



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 20, 1997

John C. Wetzel, Esquire
Niles, Barton & Wilmer
1400 Legg Mason Tower
111 S. Calvert Street
Baltimore, MD 21202-6185

RE: Zoning Verification
1301 York Road
Zoning Cases 65-89-RXA & 69-28-SPH
9th Election District

Dear Mr. Wetzel:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The zoning of this site per the 1-inch = 200 feet scale zoning map #NE-11A is B.L. (Business, Local). The current use of this building as an office building (and restaurant) is permitted as of right in this zone. Prior zoning hearing case #65-89-RXA and #69-28-SPH permitted commercial parking in a residential zone, etc. Building permit #B-291610 (for a pump room and canopy addition) and the accompanying site plan showing the entire site was approved by this office on January 14, 1996. A review of files in the Code Enforcement office found no violations at this time.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Sullivan, Jr.", is written over a horizontal line.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

c: zoning cases 65-89-RXA & 69-28-SPH

Enclosure



RE: PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO R-1 ZONE;
SPECIAL EXCEPTION FOR FUNERAL
HOME, VARIANCE TO SECTION 208.3
OF ZONING REGULATIONS AND USE
PERMIT FOR PARKING IN RESIDENTIAL
AREA - YORK-GREEN RIDGE COMPANY,
PETITIONER

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-89-RXA

ORDER OF DISMISSAL

Petition of York-Green Ridge Company for reclassification from R-6 zone to a R-1 zone, special exception for a Funeral Home, variance from Section 208.3 of the Zoning Regulations and use permit for parking in a residential area, on property located on the northeast corner of York Road and Greenridge Road, in the Ninth District of Baltimore County.

Whereas, the Board of Appeals is in receipt of a Motion to Dismiss Petition for Reclassification filed September 2, 1966 from the attorney representing the petitioner-appellee in the above entitled matter.

Whereas, the said attorney for the said petitioner-appellee has requested that his entire petition be dismissed and, therefore, the Order of the Zoning Commissioner granting the said petition be declared null and void.

It is hereby ORDERED this 14th day of September, 1966 that said petition for reclassification, special exception, variance and use permit be and the same is hereby dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

R. Bruce Alderman, Acting Chairman

John A. Slawik

Paul T. McHenry, Jr.

PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO R-1 ZONE;
SPECIAL EXCEPTION FOR FUNERAL
HOME, VARIANCE TO SECTION 208.3
OF ZONING REGULATIONS AND USE
PERMIT FOR PARKING IN RESIDENTIAL
AREA - YORK-GREEN RIDGE COMPANY,
PETITIONER

BEFORE THE
COUNTY BOARD OF
APPEALS FOR
BALTIMORE COUNTY
Petition 65-89-RXA

MOTION TO DISMISS PETITION FOR RECLASSIFICATION

Now comes York-Green Ridge Company, a co-partnership, existing under the Uniform Partnership Act of the State of Maryland, by Albert Winer, the petitioner in the above entitled matter, by James H. Cook, its attorney, and moves this Board for an Order dismissing, without prejudice, the petition filed in the within case.

York-Green Ridge Company,
a co-partnership existing under the
Uniform Partnership Act of the
State of Maryland

BY: *Albert Winer*
Albert Winer

James H. Cook
James H. Cook
22 W. Pennsylvania Avenue
Towson, Maryland 21204
Attorney for Petitioner

RE: PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO R-1 ZONE;
SPECIAL EXCEPTION FOR FUNERAL
HOME, VARIANCE TO SECTION 208.3
OF ZONING REGULATIONS AND USE
PERMIT FOR PARKING IN RESIDENTIAL
AREA - YORK-GREEN RIDGE COMPANY,
PETITIONER

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-89-RXA

The petitioner has requested reclassification of a portion of the property at the northeast corner of York and Green Ridge Roads, in the Ninth District of Baltimore County, from an "R-6" zone to a "R-1" zone, and a special exception for a funeral home, specifically for a metal canopy at the main entrance to the building.

Testimony at the hearing indicated that there has been sufficient change in the immediate area to warrant the reclassification to "R-1" as permitted.

