

RE: PETITION FOR SPECIAL EXCEPTION
FOR DRY CLEANING PLANT
ON THE NE/4 LIBERTY ROAD AND
NW/4 KERSHAW ROAD - 2ND DIST.
Raymond G. Merkle et al;
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5386-X

A hearing was held on Thursday, April 5, 1962 on a petition of Raymond G. Merkle et al; for a Special Exception for a Dry Cleaning Plant, located on the northeast side of Liberty Road and the northwest side of Kershaw Road in the Second District of Baltimore County.

From the testimony presented to the Board, the special exception asked for in this petition would not in the opinion of the Board violate any of the provisions of Section 502.1 of the Baltimore County Zoning Regulations.

It is therefore, the unanimous opinion of the Board that this petition for a special exception should be granted.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 12th day of April, 1962, by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby granted.

Any appeal from this decision must be in accordance with Chapter 1100, Article 8 of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William H. Karpman
CHAIRMAN
Charles H. Karpman
B. Mitchell Porter

IN RE:
PETITION FOR SPECIAL EXCEPTION
#5386 - X

BY
RAYMOND G. & MAY J. MERKLE,
PETITIONERS

BEFORE
THE
ZONING COMMISSION
FOR
BALTIMORE COUNTY

HAROLD D. ELKIN,
3404 Merle Drive, Baltimore, 7, Md.
SIDNEY PROPER,
3402 Lynnhaven Drive, Baltimore, 7, Md.
et al
PROTESTANTS

APPEAL TO THE BOARD OF APPEALS

Mr. Clerk:

Please enter an Appeal to the Board of Appeals from the Decision and Order of the Zoning Commission dated November 1, 1961.

Edward J. Duer
Attorney for Protestants

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, RAYMOND G. & MAY J. MERKLE, 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 (1) that the zoning of the above described property be changed from its present zoning of R-1 to R-2 and

See Attached Description

XXXX(2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, DRY CLEANING (STORE-PLANT)

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

NONE
Contract purchaser
Address
Raymond G. Merkle
May J. Merkle
Legal Owner
Address: 5114 Liberty Road
Baltimore-7, Maryland
Petitioner's Attorney
Address: 908 Reisterstown Road
Pikesville-3, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of September, 1961, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of November, 1961, at 10:30 o'clock.

John G. Rose
Zoning Commissioner of Baltimore County.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1961, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a R-1 zone, and/or the Special Exception for DRY CLEANING (STORE-PLANT) be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1961, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a R-1 zone, and/or the Special Exception for DRY CLEANING (STORE-PLANT) be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

OFFICE OF PLANNING AND ZONING Inter-Office Correspondence

Date October 20, 1961

To: John G. Rose, Zoning Commissioner

From: George E. Devallie

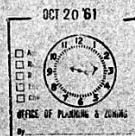
Subject: #5386 X - Special Exception for

Dry Cleaning (Store Plant), NE side of Liberty Road at Kershaw Road.

2nd District 11/1/61 10:30 A. M.

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no adverse comment to make on the special exception use as such.

It is to be noted that there are details of the site plan which may be in conflict with County policies and practices - 6 foot parking setback, possible screening requirements, width of drives, widening and setbacks at Kershaw Road, etc. The petitioner is invited to submit his site plans immediately to the Division of Land Development in order that these issues can be clarified prior to application for a building permit.



OBS/du

STATE OF MARYLAND STATE ZONING COMMISSION

October 24, 1961

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

RE: Zoning Petition No. 5386-X
Special Exception
Northeast side of Liberty Road
(Route 26) at Kershaw Road

Dear Mr. Rose:

This office has reviewed the subject petition and has no objection to the Special Exception, however, if the Zoning Commissioner should see fit to grant the petition, it is requested that the plans for grading and ingress be made subject to the approval of the State Roads Commission.

Thank you for your cooperation.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
John L. Durr
By: John L. Durr
Asst. Development Engineer

JLD/als



THE PROPERTY which is the subject of this Petition for Special Exception is situate and lying in the Second Election District of Baltimore County, and is described as follows, to wit: BEGINNING FOR the same at the corner formed by the intersection of the Northeast side of Liberty Road and the Northwest side of Kershaw Road as said roads are shown on the plat herein-after mentioned and running thence Northwestwardly and binding on the Northeast side of Liberty Road 145 feet to the beginning of the second line of all that parcel of ground which by deed dated September 22 1947 and recorded among the Land Records of Baltimore County in Liber J. U. S. No. 1597, folio 476 was granted and conveyed by Lorenzo H. Kirk and wife to James T. Sellers Jr., and wife and running thence Northeastwardly and binding in part on the second line of said deed 145 feet and running thence for a line of division and parallel with Liberty Road as shown on said plat 145 feet to the Northwest side of Kershaw Road as shown on said plat and running thence Southwesterly and binding on the Northwest side of Kershaw Road as shown on said Plat 145 feet to the place of beginning

BEING AND COMPRISING portions of Lots Numbers Twenty-nine (29) to Thirty-four (34) inclusive as shown on Revised Plat of Lagathie which Plat is recorded among the Land Records of Baltimore County in Plat Book No 7 folio 158.

