

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

John A. Seamon and
I, or we, Terence F. McDonough, legal owners 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 409.2, G Par. (4) for two parking spaces for a Variance from Section 409.2, G Par. (4) for two parking spaces less than the 7 spaces required, requesting therefore 5 parking spaces. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

The size of the lot is such that it would be rendered unusable under the business roadside regulations. This constitutes both a hardship and a practical difficulty to the owners.

The property is described by notes and bounds by the attached description and is set forth on the attached plat.

See Attached Description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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
Address: 3020 Dunglew Road
Dundalk 22, Maryland
Protestant's Attorney
Address: 6732 Holabird Avenue
Dundalk 22, Maryland
ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of July, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on July 24, 1962 at 1:30 o'clock P. M.



Zoning Commissioner of Baltimore County
(or)

5597-V
1-28 P
7/19/62
1-28 P

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts the granting of the variance requested will grant relief to the petitioner without substantial injury to the public health, safety and the general welfare:

the above Variance should be had; and it further appearing that the granting of the variance to permit front yard of 14' instead of the required 25'; rear yard to the south of 9' and side yard setback to the west of 0' instead of the required 30'; and to permit 5 parking spaces instead of the required 7 spaces.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of July, 1962, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, which permits front yard of 14' instead of the required 25'; rear yard setback to the south of 9' and the side yard setback to the west of 0' instead of the required 30'; also 5 parking spaces instead of the required 7 spaces.

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

the above Variance should NOT BE GRANTED.
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1962, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



William M. Magnadier
County Surgeon
Professional Engineer and Road Surveyor
Baltimore, Maryland
License 4, 384

For purpose of Zoning only

All that place or parcel of land situate lying and being in the 12th Election District of Baltimore County, State of Maryland and described as follows:

BEGINNING for the same at a point where the north side of Ellers Avenue thirty feet wide intersects the southwest right of way line of the Merritt Avenue Ramp at Merritt Boulevard running thence and binding on the southwest right of way lines of said ramp the following three courses and distances viz: north zero degrees 58 minutes 13 seconds west 40.90 feet and north 29 degrees 34 minutes 05 seconds west 32.86 feet and north 70 degrees 43 minutes 41 seconds west 62.38 feet thence leaving the right of way line and running south zero degrees 58 minutes 13 seconds east 91.35 feet to intersect the north side of Ellers Avenue thence bounding on the north side of Ellers Avenue north 89 degrees one minute 47 seconds east 74.25 feet to the place of beginning.



Wm M Magnadier

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: July 24, 1962

FROM: Mr. Stephen R. Gervelle, Deputy Director

SUBJECT: 5597-V, Petition for a Variance to permit front yard of 14' feet instead of the required 25' feet and to permit rear yard setback to the south of 9 feet and the side yard setback to the west of 0 feet instead of the required 30 feet; and to permit 5 parking spaces instead of the required 7 spaces. North side of Ellers Avenue and Southwest corner of Merritt Boulevard.

12th District

REMARKS: Monday, July 9, 1962 1:30 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for Variance and has the following advisory comment to make with respect to pertinent planning factors:

1. The Planning staff is unable to comment with respect to the allegations of practical difficulty or unreasonable hardship which would justify the variances being sought here. It notes with great concern the proposed change of providing safe and adequate access to the subject property and can be developed within the context of the requested variances in a manner not resulting in substantial injury to the public health, safety and welfare as it pertains to the transportation of people and goods into and out of the site. The only pattern of access which appears to be at all workable is one wherein entrance movement only from Merritt Boulevard would be allowed with all exit movements to be accomplished via Ellers Avenue.

