

JAMES H. COOK
Appellant
vs.
NATHAN H. KAUFMAN, JR.
G. MITCHELL AUSTIN, and
CHARLES STEINBOCK, JR.,
being and constituting the
COUNTY BOARD OF APPEALS
Appellees

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket

ORDER FOR DISMISSAL

Mr. Clerk:

Will you kindly dismiss the appeal heretofore taken in the above entitled case, costs to be paid by the Appellant.

John B. Howard
John B. Howard
Attorney for Appellant

JAMES H. COOK
Appellant
vs.
NATHAN H. KAUFMAN, JR.
G. MITCHELL AUSTIN, and
CHARLES STEINBOCK, JR.,
being and constituting the
COUNTY BOARD OF APPEALS
Appellees

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket

ORDER OF APPEAL

Mr. Clerk:

Please enter an appeal in the above entitled matter on behalf of James H. Cook, Appellant, who was a party of record before the County Board of Appeals, to the Circuit Court for Baltimore County, from the Opinion and Order dated April 25, 1963 of the said County Board of Appeals entered in case number 5643-V being the application by Valley Green, Inc. for variances to Sections 231.2(c), 232.1, 232.5 and 409.2 of the Baltimore County Zoning Regulations for property located on the south side of Chesapeake Avenue, 77 feet east of Courtland Avenue in the Ninth District of Baltimore County, said Opinion and Order granting the variances petitioned for.

John B. Howard
John B. Howard
Attorney for Appellant

I HEREBY CERTIFY that copy of the within Order of Appeal was served upon the County Board of Appeals by leaving a copy thereof with Edith T. Eisenhart, the Secretary to said Board, this 24th day of May, 1963.

John B. Howard
John B. Howard

RE: PETITION FOR VARIANCE:
to Sections 231.2 (c), 232.1,
232.5 and 409.2 of the
Zoning Regulations
5/5 Chesapeake Avenue, 77'
east of Courtland Avenue
9th District
Valley Green, Inc.,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5643-V

OPINION

This is a petition of Valley Green, Inc. for Variances to Sections 231.2 (c), 232.1, 232.5 and 409.2 of the Baltimore County Zoning Regulations for property located on the south side of Chesapeake Avenue, 77 feet east of Courtland Avenue in the Ninth District of Baltimore County. The property is presently zoned "B-1".

The Board of Appeals is unanimous in its opinion that the variances requested should be granted. Under Section 307 of the Baltimore County Zoning Regulations the Board of Appeals is given the power to grant variances where strict compliance with the zoning regulations would result in practical difficulty or unreasonable hardship.

The variances requested above would enable the petitioner to construct a four-story addition to the present Jefferson Building; a four-story office building located on the southeast corner of Courtland Avenue and Chesapeake Avenue, directly east of the Baltimore County Office Building and south of the Baltimore County Court House.

Variance to Section 231.2 (c) would allow for a height of 55 feet instead of the required height of 50 feet, and would conform with the height of the present Jefferson Building.

Variance to Section 232.1 would allow for a front yard set-back of 9.07 feet instead of the required set-back of 10 feet. This variance would be in line with the existing Jefferson Building and the United States Post Office Building just to the east of the Jefferson Building.

Variance to Section 232.5 would allow for four (4) floors, 46 feet by 108.73 feet, and would be a variance from the new Floor Area Ratio Regulation adopted by the County Council on February 13, 1962. This regulation was not in effect at the time of the construction of the present Jefferson Building.

Variance to Section 409.2 would permit twenty-seven (27) off-street parking places instead of the forty-four (44) places required by the regulations. While the building itself can only produce twenty-seven (27) parking spaces and the regulations require that any land used for parking must be within 500 feet of the building it is intended to serve, the petitioner has acquired the additional seventeen (17) spaces on land operated

by the Baltimore County Revenue Authority, located approximately 525 feet from the Jefferson Building.

It is quite clear from the above that strict compliance with these regulations would result in practical difficulty and unreasonable hardship, and that the petitioner is entitled to the variances requested in this application.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 25th day of April, 1963 by the County Board of Appeals, ORDERED that the variances petitioned for, be and the same is hereby granted.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Nathan H. Kaufman
NATHAN H. KAUFMAN, JR.
CHAIRMAN

G. Mitchell Austin
G. MITCHELL AUSTIN

Charles Steinbock
CHARLES STEINBOCK, JR.