THE PORTION of the property to be used for the Dry Cleaning (Store-Plant) is the Southeasternmost portion of the proposed building which is indicated on the Plat Plan filed herewith as Dry Cleaning establishment having an area of 2,200 square feet.

APPROVED FOR FILING
Reviewed By *9/16/61*
Date *9/16/61*

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 9756

DATE 12/5/61

TO: Ernest C. Trishle, Esq.,
Jefferson Building
Towson 4, Md.

BILLED BY: Zoning Department of
Baltimore County
113 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		Cost of appeal to the Board of Appeals No. 5386	\$70.00
		Cost of posting property	5.00
			\$75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE DETACH UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 8232

DATE 1/1/62

TO: Mr. Raymond G. Merkle
5112 Liberty Road
Rochdale
Baltimore 7, Maryland

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		Advertising and posting of your property	32.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE DETACH UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting 10-11-61 #5386
 Posted for: Special Exception for Dry Cleaning Plant
 Petitioner: Raymond D. Merkle
 Location of property: N.E.S. of Liberty Rd. and the N.W.S. of Kershaw Road etc. Sub Plat
 Location of Signs: Intersection corner of Liberty and Kershaw Roads
 Remarks: _____
 Posted by: George B. Hummel Signature Date of return: 10-12-61

PETITION FOR ZONING SPECIAL EXCEPTION - 2ND DISTRICT

ZONING: Petition for Special Exception for Dry Cleaning (Store-Plant)
 LOCATION: Northeast side of Liberty Road and the Northwest side of Kershaw Road.
 DATE AND TIME: Wednesday, November 1, 1961 at 10:30 A.M.
 PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
 Concerning all that parcel of land in the Second District of Baltimore County, beginning for the same at the corner formed by the intersection of the Northeast side of Liberty Road and the Northwest side of Kershaw Road as said roads are shown on the plat hereinafter mentioned and running thence Northwesterly and binding on the Northeast side of Liberty Road 145 feet to the beginning of the second line of all that parcel of ground which by deed dated September 22, 1947 and recorded among the Land Records of Baltimore County in Liber J. W. B. No. 1597, folio 416 was granted and conveyed by Lorenzo H. Kirk and wife to James T. Sellers, Jr. and wife and running thence Northwesterly and binding in part on the second line of said deed 145 feet and running thence for a line of division and parallel with Liberty Road as shown on said plat 145 feet to the Northwest side of Kershaw Road as shown on said plat and running thence Southwesterly and binding on the Northwest side of Kershaw Road as shown on said Plat 145 feet to the place of beginning.
 Being and comprising portions of Lots Numbers Twenty-nine (No. 29) to Thirty-four (No. 34) inclusive as shown on Revised Plat of Lagashia which Plat is recorded among the Land Records of Baltimore County in Plat Book No. 7 folio 154.
 The portion of the property to be used for the Dry Cleaning (Store-Plant) is the Southeasternmost 52' 4" of the proposed building which is indicated on the Plat Plan filed herewith as Dry Cleaning establishment having an area of 2,209 square feet.
 Being the property of Raymond G. Merkle and May J. Merkle, as shown on Plat plan filed with the Zoning Department.
 By Order of
 JOHN G. ROSE
 Zoning Commissioner of Baltimore County.
 Oct. 13.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 13, 1961
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~on October 13~~
 for 1 time ~~successive weeks~~ before the 1st day of November, 1961, the first publication appearing on the 13th day of October 1961.
 THE JEFFERSONIAN,
Frank Strickler
 Manager.
 Cost of Advertisement, \$ _____

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting 3-14-62 #5386
 Posted for: Appeal Hearing
 Petitioner: Raymond D. Merkle et al
 Location of property: N.E.S. of Liberty Rd. + N.W.S. Kershaw Road etc. Sub Plat
 Location of Signs: N.W. corner of Liberty and Kershaw Roads
 Remarks: _____
 Posted by: George B. Hummel Signature Date of return: 3-15-62

TELEPHONE VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

To: Carl A. Durkee, Esq/
900 Reisterstown Road
Pikesville 8, Md.

