

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, ERVIN J. CERVENY, 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 "X A" zone to an "R-1" zone for the following reasons:

- 217.2 Front Yard to permit a front yard of 25 feet instead of required 30 feet.
 - 217.3 Sideyard to permit sideyard of 5 feet instead of required 25 feet.
 - 217.4 Rearyard to permit rear yard of 10 feet instead of required 30 feet.
- The above variances to yard setbacks are requested because it presents both an unreasonable hardship and practical difficulty not to place abutting of a floor area size that fulfills these requirements in a manner that provides the greatest amount of off-street parking. See attached description and plat for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for office building.

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: ERVIN J. CERVENY
Address: 503 Cromwell Road
Baltimore, Maryland 21212
Telephone: 371-4238

Petitioner's Attorney: JOHN G. ROSE
Address: 101 York Road
Baltimore, Maryland 21204

Address: 101 York Road
Baltimore, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 4th day of October, 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 noted, 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 11th day of November, 1966, at 10:00 o'clock A.M.

JOHN G. ROSE
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: October 28, 1966

FROM: George E. Gavellis, Director of Planning

SUBJECT: Petition #67-101-XA. East side of York Road 100 feet North of Anneslie Road. Petition for Variance to permit a front yard of 25 feet instead of the required 30 feet; to permit a rear yard of 10 feet instead of the required 30 feet; to permit a side yard of 5 feet instead of the required 25 feet. Petition for Special Exception for Office and Office Building E. J. Cerveney - Petitioner.

9th District

HEARING: Wednesday, November 9, 1966. (10:00 A.M.)

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

We question that a use of the intensity requested under this petition is appropriate in a zone basically intended to foster development of a residential character. It does not appear that the office building proposed would be compatible with adjacent development. The proposal becomes particularly questionable in light of the extent of the variances requested.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 20, 1967

FROM: George E. Gavellis

SUBJECT: Petition #67-101-XA. East side of York Road, 100 feet north of Anneslie Road. Special Exception for Office Variances.

The staff of the Office of Planning and Zoning has reviewed again the subject petition and offers the following comment which is intended to clarify and supplement comments made previously on October 28, 1966.

1. The planning staff absolutely is in accord with the concept of an office use on the subject property. We note that apartment zoning was created for the block bounded by York Road, Dunkirk Road, Locust Drive, and Anneslie Road to establish intermediate zoning potentials between the commercial zoning elsewhere on York Road and the single-family residences easterly from York Road. Office usage occurred at the time of the 9th District Zoning Map's adoption on two properties within the block. A special exception for offices here simply would affirm and continue the pattern of land usage existing within the block and across York Road.
2. Since the petition was filed originally, the planning staff has studied a series of alternative building schemes for the subject property. Access from York Road was deemed necessary and appropriate, but as far south from the intersection of Dunkirk Road as was possible and on an entrance-only basis. Provision of parking and the dimensional modules required led to an area for building placement on the northerly half of the property. Front yard set-back was held to be in line with those of abutting properties. Inasmuch as none of the properties in the block maintain the side yard set-backs now required by the R.A. zone, the planning staff felt that maintaining the 25 foot side yard set-back here was not realistic. Accordingly, the plan now proposed by the petitioner was developed.
3. The planning staff believes that the petition as now proposed is an appropriate use and proper detailing.

GEORGE E. GAVELLIS
Director
Office of Planning and Zoning

GEG:ams

JOSEPH D. THOMPSON, P.E. & L.S.
CIVIL ENGINEERS & LAND SURVEYORS
101 SHELL BUILDING - 200 EAST JOPPA ROAD
TOWSON - 4 - MARYLAND - VAILLEY 3-8820
ZONING DESCRIPTION
6605-6677 YORK ROAD

BEGINNING for the same on the east side of York Road at a point distant

100.00 feet North 12 degrees 02 minutes 50 seconds East from the point formed by the intersection of the east side of said York Road with the north side of Anneslie Road, as shown on the Plat of Anneslie, as filed among the Land Records of Baltimore County in Plat Book No. 7, folio 40 said point of beginning being at the division line between lots No. 7 and No. 6, Block "I" as shown on said Plat and running thence from said beginning and binding on the east side of said York Road, North 12 degrees 02 minutes 50 seconds East 100.00 feet to the division line between lots No. 3 and No. 2, Block "I", as shown on said Plat, thence leaving the east side of said road and binding on said division line South 78 degrees 56 minutes 10 seconds East 125.00 feet to the west side of Locust Drive, as shown on said Plat, thence binding on the west side of said Drive, South 12 degrees 02 minutes 50 seconds West 100.00 feet to said division line between lots No. 7 and No. 6, Block "I" as shown on said Plat, thence leaving the west side of said Drive and binding on said division line North 78 degrees 56 minutes 10 seconds West 125.00 feet to the place of beginning.

