

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Sperry Enterprises, Inc. and

I, or we, Edward A. Johnston, 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 222.2 to permit a side yard on a corner lot of two feet instead of the required ten feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):

The reviewing authorities of Baltimore County have approved the development of the site as a homogeneous shopping center, with private entrance off East Drive, in which North Avenue will not be built or considered as a public road but will, instead, be used for on-site parking, walks, etc.

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.

Sperry Enterprises, Inc.
Upper Park Heights Avenue
Geddes Mills, Maryland 21117

Edward A. Johnston, President
Upper Park Heights Avenue
Geddes Mills, Maryland 21117

Address: Upper Park Heights Avenue
Geddes Mills, Maryland 21117

Address: Baltimore, Maryland 21201

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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 the Zoning Regulations of Baltimore County would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without substantial injury to the public health, safety and general welfare of the locality involved, the above variance should be granted to permit a side yard on a corner lot of two feet instead of the required ten feet.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of August, 1968, 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 side yard on a corner lot of zero feet instead of the required ten feet, subject to approval of the site plan by the 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 following finding of facts that strict compliance with the Zoning Regulations of Baltimore County would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without substantial injury to the public health, safety and general welfare of the locality involved, the above variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of August, 1968, that the above Variance be and the same is hereby DENIED.

MICROFILMED

DATE: 6/11/68 Zoning Department
Sperry Shopping Center

REQUIREMENTS for the same at the corner formed by the intersection of the sidewalk to 30 feet from the center, and running thence binding on said southwest North Avenue, (1) South 50° 00' 00" East 325.93 feet, thence leaving Avenue, North 50° 00' 00" West 245.59 feet to the east side of East Drive, thence binding therein, (2) by a line curving to the right with a radius of 1670.27 feet, the distance of 90.78 feet and a chord bearing North 12° 14' 17" East 90.77 feet and (5) by a line curving to the left with a radius of 1071.74 feet the distance of 89.77 feet and a chord bearing North 11° 38.6' East 82.95 feet to the place of beginning.

CONTAINING 1.02 Acres of land more or less.

For title see the following deeds:

- Deed conveyed to Sperry Enterprises Inc. - O.T.O. No. 1728 folio 173
- Deed conveyed to Sperry Enterprises Inc. - W.J.R. No. 3965 folio 533
- Deed conveyed to Edward A. Johnston - W.J.R. No. 3613 folio 306



CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. August 2, 1968

THIS IS TO CERTIFY that the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 7th day of August, 1968, the first publication appearing on the 18th day of July 1968.

THE TIMES
John H. Martin

Cost of Advertisement \$84.00
Purchase Order # 2008
Requestion No. 2 377

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

Mr. David Mendelsohn, President
Sperry Enterprises, Inc.
Upper Park Heights Avenue
Geddes Mills, Maryland 21117

Dear Sirs:

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

HEALTH DEPARTMENT:
The building plan for the proposed store (depending upon size) may require registration under Maryland State Health Department Air Pollution Regulations.

BUILDING DEPARTMENT:
Petitioner will be required to meet all requirements set forth in the Baltimore County Building Code as to zero setbacks.

BUREAU OF TRAFFIC ENGINEERING:
This office will review and make necessary comments at a later date.

STATE ROADS COMMISSION:
This office will review and make comments at a later date.

STATE PLANNING DIVISION:
The plan indicates no access to Southwestern Blvd; therefore, this office has no comment.

ZONING ADMINISTRATION DIVISION:
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
Board of Education
Industrial Development
Bureau of Engineering

Very truly yours,

John E. Over
Zoning Supervisor

JED:J
cc: William Greenblatt-Health Dept.
Elmer C. Hopper-Bldg. Engr's Office
Curtis Moore-Bureau of Traffic Engr.
John Hayes-State Roads Commission
Capt. Charles Harris-Fire Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

FROM: George E. Gavrilis, Director of Planning

SUBJECT: Petition #69-31-A. Variance to permit a side yard on a corner lot of zero feet instead of the required 10 feet. Southwest side of North Avenue and the east side of East Drive. Sperry Enterprises, Inc., 13th District.

13th District

HEARING: Wednesday, August 7, 1968 (11:00 A.M.)

The Planning staff will offer no adverse comment on this petition. If granted, however, the granting should be conditioned upon formal closing of North Avenue.

