

66-140-11 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

KNOW ALL MEN BY THESE PRESENTS, that HUTZLER BROTHERS COMPANY, 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 235.2 (232.2 B.L.) ~~to permit a side yard setback~~ ^{to permit a side yard setback} instead of required 10'-0". Section 234 (231 B.L.) requests 48'-0" height instead of allowable 40'-0"

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

See attached description
Practical Difficulty

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.

HUTZLER BROTHERS COMPANY
By: *Arthur D. Hutzler, Jr.* Legal Owner
212 North Howard Street
Address: Baltimore 2, Maryland 21201
NILES, BARTON, GANS & MARRELL
By: *Arthur D. Hutzler, Jr.* Attorney
Address: Baltimore 2, Maryland 21201

ORDERED BY The Zoning Commissioner of Baltimore County, this 8th day of November, 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 December, 1965, at 2:00 o'clock P.M.

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 following finding of facts ~~that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without substantial injury to the public health, safety and general welfare of the locality involved, a variance to permit a side yard setback of zero feet instead of the required 10 feet and a building height of 48 feet instead of the required 40 feet, should be granted.~~

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of December, 1965, that the herein Petition for Variance should be and the same is granted, from and after the date of this order, which permits a setback of 0' instead of the required 10 feet, and a building height of 48 feet instead of the required 40 feet, subject to approval of the site plan by the Bureau of Public Services and Office of Planning and Zoning.

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of December, 1965, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

Description to Accompany
Zoning Petition
Hutzel Brothers Company
Shealey and Delaware Avenue

November 2, 1965

Beginning for the same on the westernmost side of Delaware Avenue as widened at a point distant 145.55 feet measured southerly from the southernmost side of Joppa Road said point of beginning being the corner of the existing Hutzel Brothers Company store, thence running and binding on the westernmost side of said Delaware Avenue as to be widened South 24° 21' 20" West 122.27 feet, thence southeasterly by a line curving to the right with a radius of 15.00 feet for a distance of 21.00 feet said curve being subtended by a chord bearing South 67° 20' 10" West 19.09 feet to the northernmost side of Shealey Avenue as to be widened, thence binding on the northernmost side of Shealey Avenue as to be widened North 69° 41' 00" West 137.36 feet to the corner of the existing Hutzel Brothers Company store, thence binding along the outside face of said Hutzel Brothers Company store, the three following courses and distances viz: first North 12° 25' 00" East 95.53 feet, second North 86° 04' 15" East 86.93 feet and third South 73° 07' 20" East 93.81 feet to the place of beginning.

Containing 0.436 acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 26, 1965
FROM: George E. Gonsky, Director, Office of Planning and Zoning
SUBJECT: Petition 66-140-A. "Variance to permit Zero side yard setback in lieu of the required 10 feet; to permit a building height of 48 feet instead of the required 40 feet. West side of Delaware Avenue 145 feet from the south side of Joppa Road. Being the property of Hutzel Brothers Company."

9th DISTRICT

HEARING: Wednesday, December 8, 1965 (2:00 P.M.)

The Planning staff of the Office of Planning and Zoning has reviewed the subject petition and will offer no comment.

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 18, 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., on the 18th day of November, 1965, the first publication appearing on the 18th day of November, 1965.

THE JEFFERSONIAN,
B. Leach Strickland
Manager.

Cost of Advertisement, \$...

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th
Date of Posting: 11-10-65
Posted for: *Hutzel Bros. Co. 145.5' from the*
Petitioner: *Hutzel Bros. Co.*
Location of property: *West side of Delaware Ave. 145.5' from the*
Location of Signs: *on the property of 515 Delaware Ave. 10' from*
Remarks: *advertising and posting of property for Hutzel Bros. Co.*
Posted by: *Robert J. Gonsky*
Signature: _____ Date of return: 11-24-65

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
TO: Messrs. Niles, Barton, Gans & Marrell
329 N. Howard Street
Baltimore, Md. 21201
DATE: 11/2/65
BILLED BY: Zoning Dept. of Balto. Co.

