

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

W. F. & R. G. Middlestead, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 and B-1-A zone to an M-L zone; and (2) for a variance from Sec. 255 (238.1, 238.2) and Sec. 255.1 (243.1, 243.2, 243.3, 243.4, 243.5 and 248.1) to permit 0' side, rear and front yard setbacks instead of the required 25' and 10' side and rear yard setbacks, and the 100' and 125' setbacks from residence zones respectively, because of hardship and practical difficulty.

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

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification 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: _____ Address: Sparks, Maryland

Paul J. Feeley, Esquire, Petitioner's Attorney; Protestor's Attorney

Address: 201 Courtland Avenue, Towson, Maryland 21204

ORDERED: By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 through out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, Court House Building in Towson, Baltimore County, on the _____ day of _____, 1966, at _____ o'clock.

W. F. & R. G. Middlestead, Zoning Commissioner of Baltimore County

Paul J. Feeley, Esquire, 201 Courtland Avenue, 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

26 day of July, 1966.

Petitioner: W. F. Middlestead

Petitioner's Attorney: Paul J. Feeley

Reviewed by: James S. Hays, Chairman of Advisory Committee

RE: Petition for Reclassification and Variance
SE corner of Sparks Road and the Northern Central Railroad
10th District
W. F. Middlestead, Petitioner
BALTIMORE COUNTY
NO. 67-45-RA

This Petition seeks a reclassification of a parcel of land consisting of .91 acres presently an R-6, B-1 and B-2 zone to a M-L zone. Numerous variances are also requested.

Changes in the neighborhood having been shown, it would appear the request for M-L zoning is proper and reasonable and should be granted. The Industrial Development Commission rendered favorable comment on this particular case.

Hardship having been shown the variances should also be granted. The extremely irregular shape of the tract necessitate the variances requested.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 19 day of December, 1966, that the herein described property or area should be and the same is hereby reclassified from R-6, B-1 and B-2 zoning to a M-L zone. The following variances are also granted:

Variance from Sections 238.1, 243.1, 243.4, 253.4 and 248.1 to permit a front yard set back of 20 feet instead of the required 25 feet, 75 feet, 100 feet and 125 feet set backs.

Variance from Section 238.2, 243.2, 243.3, 243.4, 253.4 and 248.1 to permit a set back along the West property lines and rear property lines of 10 feet instead of the required 30 feet, 50 feet, 100 feet and 125 feet.

Variance from Sections 248.1, 243.2, 243.4 and 253.4 to permit a set back of 30 feet along the 66 foot East property line instead of the required 50 feet, 100 feet and 125 feet.

Variance from Section 243.5 to permit an F.A.R. of .5 instead of the required .4.

David D. Hardisty, DEPUTY ZONING COMMISSIONER

ORDER RECEIVED FOR FILING

DATE: 12/19/66 BY: J. Hays - Chief, ADMINISTRATIVE ASSISTANT

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 39469
DATE: 8/11/66

TO: Paul J. Feeley, Esq., 201 Courtland Ave., Towson, Md. 21204

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	TOTAL AMOUNT
1	Petition for Reclassification & Variance for W. F. Middlestead #67-45-RA	\$50.00
		50.00

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.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 40660
DATE: 9/26/66

TO: William F. Middlestead, 6811 Hill Road, Md. 21012

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	TOTAL AMOUNT
1	Advertising and posting of property #67-45-RA	\$7.75
		7.75

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

DOLLENBERG BROTHERS
Registered Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

June 14, 1966
Zoning Description
All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the south side of Sparks Road at a point where it is intersected by the eastern-most right of way line of the Northern Central Railroad and running thence and binding on the south side of Sparks Road the three following courses and distances viz: South 79 degrees 25 minutes East 56 feet, South 78 degrees 25 minutes East 105.30 feet and North 67 degrees 58 minutes East 116.85 feet, thence leaving said road and binding on the outlinings of the land of William F. Middlestead and wife the seven following courses and distances viz: South 19 degrees 23 minutes East 66.46 feet, South 70 degrees 32 minutes East 165.50 feet, South 21 degrees 35 minutes West 149.20 feet, North 8 degrees 13 minutes East 20.40 feet, South 79 degrees 13 minutes East 31.20 feet, North 9 degrees 25 minutes West 7.52 feet and South 60 degrees 35 minutes West 49 feet to the eastern-most right of way line of the Northern Central Railroad and thence binding on said right of way line, Northerly 95 feet to the place of beginning.

