

PETITION FOR ZONING VARIANCE AND Special Hearing FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, John A. Doyle & Anna Doyle, his wife, 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 238.2 side yard - Request 28 of setback instead of the required 30 feet; and also request a SPECIAL HEARING to permit business parking in a residential zone

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

Strict compliance with the zoning regulations for Baltimore County would result in practical difficulty and/or unreasonable hardship.

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 John A. Doyle Legal Owner
Address 3228 Liberty Road
Towson, Md. 21204

Attorney's Address Ralph E. Deltz, Esq. Prosecutor's Attorney
212 Washington Avenue
Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day

of October 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 20th day of November, 1968, at 11:00 o'clock

at A.M.
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 8, 1968

FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition #69-112-ASPH. Variance to permit a side yard of zero feet instead of the required 30 feet. Special Hearing to permit off-street parking in a Residential Zone. Northeast side of Liberty Road 175 feet southeast of Burnmont Avenue. John A. Doyle, Petitioner.

2nd District

HEARING: Wednesday, November 20, 1968 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for a variance to the side yard requirements of B.R. zoning together with a Special Exception here for offstreet parking in a residence zone. It has no adverse comment to make with respect to the variance as requested and as limited by the submitted site plan. This office does not approve the plan for offstreet parking as submitted. We are opposed to utilization of Burnmont Avenue as a means of access to this parking with its 12 foot width. The parking lot itself comes too close to adjoining residential tracts. The lot should be shifted to be immediately adjacent to existing commercial zoning, thereby leaving more area on the residential edges for buffering, screening, or transition. No provision is made for future widening of Burnmont Avenue.

GEG:bms

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 22, 1968

Ralph E. Deltz, Esq.,
212 Washington Avenue
Towson, Maryland 21204

SUBJECT: Item 88
Type of Hearing: Side yard Variance and Special Hearing for parking in a residential zone
Location: N/5 Liberty Road, 175' E. of Burnmont Avenue
District: 2nd
Petitioner: John A. Doyle
Committee Meeting of October 15, 1968

Dear Mr. Deltz:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and have made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject site consists of a commercial lot approximately 50 x 240 feet, and a residential R-6 lot approximately 110 ft. wide x 160 ft. deep. The commercial portion is presently improved with a 40 x 75 ft. building which is utilized as an upholstery company and a lamp and gift shop. The residential portion is unimproved.

The property is bounded on the north by residential R-6 properties. One dwelling is located between the proposed parking area and the commercial property fronting on Liberty Road. The commercial property to the west is vacant. The commercial property to the east is improved with a residential dwelling.

Public Services: An existing 20" water main exists in Liberty Road. At the present time sewer is not available to the site. An extension of approximately 800 ft. would be required to serve the site from the existing public sewer located in the northeast.

The commercial building on this site is presently connected to public water. However, the method of sewage disposal is by way of a chemical toilet which is no longer permitted by the Department of Health. Due to the impervious nature of the soil on this property it is not possible to

RE: PETITION FOR VARIANCE AND SPECIAL HEARING
NE/S of Liberty Road, 175' SE of Burnmont Avenue - 2nd District
John A. Doyle, et ux - Petitioner
NO. 69-112-ASPH

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner seeks a Variance to permit a side yard of zero feet instead of the required thirty feet, and permission for the use of land in a residential zone for a parking area in accordance with Section 409.4 of the Baltimore County Zoning Regulations.

Practical difficulty and unreasonable hardship upon the Petitioner having been shown, the Variance to permit a side yard of zero feet instead of the required thirty feet should be granted. Since the health, safety and general welfare of the community would not be adversely affected, it would be in order to grant permission for parking in a residential zone.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13 day of December, 1968, that the Variance to permit a side yard of zero feet instead of the required thirty feet be GRANTED. It is further ORDERED that permission to use the residential tract for parking in accordance with the plat approved on December 3, 1968, by George E. Gavrelis, Director of Planning for Baltimore County, said plat having been filed as exhibit "A" in this proceeding, and which is incorporated by reference hereto as part of this Order, is GRANTED, all subject to approval of the site plan by the State Roads Commission and the Bureau of Public Services.

Charles D. Hardesty
Deputy Zoning Commissioner of
Baltimore County

DESCRIPTION OF PROPERTY FOR SIDE YARD VARIANCE

Beginning for the same on the northeast side of Liberty Road 175 feet, more or less, southeast of Burnmont Avenue, being the northwest corner of property of John A. Doyle and wife and running thence on the northeast side of Liberty Road, South 50 degrees 02 minutes East 50 feet, thence leaving said Road, and running North 39 degrees 05 minutes East 200 feet, thence North 25 degrees 37 minutes 30 seconds East 40 feet to the existing Business Roadside Zoning Line, and thence along said line North 50 degrees 02 minutes West 38 feet, thence South 40 degrees 40 minutes 20 seconds West 40 feet and South 39 degrees 05 minutes West 200 feet to the place of beginning.

JOHN A. DOYLE AND WIFE

DESCRIPTION OF PROPERTY FOR SPECIAL HEARING FOR PARKING

Beginning for the same on the southerly side of Burnmont Avenue 340 feet, more or less from Liberty Road, being the northwest corner of property of John A. Doyle and wife, and running thence South 39 degrees 45 minutes East 154.19 feet, South 40 degrees 40 minutes 20 seconds West 35 feet to the Business Roadside Zoning Line, thence along said line South 50 degrees 05 minutes East 38 feet, thence North 25 degrees 37 minutes 30 seconds East 189.32 feet, and North 51 degrees 07 minutes 30 seconds West 115.67 feet to Burnmont Avenue, thence along the side of Burnmont Avenue South 59 degrees 37 minutes 30 seconds West 111 feet to the place of beginning.

