

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ERVIN J. CERVENY
I, or we, JOAN WEST CERVENY, legal owner(s) 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 zone to an B-1 zone, for the following reasons: That the zoning status of the herein described property be reclassified pursuant to the zoning laws of Baltimore County from R-6 zone to B-1 zone, saving and excepting that portion which is presently zoned B-1. For the following reasons: This entire property was reclassified to R-6 Commercial by Court Order dated April 22, 1955, therefore we feel it was an error in the 1955 Zoning Map to zone this property to a death of only 150 feet from the center of the street, instead of the entire lot as by court order. VARIANCE FROM SECTION 232.4 (2)(4,3) To permit a side yard setback of 0 feet instead of the required 15 feet. SECTION 409.2 (4) To permit parking spaces to be within 0 feet of the street property line instead of the required 8 feet. SECTION 409.2 (6) To permit 23 car parking instead of the required 27 cars

and (2) for SPECIAL EXCEPTION under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be used as 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: 803 Stoneleigh Road, Baltimore, Maryland 21212
Phone: 377-6215

Protestant's Attorney: Ervin J. Cerveny

Address: _____

ORDERED By The Zoning Commissioner of Baltimore County this 11th day of April, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of May, 1967, at 10:00 o'clock.

Ervin J. Cerveny
Zoning Commissioner of Baltimore County

Ervin J. Cerveny
Zoning Commissioner of Baltimore County

MULLER, RAPHAEL & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS - LAND SURVEYORS - PLANNING CONSULTANTS
801-10 CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204
RD-1000 - 801-1001

BEING part of land which by deed dated October 28, 1959 and recorded among the land records of Baltimore County in Liber WJR 3664, Folio 255, was conveyed by Howard M. Fleck and wife to Ervin J. Cerveny and wife and all of the land which by deed dated June 16, 1964 and recorded among the land records of Baltimore County in Liber GLB 2501, Folio 538 was conveyed by Erik Nielson and wife to Ervin J. Cerveny and wife.

SAVING AND EXCEPTING however all that portion of the above described parcel now zoned Business Local (BL).

April 18, 1967
DATE

Eugene F. Raphael
EUGENE F. RAPHAEL, 2246 L.S.

SURVEYS - LOTS - PLANS - TOPOGRAPHY - LOCATION - CONTRACTORS SERVICE - SUBDIVISION DESIGN AND LAYOUT - ROADS - SANITARY SEWERS - STORM DRAINAGE - WATER - ENGINE PLANS, DESCRIPTIONS AND TESTIMONY

PETITION FOR RECLASSIFICATION from R-6 Zone to B-1 Zone - Variance to Sections 232.4, 409.2-C and 409.2-B (6) - N/W Cor. Balto. City Line and Sherwood Road, 7th District
Ervin J. Cerveny and Joan West Cerveny, Petitioners
No. 67-233-RA

The petitioners in the above matter seek reclassification of property at the northwest corner of Baltimore City Line and Sherwood Road, in the 7th District of Baltimore County, from an R-6 Zone to a B-1 Zone; a variance to Section 232.4 (2)(4,3) to permit a side yard of zero feet instead of the required 15 feet; a variance to Section 409.2-C (4) to permit parking setback of zero feet instead of 8 feet; and a variance to Section 409.2-B (6) to permit 23 parking spaces instead of the required 27 spaces.

As the petitioner has proven change in the area of the subject property, the reclassification from R-6 Zone to B-1 Zone should be granted.

As strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the variances would give relief without substantial injury to the public health, safety and general welfare the variances should be granted.

For the above reasons the reclassification and variances should be granted.
It is this 25th day of June, 1967, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified from an R-6 Zone to a B-1 Zone.

It is further ORDERED that the variance requested to permit a side yard setback of zero feet instead of the required 15 feet should be granted as the subject property is adjacent to a dwelling within the petitioner.

It is ORDERED that the parking setback of zero feet instead of the required 8 feet is also granted subject to the erection of bumper stops so that the automobiles must not protrude over the property line.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19th day of June, 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 on 25th day of May, 1967, successive weeks before the 25th day of May, 1967, the first publication appearing on the 18th day of May, 1967.

THE JEFFERSONIAN,
Charles B. Smith
Manager.

Cost of Advertisement, \$ _____

The variances requested to permit 23 parking spaces instead of the required 27 spaces is denied under the new approved plan pertaining to parking.