RE: PETITION FOR VARIANCES TO
SECTIONS 231.2(c), 232.1,
232.5 and 409.2 of the
Zoning Regulations - SS
Chesapeake Avenue, 77' E. of
Courtland Avenue, 9th Dist.
Valley Green, Inc.,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5643-V

PETITION

The petition of Valley Green, Inc., respectfully represents:

1. That at the public hearing before the Zoning Commissioner of Baltimore County, your Petitioner presented evidence consisting of testimony of the Deputy Director of Planning and a professional architect and engineer.
2. That thereafter your Petitioner received a copy of the Opinion and Order of the Zoning Commissioner herein which denied one of the four variances sought although said opinion flatly stated that it would be "a logical and proper thing to build the proposed building so that it would fit in harmoniously with the existing Jefferson Building" but the Order denied one of the requested variances and rendered it a literal impossibility to construct what the Zoning Commissioner found to be a logical and proper building.
3. That in denying one of the said variances the Opinion stated that the Petitioner did not allege that approximately 44 parking spaces are required. However, the professional architect and engineer who testified for the Petitioner directly testified to this fact at said public hearing.
4. That the only other matters and facts set forth in said Opinion denying a part of the petition consist solely of

matters which were not presented at the hearing before the Zoning Commissioner and consequently as to which it had no opportunity of cross examination or rebuttal; that in the case of Termin v. Board of Zoning Appeals, 205 Md. 489, the Court of Appeals of Maryland flatly held that the zoning authorities may not consider matters or facts not admitted in evidence at the time of the hearing and thus deprive a party of the opportunity to challenge the same and as a result in said case remanded the same for further proceedings; that it is respectfully submitted that in order to prevent needless appeals and needless remands of this case that the same should be reconsidered by the Zoning Commissioner upon one of the following bases:

- (a) That the said matter should be reconsidered and redetermined by the Zoning Commissioner without respect to any personal knowledge of the zoning officials or other public officials and without respect to any matters and facts of any kind not publicly stated at the time of the original hearing; or
- (b) That if said matters and facts are to be considered, the Petitioner alleges in reply thereto the following:

- (1) That your Petitioner was and still is prepared to lease up to 50 spaces from the Baltimore County Revenue Authority but that it is impractical if not impossible, to do so unless and until the needs of tenants are definitely known and established, and with respect to any new structure, the nature of said tenants and their requirements are presently completely unknown; that in fact your Petitioner has already leased 20 parking spaces from the Baltimore County Revenue Authority and will lease the balance if and when necessary for the use of particular tenants.

- (2) That the said opinion recognizes, as did the comments of the Office of Planning and Zoning, that the parking problems in the general area are common to the Towson area and can only be solved by an "over all parking plan for the Towson Court House area" which has not yet been accomplished by the public officials; that in considering the over-all parking problem and the fact that the same can only be solved by the public officials, consideration must be given to the fact that one-fourth of the space of the present structure is occupied for use by public departments of the County and that all of the employees therein presumably have parking permitted on various County-owned lots, and specifically 15 parking spaces were used by the Department of Health on a publicly owned lot, and since that Department is now located in the existing Jefferson Building those parking spaces have been turned over to another County department presumably relieving parking in the primary publicly owned lot at the southwest corner of Susquehanna and Baltimore Streets; that public employees occupy approximately 16,790 square feet of the existing structure and applying the regulations with respect thereto, would ordinarily require 33 parking spaces and said spaces must have already been obtained and used when those persons worked at other locations, or if said spaces were not already available, then the County itself is directly contributing to the problem found by the Office of Planning and Zoning to require over-all solution by the County.

- (3) That consideration must be given to the fact that the property for which a variance was sought can be sold and transferred, and under the uncontradicted testimony, if any separate use is attempted to be made of said property, it is impossible to provide parking thereon since it has no access except to a major artery and ramps would be required to be built leading into Chesapeake Avenue thus leaving insufficient space for any feasible building construction.

- (4) That considering the existing structure together with the additional lot applied for, the opinion is erroneous in claiming that there is a shortage of 109 spaces for the following reasons: a variance was granted for the original structure to permit 54 spaces and the variance sought for the new structure is to permit 27 spaces and there must be added to these figures the agreement to lease, as the occasion arises, up to 50 spaces from the Baltimore County Revenue Authority plus 15 parking spaces previously used by the Department of Health, so that the total number of available spaces would be 146 and the so-called "shortage" would be 44 instead of a shortage of 109 spaces as erroneously found by the Commissioner.

