

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Charles Gebhard, 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 405.4 A-2(a) To permit a front yard setback of 1 foot for a canopy instead of the required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
The erection of the proposed canopy will enable Midway Enterprises, Inc. to better serve the motoring public by providing protection from the elements during inclement weather.

Because of the location of the existing pump island, the proposed canopy cannot meet the required setback; therefore, a practical difficulty exists.

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 Charles Gebhard Legal Owner
Address 40 Liberty Parkway Baltimore, Maryland 21222
Petitioner's Attorney _____ Protester's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day

of November 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 108, County Office Building in Towson, Baltimore County on the 18th day of December 1969 at 10:00 o'clock.

Edward D. Hardesty
DEPUTY Zoning Commissioner of Baltimore County.
(over)

Description of Property
6902 Holabird Avenue District No. 12

Said property being known and designated as Lots 22, 23, 24, 25 & 26 of block C of Fairlawn as shown on the plat of said property recorded among the plat records of Baltimore County in plat book W P L 40.5 folio 100.

Beginning for the same at a point on the north side of Holabird Ave. said point of beginning being easterly 50 feet from the intersection formed by the north side of Holabird Ave. and the east side of Tolson Ave. and running thence northerly along the dividing line between Lot Nos. 25 & 27 N 5° 40' 35" W 131.91' to the south side of a 10' alley thence binding on the south side of said 10' alley S 85° 21' 25" W 129' to the eastern most property line dividing lots 21 & 22 thence southerly along said line N 4° 55' 35" W 130.32' to the north side of Holabird Ave., thence westerly along said line S 81° 39' 25" W 123' to the place of beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner Date: December 11, 1969

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

SUBJECT: Petition #70-114-A. Variance to permit a front yard setback of 1 foot for a canopy instead of the required 10 feet. North side of Holabird Avenue 50 feet east of Tolson Ave. Charles Gebhard, Petitioner.

12th District

HEARING: Thursday, December 18, 1969 (10:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers no adverse comment with respect to the variance requested. We recommend, however, that certain portions of the petitioner's site plan—particularly the landscaping items—be more fully detailed before the plan is evaluated under Paragraph C of Subsection 405.8 of the Zoning Regulations.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 671
DATE
To: Cash
Billed
Billing Dept. of Baltimore County
TELEPHONE 222-3000 EXT. 367
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

OFFICE OF THE DUNDALK TIMES
DUNDALK, MD. 21222 December 4, 1969
THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, Deputy Zoning Commissioner of Baltimore County was inserted in THE DUNDALK TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 4th day of Dec., 1969 that is to say, the same was inserted in the issue of November 27, 1969.
STROMBERG PUBLICATIONS, Inc.
By: Paul Morgan

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

OLIVER L. AYERS
Chairman

MEMBERS:

BRUCE L. HARRIS
Engineering

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PLANNING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

November 17, 1969

Mr. Charles Gebhard
40 Liberty Parkway
Baltimore, Maryland 21222

RE: Type of Hearing: Variance
to permit front yard setback
Location: 1/2 of Holabird Ave.,
50' E. of Tolson Ave.
Petitioner: Charles Gebhard
Committee Meeting of November 4th, 1969
12th District
Item B)

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 with a service station and general offices for Midway Oil. The property to the north is improved with dwellings, as well as the property to the east and the south. The property to the west is improved with a parking ground. Holabird Avenue in this location is improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways:

Holabird Avenue has been improved in recent years as a 40-foot closed roadway section with bituminous concrete paving within the existing 50-foot right-of-way and no further roadway improvements are required at this time. However, the existing driveway entrances are excessive in width and should be reconstructed to conform to Baltimore County standards which restrict the width to 35 feet maximum and require the entrances to be a minimum of 7 feet from either side of property line.

The 10-foot alley adjacent to the rear of the property is for residential use only, and vehicular access to this property from the alley will not be permitted. The plan does not show

Mr. Charles Gebhard
40 Liberty Parkway
Baltimore, Maryland 21222
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November 17, 1969

Highways: (Continued)

the existing means of access to this property from Tolson Avenue, which is located immediately adjacent to and on the south side of the 10-foot alley. The status of this paved entrance should be indicated on the subject plan.

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.

Water:

Public water supply is available to serve this property.

Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

BUILDING ENGINEERS' OFFICE:

Petitioner to comply with Baltimore County Building Codes, Rules and Regulations.

FIRE DEPARTMENT:

This office has no comment at this time.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

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

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject variance should have no major effect on traffic.

