

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Cora Bryant, Bonnie Bryant,
Hubert Bryant, et al.
I, or we, as 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.

1. For a Variance from 238.1 (front yard set back) to 238.2 (side yard set back) to permit a side yard setback of 0' instead of the required 30'; and to permit a distance between buildings of 40 feet instead of the required 60 feet.

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

a. Front yard set backs of nearby business structures are less than fifty (50) feet, and it would be detrimental to applicant if their buildings had to set back a further distance.

b. Side yard set backs of surrounding business buildings are less than thirty (30) feet, and it is impossible for applicants to develop their property in a feasible manner unless they can build to the property line as this will allow free access to and circulation on the property.

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

Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of January, 1967, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of February, 1967, at 10:30 o'clock

County, on the 16th day of February, 1967, at 10:30 o'clock

DEPUTY Zoning Commissioner of Baltimore County

(over)

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1000 Cromwell Bridge Rd., Baltimore, Md. 21204. Tel. 301 623-0900

DESCRIPTION

1.47 ACRE PARCEL, MORE OR LESS, NORTH SIDE OF BALTIMORE NATIONAL PIKE, WEST OF ROLLING ROAD, ELECTION DISTRICT #1, BALTIMORE COUNTY, MARYLAND.

This Description is for "B-R with Front & Side Yard Variances"

Beginning for the same at a point on the north side of Baltimore National Pike, 150' wide, at the distance of 606 feet, more or less, as measured westerly along said north side of Baltimore National Pike from the southwest end of the gusset line connecting said north side of Baltimore National Pike with the west side of Rolling Road, as shown on State Roads Commission of Maryland Plat 4492, running thence, binding on said north side of Baltimore National Pike, (1) N 6° 00' W - 170.00 feet to a point, thence (2) N 26° 00' E - 378 feet, more or less, to intersect the third line of Baltimore County Zoning Description 1-BR-15, thence binding on said third line of said description, (3) southeasterly, 170 feet, more or less, thence (4) S 26° 00' W - 375.5 feet, more or less to the place of beginning. Containing 1.47 acres of land, more or less.

RLS:mp1 J.O. #69212 November 12, 1969

Water Supply & Sewerage Engineering, Highways, Structures, Developments, Planning, Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hordesty, Zoning Commissioner Date: February 20, 1970

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

SUBJECT: Petition #70-163-A. Variance to permit a front yard setback of 40 feet instead of the required 50 feet; and to permit a side yard of 20 feet instead of the required 30 feet; and to permit a distance between buildings of 40 feet instead of the required 60 feet. North side of Baltimore National Pike 606 feet west of Rolling Road. Hubert Bryant, et al, Petitioners.

1st District

HEARING: Thursday, February 26, 1970 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for variances to the requirements for a side yard and front yard setback, in business roadside zoning. If the proposed building is to be in line with a 40 foot setback authorized by variance for the adjacent property to the east, we offer no adverse comment on the front yard variance. Similarly, we voice no objection to the zero foot side yard on the easterly property line since the building would be joined with that proposed to be on an adjoining property. We are not in accord with the requested variance for no side yard on the westerly property line. More rational development would occur if the two separate buildings were joined into one building with a 40 foot side yard and a driveway along the westerly property line.

GEG:bms



INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 69308
DATE Feb. 24, 1970
Billed By: Billing Dept. of Baltimore County

REPORT TO ACCOUNT NO. 01-022
COUNTY
DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
TOTAL AMOUNT DUE \$25.00
COST
Advertising and posting of property for Hubert Bryant #70-163-A
4
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. 69265
DATE Feb. 2, 1970
Billed By: Billing Dept. of Baltimore County

REPORT TO ACCOUNT NO. 01-022
COUNTY
DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
TOTAL AMOUNT DUE \$25.00
COST
Petitioner Variance for Hubert Bryant, et al #70-163-A
4
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 17, 1969

Wm. F. Mosner, Esq.,
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Type of Hearings: Variance
for front and side yard setback
Location: N/S of Baltimore National Pike, 606' W. of Rolling Rd.
Petitioner: Hubert Bryant, et al
Committee Meeting of December 9, 1969
1st District
Item 114

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 dwelling, with the property to the west zoned BR, which would have no use. The property to the east will be improved with the proposed service garage. The property to the north on the north side of Powers Lane is improved with dwellings. The properties to the south are improved with motel and shopping center and a Gino's restaurant. Baltimore National Pike along the entire frontage of the property is not improved as far as concrete curb and gutter are concerned.

DEPARTMENT OF TRAFFIC ENGINEERING

The subject plan should be revised to show what use is proposed for the 30 foot drive in front of the two retail uses. The petitioner or his engineer should contact this office prior to any revision to the subject plan.

PROJECT PLANNING DIVISION:

This office concurs with the Department of Traffic Engineering and State Roads Commission comments.

FIRE DEPARTMENT:

This office has no comment at this time.

Wm. F. Mosner, Esq.,
21 W. Susquehanna Avenue
Towson, Maryland 21204
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December 17, 1969

BUILDING ENGINEERS' OFFICE:

This office has no comment until plans are submitted.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

Public water is available to the site; public sewer is under construction.

Air Pollution Comments: The building or buildings on this site would be inclined to make left turns from the east-bound lane of Route 40 through the median crossover and into the entrance. In order to make this movement, the motorist would be going against traffic west bound on Route 40, thereby causing a traffic hazard. To minimize the traffic hazard, the proposed entrance must be moved near the west property line in order to make the movement mentioned above easier. An alternative would be to move the entrance near the east property line to discourage the movement.

