

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **ABRAMS AND RUBIN**, legal owners 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 238.21 to permit a front yard setback of 9' instead of the required 50' 238.21; to permit a sideyard of 0' instead of the required 30' and to permit a rear yard of 0' instead of the required 30' 409b.6; to permit 8 parking spaces instead of the required 14 parking spaces.

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

The subject property is a closed service station (Sunoco) which would be used to raise in order to erect a store with service bays to house a retail and accessories store. The lot is triangular and is less than 100' at the deepest point and narrows to nothing at the other end.

The property is zoned Business Roadside and we cannot comply with the front, side and rear yard requirements. The operator of the proposed store feels that the 8 parking spaces shown are more than adequate to serve his patrons plus the service bays can accommodate an additional 4 cars. 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.

ABRAMS AND RUBIN

by **Isadore Abrams** Legal Owner

Address **441 N. Charles Street Baltimore, Maryland 21201 837-6133**

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of September 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 had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 29th day of October, 1970, at 1:00 o'clock

Edward D. Hardisty Zoning Commissioner of Baltimore County.

Edward D. Hardisty
Zoning Commissioner of Baltimore County.

(over)



GAN & HOLDEPER, INC.
SURVEYORS AND CIVIL ENGINEERS
4300 ELMOORE AVENUE / BALTIMORE, MD 21234 (301) 428-2141
539 POPPUS STREET / CAMDEN, MD 21133 (301) 228-3300
115 E. MAIN STREET / WESTMINSTER, MD 21157 (301) 848-1790
13 N. WASHINGTON STREET / EASTON, MD 21001 (301) 822-5433

Description of property situated between Eastern Boulevard and 10' alley for zoning variances to BR zone

Beginning for the same at a joint located 292.57 feet from the intersection of the west side of Selig Avenue and the south side of Eastern Blvd., measured in a south-westerly direction along the south side of Eastern Blvd. from said intersection.

Thence leaving said place of beginning and running and binding on the north side of a 10' alley N 77-34' - 24' E - 186.00' to a line of dividers, thence along said line N 15-58'-26" W - 7.781' to intersect the southern right-of-way line of Eastern Blvd., thence running along the south side of Eastern Blvd., along a curve to the right having a radius of 2455.53' and arc distance of 204.771', said arc being subtended by a chord S 49'-03"-58" W - 204.71' to the place of beginning.

ALAN KRAMER, P.E., L.S. CARROLL MADAM, L.S. GEORGE W. HOLDEPER, P.E. ASSOCIATES AND SURVEYORS CAMDEN AND BALTIMORE, MD. JESSE W. HURLEY, RICHARD L. HULL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Zoning Commissioner Date: October 29, 1970
FROM: Mr. George E. Gavelis, Director of Planning

SUBJECT: Petition #71-146-A. South side of Eastern Boulevard 292.57 feet west of Selig Avenue. Petition for Variance to permit a side yard of zero feet instead of the required 30 feet and to permit front yard 9 feet instead of the required 50 feet; and to permit a rear yard of zero feet instead of the required 30 feet; and to permit 8 parking spaces instead of the required 14 spaces. Abrams and Rubin - Petitioners

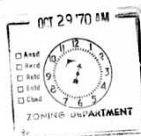
15th District

HEARING: Thursday, October 29, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for variances and has the following advisory comments to make:

In connection with variances for setback, we feel that size and shape of the subject property justify relief from the setback requirements. However, we seriously question whether or not the minimal parking requirements of the Zoning Regulations should be waived here.

GEG:mh



PETITION FOR A VARIANCE FROM SECTION 238.21 TO PERMIT A FRONT YARD SETBACK OF 9' INSTEAD OF THE REQUIRED 50' 238.21; TO PERMIT A SIDELYARD OF 0' INSTEAD OF THE REQUIRED 30' AND TO PERMIT A REAR YARD OF 0' INSTEAD OF THE REQUIRED 30' 409B.6; TO PERMIT 8 PARKING SPACES INSTEAD OF THE REQUIRED 14 PARKING SPACES.