CERTIFICATE OF PUBLICATION

TOWSON, MD. JUL 18 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 of one successive weeks before the 20th day of August, 1968, the first publication appearing on the 18th day of July, 1968.

THE JEFFERSONIAN
L. L. Smith
Manager

Cost of Advertisement, \$

TELEPHONE 923-3000 EXT. 387

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 54466

DATE July 11, 1968

BILLED BY

Zoning Dept. of Balto. Co.

To: Sperry Enterprises, Inc.
Upper Park Heights Ave.
Geddes Mills, Md. 21117

REPORT TO ACCOUNT NO. 01-522	QUANTITY	UNIT PRICE	TOTAL AMOUNT
Petition for Variance 69-31-A	1	\$25.00	\$25.00

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

TELEPHONE 923-3000 EXT. 387

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 56220

DATE July 13, 1968

BILLED BY

Zoning Dept. of Baltimore County

To: Sperry Enterprises, Inc.
3th Fl. Sun Life Building
Baltimore, Md. 21201

REPORT TO ACCOUNT NO. 01-522	QUANTITY	UNIT PRICE	TOTAL AMOUNT
Advertising and posting of property 69-31-A	1	\$8.00	\$8.00

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

PETITION FOR VARIANCE
ZONING: Petition for Variance
LOCATION: Southwest side of North Avenue and the East side of East Drive.
DATE & TIME: Wednesday, August 13, 1968 at 11:00 A.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 Law and Regulations of Baltimore County, will hold a public hearing on the Variance from the Zoning Regulations of Baltimore County to permit a side yard on a corner lot of zero feet instead of the required ten feet.
The Zoning Regulation to be reviewed is Section 222.2 - Side Yard - Commercial Buildings on corner lot (a) lot bounded by North Avenue, East Drive and the East side of East Drive, thence binding on said southwest side of North Avenue, (1) South 50° 00' 00" East 325.93 feet, thence leaving Avenue, North 50° 00' 00" West 245.59 feet to the east side of East Drive, thence binding therein, (2) by a line curving to the right with a radius of 1670.27 feet, the distance of 90.78 feet and a chord bearing North 12° 14' 17" East 90.77 feet and (5) by a line curving to the left with a radius of 1071.74 feet the distance of 89.77 feet and a chord bearing North 11° 38.6' East 82.95 feet to the place of beginning.
CONTAINING 1.02 Acres of land more or less.
1. Deed conveyed to Sperry Enterprises, Inc. and Edward A. Johnston - O.T.O. No. 1728 folio 173
2. Deed conveyed to Sperry Enterprises Inc. - W.J.R. No. 3965 folio 533
3. Deed conveyed to Edward A. Johnston - W.J.R. No. 3613 folio 306
Hearing Date: Wednesday, August 7, 1968 at 11:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. BY ORDER OF JOHN O. ROSE, ZONING COMMISSIONER OF BALTIMORE COUNTY July 18, 1968

