

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the 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 232.1, 232.2, and 232.3, under Section 232.1, to permit a front yard setback of 0 feet instead of the required 10 feet; under Section 232.2, to permit side yard setbacks of 0 feet from the southernmost property line instead of the required 10 feet; and, under Section 232.3, to permit a rear yard setback of 0 feet instead of the required 20 feet.

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

Erection of an appropriate and functional building on the premises would be extremely difficult without relief from set-back requirements.

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: 9804 LIBERTY AVENUE
Baltimore, Maryland 21207

Legal Owner
Address: 9804 LIBERTY AVENUE
Baltimore, Maryland 21207

Petitioner's Attorney
Address: 100 N. HANCOCK ST.
Baltimore, Maryland 21204

Protestant's Attorney
Address: 100 N. HANCOCK ST.
Baltimore, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of February, 1970.

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers: general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission on Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 2nd day of February, 1970, at 11:00 A.M.

John W. Hession, III
P.O. Box 6092
Towson, Maryland 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 28, 1969

John W. Hession, III
P.O. Box 6092
Towson, Maryland 21204

RE: Type of Meeting: Variance for front, side and rear yards
Location: S.W. Cor. of Annapolis Rd. & Yarnall Rd.
Petitioner: F. B. Silverstone
Committee Meeting of November 18, 1969
13th District
Item 96

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 located on the west side of Annapolis Road. There are row houses to the rear of the subject property on the west side; to the south is the Baltimore Harbor Tunnel approach roads to the north there are existing group homes.

DEPT. OF TRAFFIC ENGINEERING:

The parking plan as shown for the subject petition is not satisfactory.

PROJECT PLANNING DIVISION:

The parking area shown will not work and the plan should be revised to make a workable parking plan.

The two (2) parking spaces directly off the alley are not acceptable as the vehicle drivers could not see any cars traveling east in the alley.

Robert C. Norris, Reg. Surveyor
Old Court Road, Balto., Md.

Description for a parcel of land on the Southwest corner of Yarnall and Annapolis Roads.

Beginning for the same at the point of intersection of the Southernmost side of Yarnall Road and the West side of Annapolis Road, as shown on a plat called Friendship Gardens and filed in the Land Record office of Balto. Co. in Plat Book No. 22 folio 21, thence running in a Northwesterly direction and on the South side of Yarnall Road on a curve having a radius of 25 feet for a distance of 34.81 ft., thence running along the South side of Yarnall Rd. on a curve having of 2560 ft. for a distance of 30.67 ft.; thence running South 12 degrees 44 minutes West 114.82 ft. to the North side of an alley; thence running along the North side of said alley South 77 degrees 16 minutes East 83.96 ft. to the West side of the Annapolis Road; thence running along the West side of said road on a curve having a radius of 2698.87 ft. in a Northerly direction for a distance of 101.36 ft. to the point of beginning.

Being all of Lot No. 50, Block B, of Friendship Gardens.

PETITION FOR A VARIANCE

13th DISTRICT

Position for Variance for Front, Side and Rear Yards.

Southwest corner of Annapolis and Yarnall Roads.

DATE & TIME: MONDAY, FEBRUARY 2, 1970 at 11:00 A.M.

PUBLIC HEARING: Room 100, 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:

Position for Variance from the Zoning Regulations of Baltimore County to permit a front yard setback of 7 feet instead of the required 10 feet; and to permit a side yard setback of Zero feet from the southernmost property line instead of the required 10 feet; and to permit a rear yard setback of Zero feet instead of the required 20 feet.

The Zoning Regulation to be accepted as follows:

Section 232.1 - Front Yard - 10 feet
Section 232.2 - Side Yard - 10 feet
Section 232.3 - Rear Yard - 20 feet.

All that parcel of land in the Thirteenth District of Baltimore County

Being the property of F. B. Silverstone, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, February 2, 1970 at 11:00 A.M.
Public Hearing: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
EDWARD D. HANDESTY
DEPUTY ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Handesty, Deputy Zoning Commissioner
FROM: Mr. George E. Gevelis, Director of Planning
SUBJECT: Petition 70-141-A. Variance to permit a front yard of 7 feet instead of the required 10 feet; and to permit a side yard of Zero feet from the southernmost property line instead of the required 10 feet; and to permit a rear yard of Zero feet instead of the required 20 feet. Southwest corner of Annapolis and Yarnall Roads. F. B. Silverstone, Petitioner.

