

PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
NO. 13 Linden Avenue 100' SE of
Leeds Avenue - 13th District
Daniel Mandelsohn
BALTIMORE COUNTY
66-187-XA

The Petitioner seeks a Special Exception to use his property as a service garage. He also seeks a Variance to permit 25 parking spaces instead of the required 66 spaces.

Without reviewing the evidence in detail, it is quite obvious that this particular section of the County has a very severe traffic problem. To grant a service garage at this location (Linden Avenue) would only further complicate matters. The entire block in question between East Drive and Leeds Avenue was zoned commercial on the original 13th District zoning map, presumably to give recognition to various non-conforming uses in existence. As a result, the Petitioner is now left with the commercial tract with extremely poor access. It is questionable whether he can attract a first class tenant in view of present circumstances. On the other hand, a first class tenant for a service garage would grossly violate the spirit and intent of Section 502.1 of the Baltimore County Zoning Regulations.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16 day of March, 1966, that the Special Exception for a service garage be and the same is hereby DENIED. Accordingly, the Variance to Section 502.2 is also hereby DENIED.

Shepard D. Harkins
Deputy Zoning Commissioner

ORDER RECEIVED FOR FILING

DATE 3/16/66
BY [Signature]
ADMINISTRATIVE ASSISTANT

Fred E. Waldrop, Require
Masonic Building
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
11th day of January, 1966.

[Signature]
JOHN G. ROSE
Zoning Commissioner

Petitioner Daniel Mandelsohn
Petitioner's Attorney Fred E. Waldrop
Reviewed by [Signature]
Chairman of Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting Feb 5, 1966
Posted for [Signature]
Petitioner: Daniel Mandelsohn
Location of property: 100' SE of Leeds Ave
Location of Sign: 100' SE of Leeds Ave
Remarks: [Signature]
Posted by [Signature] Date of return: Feb 10, 1966

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Daniel Mandelsohn, 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, from an [blank] zone to an [blank] zone, for the following reasons:

In order to comply with Section 409.2 of the Baltimore County Zoning Regulations, the owner would be subjected to an unreasonable hardship to maintain a reasonable use of the property.

Petition for Variance-Section 409.2 - To permit 25 parking spaces; instead of the required 66 spaces.

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 a service garage.

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 Daniel Mandelsohn
Address [blank]
Fred E. Waldrop
Petitioner's Attorney
Protestant's Attorney

Address Masonic Building, Towson, Md., 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of January, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of February, 1966, at 1:00 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
VA 3-3000

JOHN G. ROSE
ZONING COMMISSIONER

Fred E. Waldrop, Require
Masonic Building
Towson, Maryland 21204

January 13, 1966

RE: Special Exception Service
Garage Parking Variance for
Daniel Mandelsohn located NE/4
Linden Ave SE of Leeds Ave
13th District
(Item 1, January 11, 1966)

Dear Sir:

The above referenced petition is accepted for filing as of the date on the enclosed filing certificate. Notice of the hearing date and time which will be held not less than 30 days nor more than 90 days after the date on the filing certificate will be forwarded to you in the near future.

If you have any questions concerning this matter, please do not hesitate to contact me at VA 3-3000, Extension 353.

Very truly yours,

[Signature]
JOHN G. ROSE, Principal
Zoning Technician

JDR:lyb

Registration No. 1



William M. Magnadier

County Surveyor
Professional Engineer and Land Surveyor
Court House
Towson, Md. 21204

For purpose of Zoning Only

Special Exception for service garage

All that piece or parcel of land situate, lying and being in the Thirteenth

Election District of Baltimore County, State of Maryland and described as follows:

Beginning for the same on the northeast side of Linden Avenue where said side of said avenue is intersected by the division line between lots numbered 5 and 6 Block No. 4 as laid out on Plat No 1 Linden Heights and recorded among the plat records of Baltimore County in Plat Book W.P.C. No. 5 folio 64 etc., said beginning point also being distant 100.00 feet measured southeasterly from the corner formed by the intersection of the northeast side of Linden Avenue with the southeast side of Leeds Avenue running thence and binding on the northeast side of Linden Avenue south 42 degrees 29 minutes east 50.00 feet thence leaving the avenue and running north 47 degrees 31 minutes east 145.19 feet to intersect the rear outline of lot numbered 8 Block No. 4 laid out on said plat thence binding on a part of the rear outline of said lot numbered 8 and on the rear outlines of lots numbered 7 and 6 north 43 degrees 16 minutes 30 seconds west 50.00 feet to the aforesaid division line between lots numbered 5 and 6 thence binding on said division line south 47 degrees 31 minutes west 144.50 feet to the place of beginning.