As the petitioner has met all requirements of Section 202.1 of the Baltimore County Zoning Regulations, the special exception required for a funeral home should be granted.

The variance applied for will grant relief to the petitioner without substantial injury to the public health, safety and general welfare of the locality involved.

It is this 20th day of September, 1966, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property of 35 foot frontage on York Road with an uneven width of 120 feet, more or less, consisting of 0.32 acres, should be and the same is hereby reclassified from an "R-6" zone to a "R-1" zone and that a special exception for a funeral home, specifically a metal canopy, said portion of land consisting of a square area of 10 feet for each side, or 1007 square feet of land, should be and the same is granted.

It is also ORDERED that the use permit for parking in a residential area, 175' x 10', to the rear of the subject property, is hereby granted as approved by the Director of the Office of Planning, said plan being attached and made a part hereof, dated September 29, 1966.

It is further ORDERED that a variance to Section 208.3 of the Baltimore County Zoning Regulations to permit a side yard along the side street of 17.33 feet from the property line and 17.33 feet from the center line of the street instead of the required 35 feet and 60 feet, is hereby granted.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION, VARIANCE AND USE PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, we, York-Green Ridge Company, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and make a part hereof hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "R-6" zone to an "R-1" zone; for the following reasons:

1. Error in the original zoning of said property.
2. Change in the character of the neighborhood of said property.

Variance to permit a side yard of 17.33 feet from the property line and 17.33 feet from the center line of the street instead of the required 35 feet and 60 feet as required under Section 208.3.

Said Variance is intended to be for the use of the metal canopy only as set forth in the Special Exception applied for hereunder, and as indicated on the attached plan.

It is also requested that a use permit be granted for parking in the residential area of 175 feet by 10 feet, as shown on the attached drawings.

canopy protecting passengers entering or exiting the funeral home.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

existing under the Uniform Partnership Act of the State of Maryland

Address 22 W. Pennsylvania Avenue
Towson 4, Maryland

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of August, 1966, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1966, at 10:00 o'clock A. M.

10:00 A.M. 9/29/66

10:00 A.M. 9/29/66

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1. Error in the original zoning of said property.
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It is also requested that a use permit be granted for parking in the residential area of 175 feet by 10 feet as shown on the attached drawings.

canopy protecting passengers entering or exiting the funeral home, specifically for a metal canopy protecting passengers entering or alighting from automobiles at the main entrance to the funeral home.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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10:00 A.M. 9/29/66

DESCRIPTION OF PART OF THE PROPERTY OF
ALBERT WINER ET AL TO BE RETAINED FROM
R-6 TO B-1

June 29, 1964
#65-59 REX
SPH

Beginning for the same at a point on the east side of York Road, said point of beginning being distant 79 feet more or less measured along said east side of York Road from the centerline of Greenridge Road 30 feet wide, said point of beginning being on the fourth of North 22° 12' 27" West 55.27 foot line of the land conveyed by G. Ware Travelstead et al, to Albert Winer et al, by deed dated May 25, 1964, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4310, folio 256, and running thence binding on said east side of York Road the two following courses and distances viz: first North 22° 12' 27" West 22.96 feet, and second North 21° 38' 40" West 12.04 feet, thence binding on the south side of the land zoned B-1 by Case # 4959 North 68° 17' 50" East 400.13 feet to intersect the last line of said deed at a point distant 115.00 feet from the end of said last line, thence on part of said last line South 21° 42' 10" East 35.00 feet, thence for a line of division South 68° 17' 50" West 399.93 feet to the place of beginning.

Containing 0.321 acres of land more or less.
Being part of the land described in a deed from G. Ware Travelstead et al to Albert Winer et al, dated May 27, 1964, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4310, folio 256.

