

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, William R. Karll, 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 Sections 217.2 and 217.7 to permit front yard setbacks of 50 feet from the centerline of the street, to permit the projection of outside stairways in the front yard area, and to permit an additional 69 units for a total of 220 units, of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty.

These variances are needed to overcome practical difficulties which are dimensional and economic.

See Attached Description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or my agent, to pay expenses of above Variance advertisement, the filing of this petition, and further fees 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 purchase: _____
 Address: _____
 Petitioner's Attorney: _____
 Protestor's Attorney: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1963.

April 1963, last the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the _____ day of May, 1963, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County
 (Seal)

RE: PETITION FOR VARIANCES TO SECTIONS 217.2 and 217.7 of Zoning Regulations - Petitioner: William R. Karll, Baltimore County, No. 5562-7

The petitioner, in the above matter, requests variances to permit front yard setbacks of 50 feet from the center line of the street, to permit the projection of outside stairways in the front yard and to permit an additional 69 units for a total of 220 units, of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty.

The petitioner, Mr. William R. Karll, had substantially the following to say in consideration of his request:

The property lies behind the Stagnary Junior Apartments and the Shopping Center at Wilson Point and Oppens Beach. While the acreage is attractively wooded and has shore frontage, it is situated against the rear of commercial, non-conforming commercial, and old substandard structures which prevent the development of the property. The property is now used for the dumping of debris and is the scene of troublesome night time parties.

Part of this land was zoned for apartments in 1957, the balance in 1957 by petition. After acquiring the tract the owner acquired hardships which prevent the development of the property unless granted relief from some of the provisions of the zoning regulations, as requested in the petition.

The shore line along the open water channel dredged for the construction of the Morris Garage site proved to be unsuitable to stem tide damage and must be protected by extensive shoring. When the site plan for the project was prepared with Baltimore County the owner was advised that he must comply with an old plat on the property and construct barrier roads which will benefit the entire area but he will be unable to include this acreage in computing his density for the tract. These same roads divide the property up into small blocks or segments which limit the possible location of buildings. Hence a density variance the owner would have to improve an entire block of land without any building improvements.

The proposed site plan shows that the requested additional units would not encroach the land and that the finished project would not recognized standards consistent with those of any of the better residential developments in Baltimore County.

The Department of Public Works has approved a 30 foot pavement here the required 50 feet front yards but it is not dimensionally possible to meet the 60 feet required from the centerline of the street and still meet the rear yard requirements. It is quite probable that approval of the old plat in 1957 under the old regulations would constitute a legal exemption to the present density regulations but granting of the variances requested would settle a legal question as well as meet the hardships imposed by the physical conditions and the dimensional problems posed by the old plat.

The petitioner has presented plans for an apartment building design with open outside stairways which might project into the front yard area for one of the ten buildings but it is impossible to move the building in any direction without violating the yard requirements of the regulations.

For the above reasons the variances requested should be granted.

It is this _____ day of May, 1963, by the Zoning Commissioner of Baltimore County, ordered that the herein petition for variances be granted and the same is granted from and after the date of this order which permits front yard setbacks of 50 feet from the center line of the street instead of the required 60 feet to permit the projection of outside stairways in front yard and permit an additional 69 units for a total of 220 units, subject, to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

CHARLES D. GRACE
 PROFESSIONAL ENGINEER & LAND SURVEYOR
 121 ALLEGHANY AVENUE
 TOWSON, MARYLAND
 VALLEY ROAD

BEGINNING for the same at a point in the center of Beech Drive 50.00 feet wide distant 475 feet more or less measured along the said center of Beech Drive in a Westerly direction from the Westernmost side of Wilson Point Road said point of beginning being at the end of the first or South 5 degrees 55 minutes East 275.37 foot line of Parcel B as described in a deed dated May 5, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3561 folio 321 etc. was conveyed by Edgewood Contractors, Inc. to United Contractor, Inc., thence running reversely with and binding on the said first and reversely with and binding on the last through the fourth lines inclusive of said conveyance the seventeen following courses and distances: North 5 degrees 55 minutes West 275.37 feet to the waters of Dark Head Creek, and binding with the waters of said Creek North 62 degrees 16 minutes West 62.42 feet, South 66 degrees 57 minutes West 50.52 feet, South 66 degrees 20 minutes West 102.61 feet, South 69 degrees 18 minutes West 102.85 feet, North 22 degrees 55 minutes West 59.74 feet, North 79 degrees 07 minutes West 86.16 feet, South 73 degrees 07 minutes West 39.50 feet, South 44 degrees 50 minutes West 317.40 feet, South 33 degrees 45 minutes East 76.28 feet, South 5 degrees 55 minutes East 30.00 feet, (leaving the waters of said Creek) North 84 degrees 05 minutes East 24.00 feet, North 84 degrees 05 minutes East 323.00 feet, North 84 degrees 05 minutes East 1.15 feet, Northeasterly by a line curving to the South with a radius of 163.50 feet for a distance of 75.83 feet (the chord of said arc being South 74 degrees 55 minutes East 74.14 feet, South 53 degrees 55 minutes East 92.70 feet and South 53 degrees 55 minutes East 10.03 feet to the end of the second or North 53 degrees 55 minutes West 15.04 foot

