

RE: PETITION FOR VARIANCE TO ZONING REGULATIONS - MAY 1964, Old Court Road, Greenwood Ave., and West Henry M. Witmyer, Jr., Helen A. Witmyer, Western Maryland Railway Co., and Margaret K. Hoopes - Baltimore County No. 64-126-A

The petitioners in the above matter have requested variances to the following sections of the Baltimore County Zoning Regulations:

As to parcels Nos. III, IV and V of which Western Maryland Railway Company is the legal owner, it is ordered upon stipulation of said legal owner that this petition for variances as to said parcels Nos. III, IV and V is hereby withdrawn, said Stipulation of Withdrawal attached hereto and made a part hereof.

SECTION 307 - VARIANCES provides that the Zoning Commission shall have the power to grant variances in cases where strict compliance with the Zoning Regulations would result in practical difficulty or unreasonably hardship. However, variances should be granted only in strict harmony with the spirit and intent of the Zoning Regulations and only in such cases as to grant relief to the petitioners without substantial injury to the public health, safety or general welfare.

It is this 17th day of June, 1964, by the Zoning Commission of Baltimore County, ORDERED that the herein petition for the following variances should be and the same are granted, from and after the date of this Order as to Parcel No. II:

1. Variance from Section 255.1 as set forth in Section 251.1 - "Front Yard" - to permit a front building line of 40 feet from the front property line instead of the required 75 feet.

2. Variance from Section 255.1 as set forth in Section 251.2 - "Side Yard" - to permit a side yard of 0 feet measured from the side property line instead of the required 50 feet.

3. Variance from Section 255.1 as set forth in Section 251.4 - "Proximity of structures to Residential Zones" - to permit a structure to be located 73 feet from the nearest residential zone boundary line instead of the required 125 feet.

As to Parcel No. II of which Western Maryland Railway Company is the legal owner and Michael B. Sullivan and Elizabeth K. Sullivan, his wife, are Contract Purchasers, it is ordered that the following variances from the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County are hereby granted:

PARCEL NO. II: All that lot of ground situated, lying and being in the Third Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point, said point being the second corner of a parcel of land conveyed by deed from Henry McComas, et ux to The Western Maryland Railroad Company dated May 12, 1906, as recorded in Liber 47-2, No. 299, folio 32; among the land records of Baltimore County, said point being the intersection of the main track of the Western Maryland Railroad opposite survey station 112+93.4, thence reversely with the first side in the aforementioned deed North 39 degrees 27 minutes East 201.71 feet to a point, thence four new lines of division the three following courses: (1) North 33 degrees 49 minutes East 100.0 feet to a point, said point being located 19.75 feet measured perpendicular from the center line of the main track at approximately Valuation Station 112+56.36; (2) thence parallel to and 39.75 feet distant from said center line of track South 56 degrees 11 minutes East 100.0 feet to a point; (3) thence South 33 degrees 49 minutes East 151.06 feet to a point in the fifth side of a parcel of land conveyed by deed from J. H. McHenry, et ux to The Western Maryland Railroad Company dated February 27, 1879, and recorded in Liber J.S. No. 91, folio 189, among the land records of Baltimore County, thence reversely with part of said fifth side westerly to the Western Maryland Railroad and the second side McComas to the Western Maryland Railroad, by a curve to the right having a radius of 2331.93 feet for a length of 210.40 feet and westerly along chord bears North 12 degrees 18 minutes 17 seconds West 210.50 feet to the point of beginning, containing 0.9204 of an acre of land, more or less.

We, the undersigned, Henry M. Witmyer, Jr. and Helen A. Witmyer, his wife, legal owners of the property above described as parcel No. I, hereby petition for the following variances from the zoning regulations of Baltimore County to the zoning law of Baltimore County:

1. Variance from Section 255.1 as set forth in Section 251.1 - "Front Yard" - to permit a front building line of 25 feet from the front property line instead of the required 75 feet.

2. Variance from Section 255.1 as set forth in Section 251.2 - "Side Yard" - to permit a side yard of 30 feet measured from the side property line instead of the required 50 feet.

3. Variance from Section 255.1 as set forth in Section 251.4 - "Proximity of structures to Residential Zones" - to permit a structure to be located 55 feet from the nearest residential zone boundary line instead of the required 125 feet.

