RE: PETITION FOR VARIANCE to Section 238.2 of the Zoning Regulations E/S York Road, 224.63' north of Radcliffe Road 9th District Harold F. Burton, et al, Petitioners

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUN TY

No. 63-49-V

OPINION

The petitioners herein seek a variance to permit a side yard of 10 feet on each side instead of the required 30 feet. The subject property which is unimproved is zoned "B-R" and is 70° wide and 152° deep. The land is bordered on the north by the Beltway, on the south by a vacant lot, on the east by a motel and there is commercially zoned property to the west across York Road.

The Board of Appeals is unanimous in its decision that the petitioners have not met the conditions set forth in Section 307 of the Zoning Regulations.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 12 had day of December, 1963 by the County Board of Appeals, ORDERED that the variance petitioned for, be and the same is hereby denied.

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

CHAIRMAN

& Mitchell austi

Description of Property of Harold P. Burton for B.R. Zoning Variance

Beginning for the seme at a point on the east side of York Road, 100 feet wide as shown on Maryland State Roads Commission Right of Way Plat No. 10538, said point of beginning being also distant N 310 - 45' - 15" W 224.63 ft. from the intersection of the said east side of York Road and the worth side of Radoliffs Road 60 ft. wide as shown on Plat entitled "Property of Edwin E and Thomas M. Gontrum" dated February 23, 1959 and recorded among the Plat Records of Baltimore County in Liber W.J.R. 26 Folio 62, coordinates of said point of intersection being East 1,752.82 ft. and North 41,228.33 ft., running thence binding on the east side of said York Road as now surveyed E. 31° 59' 56" W 53.49 ft. to the "Right of Way line of Through Highway"; running thence binding on the seid "Right of Way Line of Through Highway" of Remp "F" to the Beltimore County Beltway, as shown on the above mentioned Maryland State Roads Commission Right of Way Plat, as now surveyed H 12° 42' 47" E 23.11 ft. running thence for lines of division the three following courses and distances, as now surveyed, vis; first, N 58° 18: 49" E 136.19 ft; second S 31° 41' 11" E 70.00 ft; and

third S 580 18: 49" W 152.07 ft. to the point of beginning. Being all of that percel of land as described in a deed from Asten Inc. to Harold P. Burton dated Des. 18, 1961 and recorded among the Land Records of Beltimore County in Liber W.J.R. 3938 Felio 190.

PETITION FOR ZONING VARIANCE

I difficility i on morning
FROM AREA AND HEIGHT REGULATIONS
O THE ZONING COMMISSIONER OF BALTIMCRE COUNTY: Betty D, Burton
 or we Harold F. Burton and legal owner. Sof the property situate in Baltimorounty and which is described in the description and plat attached hereto and made a part hereo
ereby petition for a variance from Section 238.2 of area regulations - side and rea-
rds x for other buildings 30 feet to permit side yards of 10 ft. and 20.ft.
of the Zoning Regulations of Baltimore Courty, to the Zoning Law of Baltimore County; for the Zoning Regulations of Baltimore County; for the Zoning Law of Baltimore
rdsi.ip and practical difficulties as property would be unable to be utilized der present side yard 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 Balimore County adopted pursuant to the Zoning Law For Bailimore County. larold F. Burton Betty D. Burton Legal Owner s James P. O'Condamentane Lessee Address 2100 Dalewood Court , Timonium, Md 637 Coventry Road (4) A. Owen Hennegan, Jr// 406 Jefferson Building Protestant's Attorney Address Towson 4, Maryland ORDERED By The Zoning Commissioner of Baltimore County, this... 196 ... 3 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circu'ation turos inout Baltimore County, that property be posted, and that the public hearing be had before the Zon ng Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltim re County, on the

will grant relief to the potitioner without substantial injury to the public health, safety and the general welfare of the locality involved, the above Variance should be had madditionable opposing chatty occurrency. In partit side in rear yards for other belicings 30 feet; and to partit side varie of 10 feet
ne above Variance should be had; 2000-00-00-00-00-00-00-00-00-00-00-00-00
ne above Variance should be had; mad:10:10:10:10:10:10:10:10:10:10:10:10:10:
ne above Variance should be had; and to recover to provide the had; and to recover the provide the had; and to recover the provide the had; and the recover the provide the had; and the recover the provide the provide the had; and the recover the provide the
nd rear yards for other buildings 30 feet; and to provide side yards of 10 feet
nd 20 feet instead of the required 30 feet
Variance coccessors cooperate services of the
IT IS ORDERED by the Zening Commissioner of Baltimore County this
ay ofSeptember, 196 3, that the herein Petition for a Variance should be and the
me is granted, from and after the date of this order, which portate aide and year yards or other buildings of 30 feat, and to permit aide yeards of 10 an 20 feat into a f the required 30 feet, subject, however, to approved of the stey plan by the fiftee of Planning and Zoning. Zoning Commissioner of Elithorer County
Pursuant to the advertisement, posting of property and public hearing on the above petition
nd it appearing that by reason of
······································
e above Variance should NOT BE GRANTED.
IT IS ORDERED by the Zoning Commissioner of Baltimore County, thisday
196, that the above Variance be and the same is hereby DPNIED.
Zonling Commissioner of Ealtimore County

