

RE: PETITION FOR VARIANCES
 To Sec. 238.1 and 238.2 of
 Zoning Regulations -
 S.W. Cor. Baltimore National
 Pike and Kent Ave. 1st Dist.
 Park Fory Corp., Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF
 BALTIMORE COUNTY
 No. 65-111-A

65-111-A
 PARK FORTY CORP.
 BALTIMORE COUNTY
 1st Dist.
 No. 65-111-A

PETITION FOR VARIANCES
 from Sections 238.1 and
 238.2 - Metals Building
 Park Fory Corporation,
 Petitioners
 FOR
 BALTIMORE COUNTY
 No. 65-111-A

PETITION TO REVISE

PETITIONERS in the above-captioned case respectfully request that they be permitted to revise their Petition heretofore filed, so that the first paragraph will read as follows:

- a. 238.1 to permit a front yard setback of 30 feet instead of the required 50-foot setback (where property fronts on a dual highway).
- b. 238.2 to permit a rear yard of 11 feet, instead of the required 30 feet; and a side yard on the east side of an average distance of 4 feet instead of the required 30 feet (running from a zero feet setback at the southeast corner of the proposed structure to 8 feet at the northeast corner of the proposed structure).

Petitioners append, hereto, a copy of the site plan for the proposed building to be erected for the Knapp Shoe Store, as prepared by Esten Associates, Architects, dated October 19, 1964.

John Warfield Armiger
 John Warfield Armiger
 Attorney for Petitioners
 406 Jefferson Building
 Towson, Maryland 21284
 Valley 5-7666



LIV OFFICE
 JOHN WARFIELD ARMIGER
 TOWSON, MARYLAND

Pursuant to the advertisement, posting of property and public hearing on the subject petition for variances to Sections 238.1 and 238.2 of the Baltimore County Zoning Regulations, the petitioners has filed a petition to revise the original petition as follows:

- A. Sec. 238.1 to permit a front yard setback of 30 feet instead of the required 50 feet setback (where property fronts on a dual highway).
- B. Sec. 238.2 to permit a rear yard of 11 feet instead of the required 30 feet; and a side yard on the east side of an average distance of 4 feet instead of the required 30 feet (running from a zero feet setback at the southeast corner of the proposed structure to 8 feet at the northeast corner of the proposed structure).

It appears that by reason of the above finding of facts that the requested variances will grant relief to the petitioners without substantial injury to the public health, safety or general welfare of the locality involved, the variances should be granted.

It is this 22nd day of October, 1964, by the Zoning Commissioner of Baltimore County, Maryland that a variance to Section 238.1 to permit a front yard setback of 30 feet instead of the required 50 feet setback (where property fronts on a dual highway) and a variance to Section 238.2 to permit a rear yard of 11 feet instead of the required 30 feet; and a side yard on the east side of an average distance of 4 feet instead of the required 30 feet (running from a zero feet setback at the southeast corner of the proposed structure to 8 feet at the northeast corner of the proposed structure); that the petition for said variances should be granted; and that the petition for said variances should be subject to compliance with the attached plat marked "A" and is made a part hereof.

John Warfield Armiger
 Zoning Commissioner of
 Baltimore County

**PETITION FOR ZONING VARIANCE
 FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
 I, or we, **Park Fory Corporation**, 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,

herby petition for a Variance from Section 238.1 to permit a front yard set-back of 30 feet instead of the required 50 feet set-back required (where property fronts on a dual highway, and from Section 238.2 to permit a rear yard of 8 feet instead of the required 30 feet; and a side yard on the east side of 4 feet instead of the required 30 feet.

1. Existing building violates existing area regulations in a BR zone due to construction of Route 40 (Baltimore National Pike) after building was constructed. Owners would be unable, in event of destruction of present building, to utilize their small building lot (0.236 acres) for any economically feasible purpose unless the proposed variances be granted.
2. Present hardship has resulted entirely from conditions beyond the control of the Owner and is due solely to the taking of a portion of said lot by the State Roads Commission for the building of Route 40. This hardship is unique to the subject property and is not prevalent throughout the neighborhood.

Please note accompanying plans and planometric map.

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 Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PARK FORTY CORPORATION
 BY *John Warfield Armiger* Vice President
 Legal Owner
 Address: _____
 Address: _____
 John Warfield Armiger
 406 Jefferson Building
 Towson, Maryland
 VA 5-7666
 Petitioner's Attorney
 Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of September, 1964, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in the 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 13th day of October, 1964, at 10:30 o'clock.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: October 2, 1964

FROM: George E. Gavrilas, Director

SUBJECT: 65-111-A. Variance to permit a front yard of 30 feet instead of the required 50 feet setback (where property fronts on the dual highway, and to permit a rear yard of 8 feet instead of the required 30 feet; and to permit a side yard on the East side of zero feet instead of the required 30 feet. Southwest corner of Baltimore National Pike and Kent Avenue. Being property of Park Fory Corporation.