DESCRIPTION TO ACCOMPANY REQUEST FOR
SPECIAL EXCEPTION FOR PORTE-COCHERE
AND ALSO A SIDE YARD VARIANCE IN R-6 ZONE

June 29, 1964
#65-59 REX
SPH

Beginning for the same at a point distant North 68° 17' 50" East 100.00 feet, from a second point, said second point being on the east side of York Road at a point distant 79 feet more or less measured northward along said east side of York Road from the centerline of Greenridge Road 30 feet wide said second point being on the fourth of North 22° 12' 27" West 55.27 foot line of the land conveyed by G. Ware Travelstead et al to Albert Winer et al, by deed dated May 27, 1964, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4310, folio 256, and running thence for lines of division the four following courses and distances viz: first North 68° 17' 50" East 40.00 feet, second South 21° 42' 10" East 40.00 feet, third South 68° 17' 50" West 40.00 feet, and fourth North 21° 42' 10" West 40.00 feet to the place of beginning.

Containing 0.037 acres of land more or less.
Being part of the land described in a deed from G. Ware Travelstead et al to Albert Winer et al, dated May 27, 1964, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4310, folio 256.

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

Richard C. Murray, Esq.,
Loyola Building
Towson 4, Md.

Office of Planning & Zoning
119 County Office,
Towson 4, Md.

DATE 11/25/64
No. 27568

DEPOSIT TO ACCOUNT NO.	01-622	TOTAL AMOUNT
QUANTITY	DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Cost of posting property - York-Green Ridge Co. 2 signs		\$10.00
No. 65-59		
		11-25-64 11:11 : 27568 TIP= 10.00

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.

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

Hessers, Cook, Mudd and Howard
The Loyola Building
Towson 4, Md.

Office of Planning & Zoning
119 County Office,
Towson 4, Md.

DATE 8/12/64
No. 25261

DEPOSIT TO ACCOUNT NO.	01-622	TOTAL AMOUNT
QUANTITY	DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Petition for Reclassification, Variance & Special Exception for York-Greenridge Co., at 1		50.00
		8-17-64 6:57 : 25261 TIP= 50.00

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.

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

Hessers, Cook, Mudd and Howard
22 W. Penna. Ave.
Towson 4, Md.

Office of Planning & Zoning
119 County Office,
Towson 4, Md.

DATE 9/16/64
No. 25330

DEPOSIT TO ACCOUNT NO.	01-622	TOTAL AMOUNT
QUANTITY	DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Advertising and posting of property for York-Greenridge Co.		129.50
No. 65-59 - REXPH		
		9-16-64 11:11 : 25330 TIP= 129.50

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 103
Date of Posting 9-4-64
Posted for Hessers, Cook, Mudd and Howard
Petitioner: York - Green Ridge Co.
Location of property: Hessers, Cook, Mudd and Howard, 22 W. Penna. Ave., Towson 4, Md.

Location of Sign: Hessers, Cook, Mudd and Howard, 22 W. Penna. Ave., Towson 4, Md.
Remarks: York - Green Ridge Co. and York - Green Ridge Co. and York - Green Ridge Co.
Posted by Robert C. Murray
Date of return 9-16-64

INTER-OFFICE CORRESPONDENCE

TO: John G. Ross, Zoning Commissioner, Date: September 12, 1964
FROM: George R. Gavrilas, Director
SUBJECT: #65-59 REX aph. Ref. to P-1 Zoning. Petition for Special Exception for a Funeral Home, specifically for a metal canopy protecting passengers entering or alighting from automobiles at the entrance to the funeral home, in the R-6 Zone. Variance to permit a side yard along a side street of 17.31 feet from the property line and 42-33 feet from the center line of the street instead of the respectively 35 feet and 60 feet as required under Section 208-3, said variance intended to be for the use of the metal canopy only as set forth in the Special Exception applied for hereunder, and as indicated on the plan. Petition for a use permit for parking in the residential area of 175 feet by 45 feet, as shown on the plans.