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line of Parcel C as described in said deed and to the Westerly Right-of-way line of Beech Drive thence running with and binding on the third through the eighth lines inclusive and binding on the said Westerly right-of-way line of Beech Drive the six following courses and distances: Southwesterly by a line curving to the South with a radius of 264.11 feet for a distance of 25.86 feet (the chord of said arc being South 28 degrees 58 minutes West 25.85 feet) Southwesterly by a line curving to the South with a radius of 264.11 feet for a distance of 177.33 feet (the chord of said arc being South 6 degrees 53 minutes 20 seconds West 174.02 feet), Southwesterly by a line curving to the Southeast with a radius of 264.11 feet for a distance of 49.61 feet (the chord of said arc being South 17 degrees 43 minutes 20 seconds East 49.54 feet) South 23 degrees 06 minutes 30 seconds East 50.67 feet, South 23 degrees 06 minutes 30 seconds East 700.0 feet and South 23 degrees 06 minutes 30 seconds East 215.0 feet thence running with and binding on the ninth line of said Parcel C and crossing over said Beech Drive (formerly Middle River Avenue) North 66 degrees 53 minutes 30 seconds East 30.0 feet thence running with and binding on the tenth line of said Parcel C and binding on the Northeast side of Middle River Avenue North 23 degrees 06 minutes 30 seconds West 205.75 feet thence running with and binding on the eleventh through the last lines of said Parcel C the eight following courses and distances North 84 degrees 00 minutes 30 seconds East 285.00 feet, North 41 degrees 59 minutes 30 seconds East 277.45 feet, North 30 degrees 26 minutes 45 seconds West 115.70 feet, South 59 degrees 33 minutes 15 seconds West 83.05 feet, North 30 degrees 26 minutes 45 seconds West 111.80 feet, South 45 degrees 01 minutes West 163.39 feet, North 31 degrees 00 minutes West 593.01 feet and North 5 degrees 55 minutes West

244.85 feet to the place of beginning.
 This description is compiled from deeds and not an actual survey.
 CONTAINING 8.39 Acres of land more or less,
 BEING Parcels B and C described in a deed dated March 30, 1962 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3973 folio 144 etc., was conveyed by Binder Associates to William R. Karll.
 SUBJECT, however, to the exceptions and covenants as described in aforesaid conveyance.

Charles D. Grace, Engineer

3/26/63

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rees, Zoning Commissioner Date: May 17, 1963
 FROM: Mr. George R. Gavrelli, Deputy Director

SUBJECT: #5562-7. Variance to permit front yard setbacks of 50 feet from the center line of the street instead of required 60 feet; and to permit the projection of outside stairways in front yard; and to permit an additional 69 units for a total of 220 units. 475 feet West of Wilson Point Road from center of Beech Drive. Being property of William R. Karll.

354th District

HEARING: Wednesday, May 29, 1963 (1:00 P.M.)

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

1. The subject property recently secured apartment zoning over its entirety. Although the property has an irregular outline, the Planning staff is of the opinion that increasing densities over those allowed by the Zoning Regulations would serve only to compound the problem of devising a workable site plan for this property. The Planning staff also questions whether or not increasing density on the subject property would cause undue concentration of population and overcrowding of land and a departure in density would be in accordance with the spirit and intent of the Zoning Regulations.
2. The Planning staff does not have sufficient information from which to make definitive comment on the variances being sought with respect to setback.

CDD:mas

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Md. /land

District: 15th
 Posted for: 15th
 Petitioner: William R. Karll
 Location of property: 475 feet West of Wilson Point Road from center of Beech Drive
 Location of signs: Oppens Beach, Baltimore County
 Date of Posting: 5/11/63
 Posted by: [Signature]
 Date of return: 5/20/63

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.

**IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
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drains, i.e., to Laid Contractors, Inc. drains running reversely with and binding on the sand first and reversely with and binding on the last through the fourth floor. Inclusive of sand emergence the floor drains ending courses and distances: North 42 degrees 33 minutes East 273.77 feet to the water of the floor drain and binding with the water of said North 42 degrees 36 minutes East 62.22 feet, South 44 degrees 57 minutes West 50.32 feet, South 48 degrees 29 minutes West 187.61 feet, South 63 degrees 13

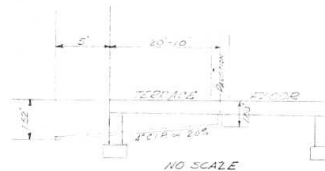
Cost of Advertisement, \$.....



