

65-300 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mary K. Wurtzer, 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,

hereby petition for a Variance from Section 238.1 to allow a front yard setback for a commercial structure of 11 to 14 feet, rather than the requirement specified therein, and for a variance from Section 238.2 to allow a side yard setback for a commercial structure of 0 feet rather than the 30 feet specified therein, for a variance from Section 238.4 to allow storage and display of vehicles more than 15 feet in front of the required property line, to wit, a maximum of 42 feet in front of such property line.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The triangular shape of the land makes it impossible to set back the usual distance and prohibits effective use of the owner's land without such variances.

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

Contract purchaser
Mary K. Wurtzer Legal Owner
Address: 143 E. Baltimore St.
Baltimore, Md. 21204
Petitioner's Attorney
W. Lee Thomas, Esq. - 202 Campbell Bldg.
Towson 4, Md.

ORDERED BY The Zoning Commissioner of Baltimore County, this 16th day

of March, 1965, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of April, 1965, at 11:00 o'clock

... A.M.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 13, 1965

FROM: George E. Gosselin, Director

SUBJECT: Petition #65-300-Ar. - Variance to permit a front yard setback for a commercial structure 11 to 14 feet instead of the required 30 feet; and to permit a side yard of zero feet instead of the required 30 feet; and to permit a storage and display of vehicles more than 15 feet in front of the required property line a maximum of 42 feet in front of such property line. South side of Old Frederick Road 415 feet West of Ingleside Avenue. Being the property of Mary K. Wurtzer.
1st DISTRICT
HEARING: Thursday, April 29, 1965 (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- It is the intent of the Zoning Regulations to prevent commercial development from being "jammed-up" against the right-of-way lines of dual highways. The proposed canopy could well have the effect of both a structure and an advertising sign, and would therefore even further subvert the intent of the regulations. It is our opinion that any further assault upon the Baltimore National Pike should be sharply limited to the extent allowed by present regulations.

We are at a loss to find any reason that taste and design should not govern future development along this highway. Certainly it would seem within the economic capability of the petitioner to develop its properties within such limits.

- Variance proceedings for this property have already been undergone once, under petition #64-121. Surely adequate "relief" has already been afforded. We do not see that displaying used cars away from the road causes any genuine hardship.

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

and it appearing that by reason of the following finding of fact:

the above Variance should be not granted.

It is ordered by the Zoning Commissioner of Baltimore County, this 16th day of March, 1965, that the above Variance be and the same is hereby DENIED.

that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of:

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of March, 1965, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

W. Lee Thomas, Esq.
202 Campbell Building
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this

day of March, 1965

John G. Rose
Zoning Commissioner

Owner Name: Mary K. Wurtzer

Reviewed by: James E. Dyer

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COUNTY HOUSE
TOWSON 4, MARYLAND

For: George E. Gosselin, Director
202 Campbell Building
Towson, Md. 21204

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RECEIVED BY: James E. Dyer
DATE: 4/13/65

RE: PETITION FOR VARIANCE TO THE ZONING REGULATIONS - 3/3 Old Frederick Road 115' W. of Ingleside Avenue - 1st District
Mary K. Wurtzer - Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY No. 65-300-A

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of practical difficulty, a Variance to permit a front yard setback for a commercial structure of 11 to 14 feet instead of the required 30 feet; and to permit a side yard of zero feet instead of the required 30 feet; and to permit a storage and display of vehicles more than 15 feet in front of the required building line, a maximum of 42 feet in front of such building line.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 29th day of April, 1965, that the aforementioned Variances should be and the same are granted, from and after the date of this order, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Edward D. Hardisty
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 4, MARYLAND

W. Lee Thomas, Esq.
202 Campbell Building
Towson, Maryland 21204

Front and Side Yard Variances for Mary K. Wurtzer
Subject: Variance Located 3/3 Old Frederick Rd W of Ingleside Avenue, 1st District

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

BUREAU OF ENGINEERING
Utilities - Meter - Existing 12" and 20" in Baltimore National Pike.
Sanitary Sewer - Existing 12" in Baltimore National Pike.
Roads - Baltimore National Pike is a State Road.

STATE ROAD COMMISSION: All entrances to the site should be subject to the approval of this commission.

The following members had no comment to offer:

Office of Planning and Zoning
Board of Education
Fire Bureau
Industrial Commission
Traffic Engineering
Building Department
Health Department

cc: Carolyn Brown-Bureau of Engineering
John Lawrence-Roads Commission

Yours very truly,

James E. Dyer
Chief of Permit and Petition Processing

PAUL CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
1608 Conwell Bldg. Rt. 1, Towson, Md. 21204
823 - 0900

DESCRIPTION
PART OF WURTZER PROPERTY, BALTIMORE
NATIONAL PIKE, WEST OF INGLESIDE AVENUE,
FIRST ELECTION DISTRICT, BALTIMORE CO., MD.

