

PETITION FOR A ZONING VARIANCE AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Paul Geresbeck, 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 (1) that the zoning ordinance and special exception be amended, and (2) for a variance from Section 409.2(b), Sub-paragraphs 3 and 6, to permit twenty-one (21) parking spaces instead of the required forty-eight (48) spaces. For the reason that your Petitioner wishes to locate his living quarters in the building that is now being constructed for a food store.

See attached description

and (3) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for living quarters.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do hereby 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.

Contract purchaser: Paul Geresbeck
Legal Owner: Paul Geresbeck
Address: 2201 Eastern Boulevard, Baltimore, Maryland, 21221

Robert J. Romacka
Attorney's Address: 809 Eastern Blvd., 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 15th 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 property be posted, and 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 15th day of November, 1969, at 10:00 o'clock.

Edward D. Hardesty
DEPUTY Zoning Commissioner of Baltimore County

William G. Ulrich, Jr.
Registered Land Surveyor

18 FULLERTON HEIGHTS AVE BALTIMORE, MD 21236

FOR PURPOSE OF ZONING ONLY - All that piece or parcel of land situate lying and being in the Fifteenth Election District of Baltimore County State of Maryland and described as follows: VARIANCE FOR PARKING AND SPECIAL EXCEPTION for living quarters in a B-1 Zone.

Beginning for the same on the southeast side of Eastern Avenue and at the beginning point of the land conveyed by Henry D. Vols, widow, to Paul Geresbeck and Hedwig B. Geresbeck by a deed dated January 16th 1951 and recorded among the land records of Baltimore County in Liber C.L.B. No. 1920 folio 581 etc. said beginning point also being distant 390.00 feet more or less measured north 49 degrees 43 minutes 30 seconds east along the southeast side of Eastern Avenue from the centerline of Kingston Avenue running thence and binding on the first line in said deed and on the southeast side of Eastern Avenue south 49 degrees 43 minutes 30 seconds west 120.00 feet thence leaving the avenue and binding on the second and third lines in said deed the following two courses and distances viz., south 40 degrees 16 minutes 30 seconds east 140.00 feet and north 49 degrees 43 minutes 30 seconds east 120.00 feet to the southwest side of Vols Avenue thence binding on the southwest side of Vols Avenue and on the East line in said deed north 40 degrees 16 minutes 30 seconds west 140.00 feet to the place of beginning.

Containing 0.385 of an acre of land more or less.



William G. Ulrich, Jr.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner
FROM: Mr. George E. Gervell, Director of Planning
Date: December 9, 1969

SUBJECT: Petition 70-109-XA, Special Exception for Living Quarters in a commercial building. Variance to permit 21 parking spaces instead of the required 48 spaces. Southeast side of Eastern Avenue 390 feet east of Kingston Avenue. Paul Geresbeck, Petitioner.

15th District

HEARING: Monday, December 15, 1969 (10:00 A.M.)

The planning staff of the Office of Planning and Zoning will offer a comment on subject petition; however, if it is decided to grant the subject petition, we request that the grant be conditioned upon our approval of a clear site plan (the plan submitted to us is indistinct).



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver L. Myers
FROM: William H. Greenwalt
Date: November 17, 1969

SUBJECT: Item 83 - Zoning Advisory Committee Meeting, October 28, 1969

Health Department Comments: ADDITIONAL

83. Property Owner: Paul Geresbeck
Location: S.W. Cor. of Eastern Ave. & Vols Ave.
District: 15th
Present Zoning: RL
Proposed Zoning: Var. from Sec. 409.2 (b) sub-para. 3e (page spaces) with S.B. for living quarters in commercial zone
No. Acres: 0.385

Since the owner and contractor agree to submit all necessary construction and plumbing plans to this office for review and approval prior to construction of the living quarters, the Department of Health has no objections to assigning a hearing date.

For your information I am attaching a copy of a letter from Mr. Robert J. Romacka regarding the above information.

William H. Greenwalt
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

WNG/ca
Attachment

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 6, 1969

Robert J. Romacka, Esq.,
809 Eastern Blvd.,
Baltimore, Maryland 21221

RE: Type of Hearing: Variance from Section 409.2(b), and for Special Exception for living quarters. Location: S.W. Cor. of Eastern Ave. & Vols Avenue. Petitioner: Paul Geresbeck. Committee Meeting of October 28th, 1969. 15th District. Item 83.

