

68-158-ASPH THOMAS H. EVERETT, Sr. 6601-158-ASPH M/Cor. of Kenilworth Dr. & West Rd. 9th **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Thomas H. Everett, Sr., 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 222.1 to permit a front yard setback of 25 feet instead of the required 50 feet. Section 222.2 to permit a setback from the centerline of the side street of 85 feet instead of the required 100 feet. Section 222.3 to permit a rear yard of 21 feet instead of the required 50 feet. Section 222.4 to permit parking within 5 feet of a residential zone instead of the required 25 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty.

Extreme Hardship in development.

Special Hearing to erect a building in an M.R. Zone.

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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

BY _____
Contract purchaser _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County this _____ day

of _____, 1968, 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 100, County Office Building in Towson, Baltimore County, on the _____ day of January, 1968, at 11:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date January 5, 1968

FROM George E. Gavellis, Director of Planning

SUBJECT Pet. #68-158-ASPH. Northeast corner of Kenilworth Drive and West Road. Petition for Variance to permit front yard of 25 feet instead of the required 50 feet; and to permit 85 feet from the centerline of the street instead of the required 100 feet; and to permit parking within 5 feet of a residential zone instead of the required 25 feet; and to permit a rear yard of 21 feet instead of the required 50 feet. Petition for Special Hearing to erect a building in an M.R. Zone. Thomas H. Everett, Sr. - Petitioner

9th District

HEARING: Wednesday, January 17, 1968. (1:00 P.M.)

The comments submitted to the Zoning Commissioner in our memorandum of January 3, 1968, relative to the subject property, constitute those comments provided for under paragraph 500.3 of the Zoning Regulations; therefore, no further comments will be submitted.



RE-PETITION FOR SPECIAL HEARING AND VARIANCES
NE/corner of Kenilworth Drive : DEPUTY ZONING
and West Road - 9th District : COMMISSIONER
Thomas H. Everett, Sr. :
Petitioner : OF
NO. 68-158-ASPH : BALTIMORE COUNTY

This Petition seeks several setback Variances and special permission to erect a building in an MR zone.

Practical difficulty and unreasonable hardship having been shown the Variances should be granted. The public health, safety and general welfare not being adversely affected, the Office of Planning being in general agreement with the proposed structure, permission should be granted to erect a building in an MR zone.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of January, 1968, the Variances to permit a front yard setback of 25 feet instead of the required 50 feet; to permit a setback from the centerline of the street of 85 feet instead of the required 100 feet; to permit parking within 5 feet of a residential zone instead of the required 25 feet and to permit a rear yard of 21 feet instead of the required 50 feet should be and the same is granted and permission to erect a building in an MR zone is also granted, from and after the date of this Order, all of this is subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

David D. Hackley
Deputy Zoning Commissioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
Mr. Thomas H. Everett, Sr.
5401 Carter Avenue
Baltimore, Maryland 21214
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this _____ day of _____, 1968.

John G. Rose,
Zoning Commissioner

Petitioner Thomas H. Everett, Sr.
Petitioner's Attorney _____

Reviewed by _____
Chairman of Advisory Com.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date January 3, 1968

FROM Mr. George E. Gavellis, Director

SUBJECT A) Recommendations on development plan, United Beauty Supply, northeast corner Kenilworth Drive and West Road.
B) Comments on prospective requests for variances to the setback requirements in the M.R. Zone.

The staff of the Office of Planning and Zoning has reviewed proposed plans for development within an M.R. Zone situated at the northeast corner of West Road and Kenilworth Drive. In accordance with the mandate set forth in Section 250.3 of the Zoning Regulations (old M.R. Zone), I am transmitting the recommendations of the Office of Planning and Zoning regarding the subject proposal.