BEING AND COMPRISING lots Nos. 3, 4, 5, and 6, Block "I" as shown on the Plat of Anneslie filed as aforesaid.

JOSEPH D. THOMPSON, P.E. & L.S., NO. 1
5-22-66

RE: PETITION FOR SPECIAL EXCEPTION
FOR OFFICE BUILDING - Variances
to Sections 217.2, 217.3 and
217.4 of Zoning Regulations -
E/S York Road 100' N. Anneslie
Road, 9th District
Ervin J. Cerveney and Joan West
Cerveney, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 66-101-XA

ORDER RECEIVED FOR FILING
DATE: 1/16/67
BY: J. H. HARRIS

The petitioners, in the above matter, have requested a special exception for an Office Building on the east side of York Road, 100 feet north of Anneslie Road, in the Ninth District of Baltimore County, a variance to Section 217.2 to permit a front yard of 25 feet instead of the required 30 feet; Section 217.3 to permit a side yard of 5 feet instead of the required 25 feet and Section 217.4 to permit a rear yard of 10 feet instead of the required 30 feet.

As the petitioners have met all requirements of Section 502.1 of the Baltimore County Zoning Regulations, a special exception for an Office Building should be granted.

With reference to the requested variances it is the opinion of the Zoning Commissioner that the variance to Section 217.2, the front yard should be 25 feet instead of the required 30 feet.

Section 217.3, to permit a side yard of 7.45 feet instead of the required 25 feet, should be granted.

Section 217.4 - the plan submitted by petitioner indicates that he has required 30 feet, therefore, a rear yard of 10 feet should not be granted.

It is this 16th day of January, 1967, by the Zoning Commissioner of Baltimore County, ORDERED that a special exception for an Office Building should be and the same is granted from and after the date of this order.

It is further ORDERED that the variance to Section 217.2 to permit a front yard of 25 feet instead of the required 30 feet should be granted. Section 217.3 - a side yard of 7.45 feet instead of the required 25 feet should be granted and Section 217.4 to permit a rear yard of 10 feet instead of 30 feet is denied as the plan submitted by the petitioner indicates that he has required 30 feet, therefore, a rear yard of 10 feet is denied.

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

JOHN G. ROSE
Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION
FOR OFFICE BUILDING and
Variances from Sections 217.2,
217.3 and 217.4
E/S York Road 100' North of
Anneslie Road
9th District
Ervin J. Cerveney,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 67-101-XA

ORDER OF DISMISSAL

Petition of E. J. Cerveney for Special Exception for offices and office building and Variances from Sections 217.2, 217.3 and 217.4 of the Baltimore County Zoning Regulations, on property located on the east side of York Road 100 feet north of Anneslie Road, in the Ninth District of Baltimore County.

Whereas, the Board of Appeals is in receipt of a letter to dismiss the petition for special exception and variances filed May 2, 1967 from the attorney representing the petitioner in the above entitled matter.

Whereas, the said attorney for the said petitioner has requested that his entire petition be dismissed, and therefore the Order of the Zoning Commissioner granting the said petition be declared null and void.

It is hereby ORDERED, this 2nd day of May, 1967, that said petition for special exception and variances be and the same is hereby dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

John A. Slowik



JENIFER PITTS & ALMOND
ATTORNEYS AT LAW
JENIFER BUILDING
TOWSON, MARYLAND 21204

February 3, 1967

Mr. John G. Rose, Zoning Commissioner
Baltimore County Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception and Variances to Zoning Regulations E/S York Road 100' N. Anneslie Road, 9th District - Ervin J. Cerveney and Joan West Cerveney, Petitioners - No. 66-101-XA

Dear Mr. Rose:

I represent Dr. Bennett S. Ensor, who is the owner of the property at 5609 York Road, Baltimore County, Maryland, which is adjacent to the property of Mr. and Mrs. Ervin J. Cerveney, which was the subject matter of the petition for special exception and variances no. 66-101-XA.

Please enter an appeal from your order, dated January 19, 1967, in the above entitled matter to the County Board of Appeals. Our attorneys' check in the amount of \$75.00 is enclosed in connection with this appeal, and a copy of the request for an appeal has been mailed to those persons listed hereinbelow.

