

PETITION OR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Samuel T. Hyman, William A. Irving, Elizabeth Alchurst, Patrick F. Alchurst, and Annaleis M. Alchurst, et al., Petitioners, of the property 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 B.L. zone to an B.M. zone, for the following reasons:

- To permit further expansion of existing storage area
- To protect existing successful and profitable business in case of total loss by fire or other act
- Present B.L. zoning comes under Non-Conforming Use. Requested zoning would bring all properties in compliance with present zoning laws.
- A large tract owned by Weber Moving & Storage at East Avenue and Harford Road just south of petitioner's property is presently zoned B.M. Weber Property is in same block.
- Valuable to Section 235.1 - To permit a front yard setback of 8' from front lot line and 35' from center line of street instead of the required 15' and 40' respectively.
- For a Special Exception under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for living quarters in a commercial building.

Property is to be posted and 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.

Samuel T. Hyman
Contract purchaser
Address: 9307 Harford Road
Baltimore, Md. 21234

Elizabeth Alchurst
Address: 4135 East Joppa Road
Baltimore, Md. 21234

James P. Pallace, Sr., Esq.
Address: 2501 Canterbury Road
Baltimore, Md. 21234

Zoning Commissioner of Baltimore County

(over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of changes in the area, the above Reclassification should be had; and it further appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for Living Quarters in a Commercial Building should be granted; and it further appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical 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, a Variance to permit a front yard setback of 8 feet from front lot line and 35 feet from the center line of the street instead of the required 15 feet and 40 feet respectively, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of JANUARY, 1968, that the herein described property or area should be and the same is hereby reclassified, from a B.L. zone to a B.M. zone. A Special Exception for Living Quarters in a Commercial Building should be and the same is hereby granted. From and after the date of this order, and a Variance to permit a front yard setback of 8 feet from front lot line and 35 feet from the center line of the street instead of the required 15 feet and 40 feet respectively, should be and the same is hereby granted. From and after the date of this Order, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Department of Planning and Zoning.

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of JANUARY, 1968, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a B.L. zone, and/or the Special Exception for living quarters in a commercial building be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

The full names and addresses of all parties of the foregoing Petition for reclassification of the described properties in the attached drawings.

Samuel T. Hyman & Christine M. Hyman, his wife
9307 Harford Road
Baltimore County, Maryland 21234

William A. Irving (widower)
9309 Harford Road
Baltimore County, Md. 21234

Elizabeth Alchurst
4135 East Joppa Road
Baltimore County, Md.

Patrick F. Alchurst & Annaleis M. Alchurst, his wife
Rte. 1, Harford Road
Hydes, Md. 21042

Samuel T. Hyman & Christine M. Hyman are the owners of
9307 Harford Road and the contract Purchasers of
9309 Harford Road

William A. Irving is the owner of 9309 Harford to be sold to
The Hymans

Elizabeth Alchurst and Patrick F. Alchurst and Annaleis M. Alchurst are the owners of 9307 Harford Road under lease to
The Hymans

James P. Pallace, Sr., Esq.
2501 Canterbury Road
Baltimore, Md. 21234
September 4, 1968

James P. Pallace, Sr., Esq.,
2501 Canterbury Road
Baltimore, Maryland 21234
Re: Samuel T. Hyman, et al

ZONING ADMINISTRATION DIVISION (Continued)

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

Very truly yours,

JAMES E. DYER,
Zoning Supervisor

JED:JD

cc: Carlyle Brown-Bur, of Engr.
John Meyers-Stone Roads Commission
Jostein Risa-Bur, of Traffic Engr.
William Greenblatt-Health Dept.
Inspector Thomas Kelly-Fire Bureau
Elmer C. Hoppert-Building Engineer's Office

September 4, 1968

James P. Pallace, Sr., Esq.,
2501 Canterbury Road
Baltimore, Maryland 21234

RE: Reclassification from an B.L. zone to an B.M. zone and Special Exception for living quarters in a commercial building, for Samuel T. Hyman, et al, located S/E corner of Harford Rd. and Second Avenue 11th District (Item 56, September 3, 1968)

Dear Sir:

The following comments are addendum to our Zoning Advisory Committee comments on the above referenced subject, dated today, September 4th, 1968.

FIRE BUREAU:
The petitioner will be required to provide a second means of egress from the apartment.

Very truly yours,

JAMES E. DYER,
Zoning Supervisor

JED:JD

cc: Carlyle Brown-Bur, of Engr.
John Meyers-Stone Roads Commission
Jostein Risa-Bur, of Traffic Engr.
William Greenblatt-Health Dept.
Inspector Thomas Kelly-Fire Bureau
Elmer C. Hoppert-Building Engineer's Office

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

James P. Pallace, Sr., Esq.,
2501 Canterbury Road
Baltimore, Maryland 21234

SUBJECT: Reclassification from an B.L. zone to an B.M. zone and Special Exception for living quarters in a commercial building, for Samuel T. Hyman, et al, located S/E corner of Harford Rd. and Second Avenue 11th District (Item 56, September 3, 1968)

Dear Sir:

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

BUREAU OF ENGINEERING:

Water - Existing 12" water in Harford Road
Existing 6" water Second Avenue
Sewer - Existing 8" sanitary sewer in both Harford Rd. & Second Ave.
Adequacy of existing utilities to be determined by developer or his engineer
Road - Second Ave. is to be developed as a minimum 40' road on a 50' R/W.