- The property already is zoned for M.R. purposes. Zoning was effectuated by petition early in 1961.
- The Office of Planning and Zoning considers the subject location manifestly suited for the proposed office and beauty supply use. We believe that the structure as specifically proposed by the developer complies with the spirit and intent of the Zoning Regulations.
- The planning staff notes that the subject parcel is triangular in shape. These boundaries appear to present real problems in complying with the requirements of the old M.R. Zone as they concern setback and parking. It is to be noted that the residential zone boundaries embrace institutional uses - a nursing home, and playground facilities in connection with Towson Junior High School. No direct impact is foreseen by the planning staff as a result of placing parking within 5 feet of the residential zone boundaries. We note also that differences in topography exist between and among the properties and that the parking will be properly screened in any event. With respect to the variances requested on the front and rear setbacks, the planning staff feels that the irregular and unusual shape of the tract warrants a lessening of setback requirements.
- The planning staff is withholding approval of the development plan pending identification of all issues at a special hearing.

GE/Gcm



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Mr. Thomas H. Everett, Sr.,
5401 Carter Avenue
Baltimore, Maryland 21214
SUBJECT: Front, rear yard Variances, for Thomas H. Everett, Sr., located 1/2 Cor. Kenilworth Drive & West Road 9th District (Pet. 3, October 31, 1967)

Dear Sir:

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

TRAFFIC ENGINEERING:
The loading ramp to the rear of the building is not satisfactory. The petitioner should be notified that at such time as the vehicle is unloading at the ramp that the drive would be completely useless to him because of the vehicle blocking the driveway.

STATE ROADS COMMISSION:
There are no State roads involved; therefore, this office has no comment.

SEWER DEPARTMENT:
Since public water and sewer are available to subject site, this office has no comment.

FIRE BUREAU:
Petitioner will be required to meet all Fire Dept. regulations.

ZONING ADMINISTRATION:
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 Division
Bureau of Engineering
Building Engineer
Board of Education
Industrial Development

Very truly yours,

David D. Hackley
Deputy Zoning Commissioner

cc: G. Richard Moore-Traffic Eng.; John Meyers-State Roads Com.; William Greenwald Health Department; Lt. Charles Morris-Fire Bureau

TELEPHONE 823-3000 EXT. 367

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 51729
DATE Jan. 18, 1968

QUANTITY	DESCRIPTION	TOTAL AMOUNT
01-622	Advertising and posting of property #68-158-ASPH	77.51
77.51		

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

TELEPHONE 823-3000 EXT. 367

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 50679
DATE Dec. 26, 1967

QUANTITY	DESCRIPTION	TOTAL AMOUNT
01-622	Petition for Variance & Special Hearing #68-158-ASPH	25.00
25.00		

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

FROM THE OFFICE OF
GEORGE E. GAVELLIS, JR., & ASSOCIATES, INC.
ENGINEERS
307 ALLEGANY AVENUE, TOWSON, MARYLAND 21206

Description to Accompany Petition for Variance in Front Yard and Rear Yard Unit-Beauty Supply West Road and Kenilworth Drive, October 16, 1967

Beginning for the same at the intersection formed by the east side of West Road, 70 feet wide, and the northernmost end of the (111) at Kenilworth Drive, 80 feet wide, and running thence binding on the east side of said West Road the two following courses, viz: first North 16° 10' 53" East 27.61 feet, and second northerly along a curve to the right with a radius of 365.00 feet for a distance of 316.73 feet, said curve being subtended by a chord bearing North 27° 19' 13" East 215.61 feet, thence leaving the east side of said West Road and running thence the two following courses, viz: first South 69° 07' 48" East 397.18 feet, and second South 25° 47' 14" West 117.88 feet to the north side of said Kenilworth Drive, thence binding on the north side of said Kenilworth Drive the three following courses, viz: first westerly along a curve to the left with a radius of 2,000.00 feet for a distance of 284.79 feet, said curve being subtended by a chord bearing North 69° 57' 00" West 204.01 feet, second North 73° 40' 07" West 91.90 feet, and third northerly along a curve to the right with a radius of 25.00 feet for a distance of 39.27 feet, said curve being subtended by a chord bearing North 26° 40' 07" West 35.15 feet to the place of beginning.