- (5) That the variance sought for the new structure would be for 27 spaces in lieu of 44 spaces or a variance of 17; that consideration must be given to the fact that one of the existing tenants formerly occupied 15 public spaces, which was a fact not known at the hearing on the original structure; as a result the actual shortage for the new structure, taking such fact into consideration, would merely be 2 less parking spaces than required by a

literal application of the Zoning Regulations.

WHEREFORE your Petitioner prays that the matters herein be reconsidered and determined either on the basis of the evidence solely before the said Commissioner, or, in the alternative, upon the basis of the foregoing with respect to those matters as to which your Petitioner had no opportunity of cross examination and presentation of evidence at the time of the original hearing.

R.C. Murray
Richard C. Murray
Attorney for Petitioner
Jefferson Building
Towson 4, Maryland Va 3 6200

I hereby certify that copy of the within Petition was mailed this 8th day of October, 1962 to L. Robert Evans, Esq.,
Masonic Building, Towson 4, Maryland, Attorney for Louis M. Machacek.

R.C. Murray
Richard C. Murray
Attorney for Petitioner

PETITION FOR VARIANCES
TO SECTIONS 231.2(c);
231.1; 232.5 and 409.2
of the Zoning Regulations
S.S. Chesapeake Avenue,
77' East of Courtland Avenue
9th District
Valley Green, Inc.,
Petitioner

APPEAL TO COUNTY BOARD OF APPEALS

Honorable John G. Rose,
Zoning Commissioner
of Baltimore County:

Louis M. Machacek, protestant, by L. Robert Evans, his attorney, hereby enters his appeal to the County Board of Appeals from the following Orders and decisions of the Zoning Commissioner of Baltimore County, viz: the Order and decision dated October 2, 1962 and the Order and decision dated October 23, 1962, in the above entitled cause.

Dated: October 25, 1962

L. Robert Evans
L. Robert Evans
Attorney for Louis M. Machacek
Masonic Building
Towson 4, Maryland

cc: County Board of Appeals

L. ROBERT EVANS
ATTORNEY AT LAW
TOWSON, MARYLAND

Item 2 noted that the Zoning Commissioner "flatly stated that it would be a logical and proper thing to build the proposed building so that it would fit in harmoniously with the existing Jefferson Building".

It is obvious in observing the proposed site that the Jefferson Building was so constructed that the proposed site would eventually be used for expansion of the Jefferson Building.

This does not mean that the new building can be built without providing for the parking spaces, a need for which this building will create.

As to Item 3, it is agreed that the required number of parking spaces is forty four.

Item 4 quotes Tomaski vs Board of Zoning Appeals 205 Md. 469. In that case the Board of Zoning Appeals was not satisfied with expert testimony, but went out and measured some points on the ground themselves.

In the case of Kracke v. Weinberg, 197 Md. 346, Judge Moser made a personal observation of the property in the company of counsel and he said he was convinced that it was not practical from a financial point of view to use the property for residential purposes, that there was no change in conditions since it was zoned commercial that warranted its rezoning and there was no showing of any public good that demanded its reclassification.

It will be noted that while counsel went along there is no mention of cross examination.

In the case now before the Zoning Commissioner the petitioner's attorney is referring to information in Zoning Petition No. 1870-V concerning testimony of Gerson Bonnett, of Bonnett & Brandt, who testified in both the Jefferson Building matter and the present petition. This information is contained in the Zoning Commissioner's written opinion dated February 10, 1960. Said opinion was and is available to counsel.

The one other witness appearing for Valley Green, Inc., Mr. George Gervais, Deputy Director of Planning, contributed very little information in the matter, The petition then goes on to plead for the granting of the parking variance.

L. Robert Evans, Esq., Attorney for Louis M. Machacek answered Valley Green, Inc.'s petition and in general agreed with Valley Green, Inc.

These were the only parties in the case and these two petitions will be attached to and made a part of the amended order.

In spite of the statements set forth in the petition the parking situation created by the Jefferson Building and the proposed building is not satisfactory; however, the proposed renewal of Towson proper has not advanced enough to force the petitioner to do any more than others in the immediate Towson area have done so that the petition for a variance to permit 27 spaces instead of 44 is granted.

