

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Walter E. Barrett, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, for the following reasons:

Variance to Section 409.2-4-6 To permit 7 parking spaces instead of the required 14 spaces. Section 232.1 to permit a front yard setback of 38 feet instead of the required 40 feet. Section 232.2 to permit a side yard setback of 3 feet and 2.8 feet instead of the required 10 feet.

See attached description

and (2) for a Special Exception under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Living Quarters in a Commercial Building.

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 County.

Contract purchaser Walter E. Barrett Legal Owner
Address 5612 Annapolis Road
Petitioner's Attorney Walter E. Barrett Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day of June, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of July, 1965, at 11:00 o'clock.

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date July 7, 1965
FROM: George E. Gavrelis, Director
SUBJECT: Petition #22-XA. "Special Exception for Living Quarters in a Commercial Building and Variance to permit 7 parking spaces instead of the required 14 spaces; to permit a front yard of 38 feet instead of the required 40 feet; to permit a side yard of 3 feet and 2.8 feet instead of the required 10 feet. Northwest corner of Annapolis Road and Daisy Avenue. Being the property of Walter E. Barrett."

13th DISTRICT

HEARING: Wednesday, July 21, 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:

- We have examined the revised petitioner's plat, dated June 17, 1965. It would appear from the revised plat that a variance for parking would no longer be required.
- We recommend that any granting of the special exception be conditioned upon fulfillment of other County requirements, particularly Building Code regulations. Granting should also be conditioned upon approval by this office of the parking layout and other site-plan details.

RE: PETITION FOR SPECIAL EXCEPTION For Living Quarters in Commercial Building - Variance to Sections 409.2 b (6); 232.1 and 232.2 of Zoning Regulations - NW/Cor of Annapolis Road and Daisy Ave., 13th District - Walter E. Barrett, Petitioner

BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY No. 66-22-XA

The petitioner in the above entitled matter has requested a special exception for living quarters in a commercial building at the northwest corner of Annapolis Road and Daisy Avenue, in the Thirteenth District of Baltimore County and variances to Sections 409.2; 232.1 and 232.2 of the Baltimore County Zoning Regulations, to permit 7 parking spaces instead of the required 14 spaces; a front yard setback of 38 feet instead of the required 40 feet and a side yard of 3 feet and 2.8 feet respectively instead of the required 10 feet.

As the petitioner has complied with the requirements of Section 502.1 of said Regulations, the special exception should be granted.

The above variances should also be granted.

It is this 26th day of July, 1965, by the Zoning Commissioner of Baltimore County, ORDERED that the special exception for living quarters in a commercial zone should be and the same is hereby granted from and after the date of this Order.

It is further ORDERED that the variances to permit 7 parking spaces instead of the required 14 spaces; to permit a front yard setback of 38 feet instead of the required 40 feet and a side yard of 3 feet and 2.8 feet respectively instead of the required 10 feet, should be granted.

The site plan for the development of said property is subject to approval of the State Road Commission, Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 13th Date of Posting July 2, 1965
Posted for Special Exception & Variance
Petitioner Walter E. Barrett
Location of property NW Cor. of Annapolis Rd. & Daisy Ave.
Location of Sign NW Cor. of Annapolis Rd. & Daisy Ave.
Remarks None
Posted by J. Gavrelis Date of return July 8, 1965

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

TO: Walter E. Barrett 5612 Annapolis Road Baltimore, Md. 21227

DEPOSIT TO ACCOUNT NO. 66-22 DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY Advertising and posting of property 66-22-XA COST 6.50

66-22-XA

66-22-XA

66-22-XA

66-22-XA

66-22-XA

66-22-XA

Lawson, P.E., J. E. Childs, L.S. Associates, Inc. Engineers - Surveyors - Site Planners 1020 Council Ridge Rd. - Baltimore, Maryland 21201 823-0900

DESCRIPTION

LOTS 215, 216 and 217 - SECTION "B" - ENGLISH CONSUL ESTATE - THIRTEENTH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND.

Present Zoning - BL Proposed Zoning - BL with Special Exception and Variances

Beginning for the same at the point formed by the intersection of the center line of Daisy Avenue, 40 feet wide, and the center line of Old Annapolis Road as shown on a plat entitled "Part of Section B, English Consul Estate" and recorded among the Land Records of Baltimore County in Plat Book WPC 3, page 109, said point of beginning being, also at the beginning of the third line of Baltimore County Zoning Description 13-BL-6, running thence and binding on the center line of Old Annapolis Road and on a part of said third line, northeasterly 95 feet, more or less, thence to and along the division line between lots 217 and 218 as shown on said plat, westerly 150 feet, more or less, to the southeast side of an alley, 14 feet wide, as shown on said plat, thence binding thereon, southwesterly 95 feet, more or less, to the center line of Daisy Avenue, thence binding thereon, easterly 150 feet, more or less, to the place of beginning.

