

67-149-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mercantile-Safe Deposit and Trust Company and William B. Davidson, Trustees of said Mercantile-Safe Deposit and Trust Company, 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 238.2 - To permit a rear yard of zero feet instead of the required 30 feet.

Feet instead of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) That the property is presently zoned BR under the Zoning Regulations of Baltimore County, but has an average depth of only 77.91 feet, and, with the required front yard for a commercial building on a dual highway under Section 238.1 of 50 feet and a rear yard under Section 238.2 of 30 feet, there could be no commercial use of the property hereafter; and there is already a paved alley on the rear property line and on the property to the west there is an existing Shell Service Station which building is on the rear line of that property.

See attached description

It is to be posted and advertised as prescribed by Zoning Regulations. I agree, 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.

Robert H. Cash, Baltimore, Md. 21221 W. Haenstler, Real Estate Officer
1505 Eastern Blvd., Baltimore, Md. 21221 Contract purchaser
Address: Baltimore and Calvert Streets
Baltimore, Maryland 21202

Address: Baltimore and Calvert Streets
Baltimore, Maryland 21202

Johnson Bowe, Baltimore, Md. 21204
Address: 22 West Penna. Avenue
Towson, Maryland 21204

ORDERED: By The Zoning Commissioner of Baltimore County, this 27th day of December, 1967, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of February, 1968, at 10:00 o'clock.

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Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with Zoning Regulations of Baltimore County would result in practical difficulty and unreasonable hardship upon the petitioner and the variance would grant relief without substantial injury to the public health, safety and general welfare of the community.

the above Variance should be had; and it further appearing that by reason of the

Variance to permit a rear yard of zero feet instead of the required 30 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of February, 1967, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to permit a rear yard of zero feet instead of the required 30 feet, subject to approval of the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of February, 1967, that the above Variance be and the same is hereby DENIED.

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OFFICE OF
CHARLES D. GRACE
LAND SURVEYOR & PLANNING
181 ALLEGHENY AVENUE
TOWSON, MD. 21204

0.268 ACRE TRACT
SOUTHEAST SIDE EASTERN AVENUE

BEGINNING for the same at a point on the Southeast side of Eastern Avenue, 150 feet wide, as shown on State Roads Commission of Maryland Plats #4777 and 4778, distant 193.91 feet from an angle in Eastern Avenue where the Southeast side thereof widens into Back River Neck or Stemmers Run Road, said point being at the end of the first or North 51 degrees 48 minutes 12 seconds East 100.00 foot line of that tract of land described in a deed from William B. Davidson and Mercantile-Safe Deposit and Trust Company, Trustees, to William T. Bierman and wife, dated May 27, 1965 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4469 folio 129 and running thence and binding on the Southeast side of said Eastern Avenue and running reversely with and binding on part of the first or South 51 degrees 48 minutes 12 seconds West 160.31 foot line of that tract of land firstly described in a deed dated April 23, 1942 and recorded among the Land Records of Baltimore County in Liber C.H.K. #1223 folio 351 etc., was conveyed by Title Holding Company, et al, to The City Real Estate Company

1. North 51 degrees 48 minutes 12 seconds East 150.00 feet, thence for a line of division
2. South 38 degrees 11 minutes 48 seconds East 77.21 feet to intersect the fourth or North 51 degrees 16 minutes 05 seconds East 1216.45 foot line of the herein secondly described conveyance and to the Northwest side of an alley 15 feet wide there situate, thence running reversely with and binding on part of said fourth line and binding on the said Northwest side of said alley with the use thereof in common with others

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

Johnston Bowe, Esquire
22 West Pennsylvania Avenue
Towson, Maryland 21204

Dear Sir:

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

STATE ROADS COMMISSION:
The entire frontage along Eastern Ave., must be curbed with 8" x 4" concrete curb, 15' from and parallel to the edge of Eastern Ave.

The proposed entrance will be subject to State Roads Commission approval. Construction of the curb and entrance must be done under a permit from the State Roads Commission.

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 make recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

The following members had no comment to offer:
Zoning Administration Division
Bureau of Traffic Engineering
Bureau of Engineering
Project Planning

Very truly yours,
John E. Meyer
John E. Meyer, Principal
Zoning Technician

cc: John Meyer - State Roads Commission

OFFICE OF
CHARLES D. GRACE
LAND SURVEYOR & PLANNING
181 ALLEGHENY AVENUE
TOWSON, MD. 21204
VALLEY # 800
-2-

3. South 51 degrees 16 minutes 05 seconds West 150.01 feet to the end of the second or South 38 degrees 11 minutes 48 seconds East 78.61 foot line of the herein firstly described conveyance, thence running reversely with and binding on said second line

4. North 38 degrees 11 minutes 48 seconds West 78.61 feet to the place of beginning.

CONTAINING 0.268 Acres of land more or less,
BEING part of that tract of land which by deed dated March 1, 1947 and recorded among the Land Records of Baltimore County in Liber J.W. B. #1586 folio 59 etc. was conveyed by The City Real Estate Company to Annie Macht, et al,

11/15/66

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

FROM: George E. Gavellis

SUBJECT: 67-149-A: Variance to permit a rear yard of zero feet instead of the required 30 feet. Southeast side of Eastern Avenue 193.91 feet East of Stemmers Run Road. Being the property of Mercantile-Safe Deposit & Trust Company.

