

ORDER OF DISMISSAL

It is thereby ORDERED this 14th day of June, 1963 that said appeal be dismissed with prejudice as of the aforementioned date.

M. Mitchell Austin
ACTING CHAIRMAN

Chas. W. Thompson

ORDER OF DISMISSAL

It is thereby ORDERED this 4th day of June, 1963 that said appeal be dismissed with prejudice as of the aforementioned date.

~~ACYNB-ERXIRMAN~~

~~Charles Steinbock, Jr.~~

Date August 22, 1962

Temporary permit for building at the northwest corner of Baltimore National Pike and Johnnye's Road for Varsity Drive-In is DISAPPROVED because the land is being used illegally for a Used Car Lot. A temporary permit will be granted only if there is a legitimate temporary use being made of the land for which the temporary permit is requested.

John G. Rose
Zoning Commissioner of
Baltimore County

ORDER OF DISMISSAL

It is thereby ORDERED this 17th day of May, 1963,
that said appeal be dismissed with prejudice as of the aforementioned date.

CHAIRMAN

Charles H. Henshaw, Jr.
S. Mitchell Austin

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, The Varsity Drive-In, legal owner... 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 _____ zone to a _____ zone for the following reasons:

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... a used car lot in a B-B Zone...

Property is to be posted and advertised as prescribed by Zoning Regulations

I, or we, agree to pay expenses of above re-classification 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.

The Varsity Drive-In., Inc.

Contract purchaser _____ Legal Owner _____
Address _____ Address 5604 Baltimore National Pike
Baltimore 28, Md.
W. Lee Harrison _____
Reidinger's Attorney
Jefferson Building
Tomson, J. Maryland
Address _____
509 Mt. Taint Bell
Belts, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of June, 1962, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of September, 1962, at 1:30 o'clock.

RM 27.50

☐ Armed
☐ Saw
☐ Rifle
☐ Smith
☐ Other

IN FACE OF _____

(over)

Fee for Temporary Buildings

\$15.00 for first 25,000 cubic feet.

\$1.50 additional for each 5,000 cubic feet or fraction thereof.

Maximum fee shall be \$37.50.

AGREEMENT:

[illegible]

Samuel D. Rogers
Signature of Landlord
PRE VASSITY DRIVE IN JAC

STATE OF MARYLAND: BALTIMORE COUNTY, TO WIT:
I HEREBY CERTIFY, that on this 2nd day of August 19 1919, being on the
subscriber, a Notary Public of the State and County aforesaid, personally appeared Samuel Pappas
Pres of Varsity Club on his and made affidavit that: CHARLES ADAMS
TH - JAC is the owner of the land described in this application
and that he will abide by the terms of the above agreement; and further, that the matters and facts set
forth in this declaration are true to the best of his knowledge, information and belief.

AS WITNESS, my hand and Notarial Seal.



Egon J. Puck
Notary Public

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 be had; and it further appearing that by reason of _____

a Special Exception (or a should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 196____, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore Count

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that ~~it is not~~ the petitioner for the used car lot has not met the requirements in that the lot on which the used car lot w. ld. be operated is too small for the satisfactory conduct of a used car lot

~~the variance should NOT BE GRANTED~~ the Special Exception should NOT BE GRANTED. The variance to Section 232.2 of the Zoning Regulations to permit a

side and rear yard of 10 feet instead of the required 30 feet. Also, no
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day
of September, 1962, that the Special Exception be granted to the applicant
for the use of the property as a residential use, and the same is hereby conditioned
that the applicant shall comply with the following conditions:
1. The variance requested to permit side and rear yard of 10 feet instead of
the required 30 feet shall be maintained.

Zoning Commissioner of Baltimore County

MICROFILMED

MATZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Soil Technicians
2129 N. Charles St. - Baltimore 18, Maryland
HO 4-75700