1st District
 Hearing: October 13, 1964 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for variances to the yard requirements of the B-R zone and has the following advisory comments to make with respect to pertinent planning factors:

1. It is the understanding of the planning staff that the subject petition covers an existing building. In a zoning sense, the existing building has a non-conforming status with respect to compliance with the setback requirements in the Business-Roadside zone. Therefore, variances are not required legally for any reason of the existing building.
2. It is the further understanding of the planning staff that the subject property now is part of a larger tract which is being devoted to motel and restaurant activities. As part of a larger tract, it would seem to the planning staff that sufficient space can be provided around any new construction which might take place on the subject property so as to completely comply with the setback requirements of the Business-Roadside zone. The staff finds it difficult to reconcile itself to the desirability of granting the variances being requested.

GEO:bae

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 COUNTY OFFICE BUILDING
 TOWSON 4, MARYLAND

John Warfield Armiger, Esq.
 406 Jefferson Building
 Baltimore, Maryland
 21204

Park Fory Corp.
 1/2 acre, 1st, 10 and Kent
 SUBJECT: Avenue, Variance

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

OFFICE OF PLANNING AND ZONING

If granted, the variance should be limited to the existing building.

STATE ROAD COMMISSION

Entrances to U. S. Rt. 40 will be subject to approval of this Commission

The following members had no comment to make:

- Redevelopment & Rehabilitation Commission
- Board of Traffic Engineering
- Fire Bureau
- Health Department
- Industrial Development Commission
- Board of Education
- Building Department
- Bureau of Engineering

Yours very truly,

John G. Rose
 Chief of Permit and
 Petition Processing

Description to Accompany Petition for Zoning Variance, Property of Park Fory Corporation. August 26, 1964

Beginning for the same at a point on the West side of Kent Avenue as proposed to be widened to 50.00 feet, said point of beginning being distant 20 feet more or less, measured southerly along said West side of Kent Avenue from the Southeast right-of-way line of Edmondson Avenue Extended (Route 40) and running thence binding on said West side of Kent Avenue as proposed to be widened to 50.00 feet, South 11° 27' 39", West 90.00 feet to intersect the Southeast side of Lot 23, Block 1, as shown on a plat entitled "Catonville Heights" dated July 1919 and recorded among the Plat Records of Baltimore County in Liber W.P.C. 6, folio 178, thence South 63° 20' 24" West binding on part of the Southeast side of Lot 23, and all of the Southeast side of lots 22, 21 and 20, Block 1, as shown on said Plat, in all 64.80 feet, thence North 31° 20' 06" West binding on part of the Southwest side of said lot 20, in all 109.70 feet, to intersect the said Southeast right-of-way line at Edmondson Avenue Extended, thence binding on said Southeast right-of-way line of Edmondson Avenue Extended North 72° 18' 09" East 127.53 feet, thence South 37° 36' 46" East 18.97 feet to the place of beginning.

Containing 0.236 acres of land more or less.
 Being part of that parcel of land conveyed by U. S. D. Properties, Inc., to Park Fory Corporation by deed dated September 30, 1963, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4212, folio 186.

TELEPHONE 823-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
 No. 25385
 DATE 9/16/64

TO: Park Fory Hotel Partnership
 406 Jefferson Building
 Towson 4, Md.
 Zoning Department of Baltimore County

INVOICE

DEPARTMENT TO ACCOUNT NO. 01-652

QUANTITY	UNIT PRICE	TOTAL AMOUNT
Advertising and posting of property	58.00	58.00
65-111-A		
		58.00

PAID - Baltimore County, Md. - Office of Finance

40-964 0370 * 25385 TTP - 58.00

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.

TELEPHONE 823-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
 No. 25335
 DATE 9/16/64

TO: John Warfield Armiger, Esq.
 406 Jefferson Building
 Towson 4, Md.
 Zoning Department of Baltimore County

INVOICE

DEPARTMENT TO ACCOUNT NO. 01-652

QUANTITY	UNIT PRICE	TOTAL AMOUNT
Petition for variances for Park Fory Corp.	25.00	25.00
65-111-A		
		25.00

PAID - Baltimore County, Md. - Office of Finance

40-964 0370 * 25335 TTP - 25.00

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.

ZONING: Petition for Variance to the Zoning Regulations of Baltimore County to permit a front yard of 30 feet instead of the required 50 feet; and a side yard on the east side of zero feet instead of the required 30 feet; and to permit a rear yard of 8 feet instead of the required 30 feet; and to permit a side yard on the East side of zero feet instead of the required 30 feet.

LOCATION: Southeast corner of Baltimore National Pike and Kent Avenue.