13th District

HEARING: Monday, February 2, 1970 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for variances. We are appalled at not the spirit of this request but more precisely at its details. The petitioner proposes to erect a 5000 square foot commercial structure with parking on a tract across the street. Sufficient parking has not been provided in a manner that would accommodate normal retail clientele - the parking is across the street from the commercial use and it doesn't work. We believe that the spirit and intent of the Zoning Regulations would be violated by the precise requests of this petition in that there would be an adverse effect on adjoining residential properties, overcrowding of land would occur, traffic congestion would be created, and customers would park in the streets to the detriment of the group house dwellers rather than the parking lot.

GEG:ms



BUREAU OF ENGINEERING

Zoning Plat - Comments

96. Property Owner: F. B. Silverstone
(1969-1970)
Location: S.W. C. r. of Annapolis Rd. & Yarnall Rd.
District: 13th
Present Zoning: RL
Proposed Zoning: Var. from Sec. 232.1, 232.2, 232.3 (front, sides, rear)
No. Acres: 0.18

General:

Any entrance locations from Yarnall Road or the Service Drive are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 5-foot minimum radius curb returns, shall be located a minimum of 7 1/2 feet from any property line, and shall be constructed in accordance with Baltimore County Standards for 7-inch concrete entrance.

Prior to removal of any existing curb for entrances, the Applicant shall obtain a permit from the Bureau of Public Services, Attention Mr. C. E. Brown, 199-3321.

It shall be the responsibility of the Applicant's engineer to clarify all rights-of-way within the property and to indicate such action that may be necessary to abandon, widen or extend said rights-of-way. The Applicant shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The alleyways adjacent to the site are for residential use only. Therefore, the Applicant shall provide means to prevent egress or ingress of vehicular traffic.

Annapolis Road (U.S. 301) is a State Road; therefore, this site may be subject to State Road Commission review and all street improvements and entrance locations on this road will be subject to State Road Commission requirements.

All utilities exist, although an additional fire hydrant may be required, and all Baltimore County highway improvements have been completed in connection with the development of "Friendship Gardens" of which the subject property is a part.

Follow:

C-102 Key Sheet
24 & 25 "N & S Position Sheet
24 & 25 "E & W Top
100' Scale

CERTIFICATE OF PUBLICATION

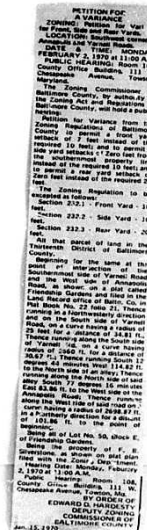
BALTIMORE COUNTY, MD. January 29, 1970

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one consecutive weeks before the 2nd day of February, 1970, the last publication appearing on the 2nd day of January.

18 79

THE TIMES

Cost of Advertisement \$ 24.00
Purchase Order # 6350
No. 1001141-141-A



ORDER RECEIVED FOR FILING

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 Variances 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 a further finding that by reason of

to permit a front yard setback of seven (7) feet instead of the required ten (10) feet; to permit a side yard setback of zero (0) feet from the southernmost property line instead of the required ten (10) feet; and to permit a Variance a rear yard setback of zero (0) feet instead of the required twenty (20) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17

day of March, 1967, 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 seven (7) feet instead of the required ten (10) feet; to permit a side yard setback of zero (0) feet from the southernmost

property line instead of the required ten (10) feet; and to permit a rear yard setback of zero (0) feet instead of the required twenty (20) feet, subject to approval of the site plan by the State Road Commission, the Bureau of Public Works, the Department of Health, the Department of Public Safety, the Department of Social Services and the Office of Planning and Zoning.

and it is further ordered that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1967, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR A VARIANCE
10th DISTRICT
Baltimore County, Maryland
Petitioner: F. B. Silverstone
Address: 111 W. Chesapeake Avenue, Towson, Maryland 21204
The Petitioner requests that the Zoning Commission of Baltimore County, Maryland, grant a Variance from the Baltimore County Zoning Regulations, as follows:
1. To permit a front yard setback of seven (7) feet instead of the required ten (10) feet.
2. To permit a side yard setback of zero (0) feet from the southernmost property line instead of the required ten (10) feet.
3. To permit a rear yard setback of zero (0) feet instead of the required twenty (20) feet.
The Petitioner states that the above Variance is necessary for the proper development and use of the property, and that the granting of the Variance will not be injurious to the public health, safety and general welfare of the locality involved.

