

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Gerald N. Klauber, 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 211.3 to permit a sideyard setback of 16 feet for the side street and 41 feet from the centerline of the street instead of the required 25 feet and 50 feet respectively.

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

Due to the widening of Third Street the house cannot meet the required setbacks.

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 G. N. Klauber Legal Owner all
Address 700 Tower Building Address 700 Tower Building
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of June, 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 had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 25th day of August, 1969, at 10:00 o'clock.

Gerald N. Klauber
Zoning Commissioner of Baltimore County.
(over)

VAN REUTH AND WEIDNER, INC.
CIVIL ENGINEERS AND SURVEYORS
8500 YORK ROAD
BALTIMORE, MARYLAND 21212
CLARENCE R. 3400

DESCRIPTION OF BEACH AVENUE PROPERTY (LOT 93 AND PART OF LOT 94)

DESCRIPTION:

Beginning for the same at the intersection of the east side of Beach Avenue (50 feet wide) and the north side of Third Street (30 feet wide) and running thence northeasterly along the east side of said Beach Avenue 60 feet; thence leaving the east side of Beach Avenue and running with the line of division as now established through Lot No. 94 southeasterly for a distance of 130 feet to the easternmost outline of Lot No. 94; thence running along the easternmost outline of a part of Lot No. 94 and the easternmost outline of Lot No. 93 southeasterly for a distance of 50 feet to the north side of Third Street; thence running northwesterly along the north side of Third Street 130 feet to the place of beginning.

Being all of Lot No. 93 and the southwesternmost half of Lot No. 94 as shown on the plot of "Cherry Heights" recorded amongst the Land Records of Baltimore County, Maryland in Plat Book W.P.C. 3, Folio 71.

Arthur C. Van Reuth
Arthur C. Van Reuth
Registered Land Surveyor
Maryland Registration No. 4057



Date 5-26-69

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 15, 1969

FROM: Mr. Leslie H. Grael, Deputy Director of Planning

SUBJECT: Petition #70-33-A. Variance to permit a side yard setback of 16 feet for the side street and 41 feet from the center line of the street instead of the required 25 feet and 50 feet respectively. Northeast corner of Third Street and Beach Avenue. Gerald N. Klauber, Petitioner.

14th District

HEARING: Monday, August 25, 1969 (10:00 A.M.)

The office sees no major planning issues in this proposal. It is assumed that the hearing will develop information sufficient to afford a proper balance between the best house prospects and still handle road widening needs.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 64643
DATE August 6, 1969
BILLED BY: _____
Being Dept. of Baltimore County

QUANTITY	DESCRIPTION	AMOUNT
1	Petition for Variance for Gerald N. Klauber #70-33-A	25.00

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

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 67013
DATE Sept. 14, 1969
BILLED BY: _____
Being Dept. of Baltimore County

QUANTITY	DESCRIPTION	AMOUNT
1	Advertising and posting of property #70-33-A	25.00

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

Mr. Gerald N. Klauber
700 Tower Building
Baltimore, Maryland 21202
COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
July 17, 1969
Your Petition has been received and accepted for filing this _____ day of _____, 1969.
JOHN G. ROSE, Zoning Commissioner

Petitioner Gerald N. Klauber
Petitioner's Attorney _____ Reviewed by Oliver L. Myers
Chairman of Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 19, 1969

Mr. Gerald N. Klauber
700 Tower Building
Baltimore, Maryland 21202

RE: Type of Hearings Side yard Variance
Location: E/S Beach Ave. & W/S Third Street
14th District
Petitioner: Gerald N. Klauber
Committee Meeting of June 10th, 1969
Item 293

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 a heavily wooded area surrounded by residential homes. Beach Avenue at the present time is not improved as far as curb and gutter are concerned. Third Street is not developed and is just a paper street.

BUREAU OF ENGINEERING:

Highways:

Beach Avenue is an existing County road which is currently being designed for construction by the Baltimore County Bureau of Engineering as a 30-foot closed section with flexible pavement on a 50-foot right-of-way. This project has been initiated by petition and the adjacent properties will be expanded accordingly upon completion of the proposed construction.

Third Street is an unimproved street adjacent to the subject property and is shown on the recorded plot of "Cherry Heights" as a 30-foot right-of-way. Third Street has been improved to a point approximately 150 feet southeasterly of the rear lot line of the subject property, as a 30-foot closed section with flexible pavement on a 50-foot right-of-way.

In order to continue the improvements of Third Street and provide an alignment which would be continuous with E. Elm Avenue, acquisition of the entire property would be required. Attached is a print of Baltimore County Bureau of Engineering drawing C-549 which illustrates the proposed alignment of Third Street.

Mr. Gerald N. Klauber
700 Tower Building
Baltimore, Maryland 21202
Item 293 Page 2

June 19, 1969

Highways (Continued)

It is requested that any granting of a variance be withheld until the various County agencies involved can meet to discuss the need for relocating and improving Third Street as shown on the attached print.

Storm Drains:

The Applicant 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 Applicant.

Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

Water:

Public water supply is available to serve this property.