Containing 0.165 of an acre of land more or less.

[Signature]



Registration No. 1



William M. Magnadier

County Surveyor
Professional Engineer and Land Surveyor
Court House
Towson, Md. 21204

For Purpose of Zoning Only

Parking Variance

All that piece or parcel of land lying, situate and being in the Thirteenth Election District of Baltimore County, State of Maryland and described as follows:
Beginning for the same on the northeast side of Linden Avenue where said side of said avenue is intersected by the division line between lots numbered 5 and 6 Block No 4 as laid out on Plat No 1 Linden Heights and recorded among the plat records of Baltimore County in Plat Book W.P.C. No. 5 folio 64 etc., said beginning point also being distant 100.00 feet measured southeasterly from the corner formed by the intersection of the northeast side of Linden Avenue with the southeast side of Leeds Avenue running thence and binding on the northeast side of Linden Avenue south 42 degrees 29 minutes east 50.00 feet to the northwest side of right of way of the United Railway Company as laid out on said plat thence binding on the northwest side of said right of way north 15 degrees 54 minutes west 171.90 feet to the rear outline of lot numbered 12 Block No 4 as laid out on said plat thence binding on the rear outlines of lots numbered 12-11-10-9-8-7 and 6 north 43 degrees 16 minutes 30 seconds west 137.57 feet to the aforesaid division line between lots numbered 5 and 6 thence binding on said division line south 47 degrees 31 minutes west 144.50 feet to the place of beginning.

Containing 0.60 of an acre of land more or less.

[Signature]



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

Fred E. Waldrop, Require
Masonic Building
Towson, Maryland 21204

SUBJECT: Special Exception Service Garage
Parking Variance for
Daniel Mandelsohn located NE/4
Linden Ave SE of Leeds Ave
13th District
(Item 1, January 11, 1966)

Dear Sir:

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

PROPERTY PLANNING REVIEW: This office questions the feasibility of building on the most logical or usable space that could or should be used to alleviate the parking deficiency that presently exists for the existing building.

The existing parking area in front of the stores is not of sufficient size to properly accommodate on-site parking. The area that can be used for parking is the street which would be creating a traffic hazard on Linden Avenue.

BUREAU OF ENGINEERING:
Water - Existing 12" water in both Leeds and Linden Avenue.
Sewer - Existing 12" sewer in both Leeds and Linden Avenue.
Sanitary of existing utilities to be determined by developer or his engineer.
Storm Drain - Existing 36" storm drain system just north of this site.
Road - Linden Avenue is to be developed as a minimum 10' road on a 50' right of way.

BUREAU OF TRAFFIC ENGINEERING: At the present time there is a parking shortage in this general area due to the restaurant, liquor store and pool hall presently existing. Any variance in parking will only compound the problem. In addition, the parking situation presently existing in front of the stores would be eliminated to prevent backing onto Linden Avenue. This is due to the inability of the driver to watch the traffic on East 7 Ave making left turns onto Linden Avenue.

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 plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations to the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