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 recently improved with the full-sized brick store with an auditorium being constructed. The properties to the southeast and northeast are improved with brick and frame buildings, 10 to 20 years of age, in good repair. The property to the southwest is improved with a restaurant and related needs store, with a service station on the corner of Kingston Avenue and Eastern Avenue. The properties to the northeast and north are improved with buildings, with the property on the northeast corner of Harrison Blvd. being improved with a hardware store and a service store. Vols Avenue is not improved as far as concrete curb and gutter are concerned; however, Eastern Avenue is.

BUREAU OF ENGINEERING

Highways

Eastern Boulevard is a State road; therefore, this site will be subject to State Road Commission review and all street improvements and drainage location on this road will be subject to that Commission's requirements.

Vols Avenue is an existing road which is proposed to be improved as a surface drive cloud roadway section with flexible

Robert J. Romacka, Esq.,
809 Eastern Blvd.,
Baltimore, Maryland 21221
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November 6, 1969

Highways: (Continued)

Type pavement within a 40-foot right-of-way. Highway improvements, including a 5-foot wide highway right-of-way widening, will be required in connection with any subsequent building permit applications. Highway widening will also include a filter, 5-foot minimum on each leg, at the intersection with Eastern Boulevard.

Storm Drainage

Eastern Boulevard is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

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

Sediment Controls

Development of this property through striping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewers

Public sanitary sewerage is available to serve this property.

Water

Public water supply is available to serve this property.

PROJECT PLANNING, DESIGN

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

DEPT. OF TRAFFIC ENGINEERING

This office considers the requested variance for parking to be undesirable.

Robert J. Romacka, Esq.,
809 Eastern Blvd.,
Baltimore, Md. 21221
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November 6, 1969

BOARD OF EDUCATION

No bearing on student population.

BUILDING ENGINEERS' OFFICE

Petitioner shall comply with all Baltimore County Building Codes Rules and Regulations. No other comment until drawings have been submitted showing proposed work and existing sections affected.

FIRE DEPARTMENT

Owner shall be required to comply with all Fire Department requirements when inspection is made by an Inspector of the Baltimore County Fire Prevention Bureau; also, Life Safety Code, 1967 edition, Chapter #12, "Mercantile Occupancies".

HEALTH DEPARTMENT

Public water and sewers are available to the site.

Complete plans showing inside plumbing has not yet been submitted to the Division of Food Control; therefore, it is recommended that a hearing date be withheld until these plans are submitted and approved.

STATE ROADS COMMISSION

This plan must be revised to indicate new concrete curbing at the corner of Eastern Ave. and Vols Avenue on a 10' radius. The area from the existing paving at the corner to the new curb must be paved in accordance with State Roads Commission specifications.

The construction at the corner, the closing of the westerly entrance and the construction of the required concrete curb along the right-of-way line of Eastern Avenue and along the perimeter of the parking lot at the corner must be done under permit from the State Roads Commission.

The plan must be revised prior to the hearing. The plan will be subject to State Roads Commission approval.

ZONING ADMINISTRATION DIVISION

The petitioner must submit revised drawings in accordance with the State Roads Commission and Health Department comments prior to the hearing.

ROBERT J. ROMACKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
Baltimore, Maryland 21221

MURDER 6-874

November 11, 1969

Mr. William Greenwalt
Baltimore County Department of Health
Jefferson Building
Towson, Maryland 21204

Re: 2201 Eastern Boulevard

Dear Mr. Greenwalt:

Per our conversation of yesterday afternoon, please be advised that in consideration of your Department allowing the Office of Zoning to set down for hearing my client's Petition for Special Exception for living quarters, my client, Mr. Paul Geresbeck, and the contractor, Colborn Construction Company, hereby agree not to construct any portion of the living quarters that is to be located on top of the food store being constructed at 2201 Eastern Boulevard.

That in the event said zoning is granted, said parties further agree to submit to your Department such building plans and plumbing plans that you may require before giving any final approval for the construction of said living quarters.

Thank you for your kind cooperation in this matter.

