PETIMON FOR ZONING VALANCE

FROM AREA AND H	IEIGHT REGULATIONS (1.1.301-ASH
TO THE ZONING COMMISSIONER OF BALTIM	•
I, or we. Wardell Barbar County and which is described in the description	_legal owner_of the property situate in Baltimore on and plat attached hercto and made a part hereof,
hereby petition for a Variance from Section	238.2 to permit side yards of 0 ft. and 10 ft.
of the Zoning Regulations of Baltimore County, t following reasons: (indicate hardship or practica	o the Zoning Law of Baltimore County: for the
The existing structure is insuffic proposed to make an addition to the exi small to develop the land properly with	cient to serve the public, therefore it is is isting structure and the lot size is to not the requested variances.
SPECIAL HEARING To remove part of special exception of property to be used for parking. (Pacee (Parcel E)	on #4406, at the northwestern most portion arcel c) To permit parking in a residential
See attached descript	ion
Property is to be posted and advertised as I, or we, agree to pay expenses of above Var petition, and further agree to and are to be bound Ballmore County adopted pursuant to the Zoning	iance advertising, posting, etc., upon filing of this
	(Var) ee Sul-
Contract purchaser	ort wenter free Legal Owner
Address	Address

Petitioner's Attorney	B

Re: Patition for Variance and Special Hearing W/SWinters Lane 140*N/E of Batimore National Pike, Ist District Wardell Barbar, Patitioner No. 66-201-ASPH

ORDERED By The Zoning Commissioner of Baltimore County, this 8th of February 196.6, that the subject matter of this petition be advertised, as required by the Zoning Law of Ballimore County, in two newspapers of general circulation throughout Ballimore County, that property be posted, and that the public benefit he had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Ballimore County, on the 2 2 56 M2151 day of Merch 1966 at 11:00 o'clock



p-la Store County.

3/0//66

Please enter an appeal in the above matter

from the decision rendered in the subject case to the Board of Appeals of Baltimore County and transmit all records to said Board.

William H. Barber 5908 Leewcood Avenue Balto. 21228

Hrs. Venett Lindsay 26 Cargii Avenue Baltimore, Maryland 21228

Dater August 5, 1966

Description of Plot A

Comprising lots 63, 64, 65, and 66 of Block "G"--McDonough Heights Recorded--W.P.C. No. 5-69.

Beginning for the same on the west side of Winters Lane (as laid out 35 feet wide) at a point 140 feet northeast of the Baltimore National Piles; running thence and binding on the west side of Winters Lane, north 160-15; east-80 feet; to a point there situated on the west side of Winters Lane and running thence the following courses and distances: north 175-45; west-100 feet; south 62-15; west-80 feet; gouth 720-45; east 100 feet; to the point of beginning.

Containing 8,000 square feet.

Description of Plot B

Comprising lots 39 and 40 of Block "H"--Catonsville Pines Recorded 12/89

Beginning for the same on the cast side of Winters Lane (as laid out 35 feet wide) at a point 170 feet northeast of the Baltimore National Pike; running thence and binding on the east side of Winters Lane, north 160-08' east--45 feet, to a point there situated on the east side of Winters Lane and thence the following courses and distances:

South 720-38' east--102, 29 feet; south 170-28' west--45 feet; north 720-38' west--101, 47 feet; to the point of beginning.

Containing 4,585 square feet.

Description of Plot C

Comprising lot 41 of Block "H" =- Catonsville Pines Recorded 12/89

Beginning for the same on the east side of Winters Lane (as Isid out 35 feet wide) at a point 170 feet northeast of the Baltimore National Pike; running thence the following courses and distances:

South 720-32'east--101.47 feet; south 170-28' west--20 feet; north 720-38' west--101.07 feet to a point there situated on the east side of Winters Lane, running thence and binding on the east side of Winters Lane, north 160-08' east--20 feet to the point of beginning.

Containing 2,025 square feet.

FALTIMORE COUNTY, MARYLAND 11 11

INTER-OFFICE CORRESPONDENCE
TO. Mr. John G. Rose, Zoning Commissioner
PROM. Mr. George E. Gevrelis, Director of Planning FROM Mr. George E. Gavrelis, Director of Planning

ZONING D SUBJECT. Petition 66-201-ASPH. Variance and special hearing petition - W/S of Winters L 140 feet N/E of Baltimore National Pike. Wardell Barber - Petitioner.

1st District

HEARING: Monday, March 21, 1966. (11:00 A.M.)

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

Although we have no camment with regard to the proposals of i'e subject petition as submitted, we request that the site plans for '.ath of the petitioner's lots be made subject to our approval.

is as well as several others stated that contain areas of the community have been used for what is commonly referred to as "lover's lame" for quite some while, is stated that he has a special police officer on duty on weekends and that he tried to police the areas or but his business would not have assume that the surface of fects on the neighborhood, as felt strongly such that are parked on aligned store burning facilities and argued that at the present time sufficient burning facilities and argued that to grant the sufficient burning facilities and argued that to grant the sufficient burning facilities and argued that to grant the sufficient burning facilities and argued that the grant sufficient burning for the sufficient su

It has been no casy tack for the Deputy Zoning Commissioner to conjuct these various hearings on the subject Fettition because of the personal risk that we have a subject that the subject has the subject that the Urice must make is whether the proposed plans for development build buffee must make is whether the proposed plans for development would have an adverse effect on the surrounding community. All agreed that the subject is a subject to the parking congestion. Whether the proposed is the proposed to the parking congestion. Observations of the total property Zoning the proposed that to did not solve any present of the proposed that the parking the parking problems would be alleviated if more off-street parking were provided.

