

69 201 RT **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Paul C. Beatty and Anna B. Beatty, legal owners 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, Request 0 feet setback in lieu of the required 30 feet on the rear or North 61 degrees 16 minutes 09 seconds West 34.50 foot line and 0 setback on the two side lines identified as North 32 degrees 57 minutes 11 seconds East 50.17 foot line and the North 32 degrees 28 minutes 33 seconds East 133 feet, more or less, line, shown on the plat attached hereto and further request a 30 foot distance between buildings instead of 60 feet required.

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

To require the owner to adhere to setbacks set forth in the regulations would work a hardship and render the property of the owner useless

See attached description

Property is to be owned 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 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
Address: 8212 Liberty Road
Baltimore, Maryland 21207

Petitioner's Attorney
Ralph E. Deltz
Address: 212 Washington Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 25th day of February, 1969, 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 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1969, at 11:00 A.M.

Zoning Commissioner of Baltimore County.

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 Petitioners 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 further appearing that by reason of

to permit zero foot setback instead of the required 30 feet on the rear or North 61 degrees 16 minutes 09 seconds West 34.50 foot line and zero setback on the two side lines identified as North 32 degrees 57 minutes 11 seconds East 50.17 foot line and the North 32 degrees 28 minutes 33 seconds East 133 feet; and to a Variance permit 30 feet distance between buildings instead of the 60 feet required 60 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31 day of March, 1969, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order, to permit zero foot setback instead of the required 30 feet; on the rear or North 61 degrees 16 minutes 09 seconds West 34.50 foot line and zero setback on the two side lines identified as North 32 degrees 57 minutes 11 seconds East 50.17 foot line and the North 32 degrees 28 minutes 33 seconds East 133 feet; and to permit 30 feet distance between buildings instead of the required 60 feet; and it is further ordered that the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of February, 1969, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 10, 1969

Oliver L. Myers
Chairman

MEMBERS

BUREAU OF ENGINEERING

BUREAU OF PLANNING

BUREAU OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

DEPT. OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

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

RE: Type of Hearing: Side and rear yard setback
Location: 5/8 Liberty Road, 320' E. of Rolling Road
2nd District
Petitioner: Paul C. Beatty
Committee Meeting of Feb. 25, 1969 Item 125

Dear Sir:

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

The subject property is presently improved by a steel garage. The property to the southeast is improved with a seaford carry out store and an American Oil Company station that is presently undergoing extensive renovation. To the northeast of the site is an existing dry cleaners and Phillips 66 station. Immediately to the southeast are apartments existing for the full length of the rear property line. To the northwest is an existing liquor store which is presently being run by the petitioner. This section of Liberty Road is presently in need with concrete curb and gutter.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution Comment: 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.

Food Service Comment: If there is any food service connected with this building it will be necessary to submit complete plans and specifications of construction and equipment to the Division of Food Control, Baltimore County Department of Health for review and approval.

STATE ROAD COMMISSION:

The Right of Way line of Liberty Road fronting the building site on both sides of the entrance must be curbed with concrete. The plan must be revised accordingly prior to a hearing date being assigned.

ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised drawings in compliance with the State Roads Commission comments prior to the hearing.

Very truly yours,

Oliver L. Myers, Chairman

OLM:JD
Enc.

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

February 10, 1969

REFERENCE 771-4592

ZONING DESCRIPTION
2nd DISTRICT
BALTIMORE COUNTY, MD.
PROPERTY OF:

PAUL C. BEATTY & ANNA B. BEATTY, his wife
BR VARIANCES

BEGINNING for the same on the south side of Liberty road (80' wide) at the distance of 320' east of Rolling Road, running thence and binding on the south side of Liberty Road S61°55' E 106.50', thence leaving said road S32°42' W 180.00', thence N61°57' W 151.62', thence N32°57'11" E 50.17', thence N61°16'09" W 34.50', thence N32°28'33" E 133', to the place of beginning.

CONTAINING 0.765 Acres of land more or less.

BEING a part of the land which by deed dated November 1, 1965 and recorded among the land records of Baltimore County in Liber OTG 4541, Folio 49, was conveyed by John H. Klor, widower, to Paul C. Beatty and Anna B. Beatty, his wife.

E. F. RAPHEL
EUGENE F. RAPHEL #2246
Reg. Prof. Land Surveyor

CERTIFICATE OF PUBLICATION

Pikesville, Md. 3/10/69

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 31st day of March, 1969, the first publication appearing on the 24th day of March, 1969.