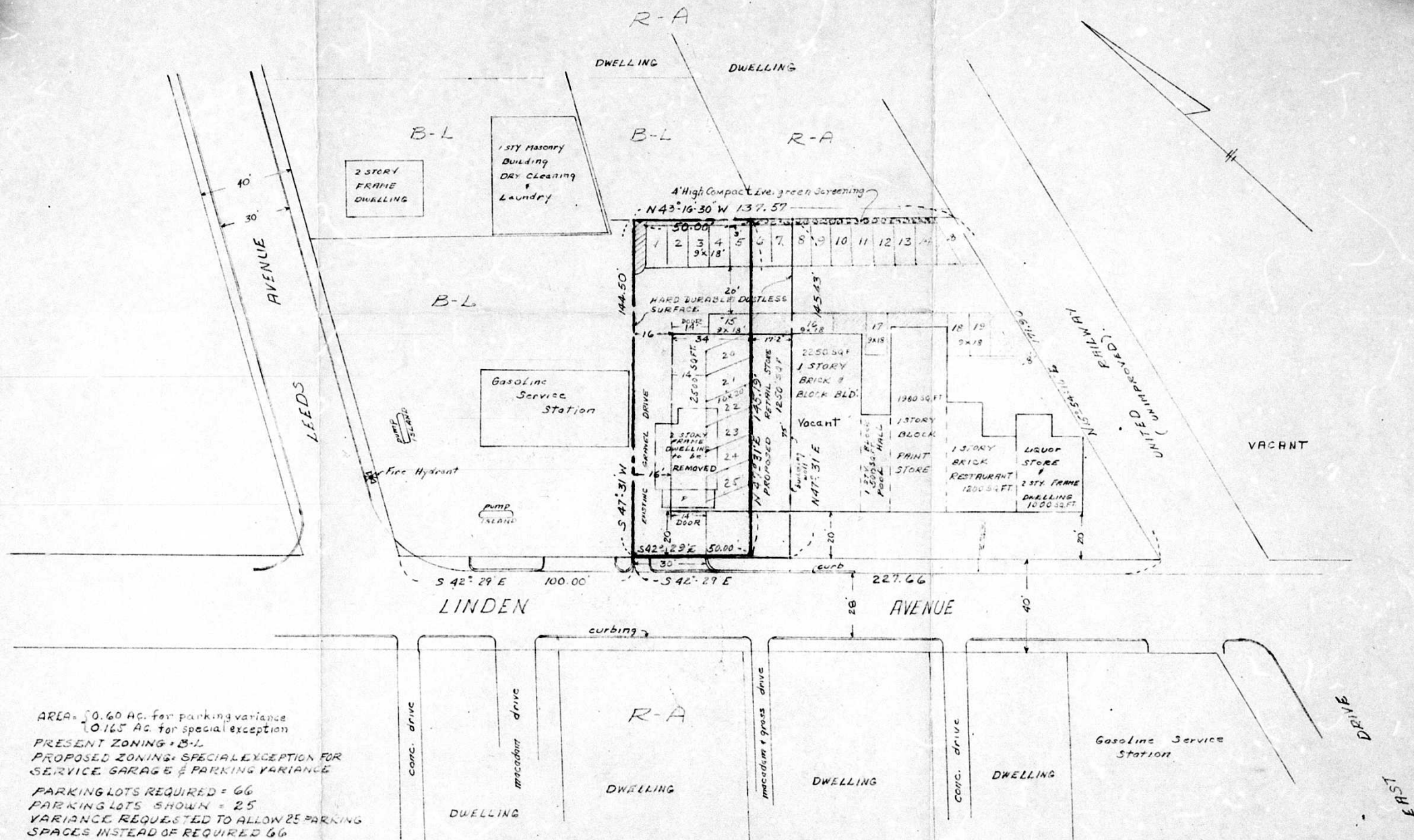
Fire Bureau - Plans Review
Health Department
Industrial Development Commission
Board of Education
Buildings Department
State Roads Commission
Zoning Administration Division

Very truly yours,

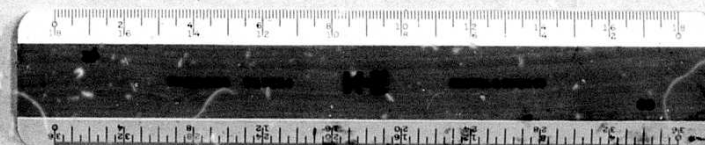
[Signature]
JOHN G. ROSE, Principal
Zoning Technician

cc: Mr. Albert V. Coughlin - Project Planning Division
Mr. Carlisle Brown - Bureau of Engineering
Mr. G. Richard Moore - Bureau of Traffic Engineering

**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.**



W. M. Maynardier



WILLIAM M. MAYNARDIER
 COUNTY SURVEYOR
 CIVIL ENGINEER & LAND SURVEYOR
 COURT HOUSE TOWSON - MARYLAND
 SCALE 1" = 30' OCTOBER 1, 1965