9th District
HEARING: Tuesday, September 22, 1964 (10:00 A.M.)
The staff of the Office of Planning and Zoning has reviewed the subject petition for a Special Exception for a Funeral Home as stipulated, for reclassification in part, for variance, and for a use permit for parking in a residential zone. It has the following advisory comments to make with respect to pertinent planning factors:

1. Commercial zoning for the larger tract at the northeast corner of York and Greenridge Roads was created in connection with Petition No. 49-59. In granting B-1 zoning here, the Board of Appeals retained a 100 foot buffer strip alongside Greenridge Road. The decision of the Board of Appeals was affirmed by the Circuit Court.
2. Subsequent to the reclassification, title to the property passed to new owners. It was their understanding that the property was zoned in its entirety for commercial purposes. However, their plan for developing the property embraced office and funeral home uses rather than active retail or typical commercial uses. It is to be noted that the office use is permitted by Special Exception in the apartment zone; the Funeral Home is permitted by Special Exception in the residential zone. The effect of the specific developmental proposals here is to create buffering and transitional uses along the easterly side of York Road southerly from the commercial complex at Sennary Avenue.
3. With respect to the subject petition and the equities involved, the planning staff will offer no adverse comment. From a planning viewpoint, the buffer intended along Greenridge Road by the Board of Appeals is retained and strengthened. A transitional use - the Funeral Home is assured by the Special Exception. Requirements in connection with the offset parking request with respect to screening (not indicated as yet on the plan) will further assure compatibility with residential zoning to the south.

GLG:mb

PETITION FOR RECLASSIFICATION
SPECIAL EXCEPTION, VARIANCE
AND A USE PERMIT

ZONING: From B-1 to R-6 Zone for a Funeral Home, specifically for a metal canopy protecting passengers entering or alighting from automobiles at the entrance to the funeral home, in the R-6 Zone. Variance to permit a side yard along a side street of 17.31 feet from the property line and 42-33 feet from the center line of the street instead of the respectively 35 feet and 60 feet as required under Section 208-3, said variance intended to be for the use of the metal canopy only as set forth in the Special Exception applied for hereunder, and as indicated on the plan. Petition for a use permit for parking in the residential area of 175 feet by 45 feet, as shown on the plans.

LOCATION: Northeast corner of York and Greenridge Roads, at the intersection of York and Greenridge Roads, at the intersection of York and Greenridge Roads, at the intersection of York and Greenridge Roads.

DATE & TIME: Tuesday, September 22, 1964 (10:00 A.M.)
COUNTY OFFICE: Baltimore County, Maryland
CITY OFFICE: Baltimore City, Maryland

THE JEFFERSONIAN
Baltimore, Md.
Date of Advertisement: 9-16-64

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

Richard C. Murray, Esq.,
Loyola Building
Towson 4, Md.

Office of Planning & Zoning
119 County Office Building,
Towson 4, Md.

DATE 11/4/64
No. 27548

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 103
Date of Posting 9-4-64
Posted for Hessers, Cook, Mudd and Howard
Petitioner: York - Green Ridge Co.
Location of property: Hessers, Cook, Mudd and Howard, 22 W. Penna. Ave., Towson 4, Md.

Location of Sign: Hessers, Cook, Mudd and Howard, 22 W. Penna. Ave., Towson 4, Md.
Remarks: York - Green Ridge Co. and York - Green Ridge Co. and York - Green Ridge Co.
Posted by Robert C. Murray
Date of return 9-16-64

YORK ROAD

ROAD

9-R-6-13
RESIDENTIAL

EXISTING ZONING — B-L R-2
PROPOSED ZONING — B-L SPECIAL EXCEPTION C-SIDE YARD VARIANCE,
EXISTING USE — VACANT C-PARKING USE PERMIT IN R-G ZONE.
PROPOSED USE — TUNNEL HOME
NO PARKING SPACES — 47 PASSENGER VEHICLES
ALL PARKING AREA LIGHTING TO BE DIRECTED AWAY
FROM RESIDENTIAL AREA.
NO PARKING AFTER 10:30 P.M.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: John E. Jurek
DATE: 9/19/64

PLAT TO ACCOMPANY DESCRIPTIONS
PROPERTY OF
ALBERT WINER 21-91
YORK ROAD AND GREENRIDGE ROAD

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

ELECT. DIST. 45
JUNE 29, 1964
REVISED - SEPT. 24, 1964
REVISED - SEPT. 28, 1964

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

