

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, **ROBERT H. CASH**, 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 238.1 to permit a front yard of 37.5 feet instead of the required 50 feet, Section 409.2 b (4) - To permit 14 spaces instead of the required 16 spaces.

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 R2 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 whatsoever.

See attached description

I agree to be posted and advertised as prescribed by Zoning Regulations. I agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: **Robert H. Cash**
Address: **1508 Eastern Blvd., Baltimore, Maryland 21221**

Johnson Bowie - Petitioner's Attorney
Address: **22 W. Penna. Ave., Towson, Md. 21204**

ORDERED BY The Zoning Commissioner of Baltimore County, this 5th day of March 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 Commission of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the 8th day of April 1968 at 11:00 A.M.

1968 at 11:00 A.M.

Zoning Commissioner of Baltimore County

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

No. 53047

DATE: MAR. 15, 1968

FILED

Zoning Dept. of Baltimore Co.

TO: **Admiral Clements**
1908-16 Eastern Ave.
Baltimore, Md. 21221

DEPOSIT TO ACCOUNT NO. 01-422

QUANTITY: **25.00**

Position for Variance **Robert H. Cash**
668-231-A

RETURN THIS PORTION WITH YOUR REMITTANCE

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: **15th** Date of Posting: **March 22, 1968**

Posted by: **James E. Dyer** Date: **March 22, 1968**

Petitioner: **Robert H. Cash**

Location of property: **SE/4 of Section 238.1, 111 E. of Stammers Run Rd.**

Location of Sign: **1508 Eastern Ave., 193 ft. East of Stammers Run Rd.**

Remarks: **See attached description**

Posted by: **James E. Dyer** Date of return: **March 29, 1968**

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 the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner and the Variance requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved

the above Variance should be had; and the Variance requested should be granted.

a Variance to permit a front yard of 37.5' instead of the required 50'; and to permit 14 parking spaces instead of the required 16 spaces.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of May 1968, that the herein Petition for a Variance should be and the same is hereby granted, from and after the date of this order, to permit a front yard of 37.5' instead of the required 50'; and to permit 14 parking spaces instead of the required 16 spaces, subject to approval of the site plan by the Bureau of Public Services, State Roads Commission 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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of May 1968, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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 1160.31 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

Johnson Bowie, Esq.,
22 W. Penna. Avenue
Towson, Maryland 21204

SUBJECT: Variance to Sec. 238.1 for Robert H. Cash, located on the SE/4 Eastern Avenue, 193' No. of Stemmers Run Road 15th District (Item 115, March 5, 1968)

Dear Sirs:

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

BUREAU OF ENGINEERING:
Water - Existing 12" water in Stemmers Run Road
Sewer - Existing 10" sanitary sewer in Stemmers Run Road
Adequacy of existing utilities to be determined by developer or his engineer.

FIRE BUREAU:
Must meet 711 Fire Dept. Regulations in regard to a cleaning establishment.

HEALTH DEPT.
Method of providing water and sewer should be provided on the plan.

STATE ROADS COMMISSION:
The entrances must be indicated one-way in and out. The entire frontage must be curbed with 8" x 22" concrete curb. The S/W line must also be curbed. The parking in front of the building is not satisfactory. The spaces must be angled. The plan must be revised in accordance with the above-mentioned comments, prior to a hearing date being set.

PROJECT PLANNING:
The parking as shown on the plot is not satisfactory and must be revised prior to a hearing date being set.

TRAFFIC ENGINEERING:
This office will comment at a later date.

ZONING ADMINISTRATION DIVISION:
The plat plan does not show screening along the residential zone at the rear of the property and the parking plan is not satisfactory and must be revised.

If the petitioner does not wish to continue with this zoning request, he is advised to send a letter of withdrawal to this office.

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 Commission's hearing.

The following members had no comment to offer:

Building Engineer
Board of Education
Industrial Development

Very truly yours,

James E. Dyer
JAMES E. DYER, Zoning Supervisor

ED:js
CC: Carlisle Brown-Sur. of Engr.; Mr. Greenwell-Health Dept.; John Hays-State Roads Comm.; Albert V. Quimby-Project Planning; C. Richard Moore-Traffic Engr.

The above referenced petition is accepted for filing as of the date on the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 days, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

If you have any questions concerning this matter, please do not hesitate to contact me at VA 3-3000, Extension 351.

