

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, AUGUSTINE J. MULLER, 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,

herby petition for a Variance from Section 200.3 Side Yards

Requests a variance of 0' for both side yards instead of the required 30'.

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

There is an 110' Gas and Electric Company Right of Way through property - also a storm drain easement which necessitates a 0' setback so the property can be used commercially. The proposed Zoning Map by The Planning Board shows the property as -6, Business Major, which allows a 0' setback.

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 Augustine J. Muller Legal Owner
Address 612 Highland Avenue
Towson, Maryland 21204

Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of March, 1970, 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 4th day of May, 1970, at 11:00 o'clock.

County on the 4th day of May, 1970, at 11:00 o'clock
Edward D. Hardesty
Zoning Commissioner of Baltimore County.

(over)

AUGUSTINE J. MULLER
PROFESSIONAL ENGINEER - REAL ESTATE APPRAISER
612 HIGHLAND AVENUE
TOWSON, MD. 21204

DESCRIPTION

BEGINNING at a point on the west side of York Road 400' northerly from the intersection of Galloway Avenue and said York Road thence binding on the west side of York Road 210°50'00"E 281.06' to a point, thence the five following courses and distances: 110°54'59"00"E 164.56' to a point, 41°10'50"00"E 165.00' to a point, 31°54'49"00"E 64.30' to a point, 41°13'18"00"E 21.61' to a point, and 71°26'21"36"E 221.06' to the place of beginning.

CONTAINING 1.140 Acres of land more or less.

Mr. Edward D. Hardesty,
Zoning Commissioner
119 County Office Building
Towson, Maryland 21204

Dear Mr. Hardesty:

Regarding the request for a variance to the Baltimore County Zoning Regulations, your No. 70-203 A for the property on the west side of York Road, north of Galloway Avenue, I am agreeable to a 10 foot setback instead of a Zero setback on the north property line. I would also request that a Zero setback on the south property line remain as requested.

Very truly yours

Augustine J. Muller
Augustine J. Muller,

cc: Austin W. Bondino, Esq.,
Loyola Federal Building
Towson, Maryland 21204



May 11, 1970

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 M. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 17th day of March, 1970

Edward D. Hardesty
Edward D. Hardesty,
Zoning Commissioner

Petitioner Augustine J. Muller

Petitioner's Attorney _____

Reviewed by Oliver L. Steers
Chairman of
Advisory Committee

ORDER RECEIVED FOR FILING

70-203-A
11-9-70

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 31, 1970

COUNTY OFFICE BLDG
111 M. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
MR.
OLIVER L. STEERS
Chairman
MEMBERS
BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. Augustine J. Muller
612 Highland Avenue
Towson, Maryland 21204

RE: Type of Hearing: Side Yard Variance
Location: W/S York Rd., 200' Nw,
Galloway Avenue
Petitioner: Augustine J. Muller
Committee Meeting of March 17, 1970
8th District
Item 189

Dear Mr. Muller:

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 an unimproved piece of land with high tension wires running through the center of the tract. The property to the north is improved with offices as well as the property to the south. The property to the east is improved with the Baltimore County repair garage. The property to the west is unimproved residential property. York Road in this location is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways

York Road is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission improvements.

The status of the 20-foot road is not known by this office; however, there does not appear to be a need for a public road at this location.

Storm Drains

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

Mr. Augustine J. Muller
612 Highland Avenue
Towson, Maryland 21204

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March 31, 1970

Storm Drains (Continued)

A public storm drain exists within an easement on this property and presently outfalls as shown on Baltimore County Bureau of Engineering Drawing #65-618, A-3. The proposed extension of this storm drain, required to develop the site, must be a public system and the actual alignment and other details will be determined in connection with any subsequent grading or building permit applications.

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 which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Applicant.

Sanitary Sewers

Public sanitary sewerage is available to serve this property. An 8-inch sewer exists along the east side of York Road, opposite this property, as shown on Baltimore County Bureau of Engineering Drawing #66-221, A-10. An 8-inch sewer exists along the west side of York Road at a point approximately 30 feet north of the northernmost outline of this property and as shown on Baltimore County Bureau of Engineering Drawing #65-2242. Since the Maryland State Roads Commission would not allow any open trench excavation across York Road, the Applicant should contact the Chief of the Sanitary Sewer Design Group of the Bureau of Engineering to determine the most feasible means of connecting to the public sewer.

Water

Public water supply is available to serve this property.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health, for review and approval.

Some space requirement should be made for rear entrance or exit. Plan shows restaurant directly abutting 4' screening fence.

Mr. Augustine J. Muller
612 Highland Avenue
Towson, Maryland 21204

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March 31, 1970

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject property has been filled extensively and there are major differentials in grades on site. A more efficient arrangement of parking appears to be possible considering the size of the lot.

This office is also in complete agreement with the State Roads Commission.

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

Petitioner shall be required to comply to all applicable requirements of the Fire Prevention Code and the 101 Life Safety Code, 1967 edition, when construction plans are submitted for approval.

BUILDING ENGINEER'S OFFICE:

Petitioner to meet requirements of Baltimore County Building Code and Regulations. Also check requirements of Parking Lots Section 409.10H that are applicable.

STATE ROADS COMMISSION:

There is poor stopping sight distance at the proposed northerly entrance into the subject site. The proposed southerly entrance would be sufficient to serve the proposed business. The right of way at the north property line serves (in addition to the subject property) the adjacent property to the north, which has another good point of access, and a property in the rear on which a shopping center is proposed. The plans for the shopping center show no access to York Road at the aforementioned right of way. Considering the foregoing, it is our opinion that the proposed northerly entrance should be eliminated and the right of way closed with curb and gutter.