RS/jc 3, O. 76.5087 5/27/65



INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

TO: Mr. William Robert 5612 Annapolis Road Baltimore 27, Md.

DATE 6/21/65

DEPOSIT TO ACCOUNT NO. 66-22 DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

QUANTITY Petition for Variance & Special Exception 66-22-XA COST 50.00

66-22-XA

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CERTIFICATE OF PUBLICATION

TOWSON, MD. July 2, 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 successive week before the 21st day of July, 1965, the first publication appearing on the 2nd day of July, 1965.

THE JEFFERSONIAN, George E. Gavrelis Manager.

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Mr. Walter E. Barrett 5612 Annapolis Road Baltimore, Maryland 21227

SUBJECT: Special Exception for Living Quarters in a Commercial Building and Variance for Walter E. Barrett, located on the NW/Cor of Annapolis Road and Daisy Ave. 13th District (Ivan A. June 15, 1965)

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

STATE ROAD COMMISSION: There is no objection to the driveway as shown; however, the developer has been asked to grade out the adjacent property and pave the entire driveway to meet State Rd. thereby ensuring a high standard of access. Parking is permitted in front of the building stage in a landscaped manner. It is therefore, requested that if the Zoning Commissioner sees fit to grant the petition, that safe and adequate means of access be constructed immediately and subject to the approval of the State Road Commission.

BUREAU OF TRAFFIC ENGINEERING: This bureau will review the subject site and submit comments at a later date.

OFFICE OF PLANNING AND ZONING: Since the original on-site inspection of the subject property by the Zoning Advisory Committee in particular the State Road Commission and the Bureau of Traffic Engineering and this office, the revised plan has been submitted. The Traffic Engineering, after reviewing this plan, has indicated that they are satisfied and will not submit comments. The State Road Commission has also indicated approval of the revised plan. This office is also in agreement with the revised plan with the exception of the parking space adjacent to Annapolis Road. However, it appears that this can be corrected at the building permit stage in the event that the requested zoning is granted.

BUREAU OF ENGINEERING: The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of the plans or problems that may have a bearing on this action. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Board of Education
Health Department
Industrial Development
Buildings Department
Fire Bureau-Plans Review

cc: John L. Duerr-State Road Commission
Richard Moore-Bureau of Traffic Engineering
Albert J. Jahn-Office of Planning and Zoning
Carlyle Brown-Bureau of Engineering