Pursuant to the advertisement, posting of property, and public hearing-on the above petition

BEFORE THE RE: PETITION FOR VARIANCE to Sect. 238, 2 of Zoning Regulations E/S York Road,

ZONING COMMISSIONER

OF BALTIMORE COUNTY

ORDER FOR APPEAL

MR. CLERK:

9th District, Harold F. Burton,

et. al. , Petiti ers #63-49V

Please note an appeal to the Board of Appeals for

Baltimore County in the within case,

John Warfield Armiger Attorney for Whyar Corp.

406 Jefferson Building Towson 4, Maryland Va. 5- 7666

I HERFBY CERTIFY that I have served a copy of this Order of Appeal upon the Petitioners this /9th day of September 1963 by causing a copy of same to be mailed to their council, A. Owen Hennegan, Esq., 406 Jefferson Building, Towson 4, Maryland.



MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. August 21, 1963.

FROM. Mr. George E. Gavrelis, Deputy Director

SUBJECT 572-7 Juniorgo, Do. the Zoning Regulations of Baltisore County to permit side and rear yards for other bulldings 30 feet; and to premit ald side yards - 10 feet and 20 feet instead of the required 30 feet. East side of fore Road 22h,50 feet Sorth of Realiffe Road, being properly of Barold P. Burton and Betty D. Burton. 9th District

BEARING.

Wednesday, September 4, 1963 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Variances and has the following advisory

- The subject property is only 70' wide. Strick application
 of the B-R recutrements would allow a building only 10'
 wide. From the viewpoint of eight pard; astbacks and lot
 diamentoms, it would appear that the provision of 30'
 yeards would be conflictatory.
- However, the staff notes that the subject property is immediately adjacent to the Beltuwy Interchange and that conflicts with fork Road and Saluxy traffic could arise here. The most desirable site planning solution sould be to interconnect the parking area of the subject property with the Motel complex immediately adjacent.
- 3. In any event provision of parking in the front of the an arg event provision of parking in the front of the proposed office building will result in C-turning movements which definitely are hazardous with respect to Tork Road. All parking should be to the rear of the proposed building to enable all vehicles entering or leaving the property to be "straightomed-out" prior to intersecting Tork Road.

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

No. 19237

DATE 7/29/60

TOTAL AMOUNT

To: A. Owen Hennegan, Jr., Esq. Jefferson Building Towson h, Md.

BILLED Zoring Department of Baltimore County

	ACCOUNT NO.	\$25.00 COST
QUANTITY	Petition for a Variance for Harold F. Burtum	25.00 -
	FALO - Bullioner County, Sell - Gillbard Repair	4
	7-2062 1 0 2 6 · 19237 • 17P-	25.00
	3	Asportmosts
	II MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, I RETURNUPPER SECTION OF THIS BILL WILL YOUR REMITTANCE.	MARYLAND

BALTINORE COUNTY, MARYAND TELEPHONE No. 19930 OFFICE OF FINANCE DATE 9/27/63 Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND John Warfield Armigor, Esq., Jäfferson Building Office of Planning & Zoning 119 County Office Bldg., DEPOSIT TO ACCOUNT NO. 92.621 UPPER BECTION AND RETURN WITH YOUR REMITTANCE COST Cost of appeal in matter of preparty of Harold F. Burton \$35,00 No. 63-19-V 9-50-63 4352 * * * * TIL-\$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.

> # 5932V 63-49

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

8/18/6 979 Date of Posting... Sent 4 1363 AT 10:00 AM Posted for: HEARING Buckery. Location of property 1/5 OF YORK RD 224.63 N. OF RASCLIFFE RD Location of Signs Dor From Eustine Sign Apr. 22" From 408K 80

AND APP. 40 FROM ENTRANCE TO MOTEL YORK RD SIRE KONTES SIEN FACEING YORK ED Posted by Clabert for Bully Date of return Stable 3

TELEPHONE VALLEY 3-3000

INVOICE BALT ORE COUNTY, MAR AND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE

Office of Planning & Zoning 119 County Office Eldg., Town h, Md.