Present Zoning: "BR"

Proposed Zoning: "BR with side and Front Yard Variances for Use as Car Shelter"

Beginning for the same at a pipe heretofore set on the south side of Old Frederick Road, at the distance of 415.00 feet, as measured westerly along said south side of Old Frederick Road from its intersection with the west side of Ingleside Avenue, said point of beginning being at the beginning of the second parcel of the land which by deed dated May 17, 1954 and recorded among the Land Records of Baltimore County in Liber C.L.B. No. 2482, Folio 406 was conveyed by Rowell Title Holding Corporation to Mary Kirwan Wurtzer, and running thence, binding on said south side of Old Frederick Road and on the southeast side of Baltimore National Pike (Also known as Edmondson Avenue extended) as laid out 150 feet wide and shown on Plat No. 4365, revised April 21, 1941 and prepared by the State Roads Commission of Maryland under Contract No. B-336-1-426, thence binding on said southeast side of Baltimore National Pike and on the second line of the second parcel herein referred to, S 72° 20' 10" W - 153.16 feet to the end thereof and to a point in the third line

PAUL CHILDS & ASSOCIATES, INC.
1608 Conwell Bldg. Rt. 1, Towson, Md. 21204

Page Two.

of the land which by deed dated June 12, 1907 and recorded among said Land Records in Liber W.P.C. No. 314, Folio 572 was conveyed by Mary C. Schewe and husband to Patrick Kirwan and wife, said last mentioned point being also in the northeast outline of "Catonsville Heights" as shown on the subdivision plat thereof recorded among the aforesaid Land Records in Plat Book W.P.C. No. 6, Folio 178, thence binding on a part of said last mentioned line and on a part of said outline, S 46° 58' 20" E - 262.00 feet more or less to a point on the fourth line of the zoning description 1-BR-4 thence binding on a part thereon northeasterly 115 feet, more or less, to intersect the fourth line of the second parcel of the land first herein referred to, and thence binding on a part of said fourth line N 04° 33' 00" W - 215 feet, more or less, to the place of beginning.

GA:vmg

J.O. 63214

3/2/65



ZONING: Petition for a Variance for Front and Side Yards.
LOCATION: South side of Old Frederick Road 115 feet West of Ingelside Avenue.
DATE & TIME: THURSDAY, APRIL 29, 1965 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Chapter 109 of the Baltimore County Code, will hold a public hearing on the following:

Petition for a Variance to the Zoning Regulations of Baltimore County to permit a front yard setback of commercial structures of 11 to 14 feet instead of the required 16 feet; and to permit a side yard of zero feet instead of the required 30 feet; and to permit a maximum of 42 feet front of each property line.

The Zoning Regulations to be variegated as follows:

Section 231.1 - Front Yard - For commercial buildings the front property line if on a dual highway.
Section 232.2 - Side and Rear Yards - 30 feet.
Section 238.4 - Storage and display of materials, vehicles and equipment are permitted in the front yard but not more than 15 feet in front of the required front building line.

All that parcel of land in the First District of Baltimore County

Beginning to the same at a pipe heretofore set, on the south side of Old Frederick Road, at the distance of 415.00 feet, an easement westerly along said south side of Old Frederick Road from its intersection with the west side of Ingelside Avenue, and point of beginning being at the beginning of the second parcel of land which by deed dated May 17, 1964 and recorded among the Land Records of Baltimore County for Liber G.L.B. No. 3482, Folio 498 was conveyed by Russell T. H. Holding Corporation to Mary Kirwan Wurtzer, and thence thence, lying on said south side of Old Frederick Road and on the first line of said second parcel, South 60 degrees 08 minutes 45 seconds West 142.35 feet to a point on the southeast side of Baltimore National Pike (Also known as Ingelside Avenue extended) a "rod and chain" measured 150 feet and shown on Plat No. 1485, revised April 21, 1961 and prepared by the State Roads Commission of Maryland under Contract No. B-535-1-1428, thence lying on said southeast side of Baltimore National Pike and on the second line of the second parcel herein referred to, South 72 degrees 20 minutes 10 seconds West 125.16 feet to the end thereof and to a point in the third line of the land which by deed dated June 12, 1907 and recorded among said Land Records in Liber M.P.C. No. 414, Folio 372 was conveyed by Mary C. Kirwan and husband to Paul Kirwan and wife, said last mentioned point being also in the southeast corner of "Catharine Heights" or thereon, on the subdivision plat thereof recorded among the aforementioned Land Records in Plat Book S.P.C. No. 8, Folio 179, thence lying on a part of said last mentioned line and on a part of said outline, South 16 degrees 55 minutes 20 seconds East 480.00 feet more or less to a point on the fourth line of the zoning description T-1B-14 thence lying on a part of said line, southeasterly 115 feet, more or less, to intersect the fourth line of the second parcel of the land last herein referred to, and thence lying on a part of said fourth line North 0 degrees 33 minutes 00 seconds West 215 feet, more or less, to the place of beginning.