Very truly yours,

Robert J. Romacka

RJR/dsl
cc: Mr. Irwin Snyder
cc: Division of Food Control
cc: Mr. Paul Geresbeck
cc: Colborn Construction Co.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty 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.

The above Variance 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 a Living Quarters in a Commercial Building should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17 day of December, 1969, that the above described property be and the same is hereby DENIED.

granted, and after the date of this order, and a Variance to permit twenty-one (21) parking spaces instead of the required forty-eight (48) spaces, is granted. DEPUTY Zoning Commissioner of Baltimore County, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty 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.

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 day of 1969, 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 zone, and or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Robert J. Nowacka, Esq.,
809 Eastern Blvd.,
Baltimore, Md. 21221
Item 83 Page 4

November 5, 1969

ZONING ADMINISTRATION DIVISION (Continued)

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. NYERS, Chairman

ULH:JD
Enc.

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
FOR LIVING QUARTERS IN A COMMERCIAL BUILDING
LOCATION: Southeast side of Eastern Avenue 300 feet west of the intersection of Eastern Avenue and the east side of Kingston Avenue.
DATE: 11/10/69, MONDAY, 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 for Special Exception for Living Quarters in a Commercial Building.

Petition for Variance from the Zoning Regulations of Baltimore County to permit 21 parking spaces instead of the required 48 spaces. The Zoning Regulations to be amended are as follows:

Section 402.2 (b) - 4. Parking spaces shall be provided to meet the needs of the proposed use. The minimum number of parking spaces shall be as follows:

For the first 100 square feet of the lot, one parking space for each 100 square feet of lot area. For the balance of the lot, one parking space for each 200 square feet of lot area.

For the first 100 square feet of the lot, one parking space for each 100 square feet of lot area. For the balance of the lot, one parking space for each 200 square feet of lot area.

Containing 0.385 of an acre of land more or less. Being the property of Paul G. Nowacka, as shown in plat filed with the Zoning Department, Meeting Date: Monday, December 15, 1969 at 10:00 A.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. BY ORDER OF EDWARD D. HANDESTEY, Deputy Zoning Commissioner of Baltimore County.

Nov. 27, 1969

OFFICE OF THE ESSEX TIMES
ESSEX, MD. 21221 December 3, 1969

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. HandesteY, Deputy 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 3rd day of Dec., 1969 that is to say, the same was inserted in the issue of November 27, 1969.

STROMBERG PUBLICATIONS, INC.

By: Basil Hagen

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland # 70-107-XA

District: 154 Date of Posting: Nov. 26, 1969

Posted to: Henry Monday, Dec. 15, 1969, 9:16 a.m. M.O.

Petitioner: Paul G. Nowacka

Location of property: 350 ft. Eastern Ave. 300 ft. East of Kingston Ave.

Location of Signs: 2 1/2 ft. tall, 4 ft. wide, 2 1/2 ft. tall, 4 ft. wide.

Remarks: Velly, one

Posted by: Mark N. News Signature Date of return: Dec. 4 - 69

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HARRISON BLVD

R-G

EASTERN AVENUE
(SEC. SEC. PLAT. 1894)

MACADAM PAVING

N 17° 45' 00" E

270'

390'