Mr. Charles Gebhard
40 Liberty Parkway
Baltimore, Maryland 21222
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November 17, 1969

ZONING ADMINISTRATION DIVISION:

Upon field investigation of the subject property it revealed that the petitioner is using the rear portion of the package goods store for an access to this particular lot. The entire holdings of the petitioner will be required on an overall site plan. The petitioner will be required to meet all requirements as to an existing service station according to Bill No. 40.

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 10, 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. AYERS, Chairman

ENCLD

Enc.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 12th Date of Posting: Nov. 22nd 1969
Posted for: Thursday, Dec. 18, 1969
Petitioner: Charles Gebhard
Location of property: 1/2 of Holabird Ave. 50' E. of Tolson Ave.
Location of Sign: On the front of the building on the corner of Holabird Ave.
Remarks: _____
Posted by: Paul Morgan Signature Date of return: Nov. 27, 1969

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 N. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this _____ day of _____, 1969.
Petitioner: Charles Gebhard
Petitioner's Attorney: _____
Reviewed by: John C. Rose
Chairman of the Zoning Commission
Advisory Committee

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 variance to permit a front yard setback of 1 foot for a canopy inread of the required 10 feet should be granted.

the above Variance should be granted, and it further appearing that by reason of the following

variance should be granted. Deputy Zoning Commissioner of Baltimore County

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of December, 1962, 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 front yard setback of 1 foot for a canopy instead of the required 10 feet, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Edward D. Hardesty
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 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 variance to permit a front yard setback of 1 foot for a canopy inread of the required 10 feet should be granted.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of December, 1962, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR A VARIANCE
12th DISTRICT

ZONING: Petition for Variance for a Front Yard.

LOCATION: North side of Holabird Avenue 34 feet East of Tolson Avenue

DATE & TIME: Thursday, December 15, 1962 at 10:00 A.M.

PUBLIC HEARING: Room 104, 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 on the Petition for Variance from the Zoning Regulations of Baltimore County to permit a front yard setback of 1 foot for a canopy instead of the required 10 feet.

The Zoning Regulations to be amended as follows:

Section 10-5.4 A-2(14) - The canopy shall be not less than 10 feet from each right of way or less than 31 feet from each corner.

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

RESISTING THE PETITION: The lot is a point on the north side of Holabird Ave. said point of beginning being corner 34 feet from the intersection formed by the north side of Holabird Ave. and the east side of Tolson Ave. and running thence northerly along the dividing line between Lots Nos. 24 & 27 N 5° 40' 35" W 121.81' to the north side of a 10' alley thence westerly on the south side of said 10' alley S 53° 4' 13" W 1' 25' to the eastern most property line of divided Lots 21 & 22 thence southerly along said line N 4° 15' 25" W 124.57' to the north side of Holabird Ave. thence westerly along said line S 51° 25' 35" W 135' to the place of beginning.

Being the property of Charles Goldhard, & shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, December 15, 1962 at 10:00 A.M.

Public Hearing: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
EDWARD D. HARDESTY
Deputy Zoning Commissioner of Baltimore County
Nov. 27.

CERTIFICATE OF PUBLICATION

TOWSON, MD., NOV 27 1962, 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 18th day of December, 1962, the first publication appearing on the 27th day of November 1962.

THE JEFFERSONIAN,

L. Leank Struth
Manager.

Cost of Advertisement, \$

TELEPHONE 823-3000 EXT. 387	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204	No. 67068 DATE Nov. 28, 1962 BILLED BY
To: Curtis Enterprises, Inc. 4225 Industrial Ave. Baltimore, Md. 21222 Zoning Dept. of Baltimore County		
DEBIT TO ACCOUNT NO. 62-422		TOTAL AMOUNT \$25.00
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST
2500	Petition for Variance for Charles Goldhard 27-12-62	25.00
4		
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204		