Containing 6.90 of an Acre of land more or less.



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

Paul J. Feeley, Esquire, 201 Courtland Avenue, Towson, Maryland 21204

Dear Sir:

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

BUREAU OF MAPS: water and sewer are not available. Road - Sparks Road is to be developed as a 24' open section 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:

Fire Bureau
Health Department
Industrial Development Commission
Board of Education
Building Department
Office of Planning and Zoning
State Roads Commission
Bureau of Traffic Engineering

JED:yn

cc: Carlyle Brown-Bureau of Engineering

Very truly yours,

James S. Hays, Principal Zoning Technician

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mrs. John Rose, Zoning Commissioner
FROM: Mr. H. B. Staab
SUBJECT: Zoning Advisory Agenda
Date: August 9, 1966
Item #2: 10th Election District
Property Owner: W. F. Middlestead
Location: Sparks Road & Pennsylvania Railroad

The current use of the subject site and its location adjacent to a railroad make it a logical site for Industrial Zoning.

The Industrial Development Commission respectfully request that the petition to reclassify the site M-L be given favorable consideration.

H. B. STAAB, Director, Industrial Development Commission

GCH:HBS:sk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Deputy Zoning Commissioner
FROM: George E. Gavrelis, Director
SUBJECT: Petition #67-45-RA, Reclassification from R-6, B-1 and B-2 to M-L Zoning, Variance to permit zero feet front yard instead of the required 25 feet; to permit zero feet side and rear yard instead of the required 30 feet; to permit zero feet from residential zone instead of the required 100 feet and 125 feet. Being the property of W.F. Middlestead, Southeast corner of Sparks Road and Northern Central Railroad.

10th District

HEARING: Thursday, September 8, 1966 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6, B-1, and B-2 to M-L zoning together with variances for side, rear, and front yards. It has the following advisory comments to make with respect to pertinent planning factors:

- The Planning staff questions the logic of M-L zoning here in light of the numerous variances being sought and the prospect of utilizing all or portions of the tract for a contractor's storage area. The Planning staff is of the opinion that this use is not permitted in the M-R Zone and therefore is not permitted within the first 100 feet in a M-L Zone adjoining a residence zone. It appears that a "use variance" would be required; the County is allowed only to consider variances to area in height provisions of these Zoning Regulations.
- Business-Roadside zoning exists on portions of this tract. This zone allows by Special Exception contractor's equipment storage areas. The Planning staff considers that Business-Roadside zoning would be more appropriate here than would be M-L zoning.
- If proper interpretation can't be made so as to allow the proposed use in the M-L Zone, the Planning staff does not feel that granting all of the variances would be in compliance with the standards of Section 307, of the Regulations. Certainly, setbacks ought to be established along Sparks Road so as to allow for its eventual widening. A 10 foot front setback applied to new construction completely would preclude widening the road and would not be in harmony with the spirit and intent of the Zoning Regulations. The present structure can remain non-complying with regard to its compliance with front yard setback.

GEG:bms

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13 & Date of Posting 8/8/66
 Posted for Hearing there Sept. 8-66 - 9.7.10.30.9.21
 Petitioner: W.F. Middlestead
 Location of property Corner of Sparks Rd. & Northern Central Railroad
 Location of Sign 2' and 30' from the office and opposite 18' from the Center of Sparks Rd.
 Remarks: _____
 Posted by Robert L. Ballin Date of return 8/25/66
 Signature

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 18, 1966.
 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 each week of September, 1966, the first publication appearing on the 18th day of August, 1966.

THE JEFFERSONIAN,

L. Leach Strickland
Manager

Cost of Advertisement, \$.....

PETITION FOR RECLASSIFICATION AND VARIANCE
NEW JUNCTION

ZONING: From R-4, R.R. and R.L. to M.L. Zone.
 Petition for Variance for side, rear and front yard.
 LOCATION: Southeast corner of Sparks Road and Northern Central Railroad.
 DATE & TIME: Thursday, September 8, 1966 at 10:30 A.M.
 PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
 Present Zoning: R-4, R.R. and R.L.