BUREAU OF TRAFFIC ENGINEERING:

The proposed one story frame dwelling appears to be on the alignment of Third Street per road drawing C-549.

FIRE DEPARTMENT:

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

BUILDING ENGINEER'S OFFICE:

This office has no comment.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

Public water and sewers are available, therefore, no health problems are anticipated.

Mr. Gerald N. Klauber
700 Tower Building
Baltimore, Maryland 21202
Item 293 Page 3

June 19, 1969

PROJECT PLANNING DIVISION:

An examination of the area surrounding the subject site by County Agencies involved, found that Third Street will need to be extended as a collector in accordance with Bureau of Engineering drawing C-549, sheet 2 of 2. This alignment will involve petitioner's property and will provide the area with direct access to Belair Road.

ZONING ADMINISTRATION DIVISION:

In view of the comments by the Bureau of Engineering, this office is withholding a hearing date until such time as the results of the amount of taking can be determined.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14th Date of Posting July 13, 1969
Posted to Hearing Monday, Aug. 25, 1969, 10:00 A.M.
Petitioner Gerald N. Klauber
Location of property 700 Tower Building, Third St. & Beach Ave.
Location of Sign 1000 York Road, Towson, Md.
Remarks See X
Posted by John V. H. Date of return July 13, 69

7-14-70

ORDER RECEIVED FOR RE...

DATE 10/31/69

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 requested variances would give relief without substantial injury to the public health, safety or general welfare,

the above Variance should be had; ~~and it further appearing that by reason of~~

to permit a side yard setback of 16 feet and 41 feet 25 and 50' respectively a Variance from the centerline of street instead of the required 1 should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30 day of October, 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 side yard setback of 16' and 41' from the centerline of the street instead of the required 25' and 50' respectively, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning & Zoning.

Edward D. Hauke
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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR VARIANCE
14th DISTRICT
ZONING: Petition for Variance for side yard.
LOCATION: Northeast corner of Third Street and Beach Avenue.
DATE & TIME: MONDAY, AUGUST 25, 1969 at 10:00 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 Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance from the Zoning Regulations of Baltimore County to permit a sideyard setback of 16 feet for the side street and 41 feet from the centerline of the street instead of the required 25 feet and 50 feet respectively.
The Zoning Regulation to be excepted as follows:
Section 211.2 - Side Yards - Corner lot the building line along the side street shall be not less than 25 feet from the side lot line and not less than 50 feet from the center line of the side street.
All that parcel of land in the Fourteenth District of Baltimore County beginning for the same at the intersection of the east side of Beach Avenue (50 feet wide) and the north side of Third Street (50 feet wide) and running thence northeasterly along the east side of said Beach Avenue 60 feet; thence leaving the east side of Beach Avenue and running with the line of division as now established through Lot No. 94 southeasterly for a distance of 130 feet to the easternmost outline of Lot No. 94; thence running along the easternmost outline of a part of Lot No. 94 and the easternmost outline of Lot No. 93 southeasterly for a distance of 60 feet to the north side of Third Street; thence running northeasterly along the north side of Third Street 130 feet to the place of beginning.
Being all of Lot No. 93 and the southwesternmost half of Lot No. 94 as shown on the plat of "Cherry Heights" recorded among the Land Records of Baltimore County, Maryland in Plat Book W.P.C. 3, 571.
Being the property of Gerald H. Klausner, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday, August 25, 1969 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF BALTIMORE COUNTY
Aug. 7, 1969

ORIGINAL

OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204 August 11, 1969

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One ~~SIXTEEN~~ week before the 11th day of Aug., 1969, that is to say, the same was inserted in the issue of August 7, 1969.

STROMBERG PUBLICATIONS, Inc.

By *Ruth Morgan*

PETITION FOR VARIANCE
14th DISTRICT
ZONING: Petition for Variance for side yard.
LOCATION: Northeast corner of Third Street and Beach Avenue.
DATE & TIME: Monday, August 25, 1969 at 10:00 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 Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance from the Zoning Regulations of Baltimore County to permit a sideyard setback of 16 feet for the side street and 41 feet from the center line of the street instead of the required 25 feet and 50 feet respectively.
The Zoning Regulation to be excepted as follows:
Section 211.2 - Side Yards - Corner lot the building line along the side street shall be not less than 25 feet from the side lot line and not less than 50 feet from the center line of the side street.
All that parcel of land in the Fourteenth District of Baltimore County BEGINNING for the same at the intersection of the east side of Beach Avenue (50 feet wide) and the north side of Third Street (50 feet wide) and running thence northeasterly along the east side of said Beach Avenue 60 feet; thence leaving the east side of Beach Avenue and running with the line of division as now established through Lot No. 94 southeasterly for a distance of 130 feet to the easternmost outline of a part of Lot No. 94 and the easternmost outline of Lot No. 93 southeasterly for a distance of 60 feet to the north side of Third Street; thence running northeasterly along the north side of Third Street 130 feet to the place of beginning.
Being all of Lot No. 93 and the southwesternmost half of Lot No. 94 as shown on the plat of "Cherry Heights" recorded among the Land Records of Baltimore County, Maryland in Plat Book W.P.C. 3, Folio 71.
Being the property of Gerald H. Klausner, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday, August 25, 1969 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
By order of
JOHN G. ROSE
Zoning Commissioner of Baltimore County
Aug. 7