CERTIFICATE OF PUBLICATION

TOWSON, MD. JANUARY 15, 1970
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 consecutive weeks before the day of FEBRUARY, 1970, the first publication appearing on the day of JANUARY, 1970.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 10th
Date of Posting JAN 17 1970
Posted for: VARIANCE TO PERMIT A FRONT YARD SETBACK OF SEVEN (7) FEET INSTEAD OF THE REQUIRED TEN (10) FEET; TO PERMIT A SIDE YARD SETBACK OF ZERO (0) FEET FROM THE SOUTHERNMOST PROPERTY LINE INSTEAD OF THE REQUIRED TEN (10) FEET; AND TO PERMIT A REAR YARD SETBACK OF ZERO (0) FEET INSTEAD OF THE REQUIRED TWENTY (20) FEET.
Location of property: 111 W. Chesapeake Avenue, Towson, Md.
Location of Signs: 1. 111 W. Chesapeake Avenue, Towson, Md. 2. 111 W. Chesapeake Avenue, Towson, Md. 3. 111 W. Chesapeake Avenue, Towson, Md.
Remarks:
Posted by: F. B. Silverstone Date of return: JAN 30 1970

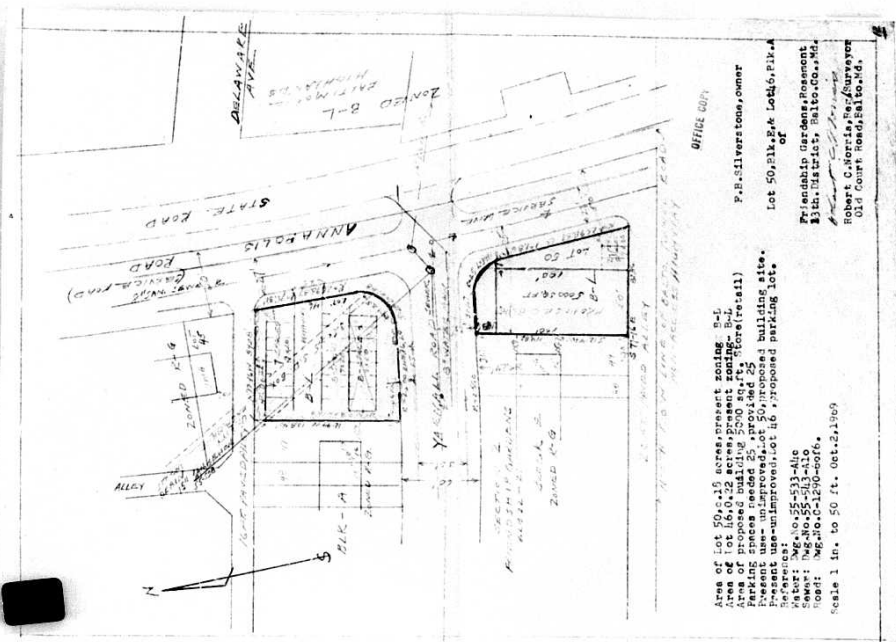
John M. Hamilton, III
P.O. Box 682
Towson, Maryland 21204
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of November, 1969.

Petitioner: F. B. Silverstone
Petitioner's Attorney: John M. Hamilton, III
Reviewed by: [Signature]
Chairman of Advisory Committee

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Jan 13, 1970
No. 67128
To: F. B. Silverstone
2001 Liberty Ave.
Baltimore, Md. 21207
Zoning Dept. of Baltimore County
REPORT TO ACCOUNT NO. 67-422
QUANTITY: 1
UNIT PRICE: \$25.00
TOTAL AMOUNT: \$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
DATE: Feb 12, 1970
No. 69282
To: F. B. Silverstone
2001 Liberty Ave.
Baltimore, Md. 21207
Zoning Dept. of Baltimore County
REPORT TO ACCOUNT NO. 67-422
QUANTITY: 1
UNIT PRICE: \$58.00
TOTAL AMOUNT: \$58.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204



Area of lot 50,000 sq. ft. (1.15 acres) present zoning B-1
Area of lot 16,000 sq. ft. (0.37 acres) present zoning B-1
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