STATE ROADS COMMISSION:

The existing entrance from Harford Rd. to the site is very narrow; however, it would be impracticable to widen the entrance due to the close proximity of the existing building. Therefore, it is strongly recommended that the entrance be designated one-way in, using the proposed entrance on Second Ave. as an exit.

BUILDING ENGINEER:

The petitioner will be required to meet all Building Code requirements, particularly, tenant separations and live load requirements.

BUREAU OF TRAFFIC ENGINEERING:

The proposed parking layout for the interior lot does not appear to be feasible based on the present operation. A profile will be required to determine if it is possible to construct the proposed driveway to Second Avenue.

HEALTH DEPARTMENT:

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

FIRE BUREAU:

This office will review and submit comments at a later date.

ZONING ADMINISTRATION DIVISION:

Since the area as indicated as parking on the interior lot is bordered by loading areas and garage doors for the storage buildings that are existing on the subject site - this parking will not be adequate to serve the proposed operation. It would appear that a variance to parking will be necessary unless the petitioner can provide for adequate parking on another location.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: December 6, 1968

FROM: George E. Gavrilis, Director of Planning

SUBJECT: Petition #69-133-RXA. Reclassification from B.L. to B.M. Special Exception for Living Quarters in a commercial building. Variance to setbacks. Southeast corner of Harford Road and Second Avenue. Samuel T. Hyman, et al, Petitioner.

11th District

HEARING: Monday, December 16, 1968 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from B.L. to B.M. zoning together with a variance to the front yard requirements and a Special Exception for living quarters in a commercial building. If granted, the Special Exception and variance should be conditioned upon compliance with approved plans.

GEG:bms

ZONING DESCRIPTION
9307, 9309, 9309
HARFORD ROAD

RECOMMENDATION for the same at the point formed by the intersection of the southeastern side of Harford Road (60 feet wide) as shown on State Roads Commission Plat No. 2696 with the southwestern side of Second Avenue (30 feet wide) as shown on the Plat of Carney Heights as filed among the Land Records of Baltimore County in Plat Book W.P.C. No. 6 folio 158 thence running with and binding on the southeastern side of said Harford Road the two following courses and distances south 44 degrees 08 minutes west 25 feet and southerly by a line curving toward the west with a radius of 17,189.74 feet for a distance of 125 feet to the division line between lots 47 and 48 as shown on said Plat, thence binding on said division line south 45 degrees 52 minutes east 196.4 feet more or less to the southeastern corner of said lot 47, thence binding on the southeastern side of lots 47, 46, 45, 44, 43 and 42 north 44 degrees 08 minutes east 150.00 feet to the southwestern side of said Second Avenue, thence binding on the southwestern side of said Second Avenue north 45 degrees 52 minutes west 198 feet more or less to the place of beginning.

CONTAINING 0.676 acres of land more or less.

BEING the remainder of lots Nos. 42, 43, 44, 45, 46 and 47 as shown on the Plat of Carney Heights as filed among the Land Records of Baltimore County in Plat Book W.P.C. No. 6 folio 158.

July 31, 1968



DAVID W. DALLAN, JR.
CIVIL ENGINEER
1100 WEST HANOVER ST. BALTIMORE, MD. 21201

CSM-cr

TELEPHONE 823-3000 EXT. 387	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204	No. 60709 DATE <u>May 25, 1968</u>
To: Hobart Lumber & Hardware 9307 Harford Road Baltimore, Md. 21134	Zoning Dept. of Balto. Co.	
DEBIT TO ACCOUNT NO. <u>01-622</u>		TOTAL AMOUNT \$50.00
QUANTITY	DETAILS (LONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS)	COST
	Petition for Reclassification, Special Exception & Variance for Samuel T. Hyman, et al 169-133-R1A	50.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204		

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

James P. Palisano, Sr., Esq.
2901 Conoverbury Road
Baltimore, Maryland 21230

County Office Building
111 W. Chesapeake Ave. e
Towson, Maryland 21204

Your Petition has been received and accepted for filing this
19th day of November, 1968.

John G. Rose
JOHN G. ROSE,
Zoning Commissioner

Petitioner James P. Palisano, Sr., Esq.

Petitioner's Attorney Samuel T. Hyman, et al reviewed by Chairman of
Advisory Committee

6. Sign

CERTIFICATE OF POSTING
TOWNSHIP DEPARTMENT OF BALTIMORE COUNTY #64-133-RX
Towson, Maryland

District 11th Date of Posting Dec-22-65
Posted for: Heavenly Men, Dec. 1st 1965 @ 1.00 PM.
Petitioner: Samuel T. Hyman
Location of property: SE corner of Hospital Rd & Second Ave.

Location of Signs: Q Sign 5 ft in Windows of Hardware Store
1 on stake in West of 7401 Redburn Ave.

Remarks:

Posted by: Mad H. Hess Date of return: Dec 5-65

THE TOWSON TIMES

TOWSON, MD. 21204 December 4, 1968

THIS IS TO CERTIFY, that the aforesaid advertisement of
John A. Morgan, residing 6000 Guilford
Ave. - Baltimore, Maryland

was inserted in THE TOWSON TIMES, a weekly newspaper published
Baltimore County, Maryland, once a week for SEVEN
weeks before the 4th day of Dec., 1968 that is to say, the same
was inserted in the issue of NOV. 28, 1968.

STROMBERG PUBLICATIONS.

By *Luella Morgan*

[illegible]