CEG:bms



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12th Date of Posting: 6-21-62
Posted for: Advertisement to Zoning Regulations
Petitioner: John A. Seamon & Terence F. McDonough
Location of property: 14' of Ellers Ave. S.W. Corner of Merritt Blvd.
Site: As Shown
Location of Sign: Posted at S.W. Corner of Merritt Blvd. and Merritt Blvd.
Remarks: _____
Posted by: Stephen R. Gervelle Signature Date of return: 6-22-62

#5597

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 12905	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 7/9/62	
COURT HOUSE		TOWSON 4, MARYLAND			
Baltimore's Parking Guide Store 2266 Merritt Ave. Dundalk 22, Md.					
Billed by Zoning Department of Baltimore County					
REPORT TO ACCOUNT NO.	0662	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT \$33.95	
QUANTITY				COST	
Advertising and posting of property of John A. Seamon & Terence F. McDonough				33.95	
1-962 1233 * * * TIL-				3.05	
1-962 1133 * * * TIL-				3.05	
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.					

PETITION FOR A VARIANCE TO THE ZONING REGULATIONS OF BALTIMORE COUNTY-LITE DISTRICT

ZONING: Petition for a Variance to permit front yard of 14 feet instead of the required 25 feet; rear yard setback to the south of 9 feet and the side yard setback to the west of 0 feet instead of the required 30 feet; and to permit 5 parking spaces instead of the required 7 spaces.

LOCATION: North side of Ellers Avenue thence bounding on the southwest right of way line of the Merritt Avenue Ramp at Merritt Boulevard running thence and binding on the southwest right of way lines of said ramp the following three courses and distances viz: north zero degrees 58 minutes 13 seconds west 40.90 feet and north 29 degrees 34 minutes 05 seconds west 32.86 feet and north 70 degrees 43 minutes 41 seconds west 62.38 feet thence leaving the right of way line and running south zero degrees 58 minutes 13 seconds east 91.35 feet to intersect the north side of Ellers Avenue thence bounding on the north side of Ellers Avenue north 89 degrees one minute 47 seconds east 74.25 feet to the place of beginning.

DATE AND TIME: Monday, July 9, 1962, at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Md.

By order of: JOHN G. ROSS, Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 22, 1962.

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 June 21, 1962, before the 24th day of July, 1962, the said publication appearing on the 24th day of June, 1962.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$

PETITION FOR A VARIANCE TO THE ZONING REGULATIONS OF BALTIMORE COUNTY

ZONING: Petition for a Variance to permit front yard of 14 feet instead of the required 25 feet; rear yard setback to the south of 9 feet and the side yard setback to the west of 0 feet instead of the required 30 feet; and to permit 5 parking spaces instead of the required 7 spaces.