The development of said property is subject to the approved plan approved by the Office of Planning on June 29, 1967 and marked Exhibit "A".

The plan is also subject to approval of the Bureau of Public Services.

John G. Rose
Zoning Commissioner of Baltimore County

OFFICE OF THE BALTIMORE COUNTYAN

THE COMMUNITY NEWS
Baltimore, Md.
THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

May 8, 1967.

THIS IS TO CERTIFY that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTYAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of May, 1967, that is to say the same was inserted in the issues of
May 4, 1967.

THE BALTIMORE COUNTYAN

By Paul J. Morgan
Editor and Manager

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting 5-4-67
Posted for Ervin J. Cerveny
Petitioner Ervin J. Cerveny
Location of property corner of Balto. City Line and Sherwood Rd.
Location of Sign on corner of Balto. City Line and Sherwood Rd.
Remarks See sketch
Posted by Robert B. Budde Date of return 5-11-67

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

To: E. J. Cerveny Const. Co., 4905 York Road, Baltimore, Maryland 21212

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

Cost of advertising and posting property
No. 67-233-RA

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

MULLER, RAPHAEL & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS - LAND SURVEYORS - PLANNING CONSULTANTS
801-10 CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204
RD-1000 - 801-1001

DESCRIPTION TO ACCOMPANY ZONING
PETITION - PART OF CERVENY PARCEL

BEGINNING for the same at the intersection formed by the westernmost right-of-way line of the Alameda and the north boundary line of Baltimore City, said point of beginning being also at the end of the 1st line of land which by deed dated October 28, 1959 and recorded among the land records of Baltimore County in Liber WJR 3664, Folio 255, was conveyed by Howard M. Fleck and wife to Ervin J. Cerveny and wife, running thence and binding on the Northernmost boundary line of Baltimore City and on part of the 2nd line in aforesaid deed East 6.37' to the westernmost right-of-way line of Sherwood Road as now widened, running thence and binding on the westernmost right-of-way line of Sherwood Road as now widened, the two (2) following courses and distances: by a curve to the right with a radius of 1376.60' for a distance of 90.10' (the chord of said arc being N9°02'58" W 90.04') (2) N71°14'40" W 21.80' to intersect the second line of land which by deed dated June 16, 1964 and recorded among the land records of Baltimore County in Liber GLB 2501, Folio 538, was conveyed by Erik Nielson and wife to Ervin J. Cerveny and wife, running thence and binding on part of the aforesaid 2nd line and on all of the 3rd and 4th lines of said deed the 3 following courses and distances: (1) S86°38'10" W 123.53' (2) S31°40'06" W 131.13' to the North Boundary of Baltimore City, running thence and binding on the North Boundary line of Baltimore City and East 60.14', running thence and still binding on the Northernmost boundary line of Baltimore City and for a line of division East 114.73' to the place of beginning.

CONTAINING 0.3725 acres of land more or less.

SUBJECT TO HOWEVER, a 10' right-of-way along the 4th above described parcel.

SURVEYS - LOTS - PLANS - TOPOGRAPHY - LOCATION - CONTRACTORS SERVICE - SUBDIVISION DESIGN AND LAYOUT - ROADS - SANITARY SEWERS - STORM DRAINAGE - WATER - ENGINE PLANS, DESCRIPTIONS AND TESTIMONY

67-233-RA

DATE May 11, 1967
COUNTY CLERK
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
119 County Office Bldg., Towson, Maryland 21204