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Ralph E. Deltz, Esq.,
212 Washington Avenue
Towson, Maryland 21204
Item 88 Re: John A. Doyle

October 22, 1968

construct a private disposal system. Therefore, the Department of Health will not approve any additions to this building until such time as public sewer is available.

Road access and traffic conditions: When future improvements are made to Burnmont Avenue it will be developed as a 40 ft. paved road on a 60 ft. right-of-way. However, since Burnmont Avenue is presently only 12 ft. wide it is not conducive to commercial traffic. The entrance channelization off Liberty Road to the parking lot in front of the existing building is satisfactory with the State Roads Commission.

Site Plan: The ingress and egress to the proposed parking area is not satisfactory. This is due to the one-way drive from Liberty Road and the 17 ft. access road from Burnmont Avenue which is not conducive to commercial traffic.

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

Very truly yours,

JAMES E. DYER, Chairman

JED:JO

LEGAL NOTICE

PETITION FOR VARIANCE AND SPECIAL HEARING

ZONING: Petition for Variance for a Side Yard, Petition for Special Hearing for Offstreet Parking, Location: Northeast side of Liberty Road 175 feet southeast of Burnmont Avenue. John A. Doyle, Petitioner.

DATE & TIME: WEDNESDAY, NOVEMBER 20, 1968, at 11:00 A.M. LOCATION: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

The Zoning Commissioner of Baltimore County, Maryland, has received the petition for a variance to the side yard requirements of the Zoning Regulations of Baltimore County, and the petition for a special hearing to permit offstreet parking in a residential zone. The Zoning Commissioner has determined that the petition for a variance to the side yard requirements of the Zoning Regulations of Baltimore County, and the petition for a special hearing to permit offstreet parking in a residential zone, are both subject to the same hearing.

The Zoning Regulations to be amended are as follows:
Section 238.2: Side Yard - 30 feet
Section 409.4: Side Yard - 30 feet

Beginning for the same on the northeast side of Liberty Road 175 feet, more or less, southeast of Burnmont Avenue, being the northwest corner of property of John A. Doyle and wife, and running thence on the northeast side of Liberty Road, South 50 degrees 02 minutes East 50 feet, thence leaving said Road, and running North 39 degrees 05 minutes East 200 feet, thence North 25 degrees 37 minutes 30 seconds East 40 feet to the existing Business Roadside Zoning Line, and thence along said line North 50 degrees 02 minutes West 38 feet, thence South 40 degrees 40 minutes 20 seconds West 40 feet and South 39 degrees 05 minutes West 200 feet to the place of beginning.

Being the property of John A. Doyle and Anna Doyle, et ux, as shown on the plat filed with the Zoning Department, dated November 15, 1968, at 11:00 A.M.

JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

Pikesville, Md., _____, 19__

THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikesville, Baltimore County, Maryland, once in each of --- one time before the --- day of ---, 19__ the first publication appearing on the --- day of ---, 19__.

THE NORTHWEST STAR

Manager

Cost of Advertisement, \$ 15.12

PETITION FOR VARIANCE AND ZONING MAP

RETURNING Petition for Variance for a Single Unit
 The Board of Zoning Appeals has received a petition for a variance from the zoning ordinance of Baltimore County, Maryland, for the purpose of allowing a single unit to be located on a lot in the R-1 zone.

The Board of Zoning Appeals has considered the petition and has found that the variance is justified and that the proposed use is in the public interest.

The Board of Zoning Appeals has recommended that the variance be granted and that the zoning map be amended to show the proposed use as a single unit.

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The Board of Zoning Appeals has recommended that the variance be granted and that the zoning map be amended to show the proposed use as a single unit.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 31, 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 the five successive weeks before the 20th day of November, 1968, the first publication appearing on the 21st day of October, 1968.

THE JEFFERSONIAN

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

John S. Galt, Jr.
 202 Washington Avenue
 Towson, Maryland 21204

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

Your Petition has been received and accepted for filing this

10th day of November, 1968.

John S. Galt, Jr.
 Zoning Commissioner

Petitioner John S. Galt, Jr.

Petitioner's Attorney John S. Galt, Jr.

Revised by
 Chairman of Advisory Committee

TELEPHONE
 832-2000
 EXT. 267

**BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE**

Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204

No. 0705

DATE Nov. 25, 1968

To: Edward E. Galt, Jr.
 202 Washington Avenue
 Towson, Md. 21204

Re: John S. Galt, Jr.

QUANTITY	DESCRIPTION	COST
1	Advertising and posting of property for John S. Galt, Jr.	\$25.00
4		

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

TELEPHONE
 832-2000
 EXT. 267

**BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE**

No. 56363

DATE Nov. 25, 1968

Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204

Re: John S. Galt, Jr.

To: Edward E. Galt, Jr.
 202 Washington Avenue
 Towson, Md. 21204

QUANTITY	DESCRIPTION	COST
1	Petition for Variance for John S. Galt, Jr.	\$25.00
4		

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 2nd Date of Posting 10-31-68
 Posted for: VARIANCE to Special Hearing
 Petitioner: J. A. Doyle
 Location of property: NE 1/4 of Liberty Rd. 175' SE of Burnmont Ave.
 Location of Sign: 1. 220' SE of Burnmont Ave. on NE 1/4 of Liberty Rd.
 2. 360' NE of Liberty Rd. on 3/4 of Burnmont Ave.
 Remarks: M. Galt
 Posted by: M. Galt Date of return: 11-7-68

