

RE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE TO Section 217.3 of the Zoning Regulations - S. W. Side Wise Ave., 165' from Church Road, 12th District - Michael and Anne Koshuta, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5435-RXV

MAP
#12
SEC. 4A
RA-XVA

Upon hearing on the above petition (1) for reclassification, from an "R-6" Zone to an "R-A" Zone of the property situate on the southwest side of Wise Avenue 165 feet from Church Road, in the 12th District of Baltimore County; (2) for a special exception to use the subject property for professional offices and (3) for a variance to Section 217.3 of the Zoning Regulations to permit side yards of 13 feet and 7 feet respectively instead of the required 25 feet, from the testimony presented at the hearing the granting of the special exception for professional offices, the reclassification from an "R-6" Zone to an "R-A" Zone and the variances requested to the Zoning Regulations will not be detrimental to the safety, health and the general welfare of the locality involved.

For the above reasons the reclassification, special exception and variances should be granted.

It is this 4th day of January, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition should be granted; the first, for reclassification from an "R-6" Zone to an "R-A" Zone; second for a special exception for professional offices and, third, for a variance to Section 217.3 of the Regulations to permit side yard setbacks of 13 feet and 7 feet respectively instead of the required 25 feet, subject to approval of plan for the development of said property by the Office of Planning & Zoning.

Zoning Commissioner of Baltimore County

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

No. 8226
DATE 10/27/61

TO: Charles T. Howard, Esq.
15 Center Place
Dundalk 22, Md.

BILLED BY
Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01622		Petition for Special Exception for Michael & Anne Koshuta	\$50.00
			\$50.00

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.

OFFICE OF WILLIAM H. PRIMOSE

September 28, 1961

Description of property of Michael Koshuta and Anne Koshuta, his wife, on the south west side of Wise Avenue, Subject of petition for re-classification and special exception.

All that parcel of land lying in the Twelfth Election District of Baltimore County, Maryland, and more particularly described as follows:
Beginning for the same at a point on the south west side of Wise Avenue located 165 feet more or less southeasterly from the east side of Church Road and running thence binding on said southwest side of Wise Avenue South 61°-00'-30" East 50.00 feet; thence South 28°-59'-30" West 209.80 feet; thence North 62°-00'-00" West 50 feet more or less; and thence North 28°-59'-30" East 210.68 feet to the place of beginning.

Containing 0.24 acres of land more or less.

The improvement being known as #7807 Wise Avenue.

Being Lots #6 and 7 on the Plat of Edgelynn recorded among the Land Records of Baltimore County on Plat Book W.P.C. #9 folio 17.

#5435 RXV
MAP
#12
SEC. 4A
RA-XVA
12/14/61

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Michael & Anne Koshuta, 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 status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an RA zone to an RA zone; for the following reasons:

Sect. 217.3: Side Yds - 25'
Side Yds - 13 & 7 - intent of reg. 25 & 25'

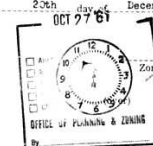
See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Professional offices.

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.

Contract purchaser: Michael Koshuta
Address: 2 Market Place Dundalk 22, Md.
Legal Owner: Michael Koshuta
Address: 2807 Wise Ave. Dundalk 22, Md.
Attorney: Robert J. Howard
Address: 15 Center Pl. Dundalk 22, Md.

ORDERED BY The Zoning Commissioner of Baltimore County, this 27th day of October, 1961, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 103, County Office Building in Towson, Baltimore County, on 23rd day of December, 1961, at 2:00 o'clock P.M.



2012 71
12/20/61
1-2000

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 30, 1961.
THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 27th day of December, 1961, the first publication appearing on the 30th day of November, 1961.

The COUNTY Paper, Inc.

Manager

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION TO THE ZONING REGULATIONS, 12TH DISTRICT
ZONING: From R-6 to R-A Zone. Special Exception for Professional Offices and Variance to permit side yards of 13 and 7 feet instead of the required 25 and 25 feet.
LOCATION: Southwest side of Wise Avenue 165 feet from the East side of Church Road.
DATE AND TIME: WEDNESDAY, DECEMBER 20, 1961 at 2:00 P.M.
PUBLIC HEARING: Room 103, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Regulations to be excepted as follows:
Section 217.3 - Side Yards - 25 feet.
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 Twelfth District of Baltimore County.
Beginning for the same at a point on the south west side of Wise Avenue located 165 feet more or less southeasterly from the east side of Church Road and running thence binding on said southwest side of Wise Avenue South 61°-00'-30" East 50.00 feet; thence South 28°-59'-30" West 209.80 feet; thence North 62°-00'-00" West 50 feet more or less; and thence North 28°-59'-30" East 210.68 feet to the place of beginning.
Containing 0.24 acres of land more or less.
The improvement being known as #7807 Wise Avenue, being Lots #6 and 7 on the Plat of Edgelynn recorded among the Land Records of Baltimore County on Plat Book W.P.C. No. 9 folio 17.
Being the property of Michael and Anne Koshuta, as shown on plat attached with the Zoning Department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Dec. 1

CERTIFICATE OF POSTING

District: 12th Date of Posting: 11-30-61
Posted for: Michael & Anne Koshuta
Petitioner: Michael & Anne Koshuta
Location of property: S.W. Side of Wise Ave. 165 ft. from Ch. Rd. & Church Road. Plat #7807, Wise Ave. 165 ft. East of Church Road. Being property of Michael Koshuta.
Location of Sign: Wise Ave. 165 ft. East of Church Road. Being property of Michael Koshuta.
Remarks:
Posted by: George R. Hummel Date of return: 12-1-61

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: December 8, 1961
FROM: George R. Hummel, Deputy Director
SUBJECT: 5435-RXV, R-6 to R-A, Special Exception
The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comments to make with reference to pertinent planning factors:
1.- Commercial zoning exists on the opposite side of Wise Avenue from the subject property. The Planning staff is of the opinion that R-A zoning here would provide the device of a transitional zone and would provide also economic relief for the petitioner.
2.- If granted, the granting should at this time be limited to conversion of the existing dwelling for office purposes. If other properties seek and get rezoning at a later date an amended petition could be presented to enable new construction to take place - perhaps on more than one lot. Screen planting should be required along the southwest boundary of the off-street parking area.
3.- It may be that the Planning staff erred in not requiring the petitioner to seek a variance to the setback requirements of the proposed R-A zoning.

CEG:lms

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridgely, Md.
THE COMMUNITY PRESS
Dundalk, Md.
THE HERALD - ARGUS
Catonville, Md.
No. 1 Newburg Avenue
CATONVILLE, MD.

THIS IS TO CERTIFY, that the annexed advertisement of John & Rose Zoning Commissioner of Baltimore County was inserted in the BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 4th day of December, 1961, that is to say the same was inserted in the issues of December 1, 1961.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