DATE & TIME: Tuesday, October 13, 1964 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Regulations to be accepted as follows:
 Section 238.1 - Front Yard - 30 feet
 Section 238.2 - Rear & Side Yards - 30 feet

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing concerning all that parcel of land in the First District of Baltimore County

of the property of Park Fory Corporation, as shown on plat plan filed with the Zoning Department.

BY ORDER OF
 JOHN G. ROSE
 ZONING COMMISSIONER OF
 BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 157 Date of Posting: SEPT 24 1964
Posted for: [Signature]
Petitioner: Park Forty Corp.
Location of property: [Signature] of Baltimore Nat. Pike & Kent Ave.
Location of Signs: [Signature] of Baltimore Nat. Pike & Kent Ave.
Remarks:
Posted by: [Signature] Date of return: OCT 1 1964

ORIGINAL

OFFICE OF
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridderdown, Md
THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

September 25, 1964

THIS IS TO CERTIFY, that the annexed 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, Maryland, once a week for One Week successive weeks before the 25th day of September, 1964, that is to say the same was inserted in the issues of

September 25, 1964.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager
R.M.

PETITION FOR A VARIANCE
1st DISTRICT

ZONING: Petition for Variance to the Zoning Regulations of Baltimore County to permit a front yard of 30 feet instead of the required 50 feet set back (where property fronts on the dual highway); and to permit a rear yard of 8 feet instead of the required 30 feet; and to permit a side yard on the East side of Zero feet instead of the required 30 feet.

LOCATION: Southwest corner of Baltimore National Pike and Kent Avenue.

DATE & TIME: TUESDAY, OCTOBER 13, 1964 at 10:30 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Regulations to be excepted as follows:

Section 238.1 - Front Yard - 50 feet.

Section 238.2 - Rear & Side Yards - 30 feet.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Concerning all that parcel of land in the First District of Baltimore County.

Beginning for the same at a point of the West side of Kent Avenue as proposed to be widened to 50.00 feet, said point of beginning being distant 20 feet more or less, measured southerly along said West side of Kent Avenue from the Southeast right-of-way line of Edmondson Avenue Extended (Route 40) and running thence binding on said West side of Kent Avenue as proposed to be widened to 50.00 feet, South 11 degrees 27' 39", West 90.00 feet to intersect the Southeast side of Lot 23, Block 1, as shown on a plat entitled "Catonsville Heights" dated July 1919 and recorded among the Plat Records of Baltimore County in Liber W.P.C. 6, folio 178, thence South 63 degrees 20' 24" West binding on part of the Southeast side of Lot 23, and all of the Southeast side of Lots 22, 21 and 20, Block 1, as shown on said Plat, in all 64.80 feet, thence North 31 degrees 20' 06" West binding on part of the Southeast side of said lot 26, in all 109.70 feet, to intersect the said Southeast right-of-way line at Edmondson Avenue Extended, thence binding on said Southeast right-of-way line of Edmondson Avenue Extended North 72 degrees 18' 09" East 127.53 feet, thence South 37 degrees 36' 46" East 18.97 feet to the place of beginning.

Containing 0.236 acres of land more or less.

Being part of that parcel of land conveyed by D & D Properties, Inc., to Park Forty Corporation by deed dated September 30, 1963, and recorded among the Land Records of Baltimore County in Liber R.R.G. 4212, folio 156.

Being the property of Park Forty Corporation, as shown on plat plan filed with the Zoning Department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Sept. 25

PETITION FOR A VARIANCE
1st DISTRICT

ZONING: Petition for a Variance to the Zoning Regulations of Baltimore County to permit a front yard of 30 feet instead of the required 50 feet set back (where property fronts on the dual highway); and to permit a rear yard of 8 feet instead of the required 30 feet; and to permit a side yard on the East side of Zero feet instead of the required 30 feet.

LOCATION: Southwest corner of Baltimore National Pike and Kent Avenue.

DATE & TIME: TUESDAY, OCTOBER 13, 1964 at 10:30 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Regulations to be excepted as follows:

Section 238.1 - Front Yard - 50 feet.

Section 238.2 - Rear & Side Yards - 30 feet.

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Concerning all that parcel of land in the First District of Baltimore County.

Beginning for the same at a point on the West side of Kent Avenue as proposed to be widened to 50.00 feet, said point of beginning being distant 20 feet more or less, measured southerly along said West side of Kent Avenue from the Southeast right-of-way line of Edmondson Avenue Extended (Route 40) and running thence binding on said West side of Kent Avenue as proposed to be widened to 50.00 feet, South 11 degrees 27' 39" West 90.00 feet to intersect the Southeast side of Lot 23, Block 1, as shown on a plat entitled "Catonsville Heights" dated July 1919 and recorded among the Plat Records of Baltimore County in Liber W.P.C. 6, folio 178, thence South 63 degrees 20' 24" West binding on part of the Southeast side of Lot 23, and all of the Southeast side of Lots 22, 21 and 20, Block 1, as shown on said Plat, in all 64.80 feet, thence North 31 degrees 20' 06" West binding on part of the Southeast side of said lot 26, in all 109.70 feet, to intersect the said Southeast right-of-way line at Edmondson Avenue Extended, thence binding on said Southeast right-of-way line of Edmondson Avenue Extended North 72 degrees 18' 09" East 127.53 feet, thence South 37 degrees 36' 46" East 18.97 feet to the place of beginning.