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

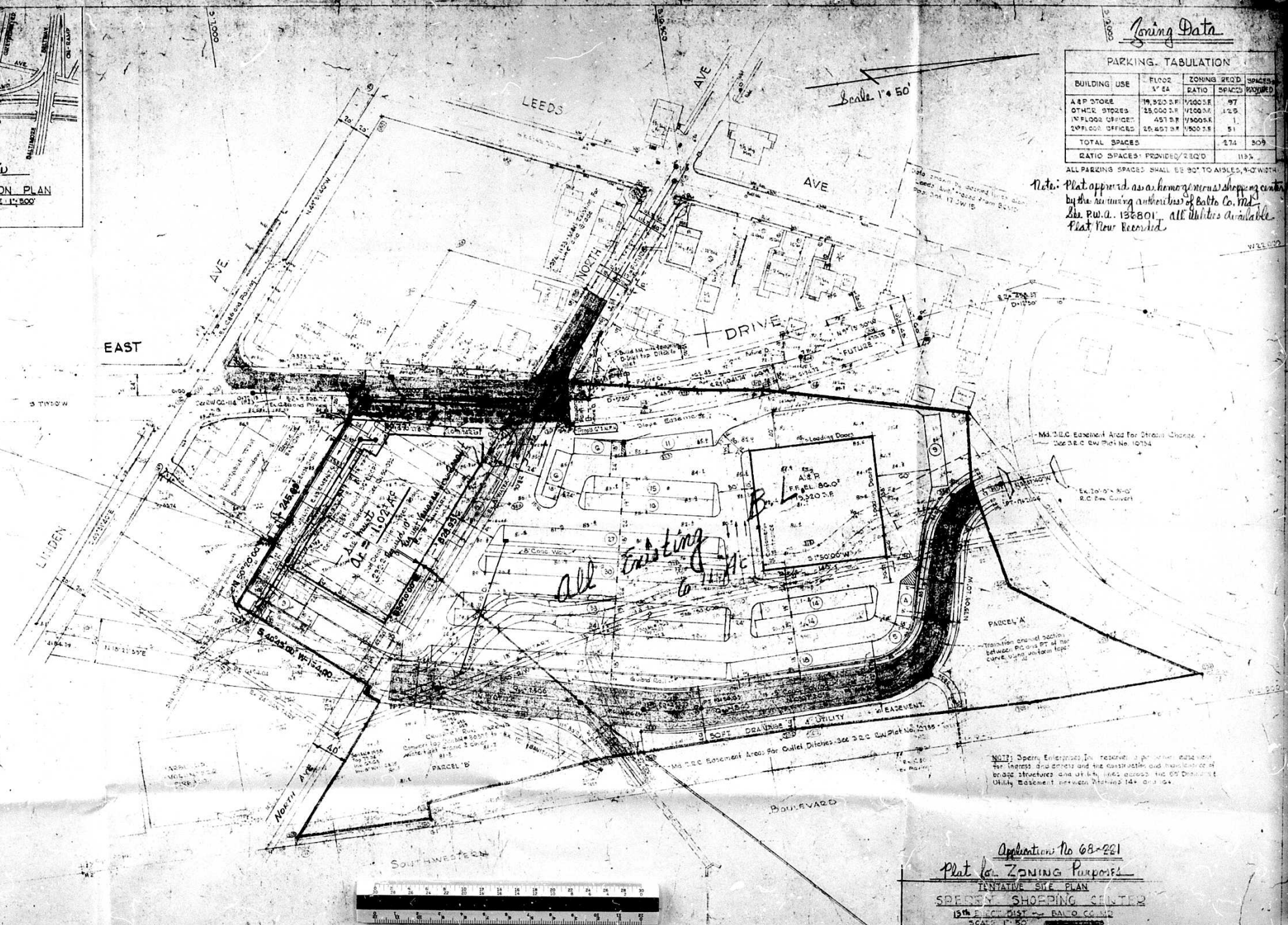
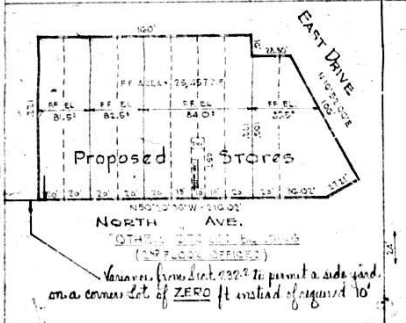
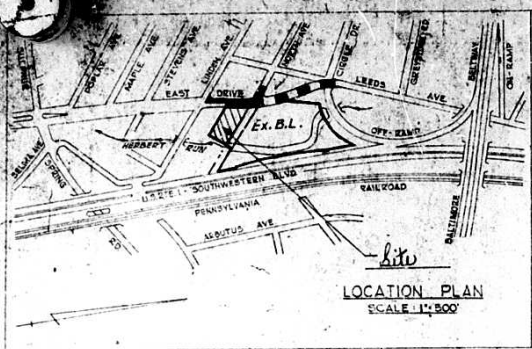
Towson, Maryland

District: 13th
Posted for: 2 Signs
Petitioner: Sperry Enterprises, Inc.
Location of property: 5465 North Ave. & E. of East Drive
Location of Signs: 1. On S.W. of North Ave. & East Drive
2. On S.W. of North Ave. on E. of East Drive
Remarks: 1. On S.W. of North Ave. & East Drive
2. On S.W. of North Ave. on E. of East Drive
Posted by: J. E. Over
Date of return: 7-25-68

