

66-235-ASP 66-235-ASP PETITION FOR ZONING VARIANCE & SPECIAL HEARING FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Emma Belle Emich, 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 413.5-d of the Zoning Regulations to permit a rear yard of 7' instead of the required 30'; Section 413.5-d to permit a sign height of 28' instead of the maximum height of 25' permitted; Section 409.2b (3) to permit 34 parking spaces instead of the required 38.

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

Special Hearing for use permit for parking in a residential zone.

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.

Excellent Foods, Inc. Contract purchaser
Address: 11504 Rockville Pike, Rockville, Md.
Legal Owner
Address: 11504 Rockville Pike, Rockville, Md.
Petitioner's Attorney
Address: 11504 Rockville Pike, Rockville, Md.
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 22nd day of March, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of April, 1966, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

Registration No. 1577



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

For Purpose of Zoning Only - Variance Requested

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows:

Beginning for the same at a point in the Joppa Road and at the southeasternmost corner of lot numbered 35 as laid out on a Map of Property of Rosina Dei and recorded among the plat records of Baltimore County in Plat Book W.P.C. No. 7 folio 147 etc. running thence and binding along the Joppa Road and on the front outlines of lots numbered 35, 34, 33 and 32 the following two courses and distances viz: south 77 degrees 39 minutes 10 seconds west 54.00 feet more or less to the southeasternmost corner of lot numbered 34 and south 82 degrees 03 minutes 10 seconds west 149.35 feet to the southwesternmost corner of lot numbered 32 thence leaving the road and binding on the westernmost outline of said lot number 32 north 14 degrees 04 minutes 50 seconds west 131.00 feet to a concrete monument heretofore planted to mark the northwesternmost corner of lot numbered 32 thence binding on the rear outlines of said lots numbered 32, 33, 34 and 35 the following two courses and distances viz: north 69 degrees 39 minutes 10 seconds east 40.80 feet to an iron pipe heretofore planted to mark the northeasternmost corner of said lot numbered 32 and north 74 degrees 03 minutes 10 seconds east 150.00 feet more or less to the northeasternmost corner of lot numbered 35 and to the westerly side of Edgington Road thence binding on the easterly outline of said lot numbered 35 and on the westerly side of Edgington Road south 16 degrees 05 minutes 50 seconds east 158.00 feet to the place of beginning.

Containing 0.684 of an acre of land more or less.

Saving and excepting therefrom that portion presently Zoned Residential.

Registration No. 1577



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

For Purpose of Zoning Only - Special Hearing (use permit)

All that piece or parcel of land lying, situate and being in the Ninth Election District of Baltimore County, State of Maryland, and described as follows:

Beginning for the same on the westerly side of Edgington Road and at the northeasternmost corner of lot numbered 35 as laid out on a Map of Property of Rosina Dei and recorded among the plat records of Baltimore County in Plat Book W.P.C. No. 7 folio 147, etc. running thence and binding on the westerly side of Edgington Road south 16 degrees 05 minutes 50 seconds east 25.00 feet more or less to intersect the present R-R Zoning Line heretofore laid out parallel to and 150.00 feet northerly from the centerline of Joppa Road thence leaving Edgington Road and binding on said zoning line westerly 197.00 feet more or less to intersect the rear outline of lot numbered 32 laid out on the aforesaid plat thence binding on a part of said rear outline of lot numbered 32 and on all of the rear outlines of lots, 33, 34 and 35 the following two courses and distances viz: North 69 degrees 39 minutes 10 seconds east 45.00 feet more or less to the northeasternmost corner of lot numbered 32 and north 74 degrees 03 minutes 10 seconds east 150.00 feet more or less to the place of beginning.

Containing 2.437 square feet of land, more or less.

RE: PETITION FOR VARIANCES TO Sec. 238.2; Sec. 409.2-b and Sec. 413.5-d of Zoning Regulations - N/S Joppa Road 54' W. Edgington Road, 9th District - Emma Belle Emich, Petitioner - Excellent Foods, Inc., Cont.Pur. Special Use Permit

BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY No. 66-235-A-SPH

The petitioner has requested a variance to Section 238.2 of the Baltimore County Zoning Regulations to permit a rear yard of 7 feet instead of the required 30 feet; a variance to Section 409.2 to permit 34 parking spaces instead of the required 38 spaces; a variance to Section 413.5-d to permit a sign height of 28 feet instead of the allowable 25 feet and a petition for special hearing to permit parking in a residential area.