DESCRIPTION
AREA FOR SPECIAL EXCEPTION, JOHNNYCAKE ROAD
AND BALTIMORE NATIONAL PIKE, FIRST ELECTION
DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northwest side of Baltimore National Pike (also known as Edmondson Avenue Extended), as called for in the Deed from Beulah Gossnell to Samuel D. Porpora, date November 14, 1932, and recorded among the Land Records of Baltimore County in Liber W. J. R. No. 3922, Folio 491, where said northwest side of Baltimore National Pike is intersected by the southwest side of Johnnycake Road, as widened to 60 feet and shown on the plat attached to and made part of the Deed from Beulah Gossnell to Baltimore County Maryland, dated November 8, 1938 and recorded among said Land Records in Liber W. J. R. No. 3483, Folio 56, and running thence, binding on said southwest side of Johnnycake Road, (1) northwesterly 94 feet, more or less, to a point in the first line of the land first herein referred to, thence with a part thereof, (2) S. 09° 24' W., 94 feet, more or less, to the end of said first line, thence for a line of division, (3) S. 16° 40' E., 100.68 feet to the northwest side of Baltimore National Pike herein referred to and to the beginning of the last line of said first mentioned land, and thence, binding on said northwest side of Baltimore National Pike and on a part of said last line, (4) N. 23° 33' E., 140 feet, more or less, to the place of beginning.



August 22, 1962

Application of Arthur D. Evans, Lessee of Varsity Drive-In, Inc
for temporary permit - 5604 Baltimore National Pike - For
Temporary Office

Application disapproved Aug. 6, 1962

Appeal

Smith & Harrison,
Att. Eugene G. Ricks, Esq.
The Jefferson Building
Towson, Md.

Counsel for applicant

OFFICE OF PLANNING AND ZONING
Inter-Office Correspondence

To: Mr. Charles B. Wheeler, Director
Department of Permits & Licenses
From: John G. Rose
Subject: Disapproval of Application
for Temporary Permit

Temporary permit for building at the northwest corner of Baltimore National Pike and Jockeyeare Road for Varsity Drive-In is **DISAPPROVED** because the land is being used illegally for a Used Car Lot. A temporary permit will be granted only if there is a legitimate temporary use being made of the land for which the temporary permit is requested.

Zoning Commissioner of
Baltimore County

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Fee for Temporary Building: ~~\$20.00~~
~~\$20.00~~ for first 25,000 cubic feet.
 \$1.50 additional for each 5,000 cubic feet or fraction thereof
 Maximum fee shall be ~~\$200.00~~ ^{\$60.00}

AGREEMENT

In consideration of the issuance to of a permit to maintain a temporary or portable building under Section 609 of the Baltimore County Building Code, We hereby agree that the permit shall be granted for a period of days from the date of issue and that upon the expiration of the said period, unless said permit shall be renewed, agree to remove said building at cost and expense, or, if fails to remove the building, County or revocation of such permit agree to remove said building at cost and expense, and that in the event should fail to remove the building within the above stated date of expiration, said period of notice of revocation from the Building Engineer of Baltimore County, said Building Engineer is hereby granted full authority to enter upon premises and remove said building at cost and expense and agree to pay the reasonable fee thereof to Baltimore County, Maryland, and further agree that such sum shall be recoverable from by Baltimore County, Maryland, in any action of debt.

Summit O. Poppera
Signature of Mandator
PRES. VARSITY DRIVE-IN INC

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 3rd day of August 1962, before me, the
 subscriber, a Notary Public of the State and County aforesaid, personally appeared Samuel D. Anger
Samuel D. Anger David L. Dine and made affidavit that Samuel D. Anger
David L. Dine is the owner of the land described in this application,
 and that it will abide by the terms of the above agreement; and further, that the matters and facts set
 forth in this application are true to the best of his knowledge, information and belief.

AS WITNESS, my hand and Notarial Seal



Egon L. Pich

MICROFILMED

TELEPHONE VALLEY 3-3000		BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON 4, MARYLAND		No. 14128 DATE 9/10/62
TO: A & D Motor Sales 5600 Baltimore National Pike Baltimore 26, Md.		BILLED BY: Towing Department of Baltimore County		
DEPOSIT TO AC. INT NO. 01622		DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		
QUANTITY —	Advertising and posting of your property			60.00 600
IMPORTANT: DEPOSITIONS 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.				

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LAW OFFICES

SMITH AND HARRISON

MICHAEL PAUL SMITH
ALEX HARRISON
RICHARD C. MURRAY
GEORGE BARRETT JONES
EUGENE R. MOORE

OCT 9 '62 AM

☐ Bank
☐ Mail
☐ Fed
☐ State
☐ Local

THE JOSEPHSON BLDG
701 N 3RD ST
DANE COUNTY
DANE DEPARTMENT

11:00 AM
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11:00 PM

By 1

October 9, 1962

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

Re: Petition #5628-XV, Varsity Drive-In, Inc
Mr. Commissioner:

Please enter an appeal to the County Board of Appeals from your Order dated September 11, 1962 denying the special exception in the above captioned case.