zoning Data

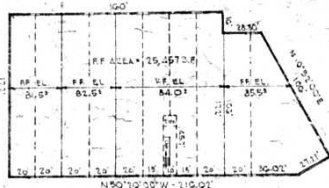
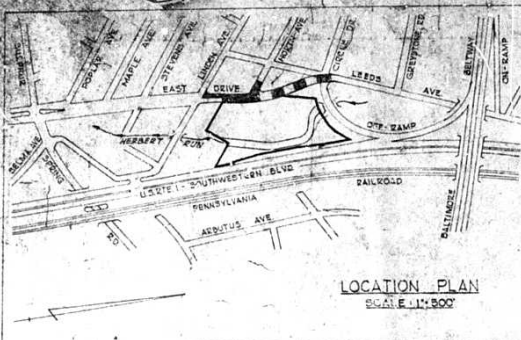
PARKING TABULATION				
BUILDING USE	FLOOR A' EA	ZONING REQ'D RATIO	REQ'D SPACES	SPACES PROVIDED
A & P STORE	19,300 S.F.	1/1000 S.F.	19	
OTHER STORES	23,000 S.F.	1/1000 S.F.	23	
1 ST FLOOR OFFICE	451 S.F.	1/1000 S.F.	1	
2 ND FLOOR OFFICE	25,651 S.F.	1/1000 S.F.	26	
TOTAL SPACES			74	309
RATIO SPACES PROVIDED/REQ'D			4.18	

ALL PARKING SPACES SHALL BE 30' TO AISLES, 9'-0" WIDE.
 Note: Plat approved as a home shopping center by the zoning authorities of Baltimore Co. Md. See P.W.A. 136801, all utilities available. Plat Now Recorded.



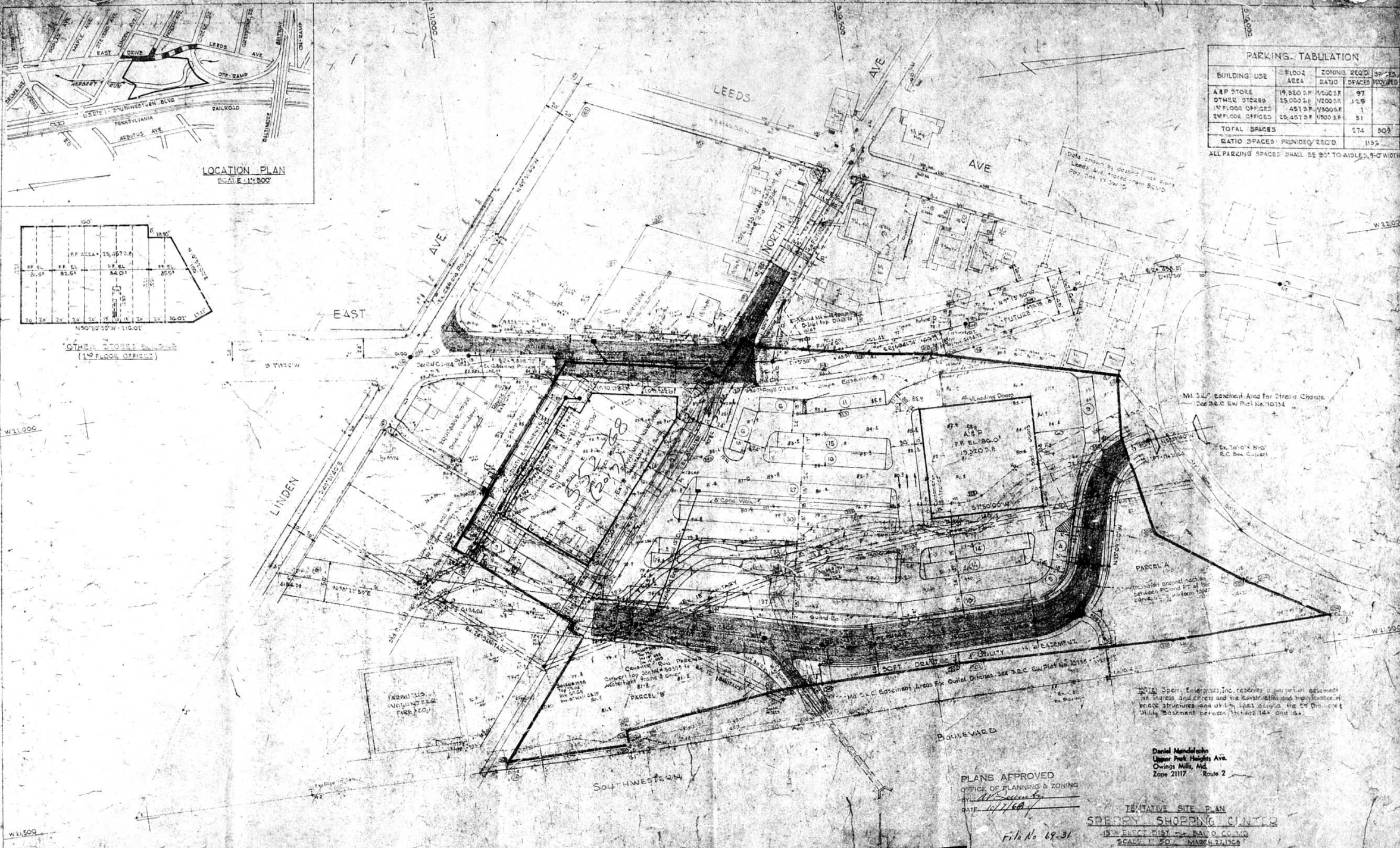
TENTATIVE
 FOR PRELIMINARY USE ONLY
 NOT TO BE USED FOR CONSTRUCTION
 NOT FOR EXISTING INFORMATION