CERTIFICATE OF PUBLICATION

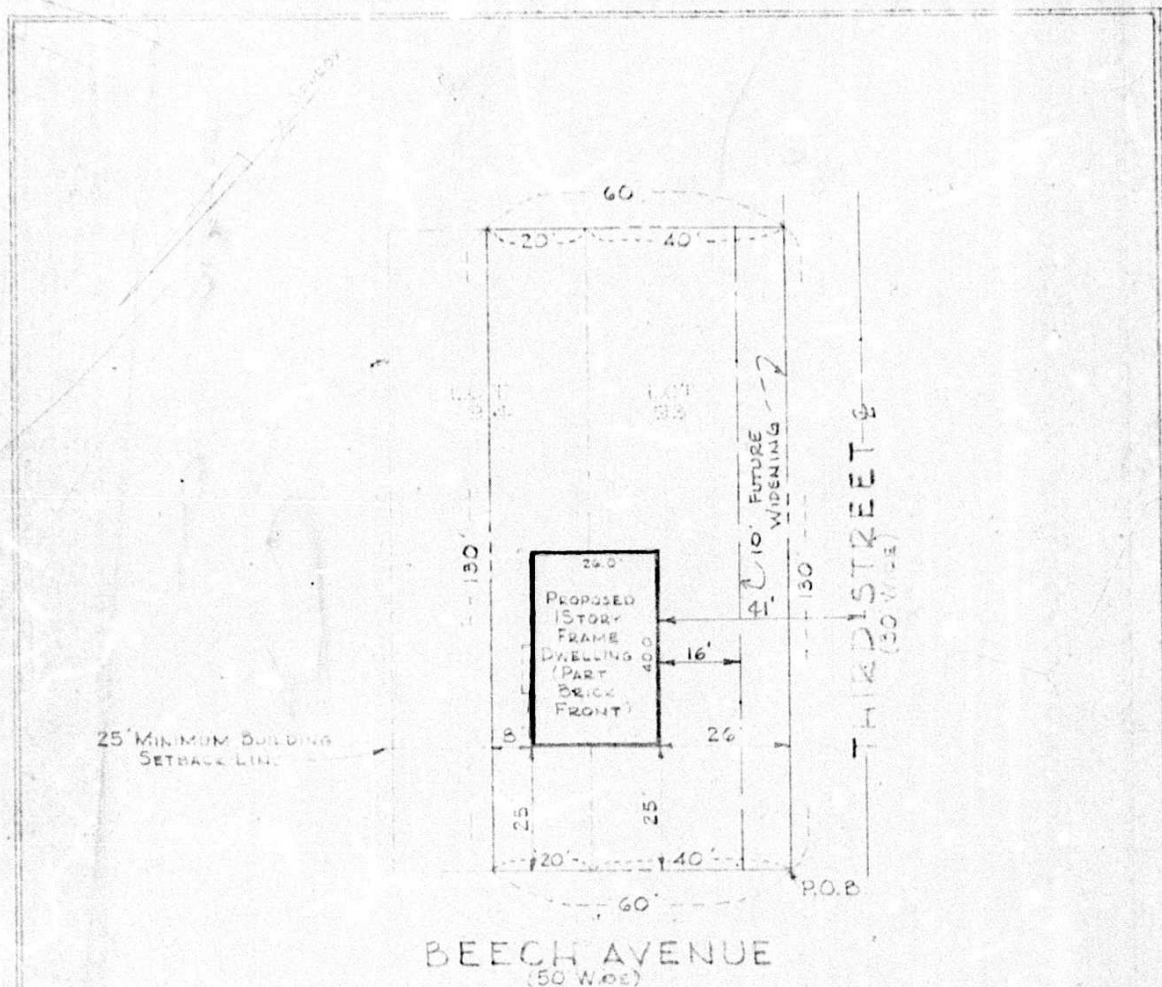
_____ AUG 7 1969 _____ 19____

TOWSON, MD.

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 25th day of August, 1969, the first publication appearing on the 7th day of August, 1969.

THE JEFFERSONIAN,
L. L. Strickland
Manager.

Cost of Advertisement, \$_____



LOT No 93, & THE SOUTHWESTERLMOST HALF OF LOT 94 AS SHOWN ON THE PLAT CHERRY HEIGHTS, RECORDED IN BALTIMORE COUNTY IN PLAT BOOK W.P.C. 3/71

Arthur E. Van Reuth, Md. Reg. No. 4057
5/26/69

	PLOT PLAN PROPOSED DWELLING, BEECH AVENUE ELECTION DISTRICT NO 14, BALTIMORE CO., MD.	SCALE 1" = 30'
	VAN REUTH AND WEIDNER, INC. CIVIL ENGINEERS AND SURVEYORS 5509 YORK ROAD BALTIMORE 12, MARYLAND	DATE 5-5-69
	JOB NO. 63286	

OFFICE COPY