Very truly yours,

James E. Dyer
JAMES E. DYER, Zoning Supervisor

JED:jd

Enclosure

-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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 29, 1968

FROM: Leslie H. Groef, Deputy Director

SUBJECT: Petition #68-231-A, Variance to permit a front yard of 37.5 feet instead of the required 50 feet; and to permit 14 parking spaces instead of the required 16 spaces. Southeast side of Eastern Ave, 193.91 feet east of Stemmers Run Road. Being the property of Robert H. Cash, 15th District

HEARING: Monday, April 8, 1968 (11:00 A.M.)

If it should be decided to grant the subject petition, we request that the grant be conditioned upon our approval of the site plan.

LHG:ams

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 26, 1968

FROM: George E. Cavellis

SUBJECT: Petition #68-231-A, Variance to permit a front yard of 37.5 feet instead of the required 50 feet; and to permit 14 parking spaces instead of the required 16 spaces. Southeast side of Eastern Avenue, 193.91 feet East of Stemmers Run Road. Being the property of Robert H. Cash, 15th District

HEARING: Monday, May 6, 1968 (11:00 A.M.)

We have been informed by the Zoning Administration division that the subject petition has not been amended since withdrawal of our memorandum of March 29, 1968. The earlier memorandum, therefore, stands.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Johnson Bowie, Esq.,
22 W. Penna. Avenue
Towson, Maryland 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

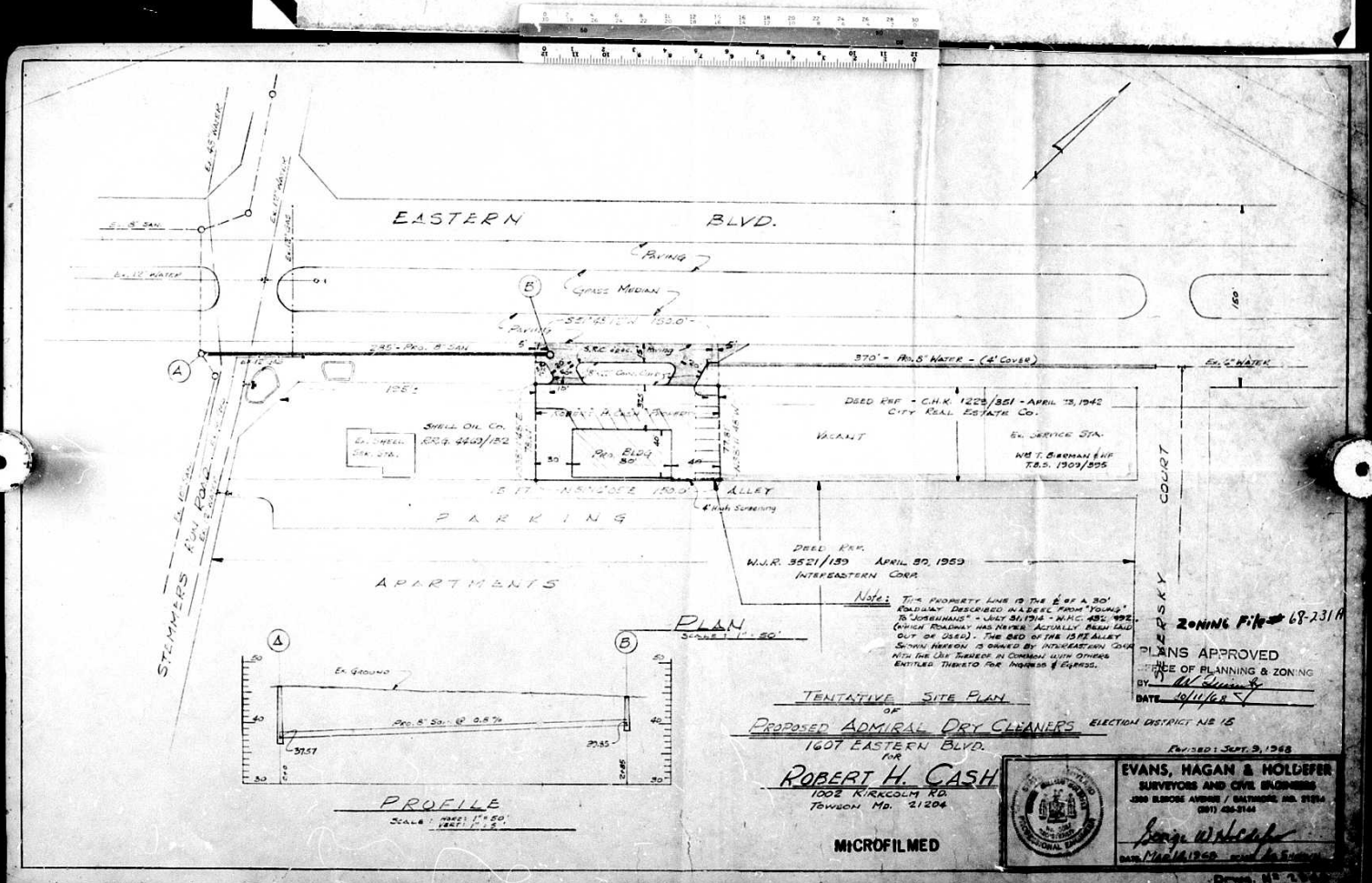
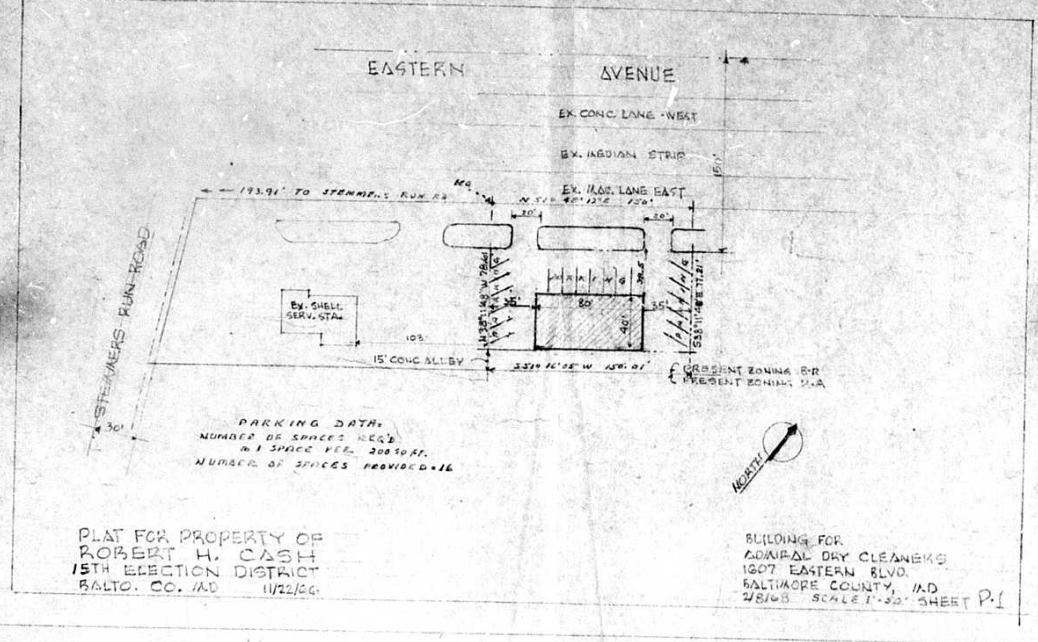
5th day of March 1968.