Very truly yours,

SM:wal

cc: Mr. Harry S. Swartzwelder
Mr. Samuel E. Proctor, Jr.
Mr. and Mrs. Ervin J. Cerveney
Mrs. Ruth A. Gagner
Mr. Earle G. Kingston

SAMUEL E. PROCTOR, JR.
ATTORNEY AT LAW
1003 Maryland Trust Building
BALTIMORE, MARYLAND 21202
Telephone 636-1900

February 7, 1967

Baltimore County Office of
Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special
Exception for Office Building
No. 67-101-XA

Gentlemen:

Please note and appeal to the decision of the Zoning Commissioner in the above captioned case dated January 10, 1967, and transfer the necessary papers to the Board of Zoning Appeals.

Very truly yours,

Samuel E. Proctor, Jr.

SEP:sd1

cc: Ervin J. Cerveney

JAMES H. COOK
JOHN E. MUDD
JOHN A. HOWARD
DANIEL C. TRACY, JR.

COOK, MUDD & HOWARD
110 WEST PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204

TELEPHONE 823-3000
AREA CODE 410

May 1, 1967

County Board of Appeals for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition # 67-101-XA

Gentlemen:

Will you kindly dismiss the petition I heretofore filed
for special exception and variances in the above captioned matter,
without prejudice.

Very truly yours,

E. J. Cerveny
E. J. Cerveny

Filed by John A. Howard
5/2/67 - 10:00

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

No. 42995
DATE 2/10/67

Office of Planning and Zoning
119 County Office Bldg.,
Towson, Maryland 21204

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Cost of appeal - Property of E. J. Cerveny	\$ 70.00
1	posting	5.00
	No. 67-101-XA	\$75.00
1	7-10-67	75.00
1	7-10-67	75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

Mr. Ervin J. Cerveny, Esquire
803 Stoneleigh Rd.,
Baltimore, Maryland 21212

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
4 day of OCT, 1965.

Petitioner Ervin J. Cerveny
Petitioner's Attorney Reviewed by *James E. Howard*
Chairman of Advisory Committee

PETITION FOR SPECIAL EXCEPTION: E. J. Cerveny - 803 Stoneleigh Road
#67-101XA

A Special Exception, under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an office building; this property lies within one of a two block area zoned R/A, surrounded by commercial zoning from the City line north beyond Register Avenue. Under this standard it is more desirable for office use than apartments. Therefore a Special Exception is requested to use this property as an office building under section 215.5 rather than the permitted apartment use.

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
THE DISTRICT

REASON: Petition for Variance from Zoning Regulations of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing for Special Exception for Office and Office Building. The Zoning Regulations of Baltimore County to permit a front yard of 25 feet instead of the required 30 feet; to permit a rear yard of 10 feet instead of the required 15 feet; to permit a side yard of 5 feet instead of the required 10 feet.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 20, 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 in each of 11 consecutive weeks before the 20th day of November, 1966, the first publication appearing on the 20th day of October, 1966.

THE JEFFERSONIAN
S. L. Howard, Jr., Manager

Cost of Advertisement, \$.....

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

No. 40695
DATE 10/14/66

Office of Planning and Zoning
119 County Office Bldg.,
Towson, Maryland 21204

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Petition for Variance & Special Exception	\$ 70.00
1	posting	5.00
	No. 67-101-XA	\$75.00
1	10-14-66	75.00

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.

2 sign

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 10-20-66

Posted for: Hearing Wed Nov 9-66 at 10:00 A.M.

Petitioner: E. J. Cerveny

Location of property: 803 Stoneleigh Rd. N. of Annapolis Rd.

Location of Sign: On vacant lot between 6603-6609 York Rd.

Remarks: Robert L. Bullis

Posted by: Robert L. Bullis Date of return 10-27-66

1 sign

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 3/2/67

Posted for: E. J. Cerveny

Petitioner: E. J. Cerveny

Location of property: 803 Stoneleigh Rd. N. of Annapolis Rd.

Location of Sign: On vacant lot between 6603-6609 York Rd.

Remarks: Robert L. Bullis

Posted by: Robert L. Bullis Date of return 3/2/67

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

No. 42240
DATE 11/7/66

Office of Planning and Zoning
119 County Office Bldg.,
Towson, Maryland 21204

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Advertising and posting of property	\$ 70.00
1	posting	5.00
	No. 67-101-XA	\$75.00
1	11-7-66	75.00

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. 42994
DATE 2/10/67

Office of Planning and Zoning
119 County Office Bldg.,
Towson, Maryland 21204

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Cost of appeal - Property of E. J. Cerveny	\$ 70.00
1	posting	5.00
	No. 67-101-XA	\$75.00
1	2-10-67	75.00
1	2-10-67	75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

OFFICE OF THE BALTIMORE COUNTY
THE COMMUNITY NEWS
Kiddersburg, Md.