Date: *Oct 23, 1962*

J. G. Rose
Zoning Commissioner of
Baltimore County

A. GORDON BOONE
JAMES H. COOK
JOHN E. MUDD
JOHN H. HOWARD

BOONE AND COOK
ATTORNEYS AT LAW



November 20, 1962

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

Re: Petition for Variances to Sections 231.2 (c); 232.1; 232.5 and 409.2 of the Zoning Regulations - S.S. Chesapeake Avenue 77' E. of Courtland Ave., 9th Dist., Valley Green, Inc., Petitioner No. 5643-V

Dear Mr. Rose:

Will you kindly enter an appeal on my behalf from your Order dated October 23, 1962 granting the variance for parking in the above case.

Very truly yours,

James H. Cook
James H. Cook

RE: PETITION FOR VARIANCES TO
SECTIONS 231.2 (c); 232.1;
232.5 and 409.2 of the
Zoning Regulations - S.S.
Chesapeake Ave., 77' E. of
Courtland Ave., 9th District -
Valley Green, Inc.,
Petitioner

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5643-V

The petitioner has requested four variances so that a building may be constructed on the south side of Chesapeake Avenue and Courtland Avenue. This is apparently going to be a part of an existing building known as the Jefferson Building. Mr. Gerson Bonnett of the firm of Bonnett & Brandt, Architects and Engineers, testified that an opening will be cut in the wall from the existing building to the proposed building and that cars will be parked in the basement of the proposed building, including the driveways in the building.

It would appear a logical and proper thing to build the proposed building so that it would fit in harmoniously with the existing Jefferson Building, therefore, three out of the four requested variances should be granted.

The request for a variance from Section 409.2 to permit 27 offstreet parking spaces is due more consideration.

Henry Adams once remarked that "No one means all he says, and yet very few say all they mean".

The minimum parking required is approximately 44 spaces as opposed to a request for 27. The petition does not mention this.

RE: PETITION FOR VARIANCES TO
SECTIONS 231.2 (c); 232.1;
232.5 and 409.2 of the
Zoning Regulations - S.S.
Chesapeake Avenue 77' E. of
Courtland Ave., 9th Dist.,
Valley Green, Inc.,
Petitioner

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5643-V

Valley Green, Inc., filed a petition requesting four variances so that a building could be constructed on the south side of Chesapeake Avenue 77 feet east of Courtland Avenue. On October 2, 1962 all the variances were granted but one. A variance to permit 27 off-street parking spaces was denied.

The Court of Appeals of Maryland in Carney vs City of Baltimore 137 Md. 130, had the following to say:

"The expression 'practical difficulties or unnecessary hardships' means difficulties or hardships which are peculiar to the situation of the applicant for the permit and are not necessary to carry out the spirit of the ordinance and which are of such a degree of severity that their existence amounts to a substantial and unnecessary injustice to the applicant. Exceptions on the ground of 'practical difficulties or unnecessary hardships' should not be made except where the burden of the general rule upon the individual property would not, because of its unique situation and the singular circumstances, serve the essential legislative policy, and so would constitute an entirely unnecessary and unwarranted invasion of the basic right of private property. See City of Baltimore, 135 Md. 395, 73 A. 2d 401; Heffernan v. Zoning Board of Review, 50 R.I. 26, 144 A. 671; Potts v. Board of Adjustment of Princeton, 133 N. J. L. 230, 43 A. 2d 650".

On October 8, 1962 the attorney for the petitioner filed a petition with the Zoning Commissioner setting forth matters that apparently were not made clear at the hearing.

The petition for a variance in regard to parking for the building now known as the Jefferson Building was more forthright and a request was made for 54 spaces instead of 146 spaces.

The result is that the two buildings will operate side by side with a shortage of 109 parking spaces.

Mr. Gerson Bonnett was the petitioner's witness at both hearings. At the first hearing Mr. Bonnett stated that one-half of the first floor would be a bank and the other half a financial agency. One floor would hold IBM equipment and six employees. Another floor would have a Regional Accounting Office for a large firm and that there would be long term leases for fifteen years.

The bank is there, but occupancy of the other portion of the building has turned out quite differently. There are people instead of machines and people need a place to park their cars.

Mr. Bonnett in testimony concerning the Jefferson Building said that in view of the proposed use and based on experience with other buildings 53 extra parking spaces would be sufficient and the petitioner would consider leasing 50 spaces from the Baltimore County Revenue Authority. Actually 20 automobile parking spaces were rented from the Revenue Authority for a term of five years.

In the Zoning Commissioner's Opinion of February 10, 1960 in the matter of what is known as the Jefferson Building, it was noted that "if future parking difficulties arise, these difficulties must be worked out in an overall parking plan for the Towson Court House area".