Containing 1.713 acres of land more or less.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting 12/3/67
Posted for Special Hearing & Advertisement
Petitioner Thomas H. Everett, Sr.
Location of property NE/cor. of Kenilworth Dr. & West Rd.
Location of Signs East NE/cor. of Kenilworth Dr. & West Rd.
Remarks
Posted by David D. Hackley Date of return Jan. 4, 1968

CERTIFICATE OF PUBLICATION

TOWSON, MD. JUL 29 1968
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 one time
of _____, 1968, before the _____ day of _____, 1968, the first publication appearing on the _____ day of _____, 1968.

THE JEFFERSONIAN
Manager
Cost of Advertisement, \$.....

**PETITION FOR A
VARIANCE & SPECIAL
HEARING**

9th DISTRICT
ZONING: Petition for Variance for front, rear yards and parking.

Petition for Special Hearing to erect a building in an M.R. Zone.

LOCATION: Northeast corner of Kenilworth Drive and West Road.

DATE & TIME: WEDNESDAY, JANUARY 17, 1968 at 1:00 P.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

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

Petition for Variance from the Zoning Regulations of Baltimore County to permit a front yard setback of 25 feet instead of the required 50 feet; and to permit a setback from the centerline of the street of 35 feet instead of the required 100 feet; and to permit parking within 5 feet of a residential zone instead of the required 25 feet. To permit a rear yard of 21 feet instead of the required 50 feet. Petition for Special Hearing to erect a building in an M.R. Zone.

The Zoning Regulation to be exempted as follows.

Section 252.1 - Front Yard - 50 feet from the front property line.

Section 252.2 - Side Yard - For a corner lot the building line along the side street shall be not less than 100 feet from the centerline of the street.

Section 252.3 - Rear Yard - 50 feet

Section 252.5 - Off-Street Parking Area shall be in accordance with the requirements of Section 409, but no parking is permitted within 25 feet of any residential zone boundary.

All that parcel of land in the Ninth District of Baltimore County.

Beginning for the same at the intersection formed by the east side of West Road, 70 feet wide, and the northernmost end of the fillet at Kenilworth Drive, 80 feet wide, and running thence binding on the east side of said West Road the two following courses, viz: first North 18 degrees 19' 53" East 27.61 feet, and second northerly along a curve to the right with a radius of 565.00 feet for a distance of 216.73 feet, said curve being subtended by a chord bearing North 27 degrees 19' 15" East 215.41 feet, thence leaving the east side of said West Road and running thence the two following courses, viz: first South 49 degrees 07' 48" East 397.18 feet, and second South 23 degrees 47' 14" West 117.80 feet to the north side of said Kenilworth Drive, thence binding on the north side of the said Kenilworth Drive the three following courses, viz: first westerly along a curve to the left with a radius of 2,040.00 feet for a distance of 264.79 feet, said curve being subtended by a chord bearing North 69 degrees 37' 00" West 261.61 feet, second North 73 degrees 40' 07" West 93.36 feet, and third northerly along a curve to the right with a radius of 25.00 feet for a distance of 29.27 feet, said curve being subtended by a chord bearing North 28 degrees 40' 07" West 33.35 feet to the place of beginning.

Containing 1.715 acres of land more or less.

Being the property of Thomas H. Everett, Sr., as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, January 17, 1968 at 1:00 P.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

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

**OFFICE OF
THE BALTIMORE COUNTIAN**

THE COMMUNITY NEWS
Reisterstown, Md

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

January 5, 1968

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

was inserted in THE BALTIMORE COUNTIAN, a group of
weekly newspapers published in Baltimore County, Maryland, once a week for One successive weeks before
the 5th day of January, 1968, that is to say
the same was inserted in the issues of

December 28, 1967.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*
Editorial Manager