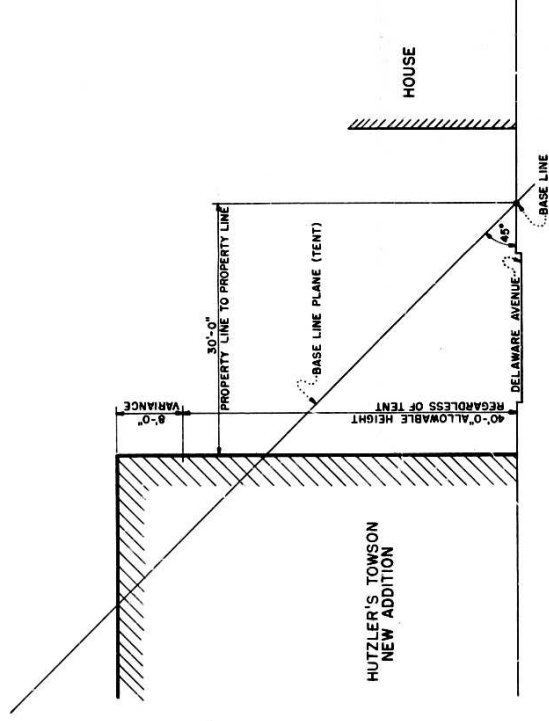
QUANTITY	REMARKS	TOTAL AMOUNT
1	Advertising and posting of property for Hutzel Bros. Co. 66-140-A	\$2.00
		\$2.00

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.

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BALTIMORE COUNTY, MARYLAND
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329 N. Howard Street
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DATE: 11/2/65
BILLED BY: Zoning Dept. of Balto. Co.

QUANTITY	REMARKS	TOTAL AMOUNT
1	Petition for Variance for Hutzel Bros. Co. 66-140-A	\$25.00
		\$25.00

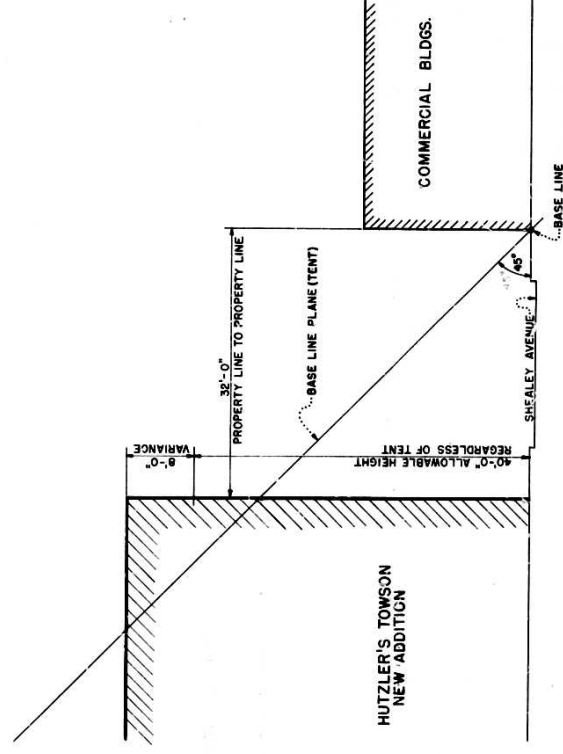
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SECTION - LOOKING WEST

SCALE: 1/8" = 1'-0"

HUTZLER BROTHERS COMPANY
JOPPA AND DULANEY VALLEY RD.
TOWSON, MARYLAND
VARIANCE - HEIGHT REGULATIONS
SECTION 231 OF BALTIMORE COUNTY
ZONING REGULATIONS.
THE OFFICE OF JAMES R. EDMUNDS, JR., ARCHITECTS
DATE: OCTOBER 19, 1965 JOB NO. 6553-2



SECTION - LOOKING EAST

SCALE: 1/8" = 1'-0"

HUTZLER BROTHERS COMPANY
JOPPA AND DULANEY VALLEY RD.
TOWSON, MARYLAND
VARIANCE - HEIGHT REGULATIONS
SECTION 231 OF BALTIMORE COUNTY
ZONING REGULATIONS.
THE OFFICE OF JAMES R. EDMUNDS, JR., ARCHITECTS
DATE: OCTOBER 19, 1965 JOB NO. 6553-1