Proposed Zoning: M.L.
 Petition for Variance from the Zoning Regulations of Baltimore County to permit rear yard and side yard instead of the required 25 feet, and to permit rear yard and side yard instead of the required 25 feet, and to permit rear yard and side yard instead of the required 25 feet and 125 feet.

The Zoning Regulations to be accepted as follows:
 Section 231.1 - Side and Rear Yard - 25 feet.
 Section 231.2 - No building or other structure shall be closer than 125 feet at any point to the nearest boundary line of a residential zone.

Section 235.1 - M.L. Zone - 100 feet from residential zone.
 All that parcel of land in the Township of Baltimore County, beginning for the same on the NW corner of Sparks Road at a point where it is intersected by the easternmost right of way line of the Northern Central Railroad and running thence and bounding the following courses and distances viz: South 79 degrees 25 minutes East 108.20 feet, North 87 degrees 58 minutes East 118.68 feet, thence having said road and binding on the outline of the land of William F. Middlestead and with the above following courses and distances viz: South 19 degrees 22 minutes East 66.46 feet, South 79 degrees 25 minutes West 168.56 feet, South 24 degrees 58 minutes West 110.20 feet, North 8 degrees 13 minutes West 203.60 feet, South 79 degrees 13 minutes West 21.20 feet, North 8 degrees 25 minutes West 7.52 feet and North 80 degrees 35 minutes East 49 feet to the easternmost right of way line of the Northern Central Railroad and thence binding on said right of way line, Northerly 95 feet to the place of beginning.
 Containing 0.90 of an Acre of land more or less.
 Being the property of Ruth G. Middlestead and W. F. Middlestead as shown on plat plan filed with the Zoning Department.
 Hearing Date: Thursday, September 8, 1966 at 10:30 A.M.
 Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 By order of
 EDWARD D. HARDESTY,
 Deputy Zoning Commissioner of Baltimore County.

Aug. 18.

PETITION FOR RECLASSIFICATION AND VARIANCE
10TH DISTRICT

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 Present Zoning: R-4, R.R. and R.L.

Proposed Zoning: M.L.
 Petition for Variance from the Zoning Regulations of Baltimore County to permit rear yard instead of the required 25 feet, and to permit rear yard and side yard instead of the required 25 feet and 125 feet.

The Zoning Regulations to be accepted as follows:
 Section 231.1 - Side and Rear Yard - 25 feet.
 Section 231.2 - No building or other structure shall be closer than 125 feet at any point to the nearest boundary line of a residential zone.

Section 235.1 - M.L. Zone - 100 feet from residential zone.
 All that parcel of land in the 10th District of Baltimore County, beginning for the same on the south side of Sparks Road at a point where it is intersected by the easternmost right of way line of the Northern Central Railroad and running thence and bounding the following courses and distances viz: South 79 degrees 25 minutes East 96 feet, South 78 degrees 25 minutes East 108.20 feet and North 87 degrees 58 minutes East 118.68 feet, thence having said road and binding on the outline of the land of William F. Middlestead and with the above following courses and distances viz: South 19 degrees 22 minutes East 66.46 feet, South 79 degrees 25 minutes West 168.56 feet, South 24 degrees 58 minutes West 110.20 feet, North 8 degrees 13 minutes West 203.60 feet, South 79 degrees 13 minutes West 21.20 feet, North 8 degrees 25 minutes West 7.52 feet and North 80 degrees 35 minutes East 49 feet to the easternmost right of way line of the Northern Central Railroad and thence binding on said right of way line, Northerly 95 feet to the place of beginning.
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 BY ORDER OF
 EDWARD D. HARDESTY
 DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY.
 Aug. 18.

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Rosedown, Md.

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

August 22, 1966

THIS IS TO CERTIFY, that the annexed advertisement of Edward J. Hardesty, Deputy Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of ~~several~~ weekly newspapers published in Baltimore County, Maryland, once a week for ~~one~~ ~~several~~ weeks before the 22nd day of August, 1966, that is to say the same was inserted in the issues of

August 16, 1966.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*
Editor and Manager.