Very truly yours,

James M. Dyer

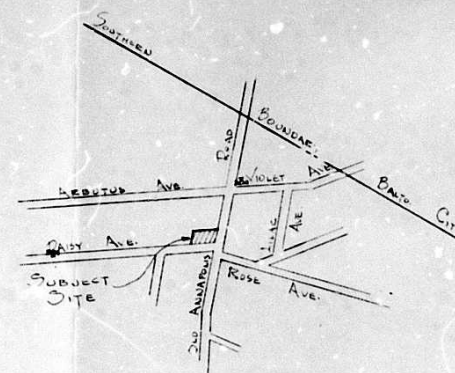
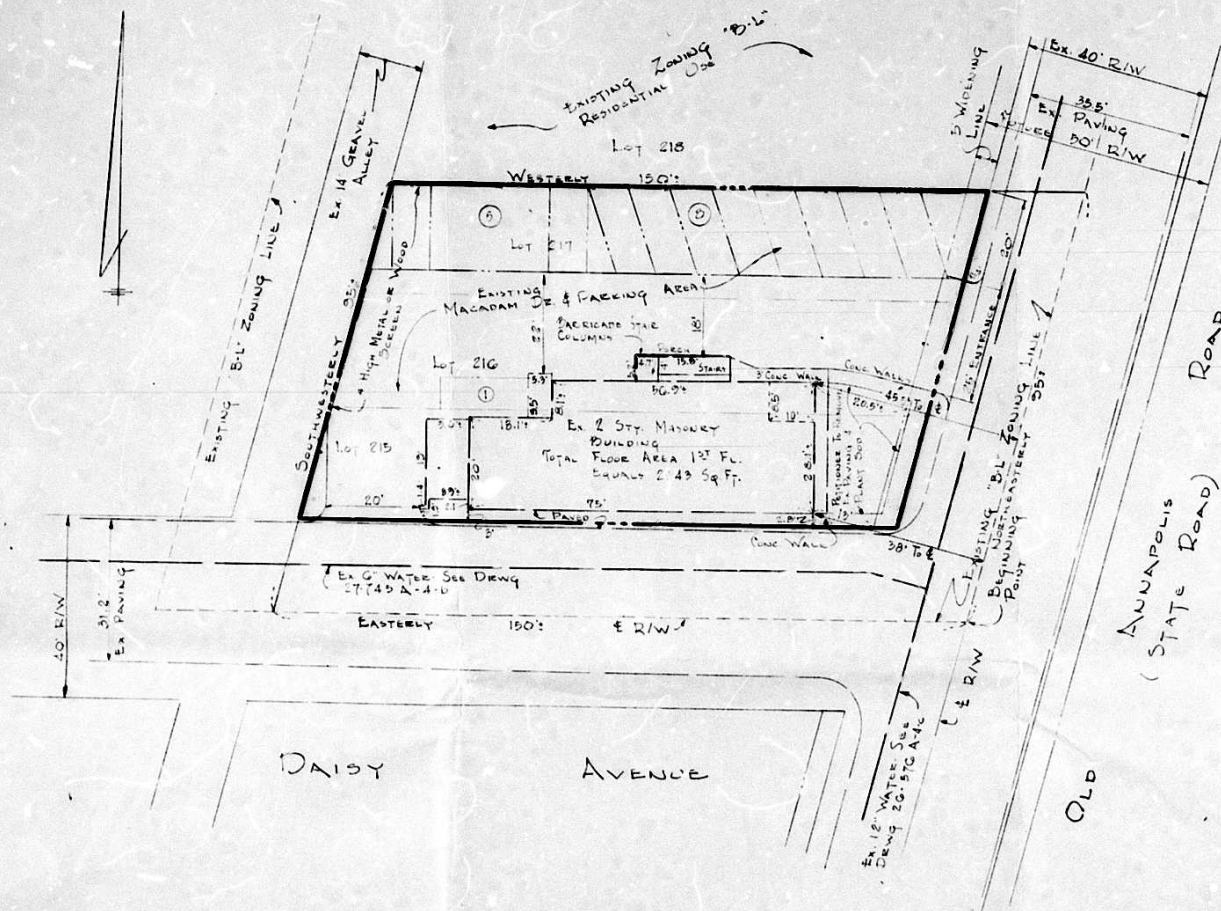
CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. July 1, 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 two successive weeks before the 19th day of July, 1965, the first publication appearing on the 17th day of July, 1965.

THE TIMES, John M. Marks Manager.

Cost of Advertisement \$.....



LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. AREA OF PROPERTY EQUALS 0.22 ACRES ±
2. EXISTING ZONING OF PROPERTY "B-1"
3. EXISTING USE OF PROPERTY:
 - A) FIRST FLOOR - RETAIL FOOD STORE
 - B) SECOND FLOOR - RESIDENTIAL USE
4. PROPOSED ZONING OF PROPERTY "B-1" WITH SPECIAL EXCEPTION & FRONT & SIDE YARD VARIANCES
5. PROPOSED USE OF PROPERTY:
 - A) FIRST FLOOR - RETAIL FOOD STORE
 - B) SECOND FLOOR - RESIDENTIAL (3 APARTMENTS)
6. PETITIONER IS REQUESTING "SPECIAL EXCEPTION" FOR APARTMENTS IN A COMMERCIAL BUILDING.
7. REQUIRED OFF-STREET PARKING EQUALS 14 UNITS (0.5x18')
 - A) 11 UNITS REQUIRED FOR STORE
 - B) 3 UNITS REQUIRED FOR APARTMENTS
8. PETITIONER IS REQUESTING THE FOLLOWING VARIANCES TO THE BALTO. CO ZONING CODE:
 - A) SECTION 232.1 FRONT YARD FROM 40' TO 38'
 - B) SECTION 232.2 SIDE YARD FROM 10' TO 3' & 2.5'



PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION & VARIANCES
TO PROPERTY

VICINITY
DAISY AVE. & OLD ANNAPOLIS RD.
ELECTION DISTRICT 13 BALTIMORE CO., MD.
SCALE: 1"=20' MAY 22, 1965

REVISED: JUNE 17, 1965

MATZ, CHILDS & ASSOCIATES, INC.			
100 SOUTH MALL BRIDGE ROAD			
BALTIMORE, MARYLAND 21204			
TITLE	DATE	BY	CHKD BY
65087 RLS.			PL