Being the property of Mary K. Wurtzer as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, April 29, 1965 at 11:00 A.M.
Public Hearing Room 109 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of
John G. Nease
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. April 8, 1965.

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 7th day of April, 1965, the first publication appearing on the 8th day of April 1965.

THE TIMES

Manager
John H. Martin

Cost of Advertisement \$ 35.00

Purchase Order A8698
Requisition No. P2695

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection & Receipts
CLERK OF THE COURT
TOWSON & BALTIMORE

RECEIPT
For the sum of \$ 35.00
Paid to the Office of Finance
Baltimore County, Md., Office of Finance
4-210 3032 • 30524 12-7-1965

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 PUBLICATION

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1ST Date of Posting: April 10, 1965
Posted for: Variance
Petitioner: Mary K. Wurtzer
Location of property: 34th & Ingelside Ave. 415' N of Ingelside Ave.
Location of Signs: 34th & Ingelside Ave. 135' E of 34th Ave.
Remarks:
Posted by: J. H. Martin Date of return: April 15, 1965

PETITION FOR A VARIANCE

1st DISTRICT

ZONING: Petition for a Variance for Front and Side Yards.
LOCATION: South side of Old Frederick Road 115 feet West of Ingelside Avenue.
DATE & TIME: THURSDAY, APRIL 29, 1965 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Chapter 109 of the Baltimore County Code, will hold a public hearing on the following:

Petition for a Variance to the Zoning Regulations of Baltimore County to permit a front yard setback of commercial structures of 11 to 14 feet instead of the required 16 feet; and to permit a side yard of zero feet instead of the required 30 feet; and to permit a maximum of 42 feet front of each property line.

The Zoning Regulations to be variegated as follows:
Section 231.1 - Front Yard - For commercial buildings the front property line if on a dual highway.
Section 232.2 - Side and Rear Yards - 30 feet.
Section 238.4 - Storage and display of materials, vehicles and equipment are permitted in the front yard but not more than 15 feet in front of the required front building line.

All that parcel of land in the First District of Baltimore County

Beginning to the same at a pipe heretofore set, on the south side of Old Frederick Road, at the distance of 415.00 feet, an easement westerly along said south side of Old Frederick Road from its intersection with the west side of Ingelside Avenue, and point of beginning being at the beginning of the second parcel of land which by deed dated May 17, 1964 and recorded among the Land Records of Baltimore County for Liber G.L.B. No. 3482, Folio 498 was conveyed by Russell T. H. Holding Corporation to Mary Kirwan Wurtzer, and thence thence, lying on said south side of Old Frederick Road and on the first line of said second parcel, South 60 degrees 08 minutes 45 seconds West 142.35 feet to a point on the southeast side of Baltimore National Pike (Also known as Ingelside Avenue extended) a "rod and chain" measured 150 feet and shown on Plat No. 1485, revised April 21, 1961 and prepared by the State Roads Commission of Maryland under Contract No. B-535-1-1428, thence lying on said southeast side of Baltimore National Pike and on the second line of the second parcel herein referred to, South 72 degrees 20 minutes 10 seconds West 125.16 feet to the end thereof and to a point in the third line of the land which by deed dated June 12, 1907 and recorded among said Land Records in Liber M.P.C. No. 414, Folio 372 was conveyed by Mary C. Kirwan and husband to Paul Kirwan and wife, said last mentioned point being also in the southeast corner of "Catharine Heights" or thereon, on the subdivision plat thereof recorded among the aforementioned Land Records in Plat Book S.P.C. No. 8, Folio 179, thence lying on a part of said last mentioned line and on a part of said outline, South 16 degrees 55 minutes 20 seconds East 480.00 feet more or less to a point on the fourth line of the zoning description T-1B-14 thence lying on a part of said line, southeasterly 115 feet, more or less, to intersect the fourth line of the second parcel of the land last herein referred to, and thence lying on a part of said fourth line North 0 degrees 33 minutes 00 seconds West 215 feet, more or less, to the place of beginning.