MACADAM

MACADAM

MACADAM

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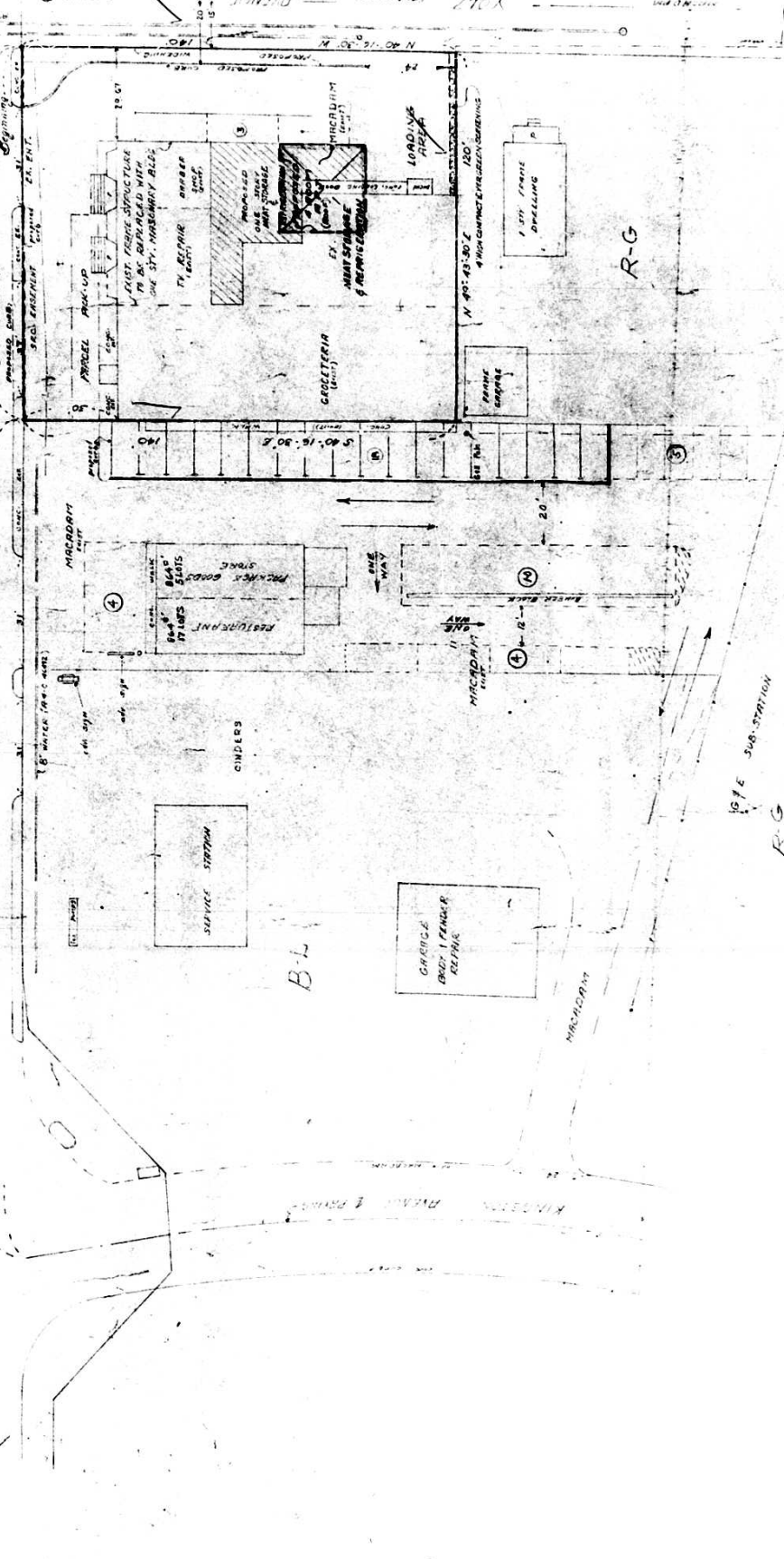
MACADAM