The Board of Commissioners of Baltimore County, in its resolution of October 29, 1970, has granted the following variance from the Zoning Regulations of Baltimore County to the petitioner, Isadore Abrams and Ruben, for the purpose of erecting a store with service bays to house a retail and accessories store on the subject property, located at the intersection of Eastern Boulevard and Selig Avenue, Baltimore County, Maryland. The variance is granted for the purpose of permitting the petitioner to erect a store with service bays to house a retail and accessories store on the subject property, located at the intersection of Eastern Boulevard and Selig Avenue, Baltimore County, Maryland. The variance is granted for the purpose of permitting the petitioner to erect a store with service bays to house a retail and accessories store on the subject property, located at the intersection of Eastern Boulevard and Selig Avenue, Baltimore County, Maryland.

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 9, 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 one (1) week, commencing on the 29th day of October, 1970, the first publication appearing on the 29th day of October, 1970.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$ _____

OFFICE OF THE ESSEX TIMES
ESSEX, MD. 21221 October 12, 1970

THIS IS TO CERTIFY that the annexed advertisement of Edward D. Hardisty, Zoning Commissioner of Baltimore County was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one (1) week, commencing weekly before the 12th day of Oct., 1970 that is to say, the same was inserted in the issue of October 5, 1970.

STROMBERG PUBLICATIONS, Inc.

By *Barbara Morgan*

PETITION FOR A VARIANCE FROM SECTION 238.21 TO PERMIT A FRONT YARD SETBACK OF 9' INSTEAD OF THE REQUIRED 50' 238.21; TO PERMIT A SIDELYARD OF 0' INSTEAD OF THE REQUIRED 30' AND TO PERMIT A REAR YARD OF 0' INSTEAD OF THE REQUIRED 30' 409B.6; TO PERMIT 8 PARKING SPACES INSTEAD OF THE REQUIRED 14 PARKING SPACES.

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BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 30, 1970

Mr. Isadore Abrams
521 No. Charles Street
Baltimore, Maryland 21201

RE: Type of Hearings: Variance for front and side yard setback. Locations: S/ES Eastern Blvd., 100' S/W of Selig Avenue. Petitioners: Isadore Abrams. Committee Meeting of Sept. 8, 1970. 15th District. Item 36.

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 an abandoned automotive service station, with the priorities to the north, east and west improved with commercial structures. The property to the south with some residential structures. The property to the south some residential and commercial mixture. Selig Avenue is partially improved with concrete curb and gutter as well as Eastern Avenue; however, the total frontage of this site is not curbed.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Eastern Boulevard (Md. 150) is a State road therefore, all improvements, intersections and entrances on this road will be subject to State Roads Commission requirements.

The status of the unimproved alley is unknown. However, the petitioner is cautioned in regard to Baltimore County's utility

Mr. Isadore Abrams
Item 36
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September 30, 1970

Right-of-way through this property and within the unimproved alley, and the existing storm drain system located therein. No encroachment by the construction of any structure will be permitted over the right-of-way. The protection of the storm drain, and any damage sustained, would be the full responsibility of the petitioner/developer. Further, vehicular access would not be permitted from this alley.

Sediment Control:

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

Grading studies and sediment control drawings will be necessary permits. to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface water. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Eastern Boulevard (Md. 150) is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Water and Sanitary Sewers:

Public water supply and public sanitary sewerage can be made available to serve this site by construction of extensions from each of the existing public facilities in Selig Avenue.

PROJECT PLANNING DIVISION:

No site plan factors involved.

DEPT. TRAFFIC ENGINEERING:

The subject petition is requesting a variance to marking. This office considers any variance to parking undesirable. Since the 9 feet between the building and the right of way line is not sufficient for a drive, the area between the 2 parking spaces east of the building and the 3 parking spaces in front of the building should be closed to vehicular movement. If the area is to remain open, provisions must be made to provide adequate circulation around the building.

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BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and Regulations when plans are submitted. Also, remove or fill all underground tanks.

FIRE DEPARTMENT:

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards.

All underground tanks shall be filled if pumping of gas is discontinued.

STATE ROADS COMMISSION:

The minimum width for commercial entrances onto a State highway is 25'. The subject plan indicates entrance widths of 20'.

The proposed roadside curb must be in line with existing curbing fronting nearby sites (15' from the edge of the traveled way of Eastern Blvd.).