In summing, the Deputy Zoning Commissioner is of the opinion that the Petitioner has shown both practical difficulty and unreasonable hardship in support of his retition for course ratingers and for permission to use the residential now for our parking facilities. The present structure would be desoliched in the parking facilities. The present structure would be desoliched in the parking facilities are not present the parking facilities. The present is part to place the parking facilities are not to be a support to the commission of the parking of the parking facilities are not present the parking of the parking o

effect on the community.

IT IS GREEGE by the Deputy Zoning Commissioner of Walthore County this _______ day of July, 1966, that the herein Fetition for Wariances to Section 235.2 of the Balthore County Zoning Regulations from 30° and 30° aside yards to 0° and 15° aside yards and From a 30° reary and to a 5° the same are GRAWIND. Permission is also GRAWIND that the same are GRAWIND. Permission is also GRAWIND to a residential zone. The revised plans as an off-street print by the are residential cone. The revised plans as an off-street print 5 pecial Exception 100° is hereby DENED original regular to revise seeking a Variance from 20 off-street printing units and 20 perting units is hereby DENED since this is now a most question in view of the plans to provide 30 off-street printing specs as shown or the revised plans. This Order is subject to approval of the size claim by the State Ecosto Commission, Eureau of Public Services and two Office of Planning and Zoning.

EDIARD D. BARDESTY Deputy Zoning Commissioner

1st District Wardell Barber, Petitioner NO. 66-201-ASPH

The Petitioner, Mardell Harbor, owns a drive-in restaurant on the Meat side of Minters Lane 100 feet northeast of the Halltoner National Pike. Plans call for the demolition of the existing restaurant are the construction of a modern type of facility which would be divided into a drive-in restaurant on one side and a private barquet area on the older, Perimssion was also requested to utilize a residential tract across Minters Lane for off-street parking.

0000

RE: PETITION FOR VARIANCE AND SPECIAL HEARING W/S Winters Lare 140' NE of Baltimore National Pike

The original Festition which was heard on March 21, 1966, requested cartain Variances for side yards and rear yard and a reduction in the number of resident to the state of t

As a result of the continued hearings, the Petitioner agreed to banden his plans for the new restaurant from a 70' x 27' 5' attracture and improved instead a structure amounting 65' x kl' 5". He substituted new plans approved instead a 30' as extended a 50' x kl' 5". He substituted new plans additions on 30' as a structure and a state of the Estitute County forming segmentations of the substitute of the s

It would be appropriate at this point to state that the subject property borders on a fine old established Megro community. It was quite obvious at the three hearings consect harmon that nost of the people involved were personally forming Commissioner was impressed with the innerty point out that the Degrat Coming Commissioner was impressed with the sincerity of not only that the Degrat Coming Commissioner was impressed with the sincerity of not only that it are that the respect of the forming that the Petitioner was a fine businesseen who had the respect of the community.

The principal protest was based on the fact that rany of the customers who frequent fir, Barker's present facility would, upon leaving the establishment, park on the adjacent stread and crated insorder. It was apparent that most of these so called trouble makers as the second of the second transparent that most of these so called trouble makers as though the fact that the insofit on neighborhood to the case primarile makers could have come from larger admondedged that come of the second that the case of the second that the case of the second that the case of the second that the secon

ORDER RECEIVED FI

DATE

...

DEPUTY ZONING COMMISSIONER OF

BALTIMORE COUNTY

BEFORE THE

Man 21. atilco

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

SUBJECT: Side Yard and Farking Variances For Wardell Barber, located Winters Lame N of Faltimore Nat'l Fike, 1st Dintrict (Item N, February 15, 1966)

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

ZONING ADMINISTRATION DIVISION: The use permit for regidential parking will be subject to Section 100% to of the Baltimore County Zoning Regulations. A Letter should be schedited prior to the hearing indicatinghours of operation, the type of lighting, and type of screen planting.

The above comments are not intended to indicate the appropriateness of the soning action requested, but to assure that all parties are made source of plans or problems that all parties are made source of plans or problems that all parties are the Director of the Office of Planning and Confing vill substit recommendations on the appropriateness of the requested soning 10 days before the Contra Commissioner's hearing.

The following members had no comment to offer.