PARCEL NO. II: All that lot of ground situated, lying and being in the Third Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point, said point being the fourth corner of a parcel of land conveyed by deed from Henry McComas, et ux to The Western Maryland Railroad Company dated May 12, 1906, as recorded in Liber 47-2, No. 299, folio 32; among the land records of Baltimore County, said point being the intersection of the main track of the Western Maryland Railroad opposite survey station 112+93.4, thence reversely with the first side in the aforementioned deed North 39 degrees 27 minutes East 201.71 feet to a point, thence four new lines of division the three following courses: (1) North 33 degrees 49 minutes East 100.0 feet to a point, said point being located 19.75 feet measured perpendicular from the center line of the main track at approximately Valuation Station 112+56.36; (2) thence parallel to and 39.75 feet distant from said center line of track South 56 degrees 11 minutes East 100.0 feet to a point; (3) thence South 33 degrees 49 minutes East 151.06 feet to a point in the fifth side of a parcel of land conveyed by deed from J. H. McHenry, et ux to The Western Maryland Railroad Company dated February 27, 1879, and recorded in Liber J.S. No. 91, folio 189, among the land records of Baltimore County, thence reversely with part of said fifth side westerly to the Western Maryland Railroad and the second side McComas to the Western Maryland Railroad, by a curve to the right having a radius of 2331.93 feet for a length of 210.40 feet and westerly along chord bears North 12 degrees 18 minutes 17 seconds West 210.50 feet to the point of beginning, containing 0.9204 of an acre of land, more or less.

North 16 degrees 38 minutes 02 seconds West 175.62 feet to a point, conveyed by the Western Maryland Railway Company to Henry M. Witmyer, Jr. and Helen A. Witmyer, his wife, thence reversely with and binding on the fourth line of the aforesaid parcel North 33 degrees 49 minutes East 151.06 feet to the point of beginning, containing 0.7512 of an acre of land, more or less.

We, the undersigned, Western Maryland Railway Company, legal owner, Michael B. Sullivan and Elizabeth K. Sullivan, his wife, are Contract Purchasers of the property above described as parcel No. II hereby petition for the following variances from the zoning regulations of Baltimore County to the zoning law of Baltimore County:

1. Variance from Section 255.1 as set forth in Section 251.1 - "Front Yard" - to permit a front building line of 51 feet from the front property line instead of the required 75 feet.

2. Variance from Section 255.1 as set forth in Section 251.4 - "Proximity of structures to Residential Zones" - to permit a structure to be located 84 feet from the nearest residential zone boundary line instead of the required 125 feet.

PARCELS NOS. III, IV AND V described in one parcel: All that lot of ground situated, lying and being in the Third Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point, said point being the second corner of a parcel of land conveyed by deed from Henry McComas, et ux to The Western Maryland Railroad Company dated May 12, 1906, as recorded in Liber 47-2, No. 299, folio 32; among the land records of Baltimore County, said point being the intersection of the main track of the Western Maryland Railroad opposite survey station 112+93.4, thence reversely with the first side in the aforementioned deed North 39 degrees 27 minutes East 201.71 feet to a point, thence four new lines of division the three following courses: (1) North 33 degrees 49 minutes East 100.0 feet to a point, said point being located 19.75 feet measured perpendicular from the center line of the main track at approximately Valuation Station 112+56.36; (2) thence parallel to and 39.75 feet distant from said center line of track South 56 degrees 11 minutes East 100.0 feet to a point; (3) thence South 33 degrees 49 minutes East 151.06 feet to a point in the fifth side of a parcel of land conveyed by deed from J. H. McHenry, et ux to The Western Maryland Railroad Company dated February 27, 1879, and recorded in Liber J.S. No. 91, folio 189, among the land records of Baltimore County, thence reversely with part of said fifth side westerly to the Western Maryland Railroad and the second side McComas to the Western Maryland Railroad, by a curve to the right having a radius of 2331.93 feet for a length of 210.40 feet and westerly along chord bears North 12 degrees 18 minutes 17 seconds West 210.50 feet to the point of beginning, containing 0.9204 of an acre of land, more or less.

We, the undersigned, Western Maryland Railway Company, legal owner of parcels Nos. III and IV, and Carlton Construction Company, legal owner of parcel No. V, hereby petition for the following variances from the zoning regulations of Baltimore County to the zoning law of Baltimore County:

1. Variance from Section 255.1 as set forth in Section 251.1 - "Front Yard" - to permit a front building line of 60 feet from the front property line instead of the required 75 feet.

IN THE MATTER OF THE PETITION OF HENRY M. WITMYER, JR., HELEN A. WITMYER, WESTERN MARYLAND RAILWAY COMPANY, MICHAEL B. SULLIVAN and ELIZABETH K. SULLIVAN PETITION FOR VARIANCE - OLD COURT AND GREENWOOD ROADS

It is stipulated and agreed by Western Maryland Railway Company, one of the Petitioners in the above entitled case and legal owner of parcels Nos. III, IV and V described in the petition for variance heretofore filed, that said petition be withdrawn as to said parcels Nos. III, IV and V.