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Being the property of Park Forty Corporation, as shown on plat plan filed with the Zoning Department.

By Order Of
John G. Rose

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. September 24 1964

THIS IS TO CERTIFY. That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of ONE successive weeks before the 13th day of October, 1964, the first publication appearing on the 24th day of September 1964.

THE TIMES.

[Signature]
Manager.

John M. Martin

Cost of Advertisement \$27.00
Purchase Order A2395
Requisition No. N9871

OCT 22 '64 M

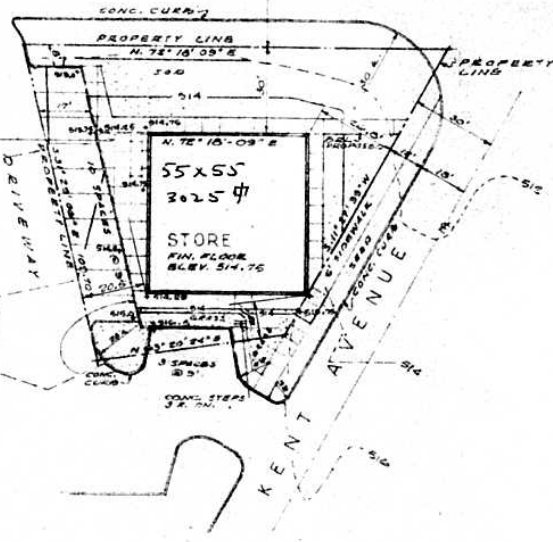
ROUTE 40

TO BALTIMORE



EXISTING BUILDING FIRST FL. ELEV. 514.75

PATTERN PAVING SCORED TO MATCH PAVING IN RESTAURANT BUT EQUAL SQUARES, 2' SIZED ON 4'-0" O.C.

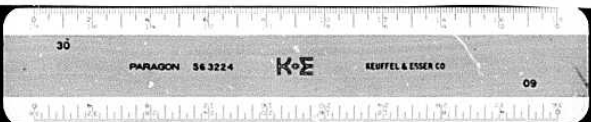


SITE PLAN
SCALE 1" = 30'

'KNAPP' SHOE STORE
FOR PARK 40 CORPORATION
7705 GEORGIA AVE., N.W.
WASHINGTON, D.C. 202-70.2-0105

EVERETT ARCHITECTS ARCHITECTS
6335 HARTWOOD AVENUE, BELLEVILLE, MARYLAND
301-331-7220

OCTOBER 19, 1964 DWG. #1 of 1



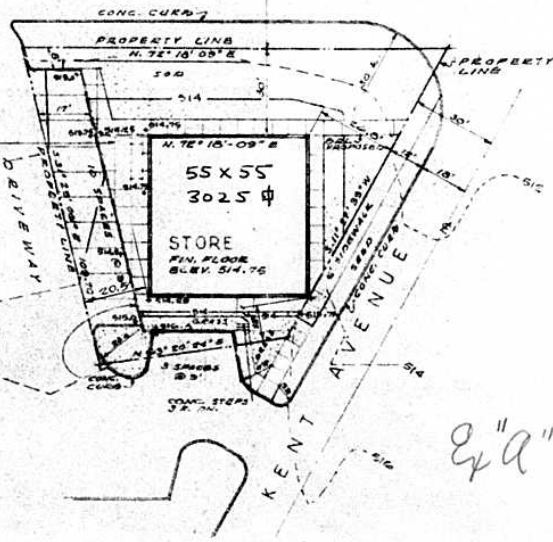
ROUTE 40

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EXISTING BUILDING FIRST FL. ELEV. 514.75

PATTERN PAVING SCORED TO MATCH PAVING IN RESTAURANT BUT EQUAL SQUARES, 2' SIZED ON 4'-0" O.C.



SITE PLAN
SCALE 1" = 30'

Ex "a"

'KNAPP' SHOE STORE
FOR PARK 40 CORPORATION
7705 GEORGIA AVE., N.W.
WASHINGTON, D.C. 202-70.2-0105

EVERETT ARCHITECTS ARCHITECTS
6335 HARTWOOD AVENUE, BELLEVILLE, MARYLAND
301-331-7220

OCTOBER 19, 1964 DWG. #1 of 1