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

ZONING ADMINISTRATION DIVISION:

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. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: Oct 8, 1970
Posted for: Hearing there Oct 23, 1970, 6:15 p.m.
Petitioner: Abrams & Rubin
Location of property: S/W. Eastern Blvd. 292.57' West of Selig Ave.
Location of Sign: On E. Side of Property at Corner of Eastern Blvd. & Selig Ave.
Remarks: *Mark H. Neen*
Posted by: *Mark H. Neen* Date of return: Oct 15, 1970

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 Petitioners, and the Variance 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 to further appearing that by reason of

to permit a front yard setback of nine (9) feet instead of the required fifty (50) feet; to permit a side yard of zero (0) feet instead of the required thirty (30) feet; to permit a rear yard of zero (0) feet instead of the required thirty a Variance (30) feet, and to permit eight (8) parking spaces instead should be granted of the required fourteen (14) parking spaces, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30

day of October 1970, 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 nine (9) feet instead of the required fifty (50) feet; to permit a side yard of zero (0) feet instead of the required thirty (30) feet; to permit a rear yard of zero (0) feet instead of the required thirty (30) feet; and to permit eight (8) parking spaces instead of the required fourteen (14) parking spaces, subject to the approval of the site plan by the State Roads Commission, the Bureau of Public Services, Bureau of the advertisement, posting of property, hearing on the above petition, maps and the Office of Planning and Zoning.

and it appearing that by reason of

BY *Edward D. Hardisty*
Zoning Commissioner of Baltimore County

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1970, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

71-146-A #34

ABRAMS AND RUBIN #71-146-A 47 of Eastern Blvd., 282, 277 W of Sales Ave., 1508

71 146 A

TELEPHONE 494-2413

INVOICE No. 75347

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Revenue Division COURT HOUSE TOWSON, MARYLAND 21204

DATE Oct. 23, 1970

BILLED

To: Isidore Abrams and Edward L. Rubin 511 N. Charles St. Baltimore, Md. 21201 Zoning Dept. of Baltimore County

QUANTITY	REPORT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	TOTAL AMOUNT \$53.00
1	Advertising and posting of property #71-146-A		53.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE 494-2413

INVOICE No. 73900

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Revenue Division COURT HOUSE TOWSON, MARYLAND 21204

DATE Oct. 5, 1970

BILLED

To: Isidore Abrams and Edward L. Rubin 511 N. Charles St. Baltimore, Md. 21201 Zoning Dept. of Baltimore County

QUANTITY	REPORT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	TOTAL AMOUNT \$25.00
1	Position for Variance #71-146-A		25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

J. Isidore Abrams 521 No. Charles Street Baltimore, Md. 21201

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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

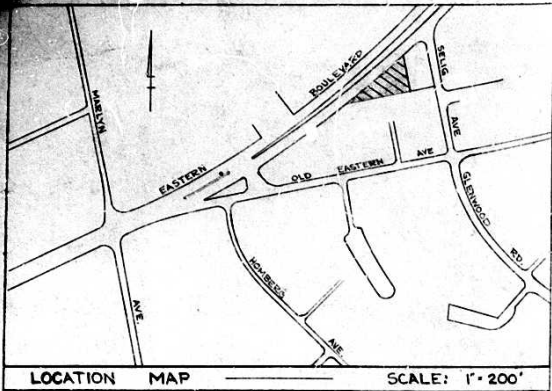
day of September 1970.