As strict compliance with the Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the variances requested to permit a rear yard of 7 feet instead of the required 30 feet and to permit 34 parking spaces instead of the required 38 spaces, should be granted, which would give relief without substantial injury to the public health, safety and general welfare of the locality involved.

The variance requested to Section 413.5-d, to permit a sign height of 28 feet instead of the allowable 25 feet, should be granted as the petitioner did not prove hardship and practical difficulty.

The request for a special hearing for use permit for parking in a residential area should also be granted.

It is this 24th day of April, 1966, by the Zoning Commissioner of Baltimore County, ORDERED that the herein petition for variance to Sections 238.2 and 409.2-d, should be and the same is granted, from and after the date of this Order as follows:

1. To permit a rear yard of 7 feet instead of the required 30 feet; and
2. To permit 34 parking spaces instead of the required 38.

It is further ORDERED that a use permit for parking in a residential area should be and the same is granted, subject to compliance with plat approved by A. V. Quimby, of the Office of Planning, on April 28, 1966, attached hereto and made a part hereof.

The variance requested to permit a sign height of 28 feet instead of the allowable 25 feet should NOT BE GRANTED.

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

Zoning Commissioner of Baltimore County

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

Excellent Foods, Inc.
c/o Mr. Robert Boltzman, President
11504 Rockville Pike
Rockville, Maryland

RECEIVED: Rear Yard, Sign and Parking Variance, Special Hearing for use permit for Emma Belle Emich located NW/4 Cor Joppa Road and Edgington Road, 9th District (Item 2, March 29, 1966)

Dear Sirs:

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

BUREAU OF ENGINEERING:
Sewer - Existing 8" sewer in Joppa Road.
Water - Existing 12" water in Joppa Road. Existing 6" water in Edgington Avenue.
Adquacy of existing utilities to be determined by developer or his engineer.
Road - Joppa Road is to be developed as a minimum 34' road on a 70' right of way.
Edgington Road is to be developed as a minimum 30' road on a 50' right of way.

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 on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Bureau of Traffic Engineering
Office of Planning and Zoning
Fire Bureau-Plans Review
Health Department
Industrial Development Commission
Board of Education
Buildings Department
State Roads Commission

Very truly yours,

James E. Hays, Principal Zoning Technician

JED:ylb

cc: Mr. Carlyle Brown-Bureau of Engineering

TELEPHONE 823-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON, MARYLAND 21204

No. 37614

DATE 5/15/66

TO:

Cash

BILLED BY: Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO. 61-622

QUANTITY	DETAILS UPPER & BOTTOM AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	Petition for Variance for Emma Belle Emich	25.00
4		100.00
		125.00

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 14, 1966

FROM: Mr. Leslie H. Grief, Deputy Director of Planning

SUBJECT: "Petition 66-235-ASP. North side of Joppa Road 54 feet West of Edgington Road. Petition for Variance to permit a rear yard of 7 feet instead of the required 30 feet; to permit a sign height of 28 feet instead of the required 25 feet; to permit 34 parking spaces instead of the required 38 spaces. Petition for Special hearing for a Use Permit for Parking in a Residential Area. Emma B. Emich-Petitioner."

9th District

HEARING: Wednesday, April 27, 1966. (1:00 P.M.)

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

If it should be decided to grant this petition, we request that the grant be conditioned upon the approval of the site plan.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 4-27-66
Posted for: Hearing Wed. April 27-66 AT 1:00 P.M.
Petitioner: Emma B. Emich
Location of property: N/S Joppa Rd. 54' W. of Edgington Rd.
Location of Signs: 2 on the property of 11504 Joppa Rd.
Remarks: See Joppa Road map of April 5, 1966 showing the location of signs.
Posted by: Robert L. Grief, Jr. Date of return: 5-18-66

NO PLAT
IN
THIS FOLDER

MICROFILM