

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Frank H. Landa, and Ann, legal owners of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof.

herby petition for a Variance from Section 212.1 of the Baltimore County Zoning Ordinance, (the radius of the rear yard set back from twenty (20) feet to ten (10) feet in connection with the improvements to the presently commercially zoned property known as 627 MACE AVENUE, 15th District, Baltimore County, Maryland).

of the Zoning Regulations of Baltimore County, for the following reasons (indicate hardship or practical difficulty): The property involved is now commercially zoned (BL), and is situated at the intersection of Mace and Myrth Avenues; it is about to be improved by a modern drive-in-convenience store and the reduction (or variance) of the rear yard set back from 20 feet to 10 feet and provide better and more effective control of traffic and maneuverability of vehicles as well as of deliveries to the store, since ten (10) feet is ample and serves the same purpose as would the unnecessary full twenty (20) feet set back (the 20 foot set back here arbitrarily and improperly deprives the owners of the fair use of said lot). This reduction will avoid such hardship and practical difficulty in the proper and more efficient planning and utilization of the lot without adverse effect on the adjoining property. Such variance in the width of the rear yard set back will do no substantial (if any, at all) injury to public health, safety and general welfare.

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.

CLOVERLAND FARM, INC. President
BY: Frank H. Landa Legal Owner
Address: 2200 North Meade Street
Baltimore, Maryland 21217

Address: 2110 Maryland National Bk. Bldg.
Baltimore, Maryland 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of July, 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 through-out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of September, 1969, at 11:00 o'clock.

Nathan Patz, Esq.
Zoning Commissioner of Baltimore County
(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 M. Chesapeake Avenue
Towson, Maryland 21204

MEMBERS

CHIEF OF ENGINEERING

DEPARTMENT OF TRANSPORTATION

STATE PLANNING COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

August 8, 1969

Nathan Patz, Esq.,
2110 Maryland National Bank Building
Baltimore, Maryland 21202

RE: Type of Hearing: Variance from
Section 212.1 (rear yard setback)
Location: 56/Cor. Mace Ave. and
Myrth Avenue
Petitioner: Frank H. Landa
Committee Meeting of July 29, 1969
15th District
Item 23

Dear Sirs:

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 with a grocery store facility with living quarters on the second floor. This would be demolished at the time the new construction would be started. The properties to the northeast and south are improved with dwellings. However, the northern property has a beauty salon in the basement and is zoned Business Local. The properties to the west are improved with a small group of stores at the corner of Upper Landing Road and Mace Avenue. Mace Avenue and Myrth Avenue in this location are improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGR. RECORDS

Highways:

Myrth Avenue is an existing street which has recently been improved with a 30-foot closed section on a 50-foot right-of-way and no further improvements are required.

Mace Avenue is an existing 30-foot closed section on an existing 50-foot right-of-way which will ultimately be improved as a 40-foot closed section on a 60-foot right-of-way. No highway improvements are required at this time; however, the Applicant will be required to construct a 4-foot wide concrete sidewalk along the frontage of Mace Avenue. Also, a 5-foot highway right-of-way widening will be required along the Mace Avenue frontage of the subject site.

Robert Calverley, Inc. Surveyor
Old Court Road, Balto., Md.

Mar. 20, 1969

Description for a lot at the corner of Mace and Myrth Aves.

Beginning for the same at the corner formed by the South side of Myrth Avenue and the East side of Mace Avenue, thence running along the South side of Myrth Avenue South 70 degrees 32 minutes East 150 ft., thence running South 19 degrees 30 minutes West 100 ft., thence running North 70 degrees 32 minutes West 150 ft. to the East side of Mace Avenue, thence running along the East side of Mace Avenue North 19 degrees 30 minutes East 100.0 ft. to the point of beginning.

Containing 0.34 of an acre more or less and being all of the land conveyed in the deed from T. Lytle Mason, Jr. to Frank H. Landa and wife, dated August 6, 1951 and recorded among the Land Records of Baltimore in Liber No. 2019 folio 482 etc. and known as 56/27 Mace Ave.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 20, 1969

FROM: Mr. George E. Gormley, Director of Planning

SUBJECT: Petition #70-56-A. Variance to permit a rear yard of 10 feet instead of the required 20 feet. Southeast corner of Myrth and Mace Avenues, Frank H. Landa, Petitioner.

15th District

HEARING: Thursday, September 11, 1969 (11:00 A.M.)

The Planning staff will offer no comment on the subject petition.



