

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

67-205 ASPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Henry G. Kahler, 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 2502 To permit a 6 inch sideyard setback instead of the required 30 ft. and a rear yard setback of 27 ft. instead of the required 30 ft.

1. The property is located in the 15th District, 15th Ward, Baltimore County, Maryland, and is zoned R-6. The property is currently zoned R-6, which requires a 30 foot sideyard setback and a 30 foot rear yard setback.
2. Prior to adoption of new zoning, property was zoned BL at that time a sideyard setback of 0 feet was required. Property zoning was changed to R-6 which requires a 30 foot sideyard setback.

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.

Contract purchaser: Henry G. Kahler
Address: 3322 Pulaski Highway, Baltimore, Md. 21204
Petitioner's Attorney: James E. Dyer
Address: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Protestant's Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of May, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of May, 1967, at 1:00 o'clock P. M.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 21, 1967
FROM: George E. Cavellis, Director

SUBJECT: Petition 67-205-ASPH. Variance to permit 6 inches side yard instead of the required 30 feet; and to permit a rear yard of 27 feet instead of the required 30 feet. Special hearing for off-street parking in a residential zone, North side of Pulaski Highway 126.63 feet west of Schafer Lane. Being the property of Henry G. Kahler.

15th District
HEARING: Monday, May 1, 1967 (1:00 P.M.)

If it should be decided to grant the subject petition, we request that the grant be conditioned upon approval of the site plan by this office and the State Roads Commission.

RE: PETITION FOR VARIANCE AND SPECIAL HEARING
N/S Pulaski Highway 126.63 feet West of Schafer Lane
15th District
Henry Kahler, Petitioner
OF
BALTIMORE COUNTY
NO. 67-205-ASPH

This is a Petition for a Variance to permit a six inch side yard setback instead of the required 30 feet, and a rear yard setback of 27 feet instead of the required 30 feet. Practical difficulty being shown, the Variance should be granted.

The Petition also requests permission to use an adjacent residential tract zoned R-6 for off-street parking. The health, safety and general welfare not being adversely affected, an off-street parking permit should be granted subject to those restrictions listed on the site plan prepared by James S. Caldwell, dated February, 1967, which was filed as an exhibit in the case. For the purpose of this Order the aforementioned restrictions and conditions are hereby incorporated in and should be considered a part of this Order.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County that on this 12 day of June, 1967, that the herein Petition for Variance should be and the same is GRANTED, and the Petition to permit off-street parking in a residential zone should be and the same is hereby GRANTED, subject to the aforementioned restrictions and conditions contained in the site plan. The said Petition for Variance and an off-street parking permit are also subject to approval by the Bureau of Public Services, State Roads Commission and the Office of Planning and Zoning.

Edward D. Harder
DEPUTY ZONING COMMISSIONER

ORDER RECEIVED FOR FILING

DATE 4/21/67 BY John G. Rose

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 4-13-67
Posted to: Henry G. Kahler May 1, 67 AT 1:00 P.M.
Petitioner: Henry G. Kahler
Location of property: N/S Pulaski Hwy. 126.63' W of Schafer Lane
Location of Signs: Sign on small building to be removed from property
Remarks: Sign on small building to be removed from property
Posted by: Robert A. Smith Date of return: 4-20-67

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

No. 44370
DATE: April 10, 1967

TO: Mr. Kahler's Bar-Restaurant-Shop
3322 Pulaski Highway
Baltimore, Md. 21204

DEPOSIT TO ACCOUNT NO. 01-622
QUANTITY: 1 RETURN TO E. PORTION WITH YOUR PERMITANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Petition for Variance & Special Hearing
67-205-ASPH
25.00

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

DESCRIPTION FOR SPECIAL HEARING

Beginning for the same in the center line of Old Philadelphia Road at a point 380' West of Schafer Lane thence binding on said center line N 71°-16'-00" E 135.05' thence N 65°-01' E 25.53' thence N 35°-55' W 193.44' thence N 83°-30' W 101' thence S 27°-45' W 54' thence S 59°-04'-47" E 65.66' thence S 170°-08'-30" E 146.84' to the place of beginning.

Saving and excepting there from that portion that lies within the right-of-way of Old Philadelphia Road.

C. John Serio, Esquire
3 E. Lexington Street
Baltimore, Maryland 21201

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

21st day of March, 1967.

Petitioner Harry G. Kahler
Petitioner's Attorney C. John Serio Reviewed by James E. Dyer
Chairman of Advisory Committee

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

No. 45512
DATE: May 1, 1967

TO: Mr. Kahler's Bar-Restaurant-Shop
3322 Pulaski Highway
Baltimore, Md. 21204

DEPOSIT TO ACCOUNT NO. 01-622
QUANTITY: 1 RETURN TO E. PORTION WITH YOUR PERMITANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Advertising and posting of property
67-205-ASPH
64.30

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

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 21, 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 a week, for one week, before the 1st day of May, 1967, the first publication appearing on the 13th day of April, 1967.

THE JEFFERSONIAN,
James E. Dyer
Manager.

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MD. 21204

C. John Serio, Esquire
3 E. Lexington Street
Baltimore, Maryland 21201

Subject: Side and Rear Yard Variance,
Special Hearing for Off-street Parking in a Residential Zone for Henry G. Kahler, located N/S Pulaski Highway W of Schafer Lane, 15th District (item 6, March 21, 1967)

April 5, 1967

Dear Sir:

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

BUREAU OF ENGINEERING

Road - Old Philadelphia Road is to be developed as a minimum 30' road on a 50' B/W. STATE ROADS COMMISSION - 8" x 22" concrete curb must be constructed along the R/W line of Pulaski Highway from the entrance to the west property line under permit from the State Roads Commission.

TRAFFIC ENGINEERING - The Petitioner's plot plan must be revised to indicate sufficient widening to provide a 50' R/W for Old Philadelphia Road.

ZONING ADMINISTRATION DIVISION - Revised plans must be submitted to this Office 10 days prior to the hearing date. Notification of a hearing date will be mailed in the near future.

If the Petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance to the approved plan.

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: Project Planning, Health Department, Fire Bureau, Building Engineer, Board of Education, Industrial Development

Very truly yours,

JAMES E. DYER,
Principal Zoning Technician

JED/jdr

cc: Carlyle Brown, Engineering; John Meyers, State Roads Commission; C. Richard Moore, Traffic

CERTIFICATE OF PUBLICATION

OFFICE OF

The Community Press

DUNDALK, MD., April 12, 1967

THIS IS TO CERTIFY, that the annexed advertisement "Henry G. Kahler" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week, for 1 successive week before the 1st day of April, 1967; that the same was inserted in the issues of 4-12-67

Stromberg Publications, Inc.

By Mrs. Palmer Price

DESCRIPTION FOR SPECIAL HEARING

Beginning for the same in the center line of Old Philadelphia Road at a point 380' West of Schafer Lane thence binding on said center line N 71 degrees - 16'-00" E 135.05' thence N 65 degrees - 01' E 25.53' thence N 35 degrees - 55' W 193.44' thence N 83 degrees - 30' W 101' thence S 27 degrees - 45' W 54' thence S 59 degrees - 04'-47" E 65.66' thence S 170 degrees - 08'-30" E 146.84' to the place of beginning.

Saving and excepting there from that portion that lies within the right-of-way of Old Philadelphia Road.

Being the property of Henry G. Kahler and Virginia Sarah Kahler, as shown on plat filed with the Zoning Department.

Hearing Date: Monday, May 1, 1967 at 1:00 P.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

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

