

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the undersigned, being the owner of the property situated 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 409.2, 409.105-A, 409.105-B (1).

Petitioner asks the elimination of the 4 ft. screening on the rear property line of the subject lot described.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons (indicate hardship or practical difficulty):
Elimination of this screening requirement will permit the application of a revised parking plan for this rear area subject to approval by the Planning Department.
The screening as now shown presents a traffic hazard due to lack of visibility.

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
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day

of October, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of December, 1969, at 2:00 o'clock.

DEPUTY Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 31, 1969

Ervin J. Cerveny, Esq.,
803 Stoneleigh Road
Baltimore, Maryland 21212

RE: Type of Hearing: Variance from Section 409.2, Section C, Paragraph (1) Location: 1/2 of York, 50' So. of Dunline Rd.
Petitioner: Ervin J. Cerveny, et ux
Committee meeting of October 21, 1969
9th District
Item 75

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 two story office building, with the properties to the north, south and east improved with dwellings, 10 to 25 years of age, in excellent repair. The property to the west is improved with offices and some vacant land. York Road in this location is improved as far as concrete curb and gutter are concerned; however, Locust Drive is not.

BUREAU OF ENGINEERING

General:

An application for a commercial building permit, #0118 (359-58), was reviewed by this office for the subject property and formal comments, dated July 17, 1969, were forwarded to the Bureau of Public Services. Since that office furnished the developer, Mr. Ervin J. Cerveny, with written comments, dated July 25, 1969, we are enclosing herewith two copies of their comments for your consideration. These comments are still valid and remain in effect.

A surface water inlet (catch basin) is required to be installed in the southeast corner of the subject property and connected to the existing storm drain pipe in Locust Drive to receive the surface water flow from this site. The subject plan should be revised to indicate the required storm drainage facilities before holding the hearing.

Ervin J. Cerveny, Esq.,
803 Stoneleigh Road
Baltimore, Maryland 21212
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October 31, 1969

General: (Continued)

York Road is a State Road, therefore, this site will be subject to State Roads Commission review, and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

BUREAU OF TRAFFIC ENGINEERING

The subject screening variance should have no effect on traffic.

BUILDING ENGINEERS' OFFICE

This office has no comment at this time.

FIRE DEPARTMENT

This office has no comment at this time.

BOARD OF EDUCATION

No effect on student population.

HEALTH DEPARTMENT

Since the proposed zoning is for screening only, no health problems are anticipated.

STATE ROADS COMMISSION

The existing entrance is in conformance with State Roads Commission Policy and Standards.

PROJECT PLANNING DIVISION

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

ZONING ADMINISTRATION DIVISION

The petitioner will be required to indicate on his site plan the requirements as set forth in Sec. 409.2 of the Zoning Regulations. This must be done on revised plans prior to the hearing.

The 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 30 days after the date on the filing certificate, will be forwarded to you in the near future.

JOSEPH D. THOMPSON, P.E., C.E.
CIVIL ENGINEERS & LAND SURVEYORS
101 SHELL BUILDING - 200 EAST JOPPA ROAD
TOWSON, MARYLAND 21204 - Valley 3-8820
ZONING DESCRIPTION
6605-6607 YORK ROAD

BEGINNING for the same on the east side of York Road at a point distant 100.00 feet North 12 degrees 02 minutes 50 seconds East from the point formed by the intersection of the east side of said York Road with the north side of Anneslie Road, as shown on the Plat of Anneslie, as filed among the Land Records of Baltimore County in Plat Book No. 7, folio 40 said point of beginning being at the division line between lots No. 7 and No. 6, Block "I" as shown on said Plat and running thence from said beginning and binding on the east side of said York Road and referring all courses to True Meridian, as established by Baltimore County, North 12 degrees 02 minutes 50 seconds East 100.00 feet to the division line between lots No. 3 and No. 2, Block "I", as shown on said Plat, thence leaving the east side of said road and binding on a part of said division line South 78 degrees 56 minutes 10 seconds East 35.00 feet to a point in line with the beginning of a fence there situate, thence leaving said division line and running South 11 degrees 03 minutes 50 seconds West 0.28 feet to the beginning of said fence, thence binding on and along said fence South 77 degrees 04 minutes 50 seconds East 62.43 feet to the end of said fence, thence North 11 degrees 03 minutes 50 seconds East 2.30 feet to the said division between lots No. 3 and No. 2, Block "I", as shown on said Plat, thence binding on a part of said division line South 78 degrees 56 minutes 10 seconds East 27.60 feet to the west side of Locust Drive, as shown on said Plat, thence binding on the west side of said Drive, South 12 degrees 02 minutes 50 seconds West 100.00 feet to said division line between lots No. 7 and No. 6, Block "I", as shown on said Plat, thence leaving the west side of said Drive

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-2-

and binding on said division line North 78 degrees 56 minutes 10 seconds West 125.00 feet to the place of beginning.