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

No. 64712
DATE: Sept. 18, 1969

TO: <u>Shirley Ann Bury, Inc.</u> 200 N. Meade St. Baltimore, Md. 21207	Being apt. of Baltimore County	TOTAL AMOUNT \$6.75
SUBJECT: <u>Advertising and posting of property for Frank H. Landa</u> 70-56-A		COST

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. 64673
DATE: Aug. 15, 1969

TO: <u>Shirley Ann Bury, Inc.</u> 200 N. Meade St. Baltimore, Md. 21207	Being apt. of Baltimore County	TOTAL AMOUNT \$25.00
SUBJECT: <u>Petition for Variance for Frank H. Landa</u> 70-56-A		COST

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

Your Petition has been received and accepted for filing this

day of July, 1969

John G. Rose
Zoning Commissioner

Petitioner: Frank H. Landa
Petitioner's Attorney: Nathan Patz, Esq. Reviewed by: Oliver L. Myers
Chairman of Advisory Committee

Nathan Patz, Esq.,
2110 Maryland National Bank Building
Baltimore, Maryland 21202
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August 8, 1969

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: 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.

ZONING ADMINISTRATION DIVISION:

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,

Oliver L. Myers
Chairman

DLN:JO
Enc.

Nathan Patz, Esq.,
2110 Maryland National Bank Building
Baltimore, Maryland 21202
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August 8, 1969

Highways: (Continued)

All existing or proposed entrances shall be subject to the approval of the Department of Traffic Engineering.

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 Sewer:

Public sanitary sewerage is available to serve this property.

Water:

Public water supply is available to serve this property.

PROJECT PLANNING DIVISION:

Indication of eight-foot buffer strip between parking spaces and street R/W line to be established.

BUREAU OF TRAFFIC ENGINEERING:

The plan submitted appears to conform to comments made for the same site under Item 26.

BOARD OF EDUCATION:

No bearing on student population.

BUILDING ENGINEER'S OFFICE:

Must meet all requirements of Baltimore County Building Code.

FIRE DEPARTMENT:

Petitioner shall be required to comply with all Fire Department requirements when construction plans are submitted for approval.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 8-11-69
Posted for: THURS. SEP. 11, 1969 AT 11:00 A.M.
Petitioner: FRANK H. LANDA
Location of property: SE/Cor. OF MYRTH AND MACE AVES.
Location of Signs: @ @ 10m. grass plot in front of the garage on Myrth Ave. W on grass plot south of store on Mace Ave.
Posted by: Robert L. Smith Date of return: 8-28-69

7-31-70

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 it is further appearing that by reason of

variance to permit a rear yard setback of ten feet instead of the should be granted. required twenty feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 23 day of September, 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 a rear yard setback of ten feet instead of the required twenty feet, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning. Edward D. Hurdick
DEPUTY 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
15th DISTRICT
ZONING: Petition for Variance for Rear Yard.
LOCATION: Southeast corner of Myrth and Mace Avenues.
DATE & TIME: Thursday, September 11, 1969 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 Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance from the Zoning Regulations of Baltimore County to permit a rear yard setback of 10 feet instead of the required 20 feet.
The Zoning Regulation to be excepted as follows:
Section 232.3 - Rear Yard - 20 feet.
All that parcel of land in the Fifteenth District of Baltimore County beginning for the same at the corner formed by the South side of Myrth Avenue and the East side of Mace Avenue, thence running along the South side of Myrth Avenue South 70 degrees 32 minutes East 150 ft. Thence running South 19 degrees 30 minutes West 100 ft. Thence running North 70 degrees 32 minutes West 150.0 ft. to the East side of Mace Avenue, Thence running along the East side of Mace Avenue North 19 degrees 30 minutes East 100.0 ft. to the point of beginning.
Containing 0.34 of an acre more or less and being all of the land conveyed in the deed from T. Lyde Mason, Jr. to Frank H. Lands and wife, dated August 6, 1951 and recorded among the Land Records of Baltimore County in Liber No. 2019 folio 487 etc. and known as No. 627 Mace Ave.
Being the property of Frank H. Lands and Catherine Lands, as shown on plat plan filed with the Zoning Department.
Hearing Date: Thursday, September 11, 1969 at 11:00 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

CERTIFICATE OF PUBLICATION

TOWSON, MD. AUG 21 1969, 19____

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 11th day of September, 1969, the first publication appearing on the 21st day of August, 1969.