In the instant case the Office of Planning and Zoning commented "with respect to parking, the petition should show to what extent, if any, arrangements will be made to provide or to use currently available offstreet parking spaces elsewhere".

There has been no solution to the parking problem in the Court House area and none was proposed at the hearing on September 27, 1962.

For the following reasons it is this 2nd day of October, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the following variances should be and the same are hereby granted:

1. A variance from Section 211.2 (c) in order to permit a building height of 55 feet along the east property line;
2. A variance from Section 232.1 to permit a setback of 9.07 feet from the front property line in lieu of 10 feet; and
3. A variance from Section 232.5 to permit construction of 4 floors, 16 x 108.73 feet and has most parking area of the same dimension.

The variance to Section 409.2 to permit 27 offstreet parking spaces is DENIED.

[Signature]
Zoning Commissioner
of Baltimore County

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Valley Green, Inc., 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, variances for the following:
hereby petition for variances from the following:
(1) A variance from Section 231.2(c) in order to permit a building height of 55 feet along the east property line;
(2) A variance from Section 409.2 to permit 27 offstreet parking spaces;
(3) A variance from Section 232.1 to permit a setback of 9.07 feet from the front property line in lieu of 10 feet;
(4) A variance from Section 232.5 to permit construction of 4 floors, 16 feet x 108.73 feet and basement parking area of the same dimension.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
Parcel is adjacent to existing office building having an approved height of 55 feet and lot is of insufficient size to comply fully with height and parking requirements without hardship or practical difficulty. Setback as requested would be in line with existing structure. Section 232.5 of the regulations pertaining to floor area ratio was adopted since construction of existing building on adjacent parcel.

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Valley Green, Inc.	Contract purchaser
By <i>[Signature]</i> President Legal Owner	Address: 16 Park Avenue Baltimore 1, Maryland
Smith & Harrison Petitioner's Attorney	Protestant's Attorney
The Jefferson Building Towson 4, Md., VA 3 6200	

ORDERED by The Zoning Commissioner of Baltimore County, this 10th day of October, 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, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County on the 10th day of September, 1962 at 1:00 o'clock P. M.

[Signature]
Zoning Commissioner of Baltimore County

TELEPHONE VALLEY 3-3000	BALTIMORE COUNTY, MARYLAND	No. 14279
	OFFICE OF FINANCE	DATE 11/21/62
	Division of Collection and Receipts	
	COURT HOUSE	
	TOWSON 4, MARYLAND	

TO: James H. Corky, Esq.,
305 West Chesapeake Avenue,
Towson 1, Maryland

BILLED BY: Office of Planning & Zoning
County Office Building
Towson 1, Md.

DEPOSIT TO ACCOUNT NO. 01.622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		Cost of appeal in matter of petition of <u>Valley Green, Inc.</u>	\$35.00
		No. 5643-V	
			\$5.00

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.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 9-5-62 #5643

Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: *[Signature]*
Location of Sign: *[Signature]*

Remarks: *[Signature]*
Posted by: *[Signature]* Date of return: 9-6-62

Page 2. June 20, 1962.

DESCRIPTION OF NO. 103 WEST CHESAPEAKE AVENUE, TOWSON, BALTIMORE COUNTY, MARYLAND.

(Continued)

folio 887, was conveyed by Walter C. Kylander, et al. to Towson Ford Sales, Inc., thence binding on said second line North 82 Degrees 40 Minutes 40 Seconds East 46.60 feet to the beginning of the third line of the land first herein referred to, and to intersect the first line of the land which by Deed dated June 4, 1947, and recorded among the aforesaid Land Records in Liber J.W.B. No. 1566, folio 244, was conveyed by Ferdinand H. Olson to Towson Ford Sales, Inc., and running thence and binding on said third line of the land first herein referred to and reversely on part of the first line of the land last herein mentioned, North 7 Degrees 19 Minutes 20 Seconds East 108.73 feet to the place of beginning. Containing 0.1107 acres more or less.



RD:LEH.

114 W. 28th Street
Baltimore 18, Md.

June 20, 1962.

