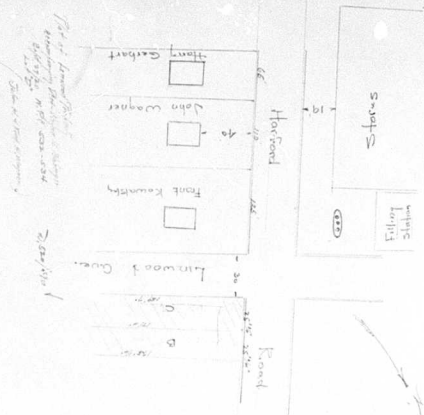


COMMISSIONERS
H. BRADY BALDWIN, President
JOHN H. HART
EDWARD A. TRAIL

A. HOWARD MURRAY
Clerk

OFFICE OF THE
County Commissioners of Baltimore County
TOWSON, MD.
MEETING DAYS—MONDAY, TUESDAY, WEDNESDAY AND THURSDAY



John H. Wagner, Esq.
Chas
James P. Shilling, Jr.
July 14, 1920
N.B.C. 573-60

Sub. C.C. of Baltimore Co. which is a sub-division of Lot 1, 2, 3 of 'Linwood' Plat dated 5/1/20

Restrictions

1. That all buildings or parts of any buildings erected on said lots shall not be set back more than 20 feet from the front of the lot.

July 27, 1920.

John F. Beckman, Esquire,
625 Equitable Bldg.,
Baltimore, Md.

Dear Sir:

The application for building permit of A. Labowitz for the erection of Moving Picture Theatre and Store at Parkville, came to this office yesterday.

Since you and your clients were at this office several days ago, I am advised by the State Roads Department that in the widening of the Harford Road they did not go beyond the original right of way lines of the road, therefore, any restrictions, necessarily, would of course apply from the nearest side of the right of way line of the road.

Until such time as possibly the set back and side areas will be established, I should think the restrictions affecting the property would govern. It may be under the zoning act that when such set back and side areas are established, would supersede or vacate restrictions imposed by the Ordinance.

It is evident we could be unworkable to require a set back of 40 feet to correspond with the present set back of the dwellings to the south of the proposed theatre site. The set back of the stores in the block diagonally opposite and to the south of 'Linwood' 12'10 feet and if course, for the purpose of uniformity, the set back of the theatre building should at least be the set back of the stores.

Of course you will understand that this office is not giving you the license to violate any existing building restrictions or to guarantee that there will be no opposition to residents for any violations thereof.

As I believe I advised you the site of the Theatre will have to be posted at least 10 days before building permit can be issued. This posting should be conspicuously placed stating what improvements will be erected on the site.

If you will advise me at the expiration of this posting notice, I will take the matter up at once with the County Commissioners and again write you.

Very truly yours,
JOHN F. VIMANUS,
Recording Clerk.

July 30, 1920.

Mr. David Harrison,
311 St. Paul Place,
Baltimore, Md.

Dear Sir:

Mr. William L. Trumper, the building inspector in the 14th district, has turned over to me your letter of July 11th in which you inquire as to set-back requirements, etc. of the two lots 19' and 20' on plat of the sub-division of 'Linwood' and located at the northeast corner of Harford Road and 'Linwood Avenue' at Parkville.

In the limited time since the new zoning Act of the Metropolitan Districts of Baltimore County became effective, of course it has been impossible to issue that entire district and necessarily until that is done, individual cases will have to be taken care of as they arise.

There is no set back side and rear distances as yet established under the zoning act and until that is done it will require, at least, that the building restrictions of any development must be complied with.

A survey of the above neighborhood shows that the set back of stores to the southeast of 'Linwood Avenue' and fronting on the Harford Road is 40 feet. Of course we should like these same set backs to be observed on the lots in question so as to have a uniformity of building line, however, if this is impractical as to the property you are inquiring about you must conform with the building line as provided for in the restrictions of the property.

An examination of the records shows that lots 19' and 20', being a sub-division of lots 1, 2, 3 and 4 of 'Linwood' was conveyed by John H. Wagner and others, (the developers of 'Linwood') to Ernest P. Shilling by deed dated April 14, 1924 and recorded among the land records of Baltimore County in Lib. & WFO 553, folio 60.

In this deed certain restrictions are fully set forth, the first being:

"That all buildings or parts of any buildings erected on said lots shall be at least 20 feet distant from the avenue or lane upon which said lots front."

I note in your letter to Mr. Trumper that it is proposed to erect a canopy which will project about 10 feet in front of the building. This is necessarily a part of the building and as the above quoted restriction reads, this canopy shall not extend more than 20 feet to the side of the Harford Road.

It will also be required before building permit be issued that the property be posted in a conspicuous place, giving notice to the public of the contemplated building operation. The property will have to be thus posted at least 10 days before permit will be issued. The purpose of the notice on the property manifestly is to give opportunity to property owners to file objections to the granting of the permit.

In making out your application for building permit to Mr. Trumper, please state in the application what set-back you propose in the erection of the building, and give the other necessary data required in the application.

Very truly yours,
JOHN F. VIMANUS,

Recording Clerk.

J.F.V.

No
PLAT