THE JEFFERSONIAN,

S. Frank Strickland
Manager

Cost of Advertisement, \$_____

PETITION FOR VARIANCE
15th DISTRICT
ZONING: Petition for Variance for Rear Yard.
LOCATION: Southeast corner of Myrth and Mace Avenues.
DATE & TIME: THURSDAY, SEPTEMBER 11, 1969 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 Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance from the Zoning Regulations of Baltimore County to permit a rear yard setback of 10 feet instead of the required 20 feet.
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Being the property of Frank H. Lands, as shown on plat plan filed with the Zoning Department.
Hearing Date: September 11, 1969 at 11:00 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. 21, 1969

ORIGINAL

OFFICE OF

 **THE ESSEX TIMES**

ESSEX, MD. 21221 Aug. 25, 1969

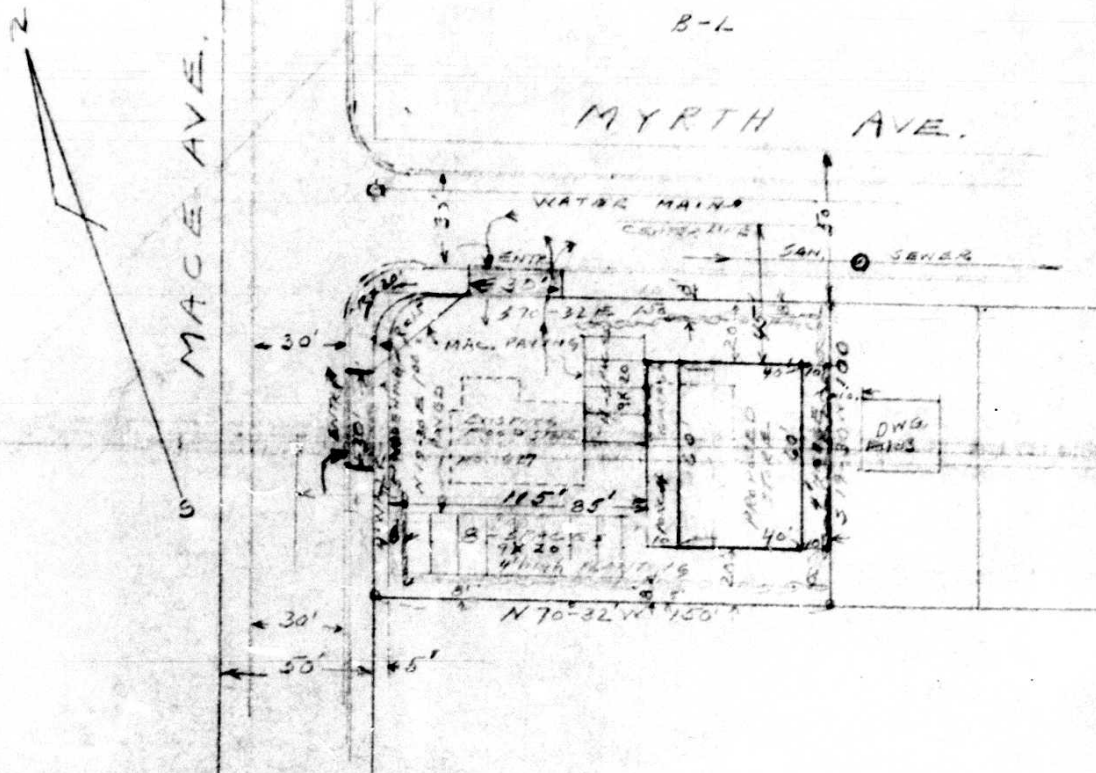
THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rose
Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 25 day of Aug., 1969 that is to say, the same was inserted in the issue of Aug. 21, 1969.

STROMBERG PUBLICATIONS, Inc.

By L. L. Morgan



Plat showing proposed improvements on Lot No. 627 Mace Ave.
Essex, 15th. District, Baltimore County, Maryland

Notes: Owner, Frank H. Landa and Ann Landa.

Existing Zoning -- B-1
Existing use - Food store
Area of parcel 0.34 Acres
Proposed use, New food store
Area of proposed store 2400 Sq. ft.
Proposed rear yard - 10 FT
All existing buildings to be removed
No. of parking spaces required -- 12
No. of parking spaces provided -- 12

Scale 1 in. to 50 ft. Mar. 1969

Robert C. Morris, Reg. Surveyor, No. 759
Old Court Road, Balto. # 7, Md.
Robert C. Morris

PLANS APPROVED
OFFICE OF PLANNING & ZONING

BY *Beverly D. [Signature]*
PLANNING

DATE 11-19-69

FOR *[Signature]* **PLANNING COMMISSIONER**

DATE 11-18-69
70-56 A