15th District

HEARING: Wednesday, February 1, 1967 (10:00 A.M.)

Should it be decided to grant this variance, we request that the grant be made subject to our approval of a site plan. No plan is submitted with the petition.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Jan. 9, 1967
No. 42924
To: Adm'l. Clk. Room
1505 Eastern Blvd.
Baltimore, Md. 21221
Billed to: Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 01-022
QUANTITY
RETURN THIS PORTION WITH YOUR REMITTANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
Petition for Variance for Mercantile-Safe Deposit & Trust Co.
67-149-A
TOTAL AMOUNT
\$25.00
COST

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

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: February 1, 1967
No. 42979
To: Bureau Engineer
400 Third Building
Baltimore, Md. 21202
Billed to: Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 01-022
QUANTITY
RETURN THIS PORTION WITH YOUR REMITTANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
Advertising and posting of property for Mercantile-Safe Deposit & Trust Co.
67-149-A
TOTAL AMOUNT
\$6.00
COST

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

27th day of Dec., 1967.

John G. Rose
John G. Rose
Zoning Commissioner

Petitioner: Mercantile-Safe Deposit & Trust Co.
Petitioner's Attorney: Johnson Bowe
Reviewed by: James E. Meyer
Chairman of Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th
Posted for: Hearing held Feb. 1, 1967 9:30 A.M. to 11:00 A.M.
Petitioner: Mercantile-Safe Deposit & Trust Co.
Location of property: SE 1/4 Eastern Ave. 193.91 ft. E 1/4
Location of signs: 2 signs, 30' from the Shell filling station and 30' from Eastern Ave.
Remarks:
Posted by: Robert L. Paul
Date of return: 1/15/67

OFFICE OF
The Community Press

THIS IS TO CERTIFY, that the annexed advertisement of
"Mercantile-Safe Deposit and Trust Co."
was inserted in THE COMMUNITY PRESS, a weekly news-
paper published in Baltimore County, Maryland, once a week
for 1 successive week before the
10th day of January 1967; that is to say,
the same was inserted in the issues of 1-11-67

By Mrs. Palmer Price

TOWSON, MD. January 12, 1967

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~~ once each of 1 time successive weeks before the 1st day of February, 1957, the first publication appearing on the 10th day of January 1957.

H. Frank Struthers
Manager.

Cost of Advertisement, \$.....

NOTICE: Petition for Variance from the Zoning Ordinance
LOCATION: Southeast side of East-
 38th Avenue 193.91 feet East of
 Balmores Run Road.
DATE: 1967, Wednesday, February
 1, 1967 at 10:00 A.M.
PUBLIC HEARING: Room 103,
 County Office Building, 111 W.
 Chesapeake Avenue, Towson, Md.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Ordinance of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Ordinance of Baltimore County to permit a rear yard of Zero Feet instead of the required 30 feet.

The Zoning Regulations to be accepted as follows:

Section 233.3--Rear Yard--28 feet

All lots portion of land in the Petitioned District of Baltimore County.

[illegible]

versely with each, landing on part of the North Star and the other on the said Northwest side of said valley and the same thereafter in common with others.

1. South 21 degrees 11 minutes to seconds West 15.61 feet at the end of the second or South 87 degrees 11 minutes 44 seconds East 7.51 feet from the first or North 7.51 feet from the herein firstly described corner, thence running easterly and with winding on said second line

4. North 13 degrees 11 minutes 44 seconds West 15.61 feet to the corner of beginning.

Containing 9.26 Acres of land more or less.

Being part of that tract of land which by deed dated March 1, 1945, was conveyed from the Board of Commissioners of Baltimore County in Liber A-20-10-1 to John J. Feltz, Jr., and was conveyed by The City and State of Maryland to the said John J. Feltz, Jr., being the property of Mercantile Trust Company of New York, Inc., as Successors of William J. Franklin, Trustee, as shown on plat filed with the zoning department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ROBERT H. CASH
5th ELECTION DISTRICT
BALTIMORE COUNTY, MD.

SCALE: 1" = 50'
NOVEMBER 22, 1964

OFFICE COPY

Charles D. Grace
OFFICE OF
CHARLES D. GRACE
LAND SURVEYING AND PLANNING
121 ALLEGHENY AVENUE - TOWSON 4, MD.