Application No 68-221
 Plat for Zoning Purposes
 TENTATIVE SITE PLAN
 SPERRY SHOPPING CENTER
 15th & 16th Sts. - BALD CO. MD.
 SCALE 1"=50'
 June 11, 1968
 Variance from Sect. 232 to permit a side yard on a corner lot of 700 ft
 by: JAMES S. SPERRY & ASSOCIATES
 ENGINEERS & SURVEYORS
 8017 YORK ROAD
 TOWSON, MD. 21206
 Applicant: Ed. Addison Trucking & Spring Co. Park Heights Ave.
 Baltimore, Md. 21117



BUILDING USE	FLOOR AREA	ZONING REQ'D RATIO	REQ'D SPACES	SPACES PROVIDED
A & P STORE	19,520 SF	1/1000 SF	97	
OTHER STORES	25,000 SF	1/1000 SF	125	
1st FLOOR OFFICES	45,138 SF	1/1000 SF	1	
2nd FLOOR OFFICES	25,451 SF	1/1000 SF	1	
TOTAL SPACES			224	303
RATIO SPACES PROVIDED/REQ'D				135%

ALL PARKING SPACES SHALL BE 20' TO AISLES, 9'-0" WIDTH



PLANS APPROVED
OFFICE OF PLANNING & ZONING
DATE 1/17/68

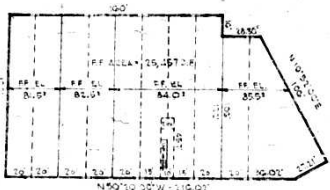
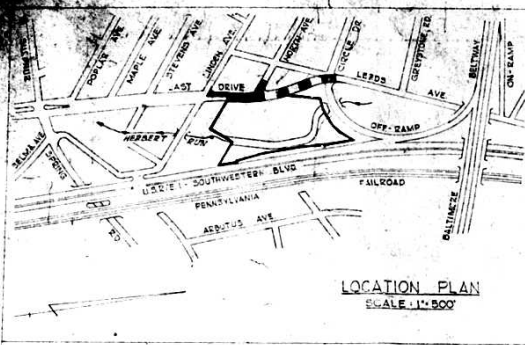
File No. 69-31

TELETYPE SITE PLAN
SPERRY SHOPPING CENTER
1000 ERECT RUST CO. BAYVIEW CO. MD.
SCALE 1" = 50' MAXIMUM

JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
8017 YORK ROAD
TOWSON, MD. 21204

MICROFILMED





PARKING TABULATION				
BUILDING USE	FLOOR AREA	ZONING RATIO	REQ'D SPACES	PROVIDED
ASP STORE	19,520 SF	1/1000 SF	97	
OTHER STORES	25,000 SF	1/2000 SF	125	
W/FLOOR OFFICES	4510 SF	1/5000 SF	1	
2nd FLOOR OFFICES	25,451 SF	1/5000 SF	51	
TOTAL SPACES			174	309
RATIO SPACES PROVIDED/REQ'D				174/309

ALL PARKING SPACES SHALL BE 20' BY 10' TO 12' BY 10' WITH



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 4/1/68

File No 69-31

TENTATIVE SITE PLAN
SPERRY SHOPPING CENTER
150' X 100' PLAT - BALDWIN
SCALE: 1"=50' MARCH 27, 1968

Daniel Mandelbaum
Upper Park Heights Ave.
Owings Mills, Md.
Zone 21117 Route 2

JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
501 YORK ROAD
TOWSON, MD. 21204

69-31