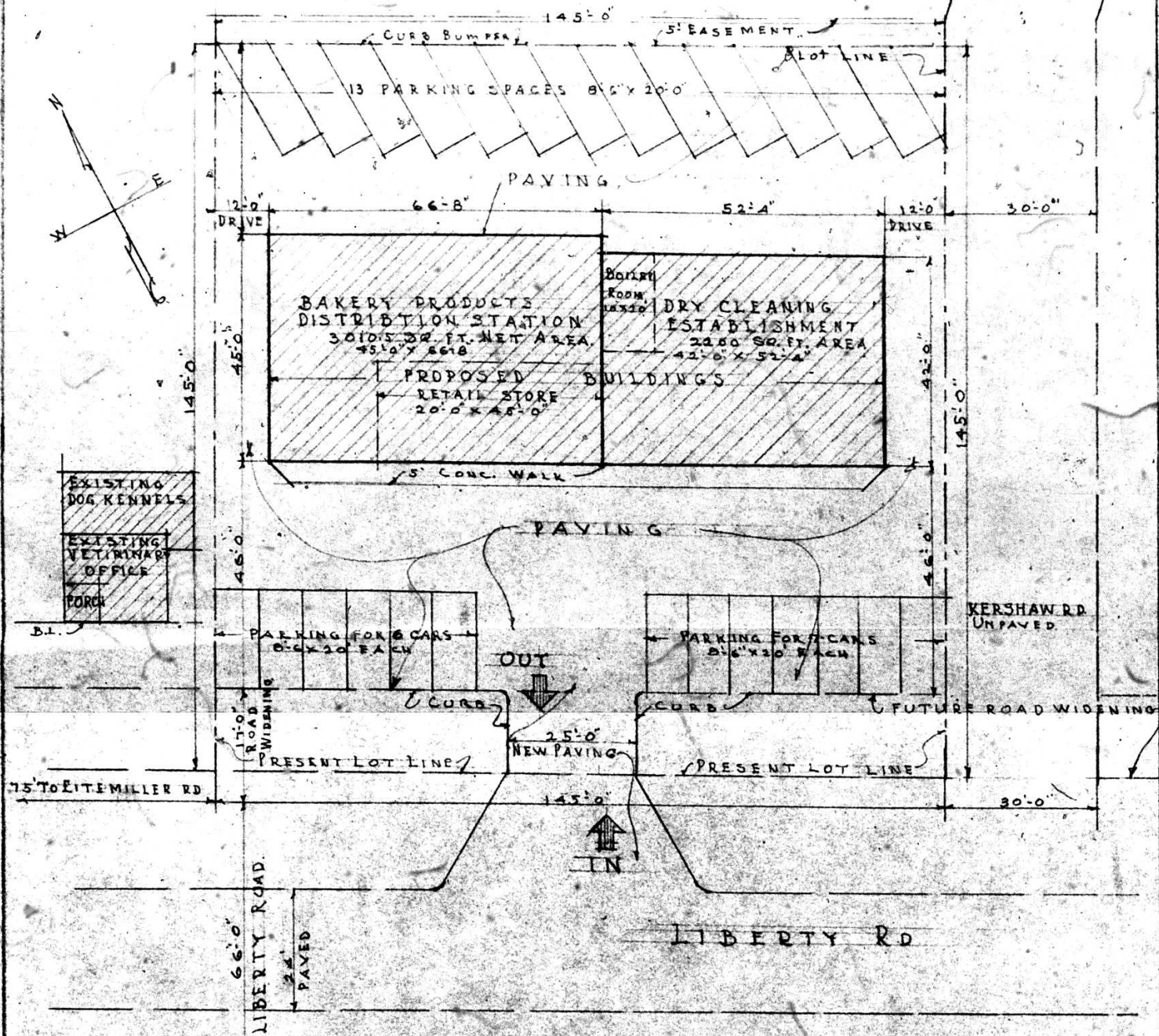
BILLED BY: Zoning Department of Baltimore County

No. 8087
DATE 9/13/61

QUANTITY	DETAILED PER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		\$50.00
	Petition for Special Exception for Dry Cleaning Plant for R. Merkle	50.00
		0.00
		0.00

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**IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
 MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
 PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.**



PLOT PLAN
 SCALE 1"=10'-0"
 8118 LIBERTY RD FOR
 MR. RAYMOND G. MERKEL
 CARL W. ROES ARCHITECT
 9-5-61

