.

BEFORE

This is a petition for a Variance to permit an addition of more than 25 per cent to a building, which presently is nonconforming with respect to the off street parking regulations, without now requiring off street parking.

The Deputy Zoning Commissioner takes the position that the space to be utilized for the building extension is presently available for off street parking, and to allow the alteration would be detrimental to the safety and general welfare of the community. We cannot agree.

The proposed addition is to be situated on an empty lot located immediately behind the petitioner's building, which building is presently being used as an Auto Supply Store. Testimony before us indicates that the lot has heretofore not been used for customer parking and that, because of its inexcessibility and because the drive-way which feeds it opens on to a one-way street inexcessible directly from Harford Road, it would be virtually impossible to educate the public to use it.

We do feel, however, that the drive-way behind the lot is important to adjacent property owners as a means of access to their properties. Therefore, in order to insure that the petitioner's delivery trucks will not block this drive-way, we place as a restriction on the granting of this Variance, the requirement that the Northwest extremity of any addition to be

IN THE MATTER OF PETITION FOR VARIANCE TO ZONING REGULATIONS - W. S. Harford Road 100 feet N. Linganore REVORK Ave., 9th District -George Epstein, Petitioner DEPUTY ZONTING COURTSSTONER OF BALTIMORE COUNTY

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Pursuant to advertisement, posting of property and public hearing on the above petition for a variance to the Zoning Benlations, after having heard the testimony and having seen the area, which is the subject of this petition, to permit no off-street parking instead of the required 26 spaces, would be detrimental to the safety and the general welfare of the community, therefore, the petition should be

The petitioner was very definitely incorrect when he stated that the lot or parcel in question was inaccessible as an off-street parking rea for his business. It is my contention that if the petitioner's large trucks can manage to back into this area certainly automobiles are capable of travelling the same road. In fact I found it readily accessible and more than adequate for off-

It is clearly stated in the Zoning Begulations for Baltimore County that a variance may only be granted from area and height regulations in cases where strict compliance with the Zoning Regulations would result in practical difficulty and unreasonable hardship. However, any such variance shall be granted only if in strict harmony with the spirit and intent of said regulations, and only in such manner as to grant relief without substantial injury to the public health, safety

constructed be no closer than five (5) feet to the access driveway above mentioned, at any point.

The petitioner's tenant has testified that the newly constructed portion of the building will be used for storage. We, therefore, feel that there will be practically no change in the customer flow. Since we find that the lot does not now accome date customers and that the improvement contemplated will not appreciably alter the scope of the present operation, it would appear that traffic and safety will not be adversely effected and that the Variance requested is reasonable.

ORDER

For the reasons set forth in the aforegoing opinion, it is this 9th day of May, 1957 by the County Board of Appeals, ORDERED that the Variance petitioned for in the within proceeding be and the same is hereby granted; subject, however, to the regulations as to set backs contained in this opinion.

OF BALTIMORE COUNTY

Crank

and general welfare.

The Zoning Regulations clearly state that any order granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.

Since I cannot find any reason to grant such a variance and since I cannot see how the Zoning Regulations have created a hardship on the petitioner so as to warrant this variance, I can only recommend that this potition be denied.

It is, therefore, this 25 th day of September, 1956, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid potition for a variance to the Zoning Regulations be denied for the above reasons.

IN THE MATTER OF THE PETITION FOR A VARIANCE

- BU 4- 55 AM -TONING HEMANTMENT

ON ING COMMISSIONER

100 ft. North Linganor Avenue 9th Election District Geroge Epstein, Petitioner

> ORDER FOR APPEAL

MR. COMMISSIONER

TO ZON ING REGULATIONS

West Side Harford Road

Please enter an appeal from your Order dated September 25, 1956 on behalf of George Epstein.

PETITION FOR VARIANCE TO ZONING REGULATIONS

IN THE MATTER OF

George Epstein

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

For Variance to the Zoning Regulations To the Zoning Commissioner of Baltimore County

Legal Owner_

of the property hereinafter described hereby petition for a Variance to the Zoning Regulations of Baltimore County.

The Zoning Regulations to be excepted is as follows: Section 409.2 - Parking - Sub Section 6 - Buildings devoted to retail trade.... 1 for each 200 square feet of total floor area.

The Reason for Variance:

To permit No Parking instead of required 26 spaces as required in Section 409.2 of the Zoning Regulations.

Property situate:

All that parcel of land in the Minth District of Baltimore County on the West side of Harford Road Deginning 100 feet North of Linganora abverage these contrary and holding on the West side of the County of the C

8/29/56

October 15, 1956

RECEIVED of W. Albert Menchine, Attorney for the Potitioner, George Spetsin, the sun of Thirty (330.00) Dollars being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Deputy Zoning Commissioner denying the variance to the Zoning Augulations, west side of Harford Road 100 feet north of Linganore Averme, 9th District.

Zoning Commissioner

00: 01.623 Zoning Service charges

ECEN OCT 1 5 1956

RECEIVED of Roth S. Taubman, for petition of Z. George Epstein, the sum of Twenty-five (\$25.00) dollars, being cost of petition for Variance to the Zoning Regulations, advertising and posting the property on the West side of Harford Road, beginning 100 feet North of Linganore Avenue, Minth District of Baltimore County.

Zoning Counterioner of Paltimore County

August 7, 1956

HEARING:

Wednesday, August 29, 1956 at 2:00 P. M.

01.603-415.00

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

	Towners, Maryland	#3910
District 9th	2 04	Date of Posting 8-15-56
Posted for: Namand to	Banny Sychation	v
Petitioner: Z. George E	sun stal	
Location of property: WIS of	Harford At ly for	1. 11. 1 fryma Lack
Location of Signs: Partial on	property knowna	H. gl. of Singmas art v 1708 Hayford XV
Remarks:	Λ	
Posted by Gerry 1. 4	Date of return	s-16-56

NOTICE OF ROXING HEARING

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The purmone of this hearing being to determine whether on and Z (loonge figured), et al. [24] over the control of the look of

are as follows: Sersion 492.—Parking—Sub Section 6 Buildings devoted to retail tadde for each 209 square feet of

tonal floor area.

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Retion 49.2 of the Zoning Regulations.

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Return fleason for the permit no parking instead of the frequired Je spaces.

Hy Order of Wilsie H. Adams Zoning Commissioner of Haltimore County AUG 1 7 1956

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 10th 6

The UNION NEWS