THE NORTHWEST STAR

Conrad L. Landon
Manager

Cost of Advertisement, \$ 4.76

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing this

day of February, 1969

John C. Ritz,
Zoning Commissioner

Petitioner: Paul C. Beatty

Petitioner's Attorney: Ralph E. Deltz, Esq.

Reviewed by: Oliver L. Myers

Chairman of
Advisory Committee

Ralph E. Deltz, Esq.
212 Washington Avenue
Towson, Maryland 21204
Item 125

March 10, 1969

BUREAU OF ENGINEERING:

Highways:

Liberty Road is a State Road.

Storm Drains:

Any storm drains required will be the Developer's full responsibility.

The Developer must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Developer.

Waters:

There is an existing 12" water main in the north side of Liberty Road, as shown on Drawings 40-732 and 733, A-10.

Sanitary Sewer:

There is an existing 8" sanitary sewer along Liberty Road, as shown on Drawings 40-732 and 733, A-10.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site-planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

Review of the subject petition indicates three existing driveways. However, one of these driveways is presently not in use. By revising the entrances to show only two entrances, circulation and parking could be improved in front of the two uses.

FIRE DEPARTMENT:

Any use that petitioner would propose for this site shall meet all Fire Department regulations.

BUILDING ENGINEER'S OFFICE:

Must comply with all Baltimore County Building Code regulations.

TELEPHONE
883-9000
EXT. 387

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

No. 60881

DATE 3/1/69

PAID

Zoning Dept. of Baltimore County

To: Paul C. Beatty & Anna B. Beatty
212 Washington Ave.
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-422

QUANTITY

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1 Sign

69-201-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 2nd Date of Posting: 3-13-69
 Posted for: VARIANCE
 Petitioner: P.C. Beatty
 Location of property: 9 1/2 of Liberty Rd. 370 E. of Rolling Rd.
 Location of Signs: 350' E of Rolling Rd on 9 1/2 of Liberty Rd
 Remarks: _____
 Posted by: [Signature] Date of return: 3-21-69
 Signature

PETITION FOR VARIANCE
2nd DISTRICT

ZONING: Petition for Variance for Side and Rear Yards, and distance between building.

LOCATION: South side of Liberty Road 30 feet East of Rolling Road.

DATE & TIME: Monday, March 21, 1969 at 11:00 A.M.

PUBLIC HEARING: Room 106, 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 Zero feet setback instead of the required 30 feet, on the rear or North 61 degrees 16 minutes 09 seconds West 14.50 foot line and Zero setback on the side lines identified as North 33 degrees 57 minutes 11 seconds East 50.17 foot line and the North 23 degrees 28 minutes 23 seconds East 115 feet; and to permit 30 foot distance between buildings instead of the required 60 feet.

The Zoning Regulation to be amended is follows:

Section 222.2 - Side and Rear Yards—50 feet.

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

BEGINNING for the same on the south side of Liberty Road (60' wide) at the distance of 240' east of Rolling Road, running thence and binding on the south side of Liberty Road 561' 35" E 156.50', thence leaving said road 521' 47" W 150.60'; thence 260' 37" W 151.62'; thence 292' 57" 11" E 50.17'; thence 261' 18' 08" W 14.50'; thence N32° 28' 33" E 123' ± to the place of beginning.

Containing 0.768 Acres of land more or less.

Being a part of the land which by deed dated November 1, 1945 and recorded among the land records of Baltimore County in Liber OTG 1541, Page 49, was conveyed by John H. Kicher, widower, to Paul C. Beatty and Anne E. Beatty, his wife.

Being the property of Paul C. Beatty and Anne E. Beatty, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 21, 1969 at 11:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
 JOHN G. ROSE,
 Zoning Commissioner of
 Baltimore County.

Mar. 12.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 13, 1969

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 time _____ successive weeks before the 31st day of March _____, 1969, the next publication appearing on the 13th day of March _____, 1969.

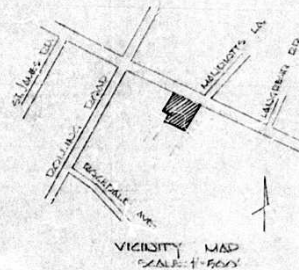
THE JEFFERSONIAN

[Signature]
 Manager.

