00

SAUFRWEIN BENSON & BOYD MARKER AND SARATORA STREETS

63

July 30, 1965

00

Board of Appeals County Office Building Towson, Maryland

Attention: Mr. Alderman

Re: N/S Byerly Road & E/S Western Marryland N. P. - With District

It will be appreciated if you will have the record in this case show that the potition for Retoning, prasumably before your Board, be withdrawn, and you are hereby so authorized.

Thank you.

Ommun By ? J. Cookman Boyd, Jr. Attorney for National Dairy Products Corporation

Very truly yours,

RE: PETITION FOR RECLASSIFICATION : from an R-6 Zone to an M-L Zone, VARIANCE from Sections 253.4, 255.1 and 248.1 of the Zoning N/S Byerly Road & E/S Western Maryland Railroad, 4th District National Dairy Products Corp.

Patitiones

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Na 47-20-9V

....... OPINION

The above entitled matter having come before the Board of Appeals and counse' of record for the petitioner having notified the Board, by telephone, that the petitioner did not wish to proceed and offer evidence and testimony in the case, it is the ruling of the Board that no affirmative evidence of error in the original map or change in conditions has been shown so the petition for reclassification from an R-6 Zone to an M-L Zone and variance from Sections 253.4, 255.1 and 248.1 of the Zoning Regulations is

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 3 of August, 1965 by the County Board of Appeals, ORDERED that the reclassification and variances 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 RAI TIMORE COUNTY

R. Bruce Alderman, Acti

W. Giles Parker

#5912-RV

#5912-RV 63-29 hth

5912

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. July 19, 1963

BALTIMORE COUNTY, MARYLAN

PROM Mr. George E. Cavrelia, Deputy Director

SUBJECT. \_\_5202-We. R' to M-L and Variance to genth manufacturing of count products to be located within 25 feet from the norman or south 50 degrees products to be located within 25 feet from the norman of the state of the 15 minutes west like 55 foot line instead of the norman of the state of the 15 minutes west like 55 foot line instead of the regular did 50 feets of a residential scale boundary lines to produce the from the foot of the 15 feet of a residential scale on the front or sorth line. Then the front properly line and in feet from the center line of just line of the feet and of the required 15 feet. Northist of sharply lines are products. Dairy Products.

4th District

Wednesday, July 31, 1963 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject position for zoning reclassification and variances. It has no adverse to make.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Ross. Zoning Commissioner Date ... July 19,-1963

SURJECT....\$592.28. Act to Not each Variance to permit neutraturing of comet products to be located within 25 feet from the northeast or with the degrees as the contract of t

4th District HEARTNO.

Wednesday, July 31, 1963 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for zoning replacedification and variances. It has no adverse comment to make.

ROGER C. DUNCAN

- 9CT 18 '63 M October 17, 1963 ZONING DEPARTMENT

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

Re: Petition for Reclassification and Variances to Zoning Regulations N.S. L. -rly Road and E.S. Western Maryland Railroad, 4th District. National Dairy Products Corp. Petitioner - No. 62-20

Dear Mr. Rose

VALUE - ----

Please enter an appeal to the County Board of Appeals from your

Order of September 24th, 1963 in the above entitled case. Enclosed

herewith is check for \$70,00 advance costs

Very truly years, Roy ex C. Duncan Roger C. Dur.can

red/d

PETITION FOR ZONING RE-CLASSIFICATION #59/2RV AND OR SPECIAL EXCEPTION VARIANCES L3-29 1000 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

National Dairy Products L or weCorporation

....legal owner... of the property situate in Baltimore #4 County and which is described in the description and plat attached hereto and made a part hereof, SEC " for 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 xibotaticoR-6 7/29/03 .....M-L ....zone; for the following reasons:

A. Change in neighborhood since the date of the original comprehensive land use map.

B. Error in original zoning.
(2) And for variances to certain sections of Zoning Law of Baltimore County, as follows:

A. Variance from Section 253.4, 255.1 and 248.1; to permit the manufacturing of cement products to be located within 25 feet from the northeast or sou 60 degrees 15 minutes west 146.85 foot line instead of the required 100 feet set back from aid boundary line.

said boundary line. X See attached sheet 

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 SPALTEST FOODS, Eastern Division ducts Corporation

The C. E. Weaver Stone Company National Dairy P Muu Rodger A. Weaver, President Box 96, Reisterstown, Maryland Contract purchaser

Philadelphia 7, Pennsylvania Legal Owner

My lie Litelary Wylie I. Petitioner's Attorney Ritchey Address 203 % Chesapeake Ave. Towson 4, Maryland