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

To: E. J. Cerveny Const. Co., 4905 York Road, Baltimore, Maryland 21212

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

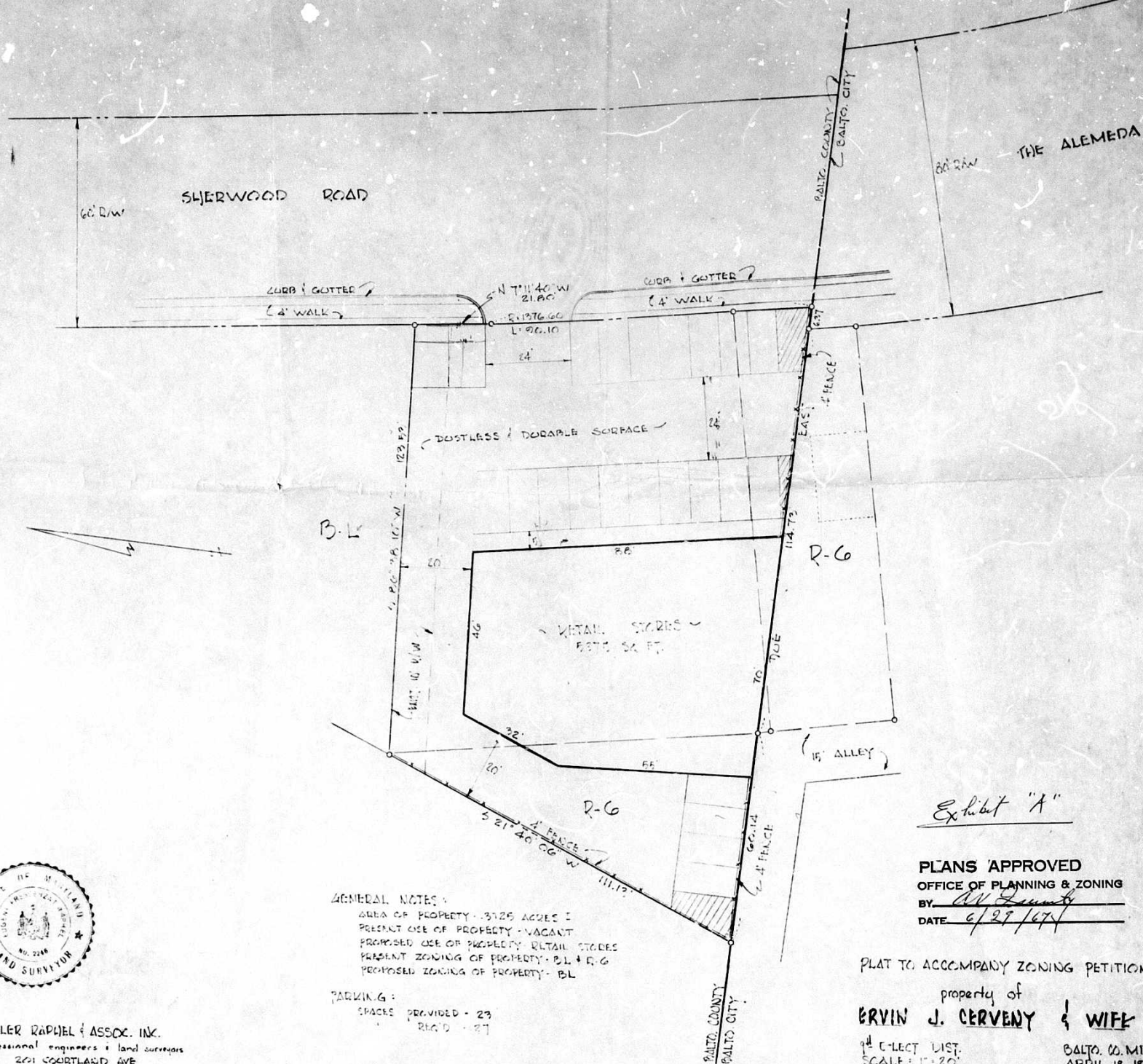
Cost of advertising and posting property
No. 67-233-RA

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

GEG:bms

Eugene S. Clifford
Eugene S. Clifford
County Traffic Engineer

EJC:CRM:nr



GENERAL NOTES:

AREA OF PROPERTY - 3.125 ACRES
 PRESENT USE OF PROPERTY - VACANT
 PROPOSED USE OF PROPERTY - RETAIL STORES
 PRESENT ZONING OF PROPERTY - R-1 & R-6
 PROPOSED ZONING OF PROPERTY - B-1

PARKING:

SPACES PROVIDED - 29
 REQUIRED - 27

Exhibit "A"

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY AV. [Signature]
 DATE 6/27/67

PLAT TO ACCOMPANY ZONING PETITION

property of
ERVIN J. CERVENY & WIFE

1st E-LECT DIST.
 SCALE: 1" = 20'

BALTO. CO. MD.
 APRIL 18, 1967



WILLER RAPHEL & ASSOC. INC.
 Reg. Professional Engineers & Land Surveyors
 201 COURTLAND AVE
 TOWSON 4, MD.