Attached hereto is a check in the amount of \$70.00 to cover the cost of the appeal.

Very truly yours,

SMITH AND HARRISON

By Eugene G. Ricks
Eugene G. Ricks

EGR + h

Enc.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Towson, Maryland

5628

District 1st Date of Posting 8-22-62

Posted for Special Collection Agency, Ltd. & Mercantile

Petitioner: The Maryland State - Tax, Inc.

Location of property Northwest corner of Johnny cake Rd. and Balt-

more Ave. - Baltimore, Md.

Location of Signs Both signs - Northwest corner of Johnny cake Rd.

and Baltimore National Pike.

Remarks:

Posted by George R. Jernigan, Jr. Date of return 8-23-62

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO John G. Rose, Zoning Commissioner Date August 30, 1962

FROM George E. Gavrelis, Deputy Director

SUBJECT #5628-xv. Special Exception for
Used Car Lot and Variance to permit
a side and rear yard of 10 feet in-
stead of the required 30 feet. North-
west side of Baltimore National Pike and
Southwest side of Johnnyeake Road. Being
property of The Varsity Drive-In, Inc.
1st District

Hearing: Monday, September 10, 1962 (1:30 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for special exception for a used car lot together with variances to the side and rear yard setback requirements. It has the following advisory comments to make with respect to pertinent planning factors:

1. It is the understanding of the planning staff that the subject property is part of yet a larger tract within the same ownership as that of the adjoining drive-in restaurant. It is the further understanding of the planning staff that traffic utilizing the drive-in facilities enters and leaves by means of a driveway through the subject property at Johnnycake Road. From a traffic viewpoint this is desirable, inasmuch as it allows vehicles desiring to travel eastbound on Route 40, southbound on Nursery Lane or northbound on Johnnycake Road to utilize the traffic light at Johnnycake Road and to avoid a potentially hazardous crossover on Route 40 just west of the drive-in.
2. It is to be noted that the proposed used car lot is a separate commercial use on a residential side street and that a subdivision plan, including coordinated access and traffic circulation for the entire ownership has not been approved by the Office of Planning and Zoning. Such plan approval would be dependent upon provision of a 24-foot driveway between the existing drive-in facility and Johnnycake Road which would enter that road radially. Provision of such a driveway to the subject property would be in accordance with the intent of the zoning ordinance to prevent hazardous conglomeration of vehicles between the used car lot and the drive-in uses leaves very little room on which to place a used car sales facility let alone the sales office.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO John G. Ross, Zoning Commissioner Date August 30, 1962

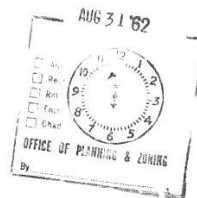
FROM George E. Cavrelis, Deputy Director

SUBJECT. 45628-XV.

page 2

3. From a planning and subdivision viewpoint, the subject property is too small to be developed for used car lot purposes. Provision of adequate access to the entire tract in order safely maintain traffic circulation leaves insufficient room to display vehicles, to erect a sales office within the context of the variance being sought, and to park on the immediate premises vehicles belonging to customers. A used car lot is inappropriate here.

GEG:ad



TELEPHONE
VALLEY 3-3000

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

No. 12863

DATE 6/28/62

To: Messrs. Smith & Harrison
The Jefferson Building
Towson 4, Md.

BILLED BY: Zoning Department of
Baltimore County

01622

DEPOSIT TO ACCOUNT NO.

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

TOTAL AMOUNT	\$50.00
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CON

Petition for Special Exception for The Varsity Drive In

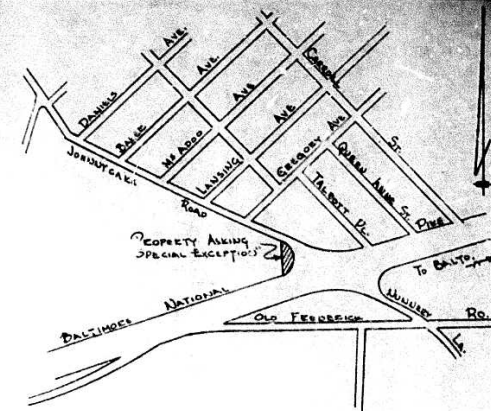
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



#5628x2