DESCRIPTION OF NO. 103 WEST CHESAPEAKE AVENUE, TOWSON, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point on the South side of West Chesapeake Avenue 90 feet wide at the distance of 77.25 feet measured Easterly along the South side of West Chesapeake Avenue from the East side of Courtland Avenue, said point being at the beginning of the last line of the land which by Deed dated November 21, 1950, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3458, folio 986, was conveyed by Henry A. Kylander, et al. to The Gulshan Corporation, and running thence and binding on the South side of West Chesapeake Avenue and on the last line of said land, as now surveyed, and referring the course of this description to the Baltimore County Grid Meridian, South 32 Degrees 40 Minutes 40 Seconds East 46.61 feet to an iron pipe set at the beginning of the first line of said land, thence leaving West Chesapeake Avenue and binding on said first line, and for a part of the distance along the West face of an 8-inch concrete wall, South 7 Degrees 01 Minute 50 Seconds East 108.73 feet to the beginning of the second line of said land, which is also the second line of the land which by Deed dated May 24, 1950, and recorded among the aforesaid Land Records in Liber T.B.S. No. 1842,

TELEPHONE VALLEY 3-3000	BALTIMORE COUNTY, MARYLAND	No. 14229
	OFFICE OF FINANCE	DATE 10/25/62
	Division of Collection and Receipts	
	COURT HOUSE	
	TOWSON 4, MARYLAND	

TO: L. Robert Evans, Esq.,
Masonic Building
Towson 1, Md.

BILLED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson 1, Md.

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		Cost of Appeal - <u>Valley Green, Inc.</u>	\$70.00
		No. 5643-V	
			\$70.00

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.

TELEPHONE VALLEY 3-3000	BALTIMORE COUNTY, MARYLAND	No. 12917
	OFFICE OF FINANCE	DATE 7/10/62
	Division of Collection and Receipts	
	COURT HOUSE	
	TOWSON 4, MARYLAND	

TO: Messrs. Smith & Harrison
The Jefferson Building
Towson 1, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO. 01.622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		Petition for a Variance for Valley Green, Inc.	25.00
			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.

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 19, 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., under contract of 1 year, commencing on the 19th day of September, 1962, the first publication appearing on the 19th day of September, 1962.

THE JEFFERSONIAN,
[Signature]
Manager.

Cost of Advertisement, \$.....

PETITION FOR A ZONING VARIANCE

ZONING Petition for a Variance from Section 22.2 (d) in order to permit a building height of 18 feet along the east property line; & A Variance from Section 22.2 (d) to permit 57 off-street parking spaces; & A Variance from Section 22.1 (b) to permit a front property line, and a Variance from Section 22.2 (d) to permit construction of 4 floors 48 feet x 108.75 feet and basement parking area of the same dimension.

LOCATION: South side of Chesapeake Avenue 7122 feet East of Courtland Avenue.

DATE & TIME: THURSDAY, SEPTEMBER 27, 1962 at 1:00 P.M.

PUBLIC HEARING: Room 106, 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 give public hearing:

Concerning all that parcel of land in the North District of Baltimore County.

Beginning for the same at a point on the South side of West Chesapeake Avenue 80 feet to the East of Courtland Avenue and at the distance of 7122 feet measured Easterly along the South side of West Chesapeake Avenue from the East side of Courtland Avenue, said point being at the beginning of the last line of the land which by Deed dated November 21, 1956, and recorded among the Land Records of Baltimore County in Liber G.L.R. No. 2422, folio 926,

was conveyed by Henry A. Mylander, et al. to The Calson Corporation, and running thence and binding on the South side of West Chesapeake Avenue and on the last line of said land, as now surveyed, and referring to the Baltimore County Grid, Meridian, South 82 Degrees 40 Minutes 40 Seconds East 6211 feet to an iron pipe set at the beginning of the first line of said land, thence leaving West Chesapeake Avenue and binding on said first line, and for a part of the distance along the West face of an 8-foot concrete wall South 7 Degrees 01 Minute 10 Seconds West 108.75 feet to the beginning of the second line of said land, which is also the second line of the land which by Deed dated May 21, 1960, and recorded among the aforesaid Land Records in Liber T.B.R. No. 1842, folio 527, was conveyed by Walter C. Mylander, et al. to Towson Ford Sales, Inc., thence binding on said second line North 82 Degrees 40 Minutes 40 Seconds West 42.68 feet to the beginning of the third line of the land first herein referred to, and to intersect the first line of the land which by Deed dated June 1, 1947, and recorded among the aforesaid Land Records in Liber J.W.D. No. 1568, folio 244, was conveyed by Frank H. Ossen to Towson Ford Sales, Inc., and running thence and binding on the third line of the land first herein referred to and reversely on part of the first line of the land last herein mentioned, North 7 Degrees 19 Minutes 29 Seconds East 108.75 feet to the place of beginning.

Containing 0.1157 acres more or less.

