

5860-V PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Richard M. O'Pfer, 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 for a Variance from Section 217.7, Requesting 10' side yard instead of 25' and 36' height at 10' from section line instead of 30' at 10' required; and to permit 47' height at 30' from section line instead of the required 40' feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: Practical difficulty and unreasonable hardship due to unsuitable topography of the land to build apartments within the strict framework of the Zoning Regulations

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
Richard M. O'Pfer
Address: 24 W. Pennsylvania Ave.,
Towson 4, Maryland

William S. Baldwin, Petitioner's Attorney
Address: 24 W. Pennsylvania Ave.,
Towson 4, Maryland

ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of March, 1963, 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 held before the Zoning Commissioner of Baltimore County at 106, County Office Building in Towson, Baltimore County, on the 29th day of May, 1963, at 10:00 o'clock A.M.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Brown, Zoning Commissioner Date: May 17, 1963

FROM: Mr. George E. Cavrello, Deputy Director

SUBJECT: #266-7, Variance to permit 107 apartment units instead of required 61; a 10 foot side yard from section line instead of 25 feet; and 36 feet height at 10 feet from section line instead of 30 feet; and to permit 47 feet height at 30 feet from Edgerton Road instead of required 40 feet. Northeast corner of Joppa Road and Edgerton Road, being property of Richard M. O'Pfer.

5th District
HEARING: Wednesday, May 29, 1963 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Variance to the density and setback requirements of the R-4 zone. It has the following advisory comments to make with respect to pertinent planning factors:

- The Planning staff does not have sufficient information concerning the allegations of the petitioner with respect to the conditions of unreasonable hardship or practical difficulty which might justify the variances being sought. The Planning staff asks simply, these questions -
 - Can the property be developed in strict conformity with the R-4 zone standards?
 - Will an increase of 46 units tend to overcrowd land or cause undue concentration to population?
 - Will the increase in density being sought conform with the spirit and intent of the Zoning Regulations?
 - Exactly what is the petitioner proposing to do anyway?

5860 CERTIFICATE OF PUBLICATION

TOWSON, MD. This is to certify that the annexed advertisement was published in THE COUNTY NEWS WEEK, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks before the 29th day of May, 1963, the first publication appearing on the 19th day of May, 1963.

THE COUNTY NEWS WEEK

5860-V

RECEIVED

OFFICE OF PLANNING & ZONING

BALTIMORE COUNTY, MARYLAND

MAY 29 1963

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 And 102A-110-10-200-102 variances are requested which result in practical difficulty and unreasonable hardship upon the petitioner and the variances will give relief to the petitioner without substantial injury to the public health, safety and the general welfare of the locality involved, therefore,

the above Variance should be had; and the petitioner does agree that the same will be used for the purpose intended and will not be used for any other purpose.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12th day of July, 1963, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, as described as above, subject to approval of site plan by Bureau of Public Services and the Office of Planning and Zoning.

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 following finding of facts And 102A-110-10-200-102 variances are requested which result in practical difficulty and unreasonable hardship upon the petitioner and the variances will give relief to the petitioner without substantial injury to the public health, safety and the general welfare of the locality involved, therefore,

the above Variance should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of July, 1963, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Description to Accompany
Petition for Zoning Variance
Towson Estates

March 18, 1963

Beginning for the first at a point on the east side of Center Road 50.00 feet wide, said point of beginning being the northwest corner of Lot 3, Block C as shown on a plat entitled "Section II Resubdivision of Towson Estates" recorded among the Plat Records of Baltimore County in Liber G.L.B. 75, folio 55, and running thence binding on the north side of said Lot 3, Block C as now surveyed, South 72° 41' 19" East 142.88 feet, thence South 17° 18' 41" West, binding for part of the distance on the east side of Lots 3, and 2, Block C, as now surveyed in all 210.50 feet to intersect the north side of Joppa Road as now widened, thence binding on said north side of Joppa Road as now widened North 64° 56' 08" West 118.38 feet, thence North 29° 30' 48" West 37.04 feet, to intersect the said east side of Center Road, thence binding on said east side of Center Road as now surveyed the two following courses and distances viz: first northeasterly along a curve to the left with a radius of 512.01 feet, for a distance of 21.70 feet, said curve being subtended by a chord bearing North 18° 31' 48" East 21.78 feet, and second North 17° 18' 41" East 147.45 feet to the place of beginning.

Containing 0.657 acres of land more or less.

