

71-5-A #185 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John Buttrey, 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 237.3.3.4 (Sec. 211.4) to permit a rear yard setback of 14' instead of the required 30' setback and Section 409.2.1.1 to permit 0 parking spaces instead of the required 91 spaces.

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

Due to increased volume of business it is necessary that your Petitioner expand the size of the existing building and as a practical matter, the only available means of expansion is the use of that unimproved portion of your Petitioner's property adjacent to the existing structure.

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 John Buttrey Legal Owner
Address 1431 Eastern Boulevard
Essex, Maryland 21221
Protestant's Attorney
Address 805 Eastern Avenue, 2122

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of July, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 17th day of July, 1970, at 10:00 o'clock

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 19, 1970

COUNTY OFFICE BLDG.
111 N. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

PLANNING DIVISION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDIVIDUAL DEVELOPMENT

William J. Blomdell, Esq.,
405 Eastern Avenue
Baltimore, Maryland 21221

At Type of Hearing: Variance for
Rear Yard Setback
Location: 1431 Eastern Blvd., 406'
E. of Wilbur Road
Petitioner: John Buttrey
Committee Meeting of March 19, 1970
15th District
Item 185

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 tavern and a dwelling immediately to the rear of the property. The property to the north is improved with the Glen Rye Apartments. The properties to the east and west are improved with residences. The property to the west, however, is improved with another tavern along the frontage of Eastern Blvd. Eastern Blvd. is not improved as far as concrete curb and gutter are concerned, however, Kittyhawk Road is.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition shows an addition to an existing tavern with no parking provided. This is completely undesirable, since it requires all parking to be along Eastern Boulevard or Kittyhawk Road, a residential street.

FIRE DEPARTMENT:

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

William J. Blomdell, Esq.,
405 Eastern Avenue
Baltimore, Maryland 21221
Item 185

BUILDING ENGINEER'S OFFICE:

Construction shall be of Type 5, ordinary construction. The exterior walls to be constructed of masonry to provide a two hour fire-resistive rating with no opening in exterior walls on both the East and West sides. See Section 505 of the Baltimore County Building Code.

BOARD OF EDUCATION:

No bearing on student population.

STATE ROAD COMMISSION:

An inspection at the subject site revealed that the State Roads Commission's Right of Way of Eastern Blvd. is being used as a parking lot. To complicate the matter, vehicles are being parked in such a manner that they must back onto the highway in order to leave the site. This maneuver is extremely hazardous upon considering the heavy volume of traffic on the highway. If developed as planned, the proposed addition can only augment the problem.

In order for the plan to meet with our approval a concrete curb must be shown across the entire frontage of the site. The roadway face of curb would be 15' from and parallel to the traveled way of Eastern Boulevard. The curb would preclude head-in or angle parking. The curb would have to be constructed under permit from the State Roads Commission.

It is requested that a hearing date be withheld until such time as the plan is revised to indicate the curb. It is further requested that if the subject petition is granted the owner be made subject to the approval of the site plan by the State Roads Commission.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

This plan has been reviewed and this office feels that the parking situation along this section of Eastern Boulevard is already grossly overcrowded. Prior to setting the hearing date the applicant should make available to this office and the department of Traffic Engineers the number of spaces available along Eastern Boulevard for this and adjacent properties.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, Zoning Commissioner Date July 17, 1970

FROM Mr. George E. Covellis, Director of Planning

SUBJECT: Petition #71-5-A, Southeast side of Eastern Boulevard 406.14 feet East of Wilbur Road.
Petition for Variance to permit a rear yard of 14 feet instead of the required 30 feet; and to permit zero parking spaces instead of the required 91 spaces.
John Buttrey - Petitioner

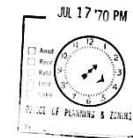
15th District

HEARING: Monday, July 20, 1970 (10:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for a variance to the rear yard requirement and an exception to the off-street parking requirements to permit zero instead of 91 off-street parking spaces.

We question seriously the appropriateness of granting the parking variance - the impact of which could only add to the problems of congestion and hazard on Eastern Boulevard.

GEG:msh



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Date of Posting: July 20, 1970
Posted by: Edward D. Hardesty
Petitioner: John Buttrey
Location: SE 1/4 of Eastern Blvd. 406.14' East of Wilbur Rd.
Location of Sign: 15th District on road of 1831 Eastern Blvd.
Remarks: Bliss 2. Smith
Posted by: Edward D. Hardesty Date of return: July 20, 1970

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 2, 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 14 consecutive weeks before the 21st day of July, 1970, the first publication appearing on the 2nd day of July, 1970.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

William J. Blomdell, Esq.,
405 Eastern Avenue
Baltimore, Maryland 21221
Item 185

March 19, 1970

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are submitted to this office in accordance with State Roads Commission and Health Department comments in the foregoing.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

ENCLOSURE

TELEPHONE 232-3000 EXT. 287		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection & Receipts COURT HOUSE TOWSON, MARYLAND 21204 Billed Dept. of Baltimore County		No. 71330 DATE July 17, 1970	
TO: William J. Blomdell, Esq., 405 Eastern Ave., Baltimore, Md. 21201		RETURN THIS PORTION WITH YOUR REMITTANCE DETACH PLANS PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD		TOTAL AMOUNT \$5.00 COST	
REPORT TO ACCOUNT NO. 01-028		Advising and posting of property for John Buttrey 71-5-A		\$5.00	
4		IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

the above Variance should be had: and to further appearing & as by reason of

day of July, 1967, that the herein Petition for a Variance should be and the

thirty-one (31) spaces, subject to the 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.....

(Faint handwritten notes and markings are visible at the bottom of the page.)

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day
of 196... that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

MICROFILMED

MICROFILMED

DUPLICATES

OFFICE OF



THE ESSEX TIMES

ESSEX, MD. 21221 July 6, 1970

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hardesty, Zoning Commissioner
of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in

Baltimore County, Maryland, once a week for One ~~XXXXXX~~
week before the 6th day of July, 1970 that is to say, the same

was inserted in the issue of July 2, 1970.

STROMBERG PUBLICATIONS, Inc.

By Luch Morgan.....[illegible]

July 2, 1978

DATE June 26, 1970

To: **Wesley L. Small, Esq.**
445 Eastern Ave.
Baltimore, Md. 21201

Section 100.1 of Baltimore County

PAYMENT TO ACCOUNT NO. 65-428	RETURN THIS PORTION WITH YOUR REMITTANCE	\$52.00	TOTAL AMOUNT
COUNTRY	DETACH ALONG FORGATION AND RE-DE THIS PORTION WITH YOUR RECORDS	0007	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

William J. Standell, Sec.
405 Eastern Avenue
Beltsville, Maryland 21011

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

this 17th day of June 1970

Edward D. Hardesty
EDWARD D. HARDESTY,
Zoning Commissioner

Petitioner: John Buttrick

Petitioner's Attorney William A. Marshall, Esq. Reviewed by Oliver L. Myers
Chairman of
Advisory Committee

MICROFILMED

ORIGINAL

OFFICE OF



ESSEX, MD. 21221 July 6, 1970

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hardesty, Zoning Commissioner
of Baltimore County

was inserted in THE ESSEN TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One ~~ISSUE~~ week before the 6th day of July, 1970 that is to say: the same was inserted in the issue of July 3, 1970.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

[illegible]

July 2, 1978