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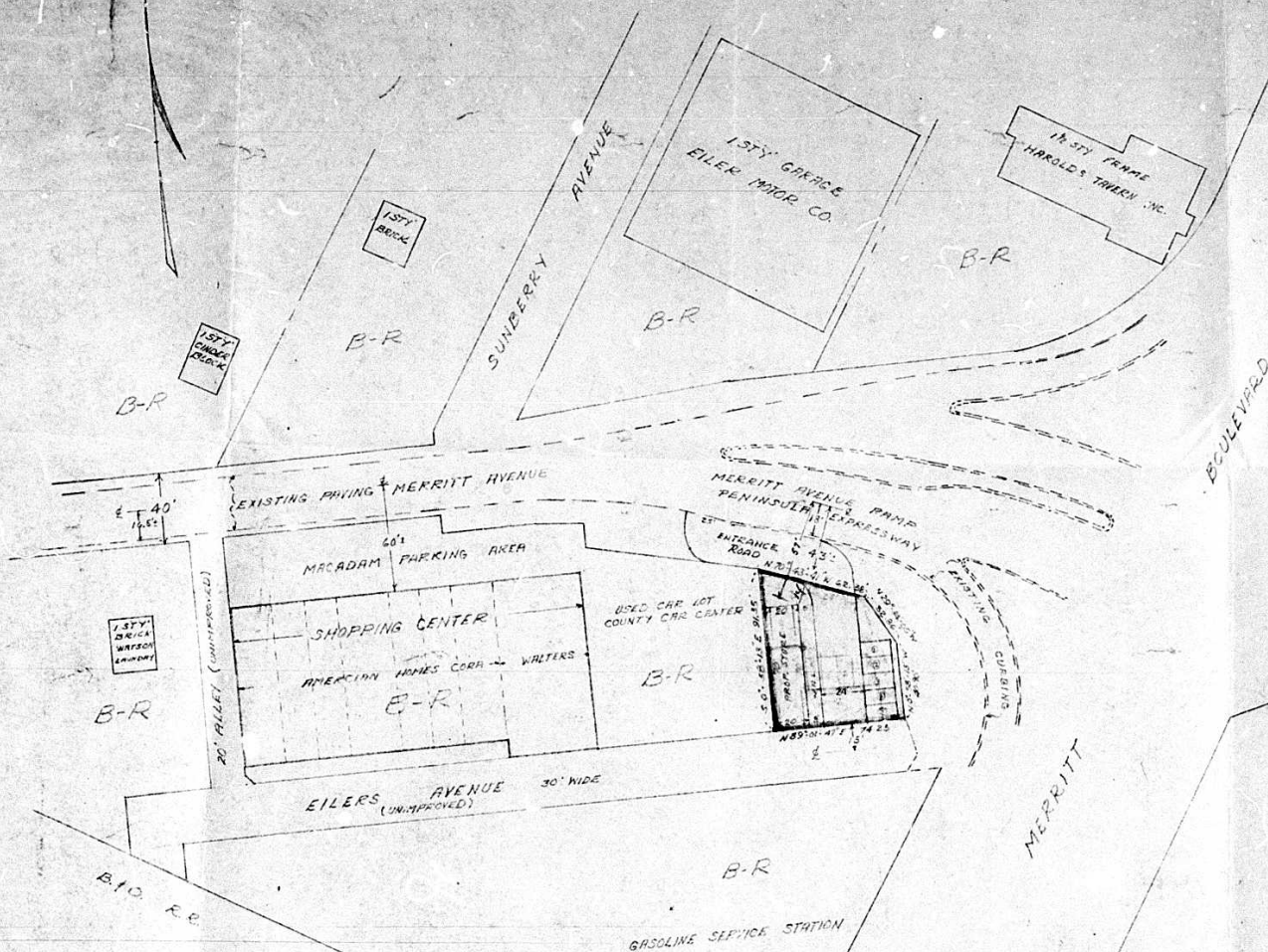
OFFICE OF The Community Press

DUNPALK, MD., June 20, 1962

THIS IS TO CERTIFY, that the annexed advertisement was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 19 day of June, 1962; that is to say, the same was inserted in the issues of 6-20-62

ESTATE OF P. G. STROMBERG,
Stromberg Publications
By: Betty Price

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 11688	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 5/24/62	
COURT HOUSE		TOWSON 4, MARYLAND			
Billed by Zoning Department of Baltimore County					
REPORT TO ACCOUNT NO.	0662	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT \$25.00	
QUANTITY				COST	
Petition for a Variance for John A. Seamon				25.00	
5-2462 4413 * * * TIL-					
25.00					
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.					



AREA = 5524 SQ. FT. ±
 EXIST. USE = VACANT
 PRESENT ZONING = B-R
 PROPOSED ZONING = VARIANCE FRONT, SIDE, REAR SETBACK & PARKING.
 PROPOSED USE = RETAIL STORE

FLOOR SPACE = 1400 SQ. FT. ±
 PROPOSED
 PARKING SPACES = 5
 9' x 18'

FOR THE PURPOSE OF ZONING ONLY



William M. Maynadier
 20

MICROFILMED

WILLIAM M. MAYNADIER
 COUNTY SURVEYOR
 CIVIL ENGINEER & LAND SURVEYOR
 COURT HOUSE TOWNSHIP 4, MD.
 SCALE 1" = 50'
 MAY 13, 1961