STATE ROADS COMMISSION:

There is a high steep bank fronting the site that must be graded in order to provide a grade for the proposed entrance of no greater than 3%.

The location of the proposed entrance is such that motorists would be inclined to make left turns from the east-bound lane of Route 40 through the median crossover and into the entrance. In order to make this movement, the motorist would be going against traffic west bound on Route 40, thereby causing a traffic hazard. To minimize the traffic hazard, the proposed entrance must be moved near the west property line in order to make the movement mentioned above easier. An alternative would be to move the entrance near the east property line to discourage the movement.

The plan must be revised prior to the hearing date being assigned.

The entrance will be subject to State Roads Commission approval and permit.

ZONING ADMINISTRATION DIVISION:

In view of the comments by the State Roads Commission and the confirmation by the Dept. of Traffic Engineering, this office is withholding a hearing date until such time as their comments are complied with. The petitioner indicates two variances: one to front yard and one to the side yard. It appears that another variance will

Wm. F. Mosner, Esq.,
21 W. Susquehanna Avenue
Towson, Maryland 21204
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December 17, 1969

ZONING ADMINISTRATION DIVISION: (Continued)

will be required to permit the 40 ft. between two buildings instead of the required 60 ft. It is suggested that the petitioner's attorney contact this office with regard to adding this variance to this petition. The 40 ft. proposed for the front yards of the proposed buildings does not indicate any use for that property. If in fact, the petitioner proposes to use this area for parking, the parking must be shown on the site plan. If no use is proposed for this area, it is suggested that the petitioner channelize this area from the planned entrance to the proposed 5 ft. walk in order to prevent parking in these areas.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JO
Enc.

BUREAU OF ENGINEERING

Zoning Plat - Comments

114. Property Owner: Hubert Bryant, et al
(1969-1970)
Location: N/S of Baltimore National Pike, 606' W. of Rolling Rd.

District: 1st
Present Zoning: B.R. and R-10
Proposed Zoning: Var. from Sec. 238.1 (front yard); 238.2 (side yard)
No. Acres: 1.47

Highways:

Baltimore National Pike (U.S. 40 West) 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.

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.

Sediment Controls:

Development of this property through stripping, 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 stripping of top soil.

Water:

Public water supply is available to serve this property.

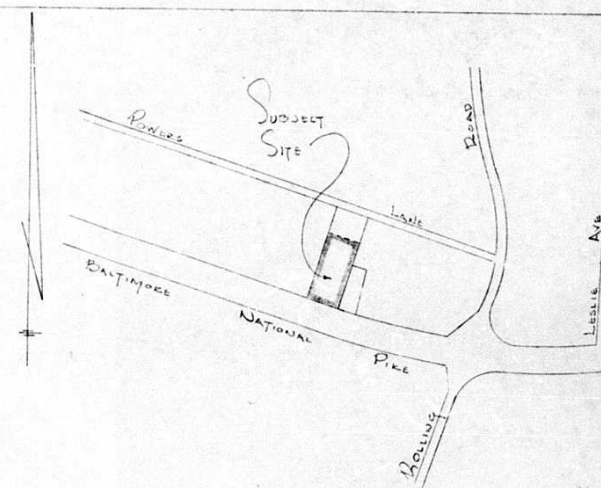
Sanitary Sewer:

Public sanitary sewerage will be available to serve this property upon completion of construction of the 8-inch sanitary sewer (J.O. 1-2-261) shown on Drawings 66-103 thru 105, File 1.

Plat:

H-32 Key Sheet
C 34 27 Position Sheet
SW 1 and 2 of Town
94 Tax

70-162-14



GENERAL NOTES

1. TOTAL AREA OF TRACT EQUALS 2.11 ACRES ±
2. AREA OF TRACT REQUESTING TWO VARIANCES EQUALS 1.47 ACRES ±
3. EXISTING ZONING OF PROPERTY "B-R" & "R-10"
1. EXISTING USE OF PROPERTY "RESIDENTIAL" & "NO USE"
2. PROPOSED ZONING OF PROPERTY "B-R WITH TWO VARIANCES" & "R-10"
3. PROPOSED USE OF SITE "RETAIL STORES"
7. OFF-STREET PARKING:
 - A. RETAIL FLOOR AREA = 18,200 SQ. FT.
 - B. REQUIRED PARKING = 31 UNITS
 - C. PROPOSED PARKING = 33 UNITS
8. PETITIONER IS REQUESTING A VARIANCE TO SECTION 233.1 OF THE ZONING CODE TO PERMIT A FRONT YARD OF 40' INSTEAD OF THE REQUIRED 50'
9. PETITIONER IS REQUESTING A VARIANCE TO SECTION 238.2 OF THE ZONING CODE TO PERMIT SIDE YARDS OF 0' INSTEAD OF THE REQUIRED 30' & TO PERMIT A DISTANCE BETWEEN BUILDINGS OF 40' INSTEAD OF THE REQUIRED 60'
10. THE SITE SHALL BE GRADABLE SO THAT FINISHED GRADES WILL BE COMPATIBLE TO EXISTING ADJACENT PROPERTIES & FURNISH REQUIREMENTS OF THE M.O.S.R.C.



114

REVISED PLANS
OFFICE COPY

PLAT TO ACCOMPANY PETITION
FOR
YARD VARIANCES
VICINITY

BALTIMORE NATIONAL PIPE & Rolling Co.
Election District 1
SCALE: 1"=50'
BALTIMORE Co., Md.
Nov. 11, 1963

REVISED: JAN. 12, 1970