BEING AND COMPRISING Part of Lot No. 3 and all of Lots Nos. 4, 5, and 6,

Block "I" as shown on the Plat of Anneslie filed as aforesaid.



JOSEPH D. THOMPSON, P.E. & L.S. NO. 1150

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hendesty, Deputy Zoning Commissioner
FROM: Mr. George E. Gosselin, Director of Planning
Date: November 21, 1969

SUBJECT: Petition 75-105-A, Variance to eliminate the 4 foot screening on the rear property line. East side of York Road 100 feet north of Anneslie Road. Ervin J. Cerveny, Petitioner.

9th District

HEARING: Monday, December 1, 1969 (2:00 P.M.)

The subject petition indicates that the requested variance is being sought to "permit" the application of a revised parking plan for this rear area and to eliminate a "traffic hazard due to lack of visibility." However, the plan submitted to this office does not indicate why it is necessary to void one requirement of the zoning regulations in order to make it possible, presumably, to comply with another. Further, the comment by the Bureau of Traffic Engineering would seem to indicate that there would be no effect "non-specifically," whether the variance is granted or not. If there is, in fact, some legitimate hardship with respect to the subject case, then the solution is not really to remove the existing screening, but to replace it with screening that will both comply with the regulations and alleviate the hardship-obviating the variance procedure.

If the present screening actually does constitute a traffic hazard, then it is in violation of the Zoning Regulations anyway, and should be replaced with non-hazardous screening.



Ervin J. Cerveny, Esq.
803 Stoneleigh Road
Baltimore, Maryland 21212

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 21st day of October, 1969.

JOHN G. ROSE,
Zoning Commissioner

Petitioner: Ervin J. Cerveny, Esq.

Petitioner's Attorney

Reviewed by: [Signature]
Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: NOV 24 1969
Posted for: 30 DAYS
Petitioner: ERVIN J. CERVENY
Location of property: 1/2 of York, 50' So. of Dunline Rd.
Location of Sign: 101 SHELL BUILDING - 200 EAST JOPPA ROAD
Remarks: [Blank]
Posted by: [Signature] Date of return: NOV 24 1969

Zoning Commissioner of Baltimore County

In accordance with the drainage policy for this type development, the Applicant is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suit-

The Applicant is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

George A. Riker, Chief
Bureau of Public Services

Edward A. McMahon
Walter Cross
RMA File
File #357-68 ✓
J. Nolan (Lard)

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By Ruth Morgan

TELEPHONE
523-3000
EXT. 287

INVOICE

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

No. 67078

DATE Dec. 1, 1968

BILLED
BY

TO

G. J. Construction
625 York Road
Baltimore, Md. 21203

Building Dept. of Baltimore County

REPORT TO ACCOUNT NO. **65-428**

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT

\$4.00

DETACH ALONG PERFORATION AND RE-IT THIS PORTION FOR YOUR RECORDS

COST

QUANTITY

DATE

2

Advertising and posting of property
65-428-2

\$4.00

7 4 0 0 0 0 0 0

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

$$\begin{array}{r} 1.2 \\ 2.5 \overline{) 3.0} \\ \underline{5.0} \\ 0.0 \end{array}$$

1st flr. ~ 3941 Sq.ft = 13.1 Sp
2nd flr = 3941 Sq.ft = 7.8 Sp
Total Req Spaces = 20.9 Sp
Parking Provided = 21 Sp

R. 6

Special Exception was
granted By The Zoning
Comm'ee for this work

OFFICE COPY

P. T. Bond RA 179 A.R.A.
 + 210 E. Lexington St.
 Balto. Md-21202.

Scale: 1"=20'

Copied from Survey plat
made by Jas. D. Thompson, Engrt 1150
#200 Leppa Pl., Towson, Md.

