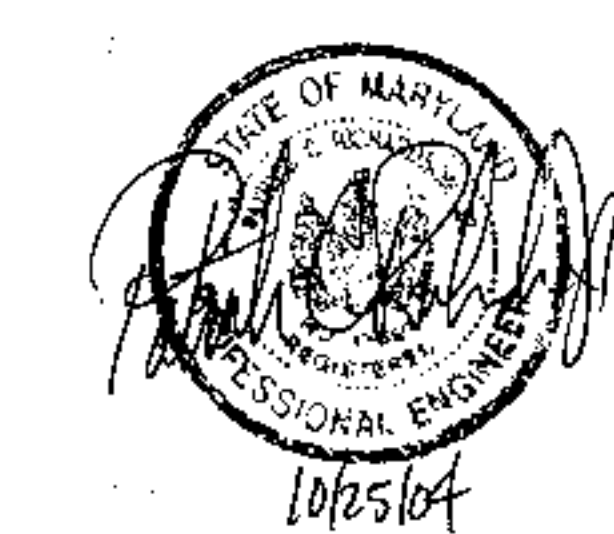
730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PLAN TO ACCOMPANY ZONING HEARING FOR

RON'S AUTO SERVICE, INC.

7899 DUNDALK AVENUE

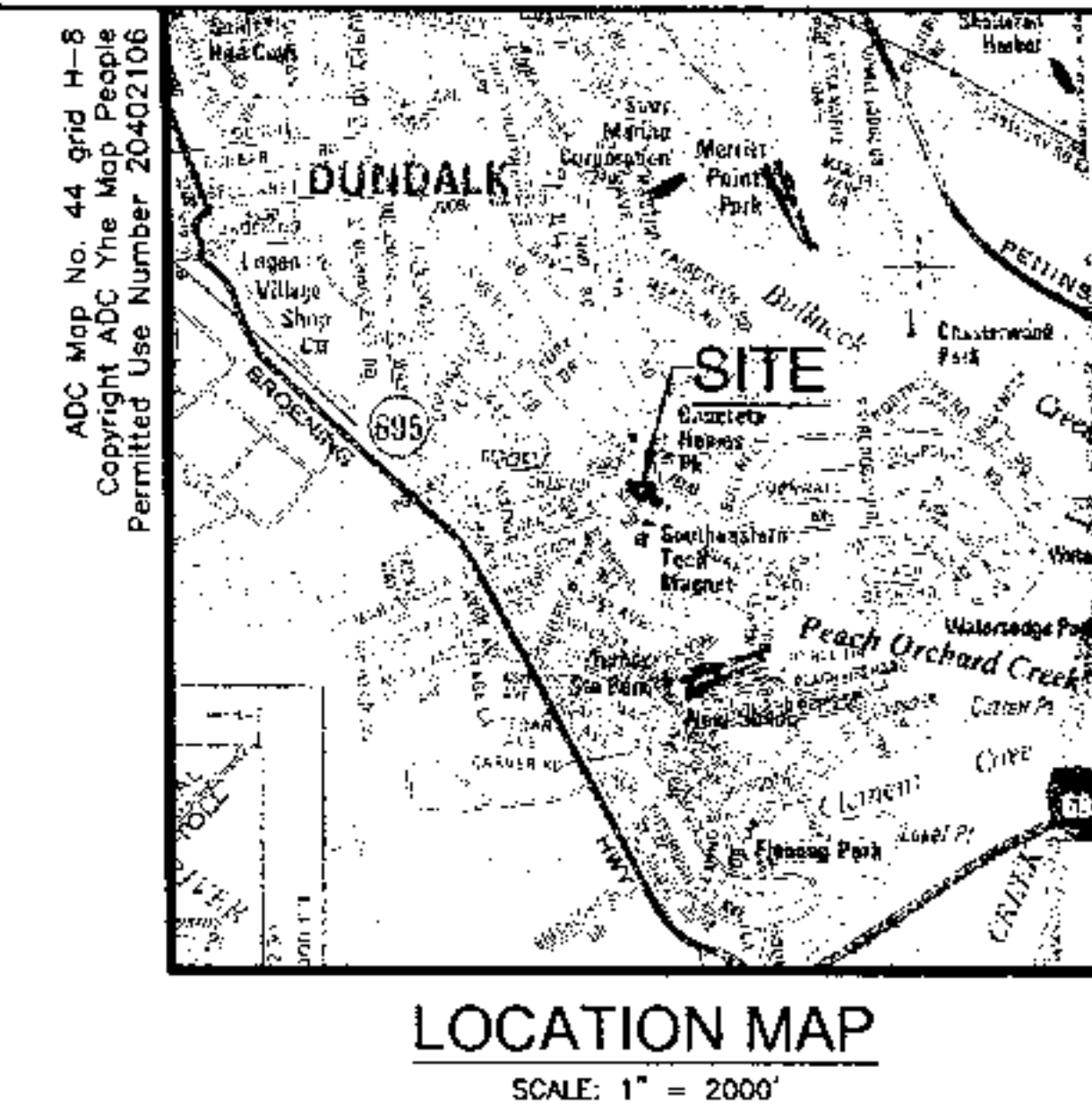
TAX MAP 110; GRID 5; PARCEL 38;
BLOCK 339; LOT "A" PLAT 13-86



12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

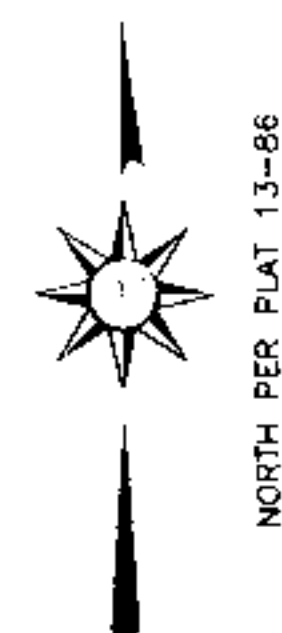
REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	10-15-04	04067	1 OF 1

Pet #



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
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C4	15.00'	32.54'	26.57'	S 10°04'15" E	124°39'50"	26.61'



LANDSCAPE TABULATION

- 1) 160 LIN. FT. OF ADJACENT ROAD / 40 = 4 PLANTING UNITS
2) 40 LIN. FT. OF RESIDENTIAL BUILDING / 15 = 2.7 PLANTING UNITS
- 6.7 PLANTING UNITS REQUIRED
12.9 PLANTING UNITS PROPOSED

PLANT LIST

KEY	QUANTITY	PLANTING UNITS	PLANT TYPE
1	1	1	MAJOR DECIDUOUS TREE
2	4	2	FLOWERING TREE
3	11	5.5	EVERGREEN TREE
4	16	3.2	SHRUB
5	575 S.F.	1.2	GROUND COVER

12.9 TOTAL PLANTING UNITS

SCHEMATIC LANDSCAPE PLAN CERTIFICATION FORM

This Schematic Landscape Plan is sealed by a Landscape Architect and certified by my signature below as being in accordance with all county agency landscape architectural comments.

Applicant Signature _____ Date _____ Print Name _____

Mailing Address (if not on plan) _____

Richardson Engineering, LLC

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PRELIMINARY LANDSCAPE PLAN
FOR
RON'S AUTO SERVICE
7899 DUNDALK AVENUE
TAX MAP 110; GRID 5; PARCEL 38;
BLOCK 339; LOT "A" PLAT 13-86

12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	9-20-04	04067	1 OF 1

Det #2