Beginning for the second at a point on the west side of Center Road 50 feet wide said point of beginning being the northeast corner of Lot #11, Block D, as shown on the above mentioned plat of Towson Estates and running thence binding on the west side of said Center Road as now surveyed the two following courses and distances viz: first South 17° 18' 41" West 169.00 feet and second along a curve to the right with a radius of 462.01 feet for an arc distance of 14.09 feet said curve being subtended

Description to Accompany
Petition for Zoning Variance
Towson Estates

March 18, 1963
Sheet 2

by a chord bearing South 18° 11' 06" West 14.09 feet, thence South 70° 09' 00" West 31.62 feet to the north side of Joppa Road as widened, thence binding on the north side of said Joppa Road the two following courses and distances viz: first North 64° 56' 08" West 151.73 feet and second along a curve to the left with a radius of 10,137.10 feet for an arc distance of 300.72 feet said curve being subtended by a chord bearing North 65° 47' 87" West 300.71 feet, thence North 38° 09' 20" West 36.03 feet to the east side of Edgerton Road 50 feet wide, thence binding on the east side of said Edgerton Road the four following courses and distances viz: first North 23° 09' 11" East 4.66 feet, second along a curve to the left with a radius of 693.21 feet for an arc distance of 104.52 feet said curve being subtended by a chord bearing North 18° 50' 00" East 104.43 feet, third North 14° 30' 50" East 26.51 feet and fourth along a curve to the right with a radius of 75.00 feet for an arc distance of 123.74 feet said curve being subtended by a chord bearing North 61° 46' 50" East 110.18 feet to the south side of Edgerton Road as widened to 50 feet thence binding on the south side of Edgerton Road as widened South 70° 57' 10" East 312.57 feet to the east side of Lot #9, Block D on said plat of Towson Estates, thence binding on part of the east side of said Lot #9, as now surveyed South 17° 42' 09" West 78.72 feet thence along the north side of the above mentioned Lot #11 as now surveyed South 72° 17' 55" East 112.94 feet to the place of beginning.

Containing 2.710 acres of land more or less.

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

No. 17811
DATE 5/29/63

TO: Edgmont Apartments
24 W. Penna. Ave.
Towson 4, Md.

BY: Zoning Department of
Baltimore County

01622

QUANTITY	DEBIT TO ACCOUNT NO.	DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	Advertising and posting of property for Richard O'Pfer #5860-7		\$60.00
			\$0.00
			\$60.00

PAID - Balance a County bill - G.L.B. of Finance

3-2963 9237 * * * TIL =

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
Posted for: Hearing, Wed May 29, 63 at 10:00 AM
Petitioner: Richard W. O'Pfer
Location of property: NE corner of Joppa Rd and Edgerton Rd
Location of sign: Opp 46' from Edgerton Rd and Ave 30' W on E. property sign facing Joppa Rd on an angle
Remarks: Richard A. Bull
Posted by: Richard A. Bull
Date of return: 5/29/63

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

No. 16520
DATE 5/21/63

TO: Edgmont Apartments
24 W. Penna. Ave.
Towson 4, Md.