Fire Bureau--Plans Review Fire Bureau-Plans Revade Health Department Industrial Development Commission Board of Education Fulldings Department State Board Coestission Bureau of Traffic Engineering fureau of Engineering

ware truly yours,

cc: Mr. James E. Dyer-Zuning Administration Division

RE: PETITION FOR VARIANCE from Sections 238,2 and 409,2b, and SPECIAL HEARING to Permit

Parking, West Side of Winters Lane 140' Northwest of Baltimore National Pike 1st District Wardeli Barber, Petitioner

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY No. 66-201-ASPH

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OPINION

This case comes before the Board as an appeal from the decision of the Deputy Zoning Commissioner on a revised application for certain variances as to setbacks, and combined with a special hearing to permit the establishment of parking spaces in a residential zone. The property is located on the west side of Winters area are supposed to be property owned by the same party on the east side of Winters Lane opposite the main portion of the subject property and back of an existing service station facing on Baltimore National Pike, and also owned by the applicant, Wardell

The subject property consists mainly of a drive-in restaurant at 504 Winters Lane, which was built by the present owners about twelve years ago, and whose business has grown to the extent that it is no longer large enough, nor does it have enough parking spaces for its customers. It is surrounded on three sides by property owned by the operate of Planning and Zoning, and there was testimony in the case from Mr. George H. Pryor, of that office, which is in favor of the granting of the petition under the revised plans. There was a difference of opinion among some of the neighbors in nearby residential areas, based on an objection to present conditions with respect to traffic and the inadequacy of parking facilities. However, the property is presently zoned B-R, and if there are any patent violations, they would probably be allowed as a non-conforming use; and it is

Wardell Barber - No. 66-201-ASPH

the finding of the Board that the proposed changes would be an improvement to the subject property and the neighborhood in general, rather than a detriment thereto.

The facts as they appear in the record made before this Board are substantially the same as those considered by the Deputy Zoning Commissioner, whose lengthy and very cogent opinion appears in the file in this case, and which this Board is happy to adopt as part of its own pointon in this case, a copy of which is attached hereto.

ORDER

It is, therefore, this 30 day of , by the County Board of Appeals of Baltimore County ORDERED that the variances as requested on the revised plans, and the special permission for the use of the residential area for off-street parking is GRANTED, and the Order of the Deputy Zoning Commissioner is affirmed, all, of as shown on the exhibits in this record, as approved or to be approved by the State Roads Commission, Bureau of Public Services, and the Office of Planning and Zoning.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairma W. Giles Parker

R. Bruce Alderm

66-201 ASPH

TELEPHONE

CERTIFICATE OF POSTING G DEPARTMENT OF BALTIMORE COUNTY

	Tourien, Maryland
District 151 Posted for Variants 1 2	occal Hearing Massle 5, 1910
Petitioner Waldel hartin	Jane 140 Ms of Salle Hall take
teration of Signa 1/2 Western Ja	ne 220' se of South Hall like (st. 40).
Remarks	March 10, 1966

El- 301 ASPH CERTIFICATE OF POSTING

No.37630

ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting (14725,1966
Tions of Sallamore Material Fel
/
o' No of Justimac Hatword Piles
Date of return (44.2 25. 1966

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Your petition has been received and accepted for filing this

8th day of February

BALLMORE COUNTY, MANYLAND OFFICE OF FINANCE DATE 3/21/66 COURT HOUSE TOWSON, MARYLAND 21204 \$89.25 >-2166 9649 . 37630 HP-8925

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.

BAL MORE COUNTY, MAS LAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

No.35762 DATE2/3/66

T TO AC	COUNT NO. 01-622 DETACH UPPER RECTION AND RETURN WITH YOUR RE MITT. NO.	\$25.00 COST
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	\$0/0-XXX	
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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.

	OFFICE O	E FINAN	CE	No.39452
	COUP TOWSON, M	ollection and Peccipts PT HOUSE MARYLAND 21204	CE	DATE 8/5/66
To:	Hrs. Venett Andsey 26 Cargil Avenue Baltimore, Haryland 21228	BILLED O	Office of Piacity Of 119 County Of Tousen, Ryl	tening & Zo alog Ifice Building and 2120b
DEPOSIT TO ACC				TOTAL ANCURT
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-	SEPTEMBER OF SERVICE	TORK WITH TOWN NAMED IN	ANCE	COST
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	No. 66-201-ASPH		aton	5-00 \$40.00
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MPORTANT: M	VISION OF COLUMNIA	MORE COUNTY	MARYLAN	10

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

LOCATION: West side of Win-ters Lane 140 feet northeast of the Baltimore National Pile. DATE 6 TIME: MONDAY. March 21, 1966 at 1,100 A.M. PUBLIC HEARING: Room 166, County Office Building, 111 W. Chesapsek Avenue, Towson.

ded — W.P.C. No. 5-69, ming for the same on the along for the same on the de of Winters Lane (as 3.5 feet which at a point to northeast of the Balti-National Pike: running and binding on the west Winters Lane, north 16: 15' 'cast — 80 feet, to a here situated on the west 'Winters Lane and run-Winters Lane and run-

THE BALTIMONE COUNTIAN

THE COMMUNITY NZWS

CATONSVILLE, MD.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORS COUNTIAN, a group of tienes weekly newspapers published in Baltimore County, Maryland, once a week for One day of March, 1965, that is to say the 7th

the same was inserted in the issues of

No. I Newburg Avenue

March 3, 1966. THE BALTIMORE COUNTIAN

> By Paul J Morgan Editor and Manager L. YL.