Walter M. Jenifer, Attorney for Petitioner, Western Maryland Railway Company

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: I or we, the undersigned, legal owner of the property situated 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 _____ Has typed agents attached.

The parcels of ground described in this petition are classified for Manufacturing, Light (M-1) use. By reason of the irregular shape of these parcels, the railroad abutting on the northeast and residential zone abutting on the southwest, it is impossible to construct a usable and practical manufacturing building thereon and develop the property unless the variances requested are granted.

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

(For signatures, see typed agent attaching)

Contract purchaser: Legal Owner: Address: Address: Address: Address:

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day _____ 1964, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____ 1964, at _____ o'clock P. M.

Walter M. Jenifer, Esq., Attorney for Petitioner, Western Maryland Railway Company

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building, Towson, Maryland

DATE: April 9, 1964

Dear Sirs:

STANDARD Petition for Variance for Henry McComas, Jr., et al

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

OFFICE OF PLANNING & ZONING: No comment

TRAFFIC DEPARTMENT: No comment

BUREAU OF ENGINEERING: No comment

HEALTH DEPARTMENT: No comment

STATE ROADS COMMISSION: No comment

REDEVELOPMENT COMMISSION: No comment

FIRE DEPARTMENT: No comment

INDUSTRIAL DEVELOPMENT: No comment

BUILDING DEPARTMENT: No comment

BOARD OF EDUCATION: No comment

cc: William L. Jacob, Esq., Beckwith Building, Towson, Md.

JWB/ha

Yours very truly,

James M. Jones

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District... 3rd Date of Posting April 18, 1964
 Posted for: Varianco, Inc. attached
 Petitioner: Henry H. Wray, Jr., et al.
 Location of property: N.W. Cor. Old Court Rd. & Greenwood Lea
 Location of Sign: On N.W. Cor. Old Court Rd. & Greenwood Lea
 Remarks: 15' x 34' wide R.R. Right-of-Way, this end of Greenwood Lea
 Posted by: J. Anderson Date of return: April 22, 1964

5 signs

R. L. ANDERSON
 Architect

Office of Planning and Zoning
 County Office Building
 Towson, Maryland
 21204

Attn: Mr. J. G. Howell

re: Foundry Service and Supply Company
 Fo. 212-65

Dear Mr. Howell:

Foundry Service and Supply Company presently employs three people. They will not have more than six employees in their new location. Space is provided for six parking spaces.

If there are any additional questions, please call me.

Thank you.

Very truly yours:

R. L. Anderson AIA

rla/wsf

Dark Hollow Road
 Upperco, P.O., Maryland

(201) 429 5966

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 18, 1964

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing at 2:30 p.m. on the 17th day of April, 1964, the last publication appearing on the 17th day of April, 1964.

THE JEFFERSONIAN,

Frank M. Smith
 Manager.

Cost of Advertisement, \$.....

TELEPHONE 222-3000		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND		No. 23663 DATE 4/24/64
TO: <u>Western Maryland Railway Co.</u> <u>General Superintendent</u> <u>300 St. Paul Place</u> <u>Baltimore 5, Md.</u>		BILLED: <u>Posting Department of Baltimore County</u>		
DEPOSIT TO ACCOUNT NO. <u>0562</u>		TOTAL AMOUNT DUE <u>\$55.00</u>		
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE			COST
1	Advertising and posting of property for Henry H. Wray, et al.			\$55.00
Y-466 3358 : 23663: HFB- 16300				
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.				

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 21663

DATE 3/27/64

Division of Collection and Receipts
 COURT HOUSE
 TOWSON 4, MARYLAND

TO: Western Maryland Railway Company
General Superintendent
Baltimore 5, Maryland

BILLED: Posting Department of Baltimore County

CLASS

TOTAL AMOUNT DUE \$55.00

REPORT TO ACCOUNT NO. DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	COST
1	Posting for Varianco for Henry H. Wray, Jr., et al.	\$55.00

PAID - Baltimore County, Md. - Office of Finance

3-1764 1964 : 21663: HFB- 25600

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 VARIANCE

THIRD DISTRICT

BEFORE: Petition for a Variance for Henry H. Wray, Jr., et al.

Supersedees to permit the use of the property for a purpose other than that for which it is zoned.

The property is located in the Third District, Baltimore County, Maryland, and is zoned for residential use.

The property is located at the intersection of Old Court Road and Greenwood Lea.

The property is owned by Henry H. Wray, Jr., et al.

The property is currently used for residential purposes.

The property is being used for a purpose other than that for which it is zoned.

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