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... of June 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 circulation throughout Baltimore County, that property be pos'ed, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Rocm 106, County Office Building in Towson, Baltimore

County, on the Mik 4 63 day of July 1963 at 2100 o'clock

8 7 8 3 OFFICE OF PLANEIS & ZONING

Ining Commissioner of Ballings Coa new Hearing late 7/31/63 10:00 Am 1-each HE: PETITION FOR REGLASSIFICATION . from "R-6" Zens to "M-L" Zens N. S. Byerly Road and E. S. : Western Maryland Railroad -Variances to Sections 253.4; 255.1; 248.1; 243.4 and 243.1

OLD MAP #4 BEFORE ZONING COMMISSIONER SEC CF ML BALTIFORE COUNTY

#63-29

No. 63-29

The prititioner has requested a reclassification of property on the north side of Byerly Read and the east side of the Western Haryland Railread, in the Fourth District of Baithnee County from an Mg-67 mome and variances to Sections 253 h; 255.1; 286.1; 283 h and 283.1 of the Caning Regulations.

The subject property was fermerly used by the National Dairy Products Corporation, the building on the property being of convertal and naminaturing nature and has been there since approximately 1928. This building is located on a railroad.

The petitioning desire to use the property for manufacturing pre-cast, floor tile and wall covering, employing approximately h persons.

The use of this property by the G. E. Meaver these Geographics will not energe the appearance from what it has been ever a long period of years. All the residents, but the old and now, have been locking at the building, new located on the property for many years and the new residents were well accure of a factory type building no located on the subject property and that the probable use of the property would be the same type of reconcellation sandstanding use.

The County Commissioners were in error in not zoning this property "M-L" at the time of the creation of the existing map.

For the above reasons the reclassification and variances should be granted.

Zening Certiselers of baltime Mostly Comptender, 196), by the described property or arm should be supported as complete from an West Zene to "West Zene and the variances requested as collects"

1. To pormit namefacturing of concrete products to be located within 25 feet from the northeast or 5 60 copross 15 minutes went 186.65 feet line instead of the required 100 feet setback from anid becaming line;

#63-29 OLD MAP

residential some on the Frent or south property line, soil the being of 18 december 18 dec To permit a front building line of 16 feet from the front property line (said line being N 16 segrees east 158,10 feet line of said described property), and

 $h_{\star}$  . To parmit h1 feet from the center line of Eyerly Reas instead of the required 75 feet.

The granting of the variances as requested will give relief tothe potitioner without substantial injury to the public health, safety and the general wolfare of the locality involved.

The site plan for the development of said property is subject to approval by the Eureau of Public Services and the Office of Planning and Zoning.

#### BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

#63-29 TO Mr. John G. Rose, Zoning Commissioner Date August 30, 1963

FROMMr. George E. Cavrelis, Deputy Director

SUBJECT #63-29-RV. R-6 to M-L and Variance to permit manufacturing of cement products to be located within 25 feet from the northeast or south 60 degrees 15 minutes west to be hosted within 25 feet from the northeast or south 60 degree 15 dimites west the 55 foot line insued of required 100 feet bet their from said boundary lines and to permit a building to be located within 15 feet of a residential zone on the front of South property line, and line being the north 6 degree east 15% 105 foot line of the description of and property on hyerly Road and 25 feet on the rear or north property line, and line being the north 60 degree as used. Like 5 feet lines of the description of and property on the south 60 degree 21 minutes used. Like 5 feet lines for the rear or north property line, and thin being the most the 60 degree 21 minutes used. Like 5 feet lines for the feet lines f properly line, and line being the south 60 degrees 15 minutes went 156,05 foot line of anid described property, instead of the required 125 feet; to pentia a front building line of 16 feet from the front property line (and dline being the north bid degrees east 158,16 foot this of and described property and all feet from the center line of Eyerly Road, instead of required 75 feet. North side of Byerly Road and East side of Western Haryland Rallread. Sening property of Sealtest Foods National Dairy Products Corp.

hth District

Wednesday, September 11, 1963 (10:00 A.M.) HEARTNG:

COMMENT NAME

GEG:bms

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipt: COURT HOUSE

TOWSON 4, MARYLAND The C.E. Weaver Stone Co.

Feisterstown, Maryland

BILLED Zoning Department of Baltingie County

No. 19234

DATE 7/29/63

\$57.00 01623 TH BECTION AND RETURN WITH YOUR REMITTANCE 57.00 Advertising and posting of your property #5912-RV 1-2062 1815 \* 19234\* Typ-

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.