Edward D. Hardisty
EDWARD D. HARDISTY,
Zoning Commissioner

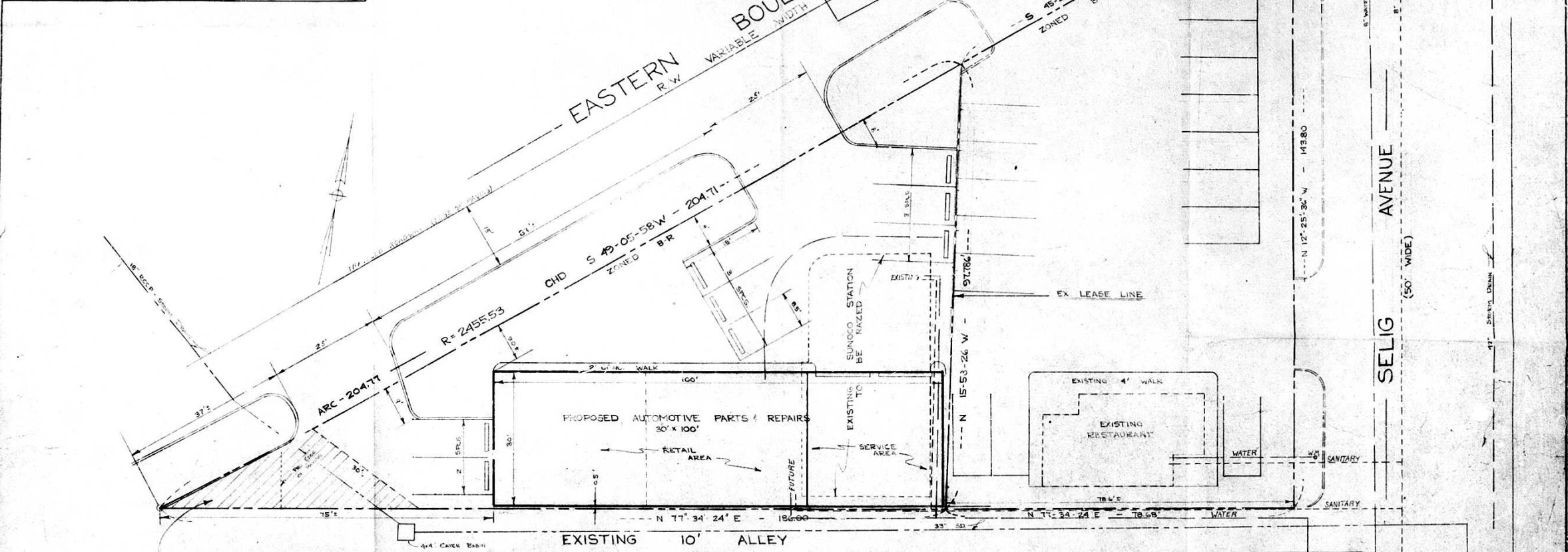
Petitioner Isidore Abrams

Petitioner's Attorney Reversed by

Edward D. Hardisty
Chairman of the Advisory Committee



LOCATION MAP SCALE: 1"=200'



BALTO. COUNTY STORM DRAINAGE EASEMENT G.L.B. # 2168 FOLIO 516

NOTE:
THE BOUNDARIES AND OTHER LINES OF DIVISION SHOWN HEREON WERE PREPARED FROM PLATS AND OTHER TITLE SOURCES. THIS PLAN DOES NOT REPRESENT AN AUTHENTIC SURVEY AND SHOULD NOT BE USED AS A BOUNDARY SURVEY.

NOTES:

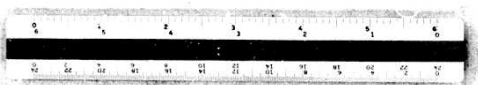
PARKING PROPOSED	8 SPCS
SERVICE AREA	900 S.F.
RETAIL AREA	2100 S.F.
SERVICE PARKING REQ'D (1/300 S.F.)	3 SPCS
RETAIL PARKING REQ'D (1/200 S.F.)	11 SPCS
TOTAL REQ'D PARKING	14 SPCS
VARIANCE FOR PARKING	6 SPCS
EXISTING ZONING	B.R.
ELECTION DISTRICT NO.	15
PROPOSED BUILDING SETBACK	9'
REQ'D BUILDING SETBACK	50'
SETBACK VARIANCE	41'
AREA	0.208 AC.
PARKING STALLS	8.5' x 18'

PROPOSED RETAIL STORE

FOR
PORTER BROS., INC.
140 BACK RIVER NECK RD.
BALTIMORE, MARYLAND



VARIANCE NOTE:
PETITIONER IS REQUESTING A VARIANCE TO SECTION 288.1 OF THE ZONING CODE TO PERMIT A FRONT YARD OR 50' INSTEAD OF THE REQUIRED 50' AND A VARIANCE TO SECTION 409 (SEE 409.5) OF THE ZONING CODE TO PERMIT PARKING FOR 8 VEHICLES INSTEAD OF THE REQUIRED 14 SPACES AND A VARIANCE TO SECTION 288.2 OF THE ZONING CODE TO PERMIT A REAR YARD OF 0.5 FEET INSTEAD OF THE REQUIRED 30 FT.



MICROFILMED

EASTERN AVE.

DRAWING No 2849