VARIANCES REQUESTED

- (FRONTYARD) 252.1 To PERMIT A SETBACK FROM KENILWORTH DRIVE OF 25' IN LIEU OF THE REQUIRED 50'
- (SIDEYARD) 252.2 To PERMIT A SETBACK FROM CENTERLINE OF SIDE STREET OF 35' IN LIEU OF REQUIRED 100'
- (REARYARD) 252.3 To PERMIT A REARYARD SETBACK OF 21' IN LIEU OF THE REQUIRED 50'
- (PARKING) 252.5 To PERMIT PARKING WITHIN 5' OF A RESIDENTIAL ZONE IN LIEU OF REQUIRED 25'

TABULATIONS

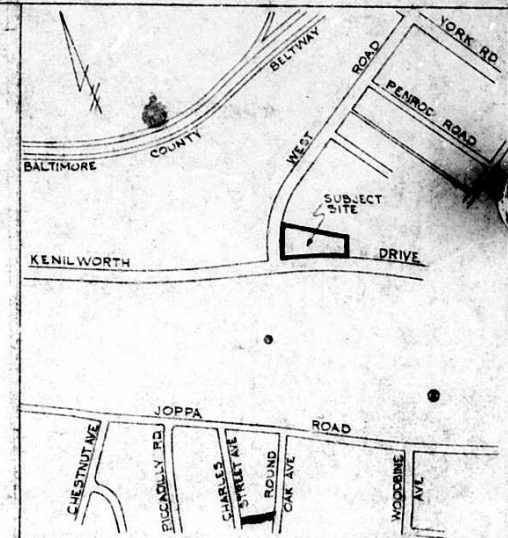
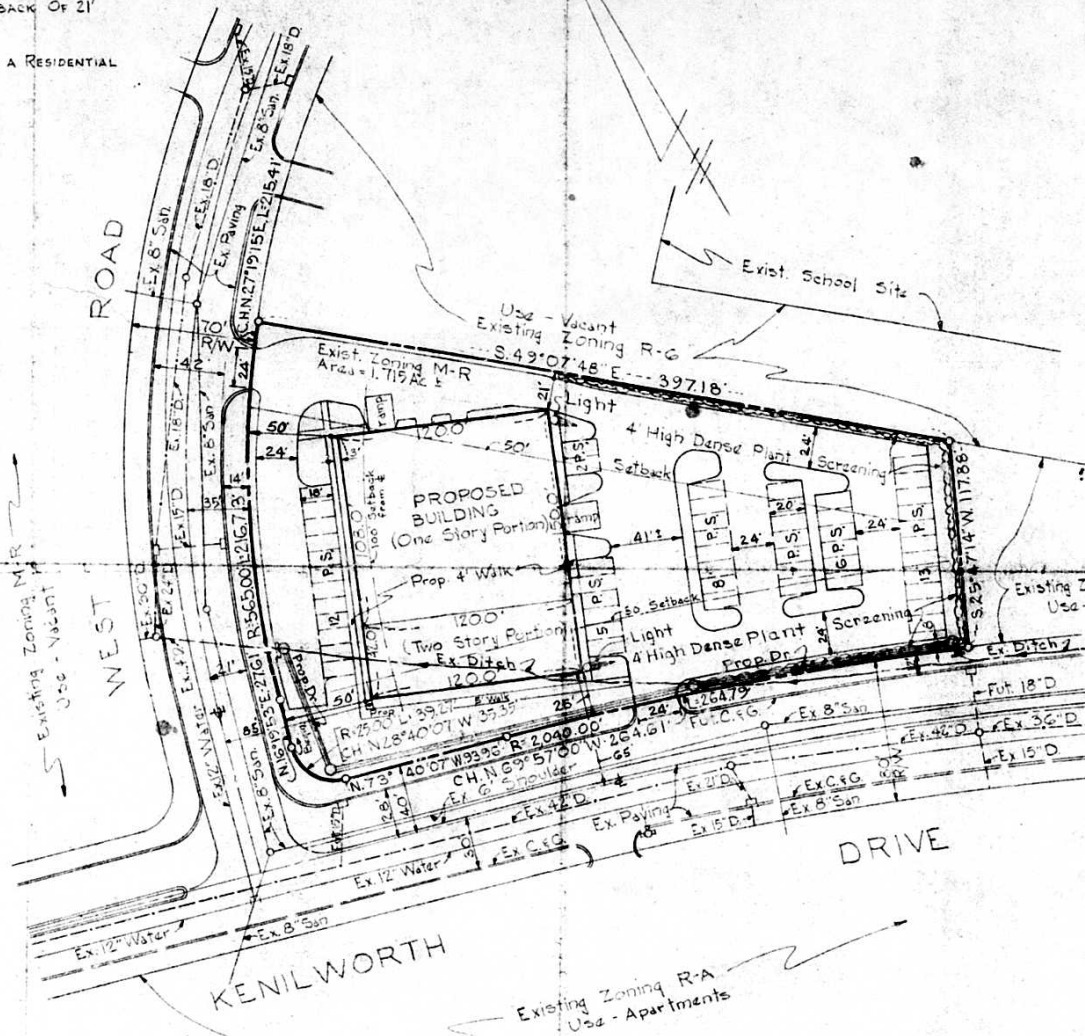
AREA OF TRACT	1.715 Ac.±
EXISTING ZONING	M-R
PROPOSED ZONING	M-R (No Change)
EX-USE	VACANT