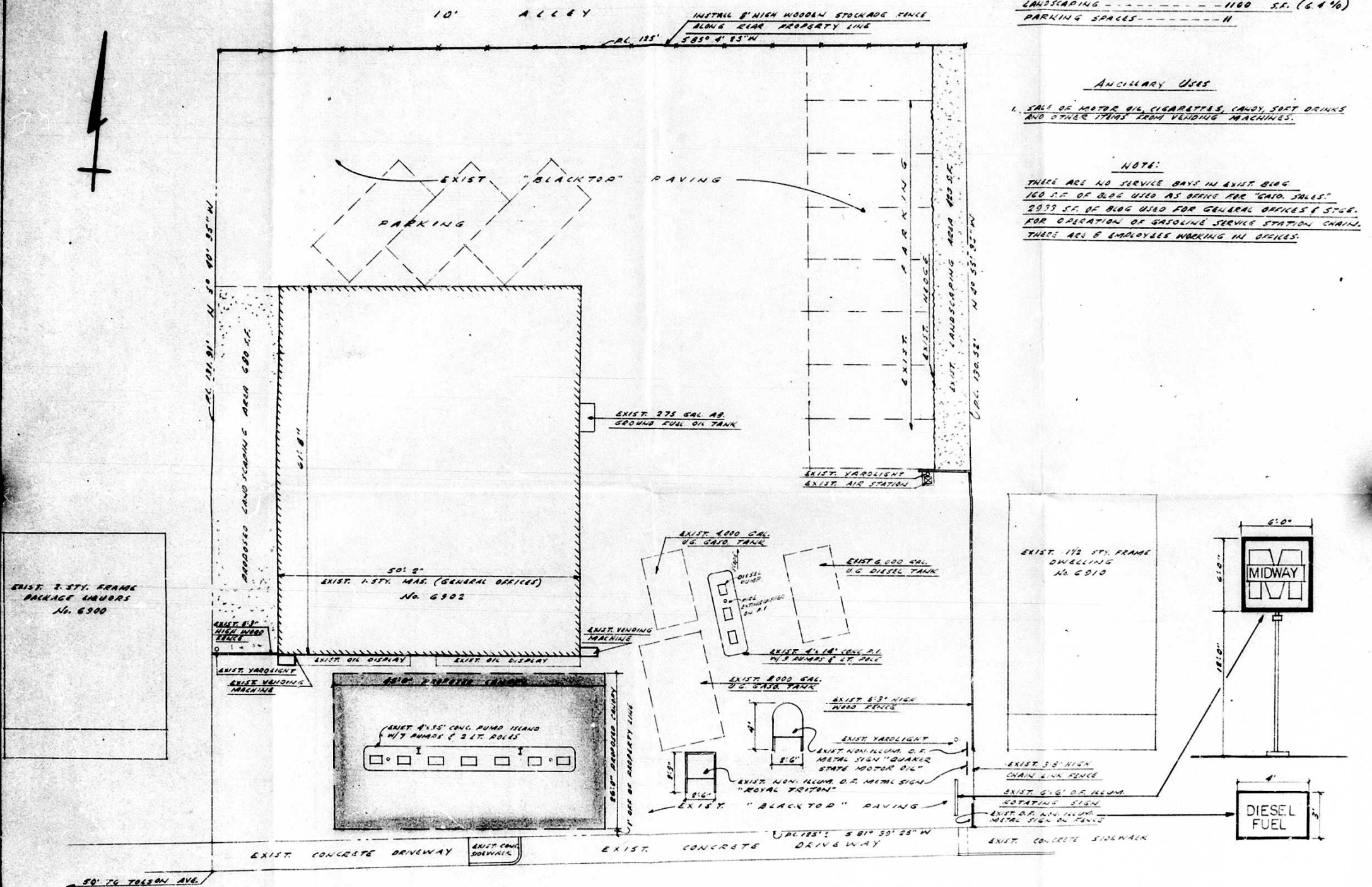
EXISTING ZONE:-----BL
 EXISTING DISTRICT:-----
 AREA OF DEVELOPMENT-----17,184 S.F.
 LANDSCAPING-----1100 S.F. (6.4%)
 PARKING SPACES-----11

Auxiliary Uses

1. SALE OF MOTOR OIL, CIGARETTES, CANDY, SOFT DRINKS AND OTHER ITEMS FROM VENDING MACHINES.

NOTE:

THERE ARE NO SERVICE BAYS IN EXIST. BLDG.
 100 S.F. OF BLDG. USED AS OFFICE FOR "GEN. SALES."
 2039 S.F. OF BLDG. USED FOR GENERAL OFFICES & STGE.
 FOR OPERATION OF GASOLINE SERVICE STATION CHAIN.
 THERE ARE 6 EMPLOYEES WORKING IN OFFICES.



HOLABIRD AVENUE (50' W)

SCALE: 1/8" = 1'-0"

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: *[Signature]*
 DATE: 2/2/70
 ZONING COMMISSIONER
 DATE: 2/2/70

EXISTING FACILITIES SKETCH
 MIDWAY ENTERPRISES INC.
 6902 HOLABIRD AVENUE - BALTIMORE COUNTY, MD.
 OCTOBER 8, 1969

THIS PLAN WAS COMPILED FROM
 TITLE AND OTHER SOURCES AND
 IS NOT AN AUTHENTIC SURVEY