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R-G

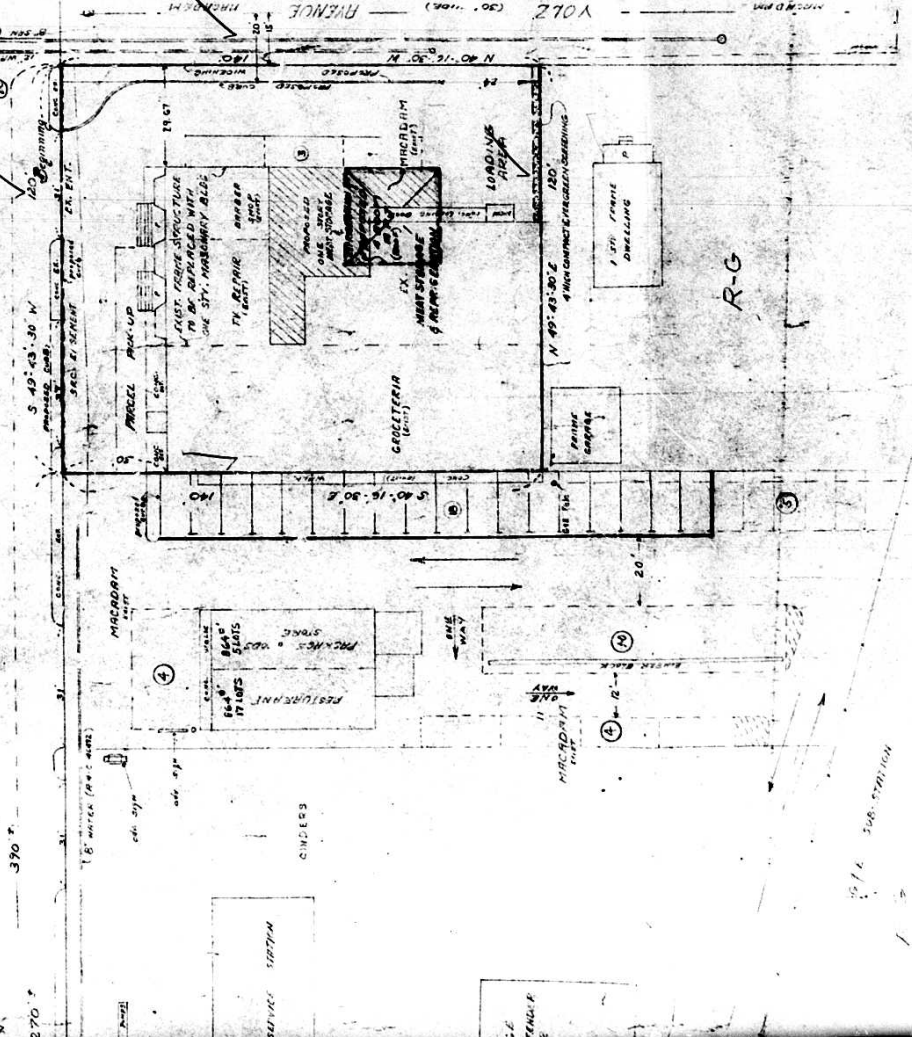
1916 SUB-STATION
R-G

FOR THE PURPOSE OF ZONING ONLY
PROPERTY OF MR. PAUL GEESEBROEK
3201 EASTERN AVENUE
18th ELECTION DISTRICT OF BALTIMORE COUNTY, MD
TITLE NOT G.L.B. 1110-410-581



R-G

EASTERN AVENUE
(SEC SEC PLAT 4874)



B-L

#70-109 XA

OFFICE COPY

MAP 4-B
EASTERN
AREA
NE-3-I

"X" A

PRESENT ZONING: B-L
GROSS AREA: 41,000 SQ FT
ONE STORY MASONRY BLDG. (PROP) = 14,100 SQ FT
PLUS ONE STORY MASONRY BLDG. = 1,400 SQ FT
MEET STORAGE, RECEPTION, LOBBY, 2,200 SQ FT
TOTAL FLOOR SPACE: 34,500 SQ FT
PARKING SPACES REQUIRED: 47
SPACES: 48

REQUESTED VARIANCE TO SECTION 409.26
(TABLE 3.1.5) TO PERMIT 21 PARKING SPACES
INSTEAD OF THE REQUIRED 48 PARKING SPACES.
SPECIAL EXCEPTION TO PERMIT LIVING
QUARTERS IN A B-L ZONE

NOTE: PLAN REVISED OCTOBER 1, 1969 FOR SPECIAL
EXCEPTION FOR LIVING QUARTERS IN A B-L ZONE AND
PARKING VARIANCE OF 18 SPACES INSTEAD OF 47

WILLIAM M. WILSON JR.