Being the property of Valley Green, Inc. as shown on plat plan filed with the Zoning Department.

By Order of JOHN G. H. JR. Zoning Commissioner of Baltimore County.

Sept. 7

OFFICE OF

THE BALTIMORE COUNTION

THE COMMUNITY NEWS THE COMMUNITY PRESS
Ridgely, Md. Dundalk, Md.

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue CATONVILLE, MD.

September 11, 1962.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTION, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One Week ~~xxxxxxxxxxxxxx~~ before the 11th day of September, 1962, that is to say the same was inserted in the issues of

September 7, 1962.

THE BALTIMORE COUNTION

By *Paul J. Morgan*
Editor and Manager

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

No. 14167

DATE 9/25/62

To: Messrs. Smith & Harrison
The Jefferson Building
Towson 10, Md.

Zoning Department of
Baltimore County

BILL TO

01622

551.00

DEPOSIT TO ACCOUNT NO.

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

CONT

QUANTITY

Advertising and posting of property for Valley Green, Inc.

51.00-

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.

CERTIFICATE OF POSTING **ZONING DEPARTMENT OF BALTIMORE COUNTY** **Towson, Maryland**

District *gen*

Date of Posting *3-9-63*

Posted to: *Variances to Sections 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 22.10, 22.11, 22.12, 22.13, 22.14, 22.15, 22.16, 22.17, 22.18, 22.19, 22.20, 22.21, 22.22, 22.23, 22.24, 22.25, 22.26, 22.27, 22.28, 22.29, 22.30, 22.31, 22.32, 22.33, 22.34, 22.35, 22.36, 22.37, 22.38, 22.39, 22.40, 22.41, 22.42, 22.43, 22.44, 22.45, 22.46, 22.47, 22.48, 22.49, 22.50, 22.51, 22.52, 22.53, 22.54, 22.55, 22.56, 22.57, 22.58, 22.59, 22.60, 22.61, 22.62, 22.63, 22.64, 22.65, 22.66, 22.67, 22.68, 22.69, 22.70, 22.71, 22.72, 22.73, 22.74, 22.75, 22.76, 22.77, 22.78, 22.79, 22.80, 22.81, 22.82, 22.83, 22.84, 22.85, 22.86, 22.87, 22.88, 22.89, 22.90, 22.91, 22.92, 22.93, 22.94, 22.95, 22.96, 22.97, 22.98, 22.99, 23.00*