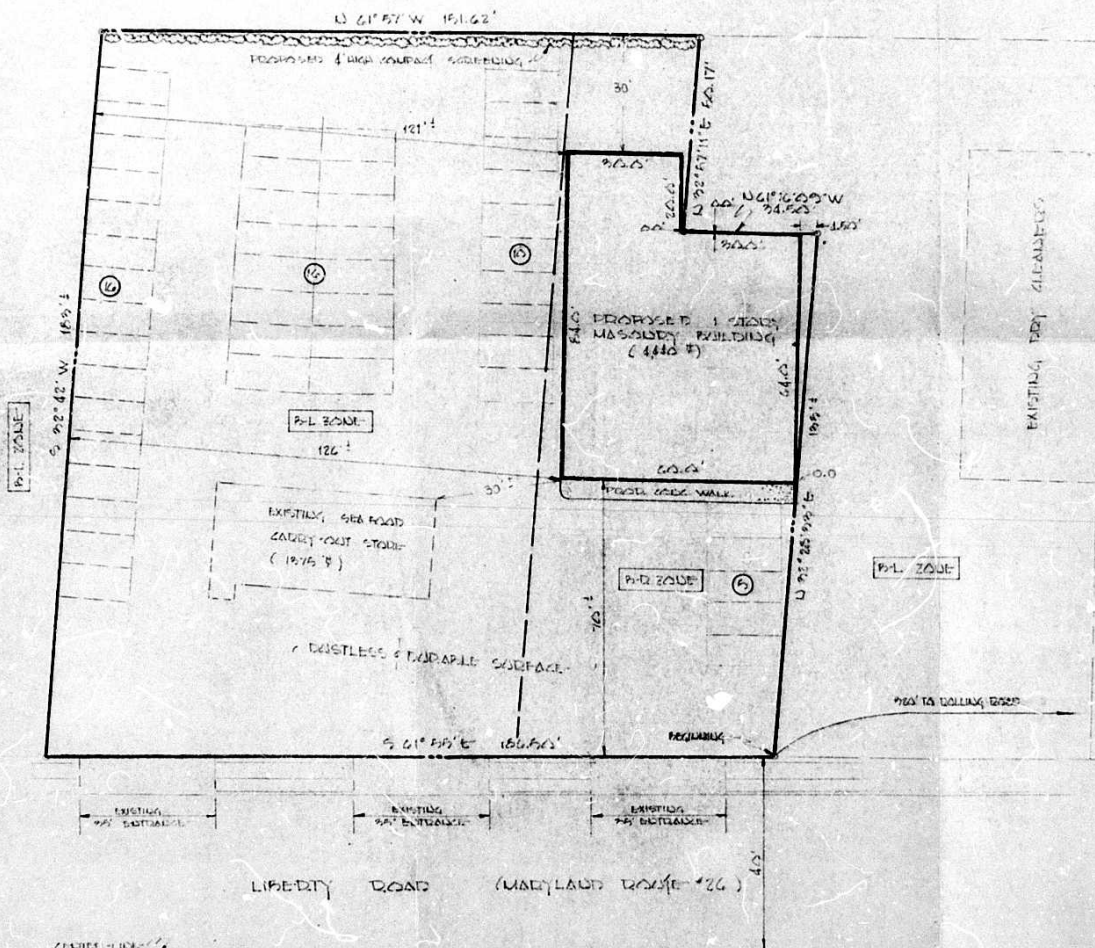
Cost of Advertisement, \$ _____

GENERAL NOTES:
 1. AREA OF PROPERTY: 0.105 AC.
 2. EXISTING USE: SEWERED CARRY-OUT STORE.
 3. PROPOSED USE: ADDITIONAL PACKAGE GOODS STORE.
 4. EXISTING ZONE: P-R PBL.
 5. PROPOSED ZONE: P-R PBL.
 6. VARIANCE TO ALLOW FOR A SIDE REAR YARD INSTEAD OF REQUIRING 60'.

PARKING NOTES:
 1. TOTAL PARKING AREA: 250 SF.
 2. SPACES PROVIDED: 10.
 3. TOTAL DRIVE/DRIVEWAY AREA: 200 SF.
 4. SPACES PROVIDED: 47.



U-A ZONE



E.F. CARPENTER & ASSOCIATES
 REGISTERED LAND SURVEYOR
 201 CHATELAIN AVENUE
 FOWERS 4, MARYLAND



PLAT TO ACCOMPANY VARIANCE APPLICATION

PAUL BEATY

ELECTRIC ENGINEER NO. 2
 SCALE: 1"=20'

BEATY CO., INC.
 FEBRUARY 28, 1969