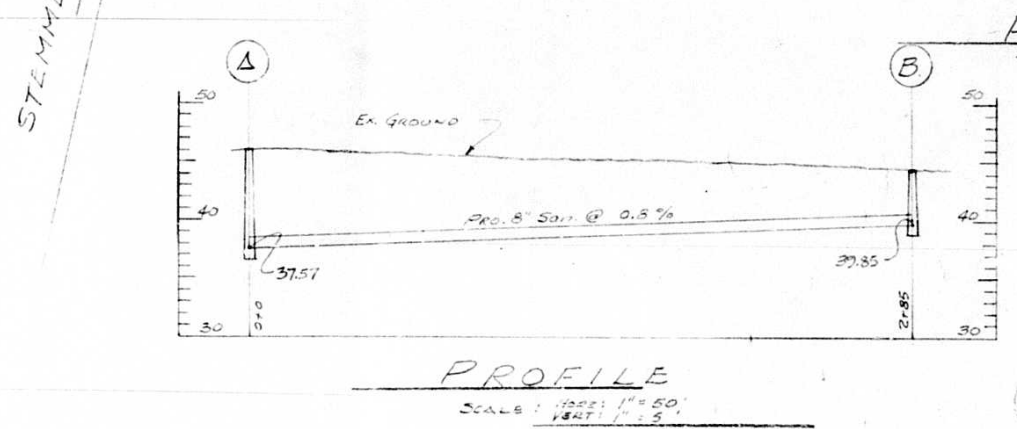
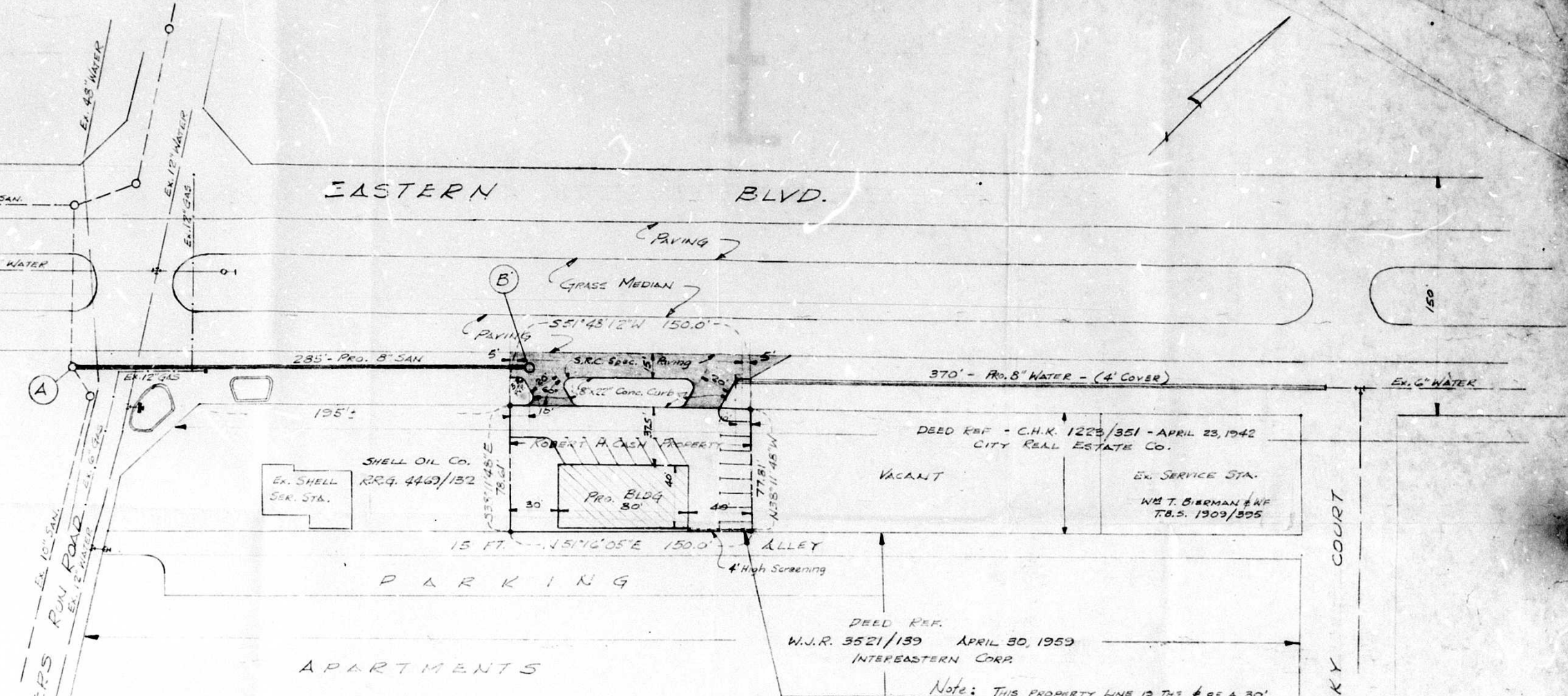
John G. Rose
JOHN G. ROSE, Zoning Commissioner