PARKING

REQUIRED SPACES (1 for each employee)	10
PROPOSED SPACES	41 @ 3'x20' 12 @ 9'x16'
TOTAL	53 SPACES

FLOOR AREA RATIO

AREA OF TRACT	74,705.4 SQ. FT.
FIRST FLOOR AREA OF BLDG.	16,000 SQ. FT.
F.A.R.	24.1%
TOTAL AREA OF BLDG.	23,040 SQ. FT.
F.A.R.	30.8%



LOCATION MAP
SCALE: 1"=500'

NOTE:
See Dwg A-10 No. 64-320 for Sewer Plans.



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 4/17/68

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

PLAT SHOWING
VARIANCES REQUESTED
For
UNITED BEAUTY SUPPLY

Located at
N.E. CORNER KENILWORTH DR. & WEST RD.
Balto. Co., Md. 9th Election District
Scale: 1"=50'
October 17, 1967

Revised: Dec. 21, 1967.

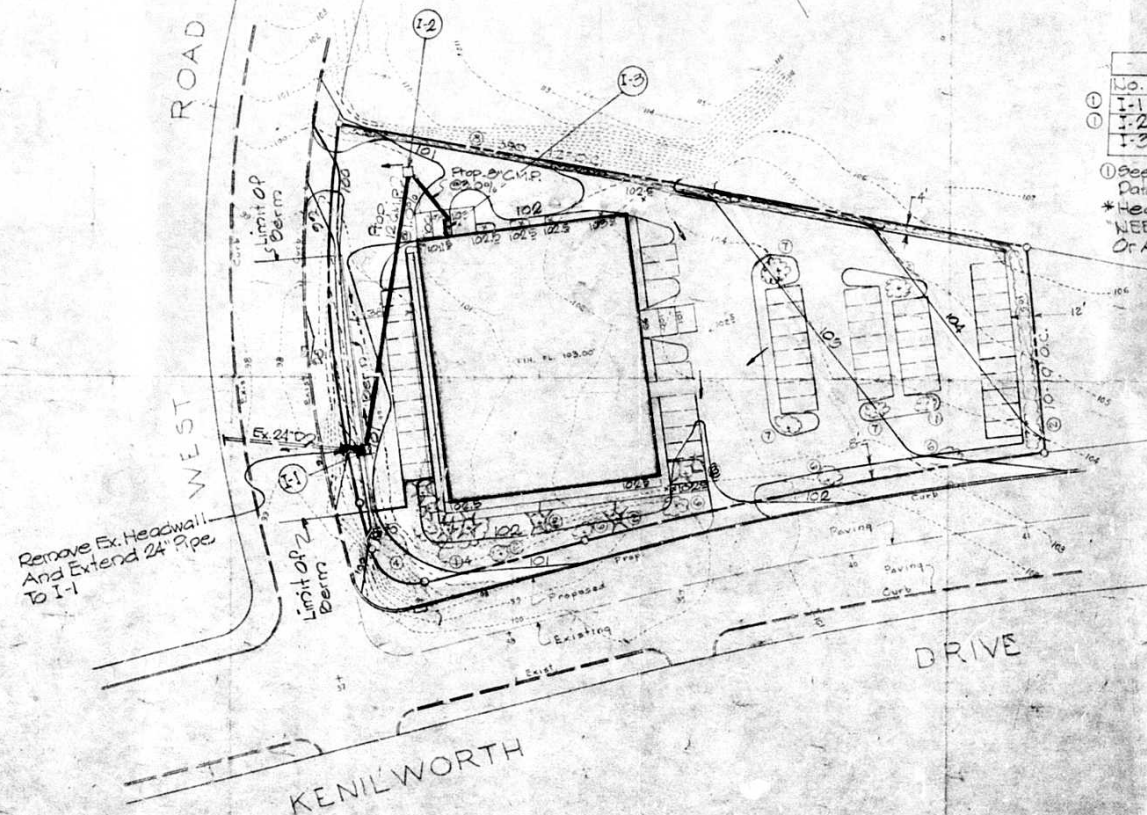
Key No	No of Plants	Scientific Name	Size	Est. Price of Sale Foot
DECIDUOUS TREES				
1	4	Taxus canadensis	2'-3'	B1B
2	10	Pinus nigra	6'-7'	B1B
3	1	Magnolia grandiflora	5'-6'	B1B
EVERGREEN SHRUBS				
4	1	Ilex cornuta	3'-4'	B1B
5	20	Azalea mixture	12"-18"	B1B
DECIDUOUS TREES				
6	4	Ginkgo biloba	8'-10'	B1
DECIDUOUS SHRUBS				
8	390	Ligustrum amurense	2'-4'	B1

Note: Elev based on assumed data