Being the property of Mary K. Wurtzer as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, April 29, 1965 at 11:00 A.M.
Public Hearing Room 109 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of
John G. Nease
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

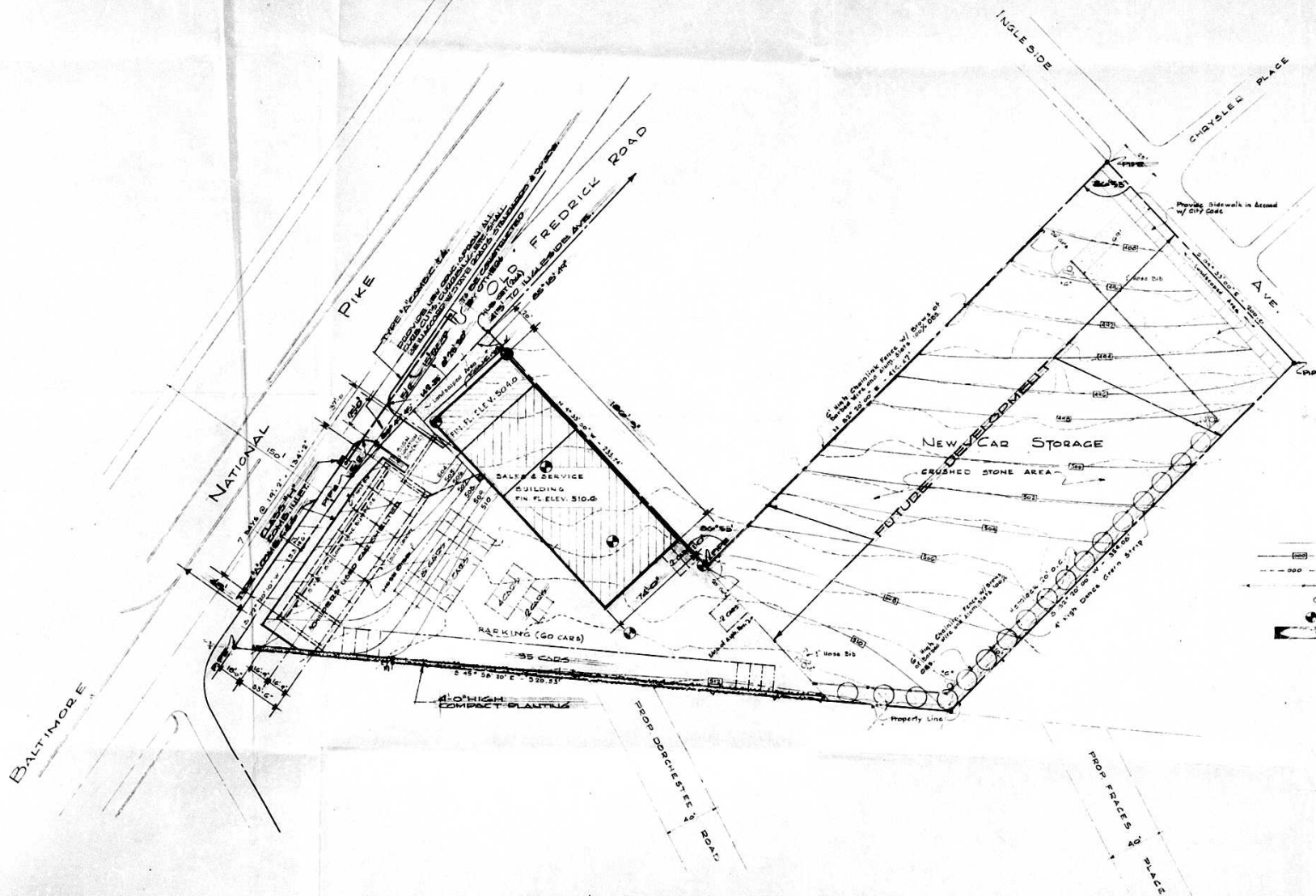
TOWSON, MD. April 10, 1965.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 7th day of April, 1965, the first publication appearing on the 8th day of April 1965.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$



PLOT & GRADING PLAN

LEGEND

- FINISH GRADES
- EXISTING GRADES
- CHAINLINK FENCE
- POLE BASE
- SOIL BORINGS
- ASPHALT PAVING

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY [Signature]
DATE June 14, 1965
BY [Signature]
ZONING COMMISSIONER

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY [Signature]
DATE June 14, 1965
RECEIVED 22, 1964
REV NOV 18, 1964 CAD
REV JAN 3, 1965 CAD
REV OCT 25, 1965 CAD

SALES & SERVICE CENTER
CHRYSLER CORPORATION
BALTIMORE NAT PIKE & INGLESIDE AVE.
BALTIMORE COUNTY, MARYLAND

A.E. ASSOCIATES
840 TYSON ST. BALTIMORE, MARYLAND
CHARLES A. DEMARCO AIA.
ARCHITECT



PLOT & GRADING PLAN

DATE Oct 1, 1964 C.V.
SCALE 1" = 40.0'
SHEET NO. A100