Cost of advertising and posting prope ty of Hereld F. Burton \$43.00 No. 63-19 9-563 3315 . . . III-43.00

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.

PETITION FOR A ZONING

No. I Newburg Avenue

PETITION FOR A ZONNO.

VARIANCE

9th District
ZONING: Petition for a Variance to the Zoning Repetitors for a Variance to the Zoning Repetitors of Statement Control of the Control of the

DATE & TIME: WEDNESDAY, SEPTEMBER 4, 1963 at 10:00

A.M.
PUBLIC HEARING: Room 108,
County Office Building, 111 W.
Chesapeake Avense, Towson,
Maryland
The Zoning Regulations to be

scepted as follows: Section 238.2 - Side and Rear Vants . For Other Buildings 3 The Zoning Commission

The Zoning Commissioner of Baltimore County, by sutherity of the Zoning Act and Regulations of Baltimore County, will hold a public bearing: Concerning all that parcel of land in the Ninth District of Baltimore County.

Activating at time prices in the distance County. District of the Inthinese County. District of the Inthinese County. District of the County. District

Roads Commission Right of Way Plat, as now surveyed N 12 degrees 42° 47" E 23.11 ft. running thence for lines of division the three fol-

for lines of divisioning maree to-lowing courses and distances, as nyw surveyed, viz; first, N 58 d_grees 15' 49" E 136.19 ft; second S 31 degrees 41' 11' E 70,00 ft; and third S 58 degrees 16' 49" W 152,07 ft, to the point of heatmain. in Liber W.J.R. 393

Folio 190.

Being the property of Harold
F. Burton and Betty D. Burton
as shown on plat plan filed with

as shown on partment.
BY ORDER OF
JOHN G ROSE,
ZONING COMMISSIONER

THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS THE HERALD - ARGUS

CATONSVILLE, MD.

August 19, 1963.

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

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Mary-19th day of August, 1963 , that is to say the same was inserted in the issues of

August 16, 1963. THE BALTIMORE COUNTIAN

> By Paul J. Morgan Editor and Manager

PETITION FOR A ZONING VARIANCE STILL DESTRICT

The Zoning Expulations to be excepted The coming inclusions to be excepted as follows:
Section 224.2—Side and Rear Yards— For Other Buildings, 30 feet.
The Zoning Commissioner of Baltimore County, by sutherity of the Zoning Ac and Explaintons of Baltimore County, will had a public bearing concerning all this party of limit in the Ninth District of Baltimore County. published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimere County, Md., opercin coch of 1 time xxxxxxxxxx veskx before the 4th...

THE JEFFERSONIAN.

TOWSON, MD. August 16, 1963

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

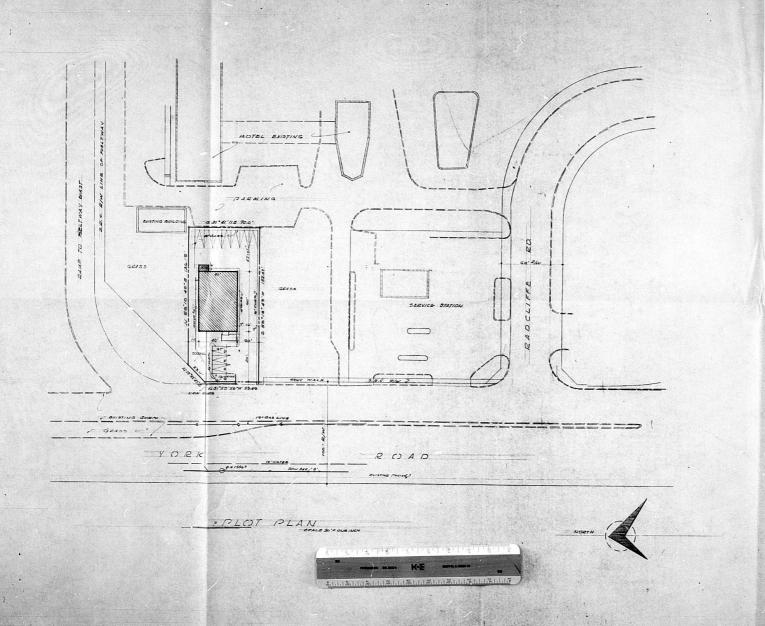
appearing on the 16th day of August

● 5932

Cost of Advertisement, \$...

19.63

nen/a





DEODOSED OFFICE BUILDING
O'CONO2 & FLYNN 2FALTORS
DISYORK ECAN TONSON &
PARTIMOPE COUNTY MARYLAND
DESTROY & ACYLEND