INLET CHART				
No.	Type	Inv. In	Inv. Out	Top
① I-1	5 Comp	23.26	23.76	23.9
① I-2	90 Gate	25.56	25.35	100.0
I-3	*	_____	26.54	22.0

① See B.C.B.E. Standard Details
 Pared 1964 Page D-33

* Heavy Duty Trench Drain
"NEENAH" No. R-4000-C (Type A Grate)
Or Approved Equal.



File No.
68-158-SPH

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *W. J. [Signature]*
DATE: 4/19/68

GRADING PLAN
FOR
UNITED BEAUTY SUPPLY
Located at

NE CORNER KENILWORTH DR & WEST RD
Baltimore Co, Md. 9th Election District
Scale: 1" = 50' October 17, 1967

REV. DEC. 21, 1967 - Grades Added
REV. JULY 8, 1968
REV. JULY 15, 1968



MICROFILMED

GEORGE WALLACE STEPHENS, JR.
AND ASSOCIATES, INC.
2200 17TH
303 ALLEGANY AVE.
TOMPKINS COUNTY, N.Y.



LIST OF PLANT MATERIALS

Key No.	No. of Plants	Scientific Name	Size	Full Name
EVERGREEN TREES				
1	4	Taxus cuspidata	3'-3'	B&B
2	12	Pinus nigra	6'-7'	B&B
3	1	Magnolia grandiflora	5'-6'	B&B
EVERGREEN SHRUBS				
4	1	Ilex cornuta	3'-4'	B&B
5	20	Azalea mixture	12"-18"	B&B
DECIDUOUS TREES				
6	4	Ginkgo biloba	8'-10'	BR
DECIDUOUS SHRUBS				
8	390	Ligustrum amurensis	3'-4'	BR