The plan must be revised prior to a hearing date being assigned. The entrance will be subject to State Roads Commission approval and permits.

ZONING ADMINISTRATION DIVISION:

A grading study must be submitted indicating proper drainage for the parking area at the time a building permit is applied for.

Mr. Augustine J. Muller
612 Highland Avenue
Towson, Maryland 21204

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March 31, 1970

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.

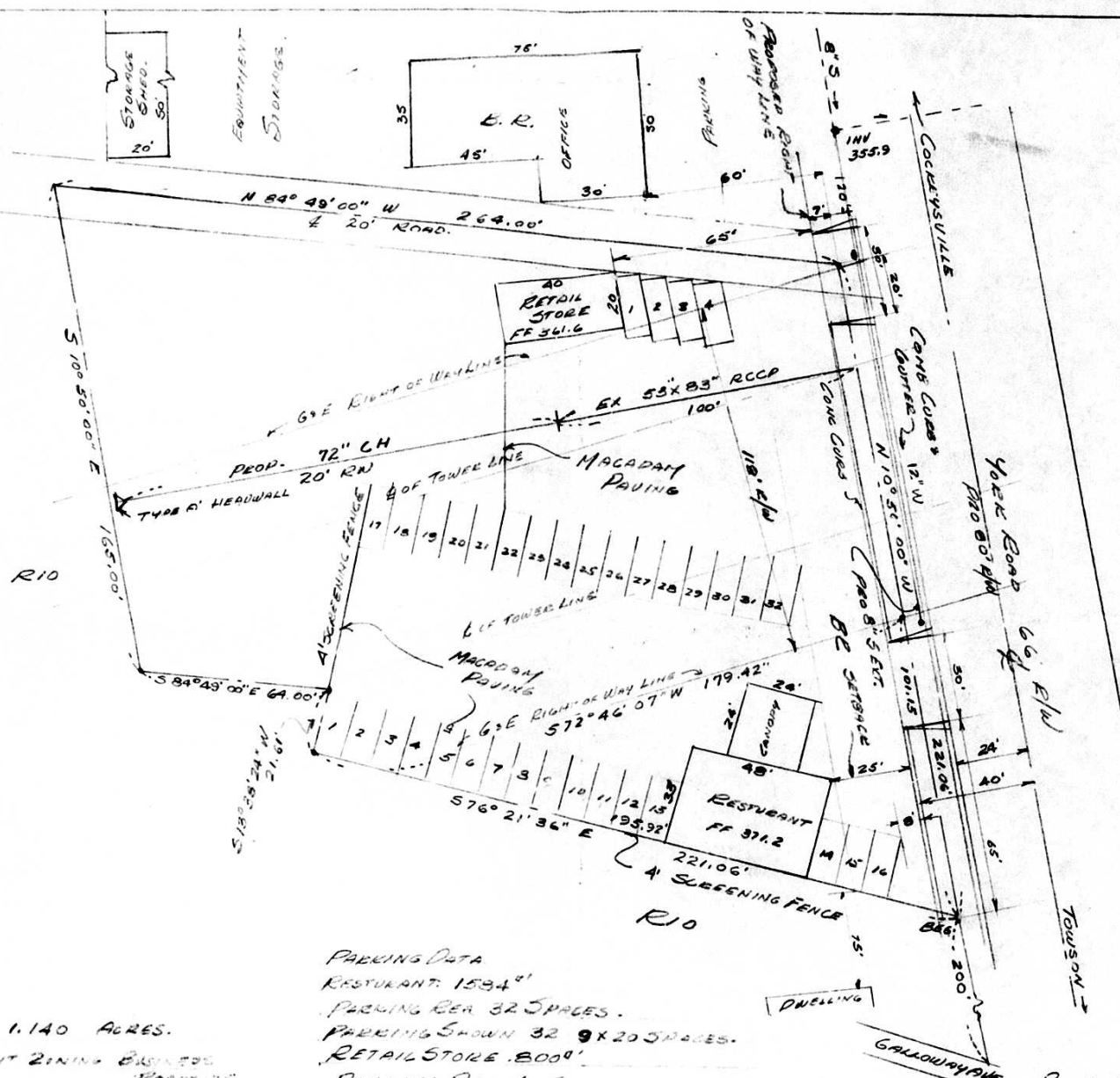
Very truly yours,

Oliver L. Steers
OLIVER L. STEERS, Chairman

OLM:JD
Enc.

11-9-70

[illegible]



AREA 1.140 ACRES.
PRESENT ZONING BRYN MAWR
KORP. 1970

PARKING DATA
RESTAURANT: 1534.9'
PARKING REQ 32 SPACES.
PARKING SHOWN 32 9' X 20' SPACES.
RETAIL STORE: 800.0'
PARKING REQ 4 SPACES.
PARKING SHOWN 4 9' X 20' SPACES.
VARIANCE REQUIRED, SEC. 238.2 ZONING REG
0' SIDE YARD INSTEAD OF REQ 30' BOTH BLDGS.
BUILDINGS SHALL CONFORM TO ALL BUILDING & FIRE CODES.

PROPERTY OF
AUGUSTINE J. MULLER
8TH ELECTION DIST BALTO CO
SCALE 1" = 30'
MAR 2, 1970