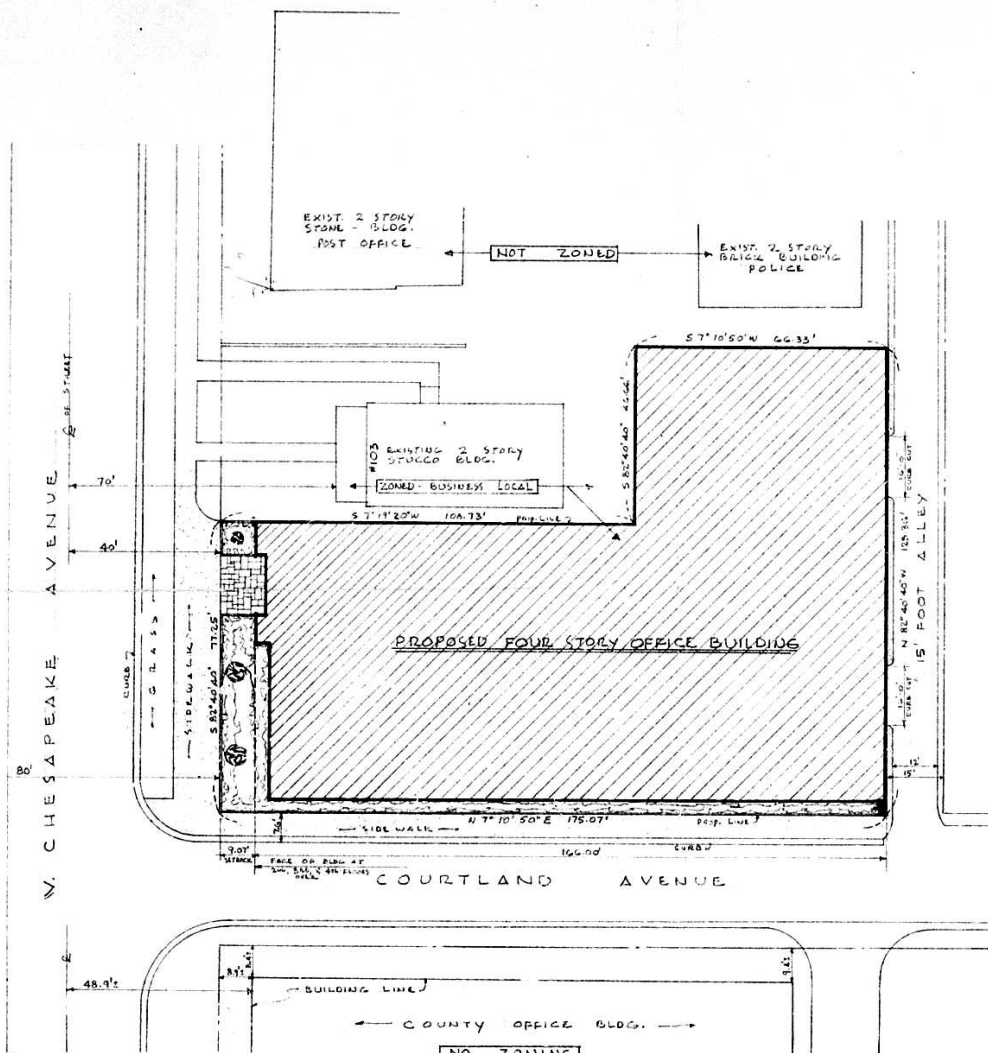
Petitioner: *Valley Green, Inc.*

Location of property: *S/S Chesapeake Ave., N. East of Courtland Ave.*

Location of Sign: *7122 ft. S/S*

Remarks: *See map*

Posted by *J. Morgan* Signature Date of return *3-14-63*



ZONED RESIDENTIAL

NOTES :

ELECTION DISTRICT	:	NINTH
AREA OF PROPERTY	:	16887 sq. ft. .38 ACRES
EXIST. USE OF PROPERTY	:	AUTO AGENCY
PROPOSED USE OF PROPERTY	:	4 STORY OFFICE BLDG.
PRESENT ZONING	:	BUSINESS LOCAL
PROPOSED ZONING	:	BUSINESS LOCAL

SITE PLAN

SCALE: 1" = 20'-0"

THE JEFFERSON BUILDING
105 CHESAPEAKE AVENUE
TOWSON, MARYLAND
S. L. HAMMERMAN ORGANIZATION, INC., OWNER



BONNETT and BRANDT
ARCHITECTS and ENGINEERS
701 CATHEDRAL STREET
BALTIMORE, MARYLAND

DATE NOV-20-59	SCALE AS NOTED	DRAWING 100
REVISED	JOB No. 236	

WEST CHESAPEAKE AVENUE

(80 FT WIDE)

MACADAM PAVING

8" WATER

MAPLE
TREE

0" WATER
METER
PLANT AREA

CONCRETE WALK

1st Line GLB 3452-026
582°40'40"E 46.11'

2nd Line GLB 3452-026

CROSS CUT

AREA WHERE FORMERLY STOOD
A ONE STORY STUCCO & GINGER BLOCK
BUILDING

108.73'

N 7°19'20"E

PORCH

103

2 STORY
STUCCO
BUILDING

2ND FL. POR.

20.4'

FIRE ESC.

10.5' x 8.5'

PIPE 0.11' N. OF LINE

N 82°40'40"W 46.66'

2nd Line GLB 3452-026

2nd Line TBS 1842-527

5 FT BASEMENT
AS MAY BE RELOCATED
REFERRED TO
TBS 1842-527

Title References:

1. Henry A. Mylander and Margaret M. Mylander
et al. to The Culpean Corporation,
November 21, 1953 GLB 3452-026.
2. Ferdinand H. Onnen to Towson Ford
Sales Inc. June 4, 1947 JWB 1566-244.
3. Walter C. Mylander et al. to Towson
Ford Sales, May 24, 1950 TBS 1842-527.

NOTE CONCRETE AREAS
ARE SHADED.

OUTLINE & TOPOGRAPHIC SURVEY

*103 WEST CHESAPEAKE AVE.

TOWSON - BALTIMORE CO. - MARYLAND



REVISED: 7/2/62

DAVID W. POHMER
SURVEYOR & CIVIL ENGINEER

833 Park Avenue, Baltimore 1, Md.
Scale: 1" = 20' Issued: 11-15-60.

Drawn by

Checked by

Date 11/15/60

DAVID W. POHMER 1960 654285

20'