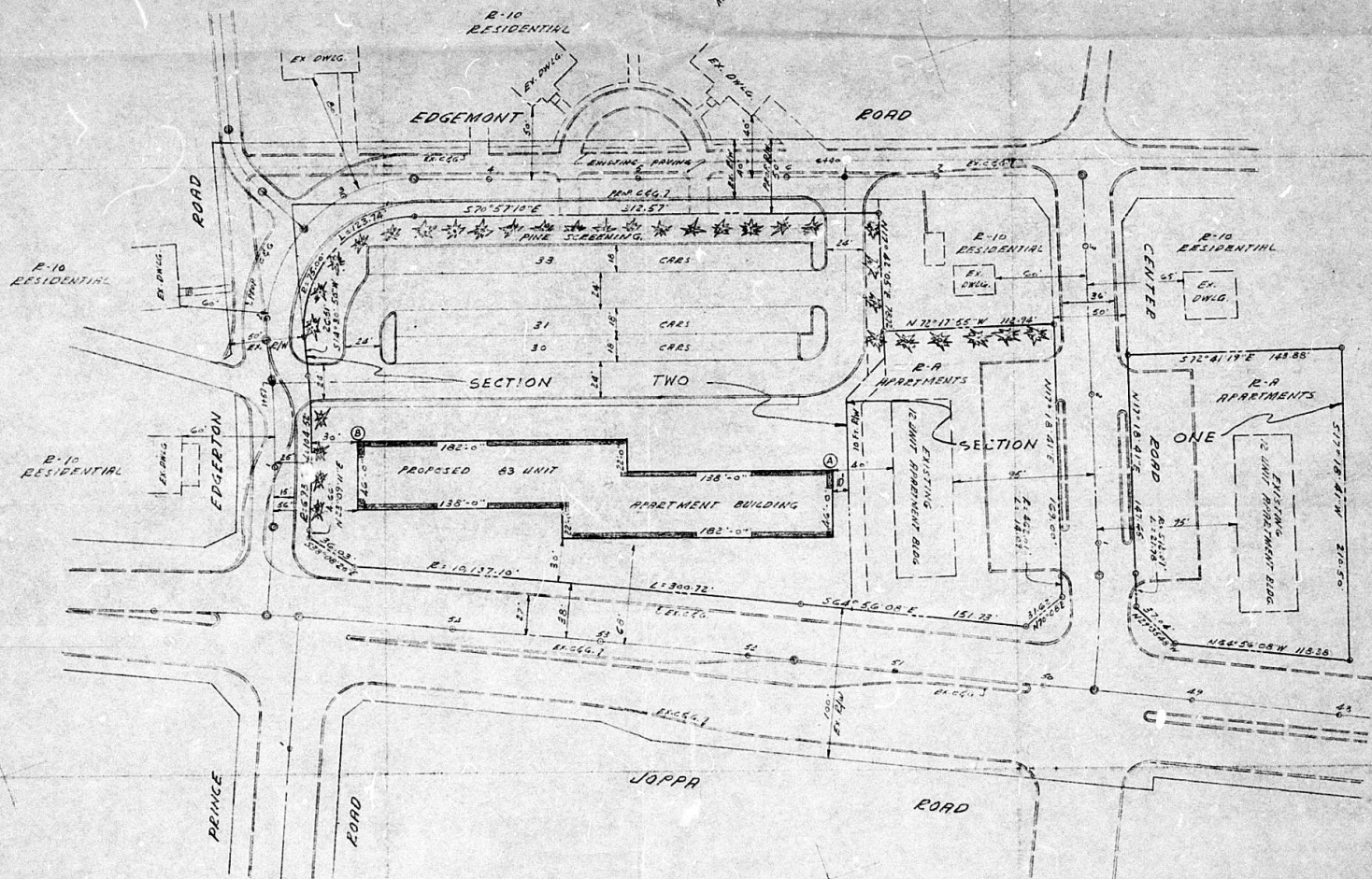
BY: Zoning Department of
Baltimore County

01622

QUANTITY	DEBIT TO ACCOUNT NO.	DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	Petition for a Variance for Richard W. O'Pfer		\$25.00
			\$0.00
			\$25.00

3-2263 8568 * * * TIL =

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.



TABULATIONS

EXISTING USE OF PROPERTY	VACANT
PROPOSED USE OF PROPERTY	APARTMENTS
EXISTING ZONING	R-10
PROPOSED ZONING	R-10 WITH VARIANCE
GRASS RESIDENTIAL AREA	4,521 SQ. FT.
NET RESIDENTIAL AREA	5,367 SQ. FT.
TOTAL NO. OF APARTMENTS ALLOWED (GRASS)	72
TOTAL NO. OF APARTMENTS ALLOWED (NET)	61
TOTAL NO. OF APARTMENTS REQUESTED	107
TOTAL NO. OF PARKING SPACES REQUIRED	107
TOTAL NO. OF PARKING SPACES PROPOSED	122

REQUESTED VARIANCE

- 107 APARTMENTS INSTEAD OF 61 APARTMENTS
- 10 FT. SIDEYARD FROM SECTION LINE AT POINT "A" INSTEAD OF 25 FT.
- 36 FT. HEIGHT AT 10 FT. FROM SECTION LINE INSTEAD OF 35 FT. AT 10 FT. REQUIRED (POINT "A")
- 47 FT. HEIGHT AT 30 FT. FROM EDGERTON RD. INSTEAD OF REQUIRED 40 FT. (POINT "B")

George William Stephens, Jr.
and Associates, Inc.
Engineers
5 McCurdy Avenue,
Towson, 4, Maryland

MICROFILMED

PLAT TO ACCOMPANY DESCRIPTION
FOR
ZONING VARIANCE
TOWSON ESTATES

BALTO. CO. MD
SCALE: 1"=50'

ELECT. DIST. NO. 9
MARCH 13, 1963