No. 1 Newburg Avenue
CATONSVILLE, MD.

October 24, 1966

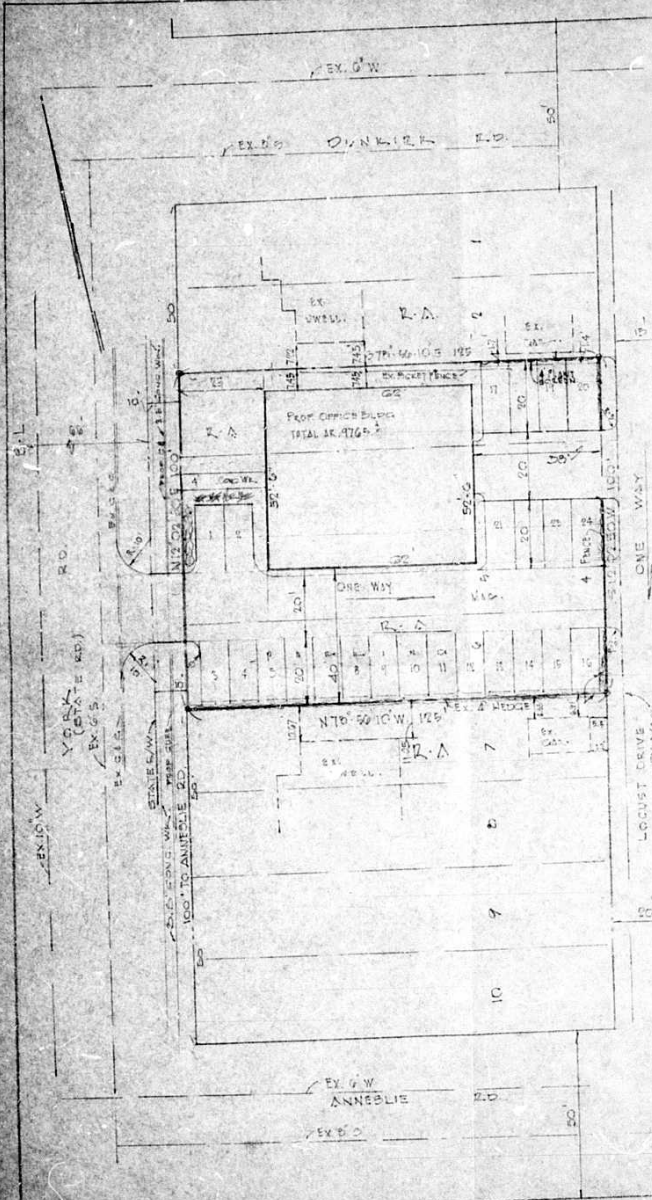
THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTY, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for one successive week before the 24th day of October, 1966, that is to say the same was inserted in the issues of October 20, 1966.

THE BALTIMORE COUNTY

By Paul J. Mergay
Editorial Manager

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
THE DISTRICT

REASON: Petition for Variance from Zoning Regulations of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing for Special Exception for Office and Office Building. The Zoning Regulations of Baltimore County to permit a front yard of 25 feet instead of the required 30 feet; to permit a rear yard of 10 feet instead of the required 15 feet; to permit a side yard of 5 feet instead of the required 10 feet.



ZONING PETITION FOR SPECIAL EXCEPTIONS
VARIANCES OR AREA REGULATIONS.

PRESENT ZONING R.A.
PROPOSED USE - OFFICE BLDG.
FLOOR AREA

1. LOT "L" 2,000'²
2. LOT "M" 2,000'²
3. LOT "N" 2,000'²

PARKING

24 PARKING SPACES SHOWN
24 REQUIRED



Joseph D. Thompson
J.D. THOMPSON P.E. 1150

JOSEPH D. THOMPSON, INC.
LANDSCAPE ARCHITECTS
185 South Ridge, 200 E. 100th St.
Baltimore, MD 21206

ZONING PETITION PLAT
6605-6607 YORK RD
LOTS 1-10 INC. D.W.I.
BALTO. COUNTY MD.
SCALE 1"=20'

27th MARCH 1967
21 SEP 7 1967
REVISED 6 JAN 67