## ONE: HAMILTON 6-0322 KELLER & KELLER

State Registered Land Surveyors

3914 WOODLEA AVENUE BALTIMORE 6. MARYLAND

#5912 FV

DESCRIPTION

BEGINNING for the same at a concrete block heretofore planted on mapp the Northwest side of Byerly Road, 30' wide, at the beginning of the #4 lot of ground secondly described in a Deed dated February 13th, 1928 SEC and recorded among the Land Records of Baltimore County in Liber W.H.M. "A No. 652 folio 486 from Pairfield Farm Dairy, Incorporated, to Western Maryland Dairy Corporation; said place of beginning being also at a point distant approximately 366.40' Northeadterly, measured along the said Northwest side of said Byerly Road, from the center of the Old Hanover Road; said place of beginning being also at the end of the 3rd line of a Deed from Newton S. Watts to Elva C. Watts, dated April 23, 1902 and recorded among the Land Records of Baltimore County in Liber N.B.M. #258 folic 561; and runningthence from said place of beginning, binding on the 1st, 2nd, 3rd, 4th and 5th lines of said Dred first above mentioned, the five following courses and distances, viz:- North 31°30' West 186.45' to a commete block; Sbuhh 60°15' West 146.85' to a commete block and to intersect the Easterly Right-of-Way of the Western Maryland Railway Company; thence South 29°38' East, binding on said Right-of-Way, 240.34 to the center line of Byerly Road; thence binding on the said center line of said Byerly Road and running North 46° East 158,40'; thence North 31°30' West 15' more or less; to the place of beginning.

CONTAINING 0.763 ACRE of land more or less, and BEING improved by a one story frame building and a frame garage. Deny atopen



No. 17831 DATE 6/5/63 of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND

BILLED Zoning Department of

HANTITY	OLETACH UPPER SECTION AND RETURN WITH VALUE AND	101555580N
	THE RESERVE	COST
	Patition for Reclassification & Variance for Sealtest Foods	50.00
	Fag-	
	060) 4042 · + + 1/1-	0.00
	4	
	MAKE CHECKS PAYABLE TOBALTIMORE COUNTY, MARYLAND	

PLEASE RETURN UPPER SECTION OF THIS BILL WITH , OUR REMITTANCE.

PETITION FOR

PETITION FOR

MAINCRESS

ANALONES

ZONNES; From Ref to M.L.

ZONNES; From Ref to M.L.

ZONNES; From Ref to M.L.

Experiment the management of the control of north property line, said lit-being the south 60 degrees minutes west 146.85 foot line

the said described property, in stead of the required 125 feet; an to permit a front building line of is feet from the from property lin (said line being the borth 46 degrees east 158.40 foot line of said described property) and 41 feet from the center line of Byerly Road, instead of the required

LOCATION: North stds of Byerly Road and the East side of the Western Maryland Rati-

SEPTEMBER II, 1963 at 10:00
A.M.
PUBLIC MEARING: Room 108
County Office Building, III W.
Chesapeake Avenue, Towaon,
Maryland,
The Zoning Regulations to be
excepted as follows:

ed as follows: ion 253.4, 255.1 and 248.1 eet of residents, and the certic: 243.4- No building or

430

OFFICE

# THE BALTIMORE COUNTIAN

THE COMMMUNITY PRESS THE HERALD - ARGUS

CATONSVILLE, MD.

No. I Newburg Avenue

August 25, 19 63.

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

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryeek for One Week successive week before land once a week for 63 that is to say

the 26th August,
the same was inserted in the issues of

### THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

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

District. 4 th Date of Posting aug 24 1963 Posted for Hoaving wed Sept 11, 1963 at 10: Am - Riclass from R6 - ML and Petitioner National Davy Products Corp. Location of property. N/S. Byjerly Rd and the western Md. R.R. Location of Signs N/5 Byerly Res 89' E of western Mil RK hacks. Variance - A. Var 3 far C var. 39' Eint of western MURR on Subject 200 Posting A Bosse Date of return Cuy 29, 1963

B. To perit the mfg. of cement products to be located within 16 feet of a residential zone on the first or south property line . Said line being the north 46 degrees east 158. 40 fort line of the description of the said property on Byerly Rd and 25 on the rear or worth projectly line, said line being the south to 15 min west 146.85" line of the said describe payant, untered C. Variance to permit a front bulding line of 16 from the front property luc ( said line theny the north 46 last 158. 40 for line and juper Jand 41' from the center line of Byirly Rol Instead of the refused 75 fet. Van A- To permit the my of coment products to be breaked within 25 from the northeast or south 60° 15 min west 146.85 fort line writed of the regured 100 feet set back from seed