Petitioner: **Robert H. Cash**

Petitioner's Attorney: **Johnson Bowie, Esq.**

Reviewed by: **James E. Dyer**
Chairman of Advisory Committee





Note: THIS PROPERTY LINE IS THE E OF A 30' ROADWAY DESCRIBED IN A DEED FROM "YOUNG" TO "JOSEPHANS" - JUL 31, 1914 - W.P.C. 452/392. (WHICH ROADWAY HAS NEVER ACTUALLY BEEN LAID OUT OR USED). THE BED OF THE 15 FT. ALLEY SHOWN HEREON IS OWNED BY INTEREASTERN CORP. WITH THE USE THEREOF IN COMMON WITH OTHERS ENTITLED THERETO FOR INGRESS & EGRESS.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *W. Quinn*
DATE 10/11/68

TENTATIVE SITE PLAN
OF
PROPOSED ADMIRAL DRY CLEANERS
1607 EASTERN BLVD.
FOR
ROBERT H. CASH
1002 KIRKCOLM RD.
TOWSON MD. 21204

ELECTION DISTRICT NO 15

REVISED: SEPT. 9, 1968

EVANS, HAGAN & HOLDEFER
SURVEYORS AND CIVIL ENGINEERS
4200 ELSRODE AVENUE / BALTIMORE, MD. 21214
(301) 426-2144

George W. Holdefer
DATE: MAR 14, 1968 SCALE: AS SHOWN