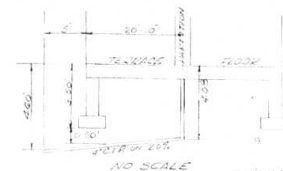
DENSITY DATA
MARTIN ROAD - 10.8 AC
 10.8 x 10 = 108
 10.8 x 24 IN ROADS = 151
 108 - 151 = -43
 220
VOLKERT ROAD - 16.3 AC
 16.3 x 10 = 163
 16.3 x 24 IN ROADS = 231
 163 - 231 = -68
 220 + 24 = 244

243 UNITS
 234 PARKING
 JULY 1963

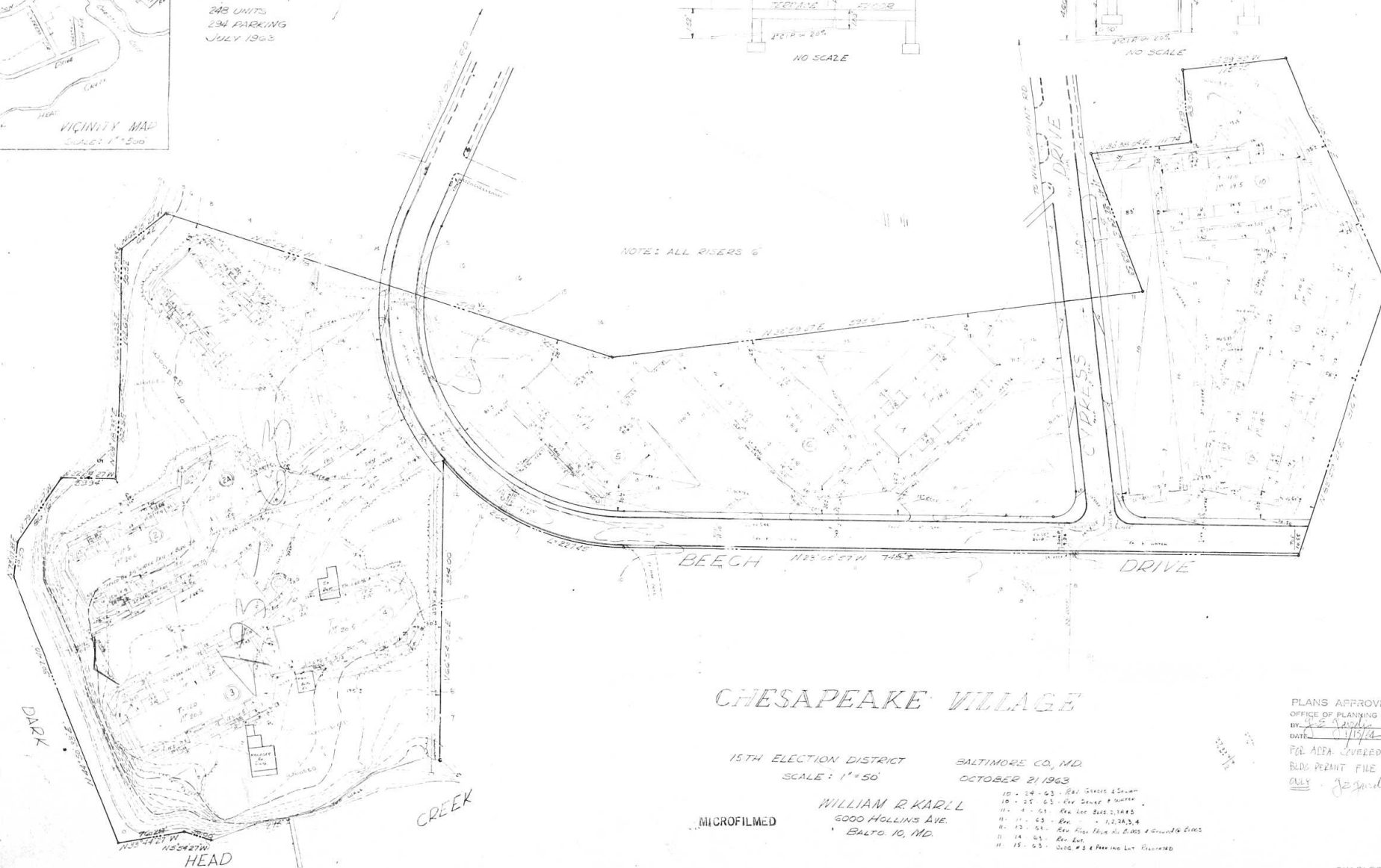
DETAIL 2 SANITARY UNDER
 BLDGS 1 THRU 5 INCLUSIVE



DETAIL 4 SANITARY UNDER
 BLDGS 9 AND 10



NOTE: ALL RISERS 6"



PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: [Signature]
 DATE: 11/15/63
 FOR AREA COVERED BY
 BLDG PERMIT FILE 493-63
 ONLY - [Signature]

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 TOWSON 4, MD.