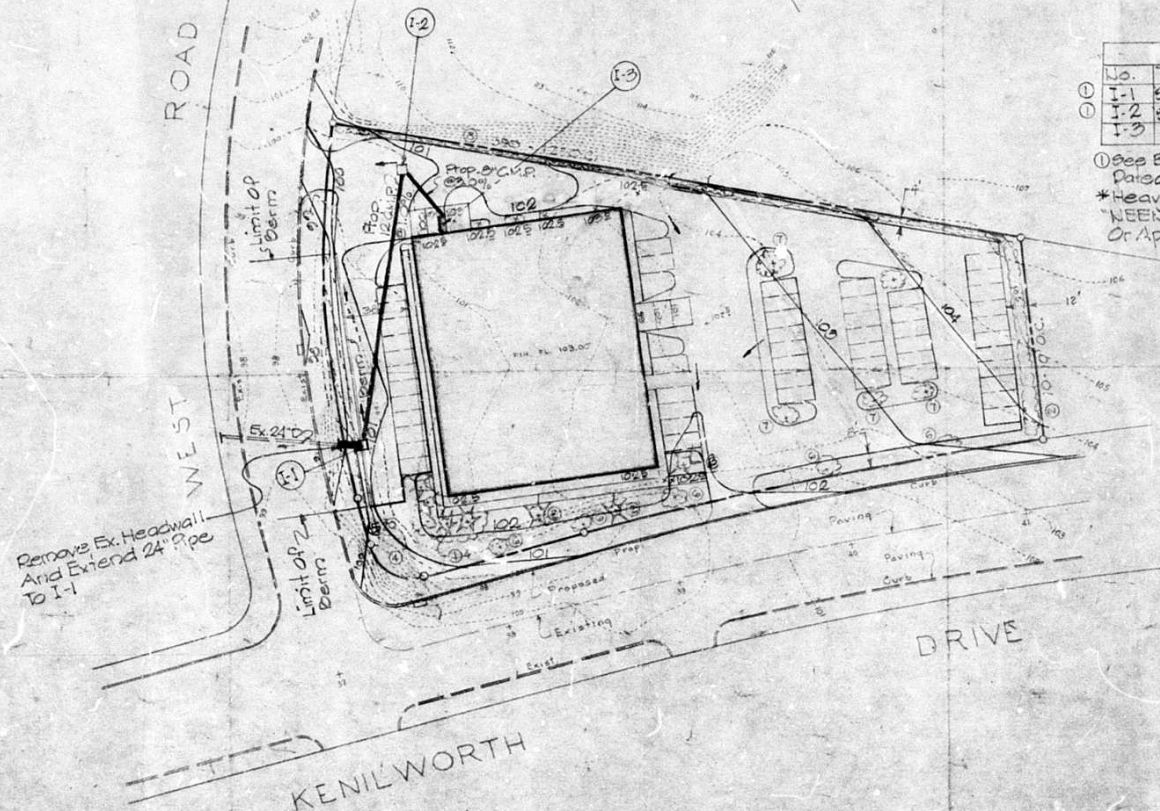
Note: Elev. based on assumed data

INLET CHART

No.	Type	Inv. In	Inv. Out	Top
I-1	Comp	93.23	93.76	93.9
I-2	Grate	95.55	95.35	100.9
I-3	*		96.54	99.0

① See B.C.D.E. Standard Details
 Paved 1064 Page D-22

* Heavy Duty Trench Drain
 "NEENAH" No. R-4200-C (Type A Grate)
 Or Approved Equal.



File No.
 68-158-SPH

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY AK [Signature]
 DATE 7/17/58

GRADING PLAN
 FOR
 UNITED BEAUTY SUPPLY

Located at
 NE CORNER KENILWORTH DR & WEST RD.
 9th Election District
 Baltimore Md.
 Scale: 1"=50'
 Rev. Dec. 21, 1947 - Grades Added
 Rev. July 8, 1948
 Rev. July 15, 1948



GEORGE WILLIAM STEPHENS JR.
 AND ASSOCIATES, INC.
 ENGINEERS
 202 KENNEDY AVE.
 BALTIMORE, MARYLAND