WILLIAM M. WILSON JR.
CIVIL ENGINEER & LAND SURVEYOR
COUNTY HOUSE
SCALE 1" = 20'

F-2



FOR THE PURPOSE OF ZONING ONLY
FROM A 1/4 AC. PL. 1001, DEFELECT
3001 EASTERN AVENUE
1/4 AC. PL. 1001, DEFELECT
WILLIAM WILSON JR. 1001

THE
MAYOR

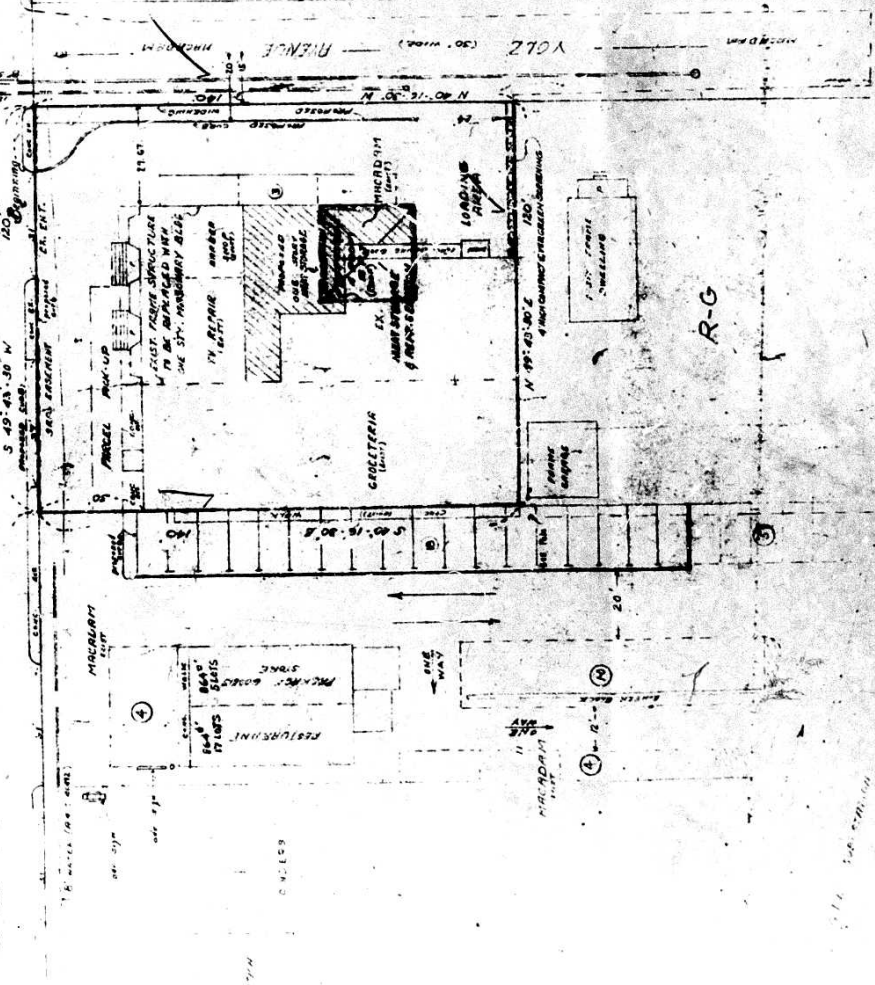
HARRISON
BLVD

R-G

GRASS

EASTERN
AVENUE
(JOC 885 PLAT 4894)

3%



B-L

#70-103 X 4

OFFICE
COPY

MAP 4-B
EASTERN
AREA
NE-3-I
4X 4"

PRESENT ZONING - B-L
PROPOSED - 4125 SQ FT
ONE STORY MASONRY BLDG (PROJ) 1 1/2 MI SQ FT
CROP AND STREY MASONRY BLDG 23 1/2
4 MEAT AND 1/2 BLDG 9434 SQ FT
PARKING SPACES REQUIRED 48
H 1/2 1/2

REQUESTED VARIANCE TO SECTION 408.25
(PAR 3.65) TO PERMIT 21 PARKING SPACES
INSTEAD OF THE REQUIRED 48 PARKING SPACES
SPECIAL EXCEPTION TO PERMIT VARIANCE
QUARTERS IN A B-L ZONE

NOTE: PLAN REVISED OCTOBER 1, 1964 AND SPECIAL
EXCEPTION THE ZONING CODES IN A B-L ZONE AND
PARKING VARIANCE OF 48 SPACES INTEND OF 27
William D. Wilson, Jr.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE 11/17/64

WILLIAM D. WILSON, JR.
COUNTY SURVEYOR
CIVIL ENGINEER & LAND SURVEYOR
COUNT HOUSE
SCALE 1/4" = 1' 0"
DECEMBER