

**PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, **Ronald K. Regan**, Agent for **Herman L. Bradley**, 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 217.3 - To permit side yard setbacks of 4' in lieu of the required 25'

Section 217.5 - to permit a rear yard set back of 2' in lieu of the required 30'

Section 217.2 - to permit a front yard setback of 0 feet in lieu of the required 30' of the Zoning Regulations of Baltimore County for the Zone Line following reasons: (indicate hardship or practical difficulty)

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: **Ronald K. Regan**, Agent  
 Address: **709 Frederick Road**, Catonsville, Maryland 21228  
 Petitioner's Attorney: **Protestant's Attorney**

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of January, 1971, 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 2nd day of February, 1971, at 10:00 o'clock

(over)

71-210-A  
 ORDER RECEIVED FOR FILING  
 DATE 1-14-71  
 BY J.C. HARRIS

RE: PETITION FOR VARIANCES  
 N/S corner of Frederick and  
 Overhill Roads - 1st District  
 Herman L. Bradley - Petitioner  
 NO. 71-210-A (Item No. 46)

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF  
 BALTIMORE COUNTY

The Petitioner requests a Variance from Section 217.3, to permit a side yard setback of four (4) feet in lieu of the required twenty-five (25) feet from Section 217.4, to permit a rear yard setback of two (2) feet in lieu of the required thirty (30) feet; and Section 217.2, to permit a front yard setback of zero feet in lieu of the required thirty (30) feet, on a parcel of land located on the northeast corner of Frederick and Overhill Roads in the First District of Baltimore County.

Evidence on behalf of the Petitioner indicated that it was his intention to construct a three (3) story office building on the subject property. The present zoning of the property is R.A., and it was further indicated that the property enjoyed a Special Exception for offices or office building, as a result of the Order of the then Zoning Commissioner, Wilkie H. Adams, dated April 23, 1957. It was further indicated that the present Petitioner acquired this property in 1963, having full knowledge of the zoning of the subject property.

Without reviewing the evidence further in detail, but based on all the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, the requested Variance should be denied for the following reasons:

1. Section 502.3 of the Baltimore County Zoning Regulations, 1955, stated:

"Any Special Exception which has not been utilized within a period of one year from date of issue, or any 'Special Permit' which was granted before the date of adoption of these Regulations and which has not been utilized within a period of one year after such date, shall be void unless on written request from the petitioner, the Zoning Commissioner grants an extension, provided, however, that not more than one such extension, for a period of one year, may be granted."

ORDER RECEIVED FOR FILING

DATE 4-1-71  
 BY J.C. HARRIS

- As can be seen from the above regulations which were in force in 1957, the Special Exception for an office building had to be utilized within a one year period; this was not done. Therefore, the property owner at that time, lost the right to the Special Exception for an office building and offices.
- There was speculation as to the provided number of parking spaces for the office building which the Petitioner intended to utilize. It was indicated that parking spaces on the Ridgeway Inn property, immediately adjoining the subject property, would be used. There was no guarantee in writing or otherwise, that these spaces would always be available to occupants, etc. of the office building.
- The granting of these Variances would tend to overcrowd the land and this would be detrimental to the health, safety and general welfare of the locality involved.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of April, 1971, that the above Variances be and the same is hereby DENIED.

*H. R. T.*  
 Deputy Zoning Commissioner of  
 Baltimore County

1600 Frederick Road  
 Catonsville, Maryland 21228  
 October 22, 1970

Mr. Edward Deal Hardesty, Commissioner  
 Baltimore County Zoning Office  
 Towson, Maryland 21284

Dear Mr. Hardesty:

This is to advise you that Mr. Ronald K. Regan has been appointed as agent to act for me in all matters pertaining to zoning of the property located and known as 1602 Frederick Road, Catonsville, Maryland 21228.

This agency expires 6:00 P.M. March 31, 1971.

Yours very truly,

*Herman L. Bradley*  
 Herman L. Bradley (Owner)

HLB:sh

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

December 14, 1970

Mr. Ronald K. Regan, Agent  
 for Herman L. Bradley  
 709 Frederick Road  
 Catonsville, Maryland 21228

RE: Type of Hearing: Variance  
 for front and rear yard setback  
 Location: N/S Frederick Rd.,  
 725' E. of Overhill Rd.  
 Petitioner: Ronald Regan, Agent  
 for Herman L. Bradley  
 1st District  
 Item 66

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 existing frame dwelling which is being used as an office building as a non-conform use. The property to the northeast is improved with the Ridgeway Inn parking lot and the restaurant itself. The properties to the north are improved with garden apartments. The properties to the west improved with dwellings, as well as the properties to the south. Frederick Road in this location is partially improved with concrete curb and gutter.

**BUREAU OF ENGINEERING:**

**General:**

The comments supplied in conjunction with Item 324 (1969-1970), copy attached, remain valid and applicable to this Petition, Item 66 (1970-1971).

**PROJECT PLANNING DIVISION:**

This plan has been reviewed and there are no site planning factors requiring comment.

Mr. Ronald K. Regan, Agent  
 for Herman L. Bradley  
 Item 66  
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December 14, 1970

**DEPARTMENT OF TRAFFIC ENGINEERING:**

The subject variance should have no major effect on traffic.

**HEALTH DEPARTMENT:**

- Public water and sewers are available to the site.
- Air Pollution Comments:**

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

**BUILDINGS ENGINEERING OFFICE:**

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted. Also, see Section 409, 10 H and 404.

**FIRE DEPARTMENT:**

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1957 edition, and the Fire Prevention Code when construction plans for offices are submitted for approval.

**BOARD OF EDUCATION:**

No bearing on student population.

**STATE ROADS COMMISSION:**

The concrete curb fronting the restaurant site must be extended across the office building site frontage. There is an entrance from Frederick Road to the existing office that is substandard. If the entrance is to remain, it must be widened to a minimum of 25 feet and paved. Curbing and paving must be done under permit from the State Roads Commission.

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

**ZONING ADMINISTRATION DIVISION:**

This office is withholding a hearing date until such time as the

Mr. Ronald K. Regan, Agent  
 for Herman L. Bradley  
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December 14, 1970

petitioner submits revised plans in accordance with the State Roads Commission's comments in the foregoing. The existing channelization as shown on the petitioner's site plan does not represent what is actually in the field.

Very truly yours,  
*Oliver L. Myers*  
 OLIVER L. MYERS, Chairman

OLM:JD  
 Enc.

NO. 1602 FREDERICK ROAD, CATONSVILLE, BALTO. CO., MD.

FROM the Northeast Corner of Overhill Road and Frederick Road  
 Easterly approximately 725 feet to the beginning for the same on the  
 North side of Frederick Road thence North 31 degrees 21 minutes and  
 30 seconds West 239 feet and 6 inches; thence North 67 degrees and 45  
 minutes East in all 61 feet and thence, South 28 degrees and 48 minutes  
 East 254 feet and thence South 84 degrees and 41 minutes West 34 feet and  
 5 inches to the place of beginning.

MEMBERS:  
 CHIEF OF ENGINEERING  
 DEPUTY CHIEF OF ENGINEERING  
 STATE ROADS COMMISSION  
 BOARD OF EDUCATION  
 ZONING ADMINISTRATION  
 INDUSTRIAL DEVELOPMENT

**PETITION FOR VARIANCE IN DISTRICT**

**ZONING:** Petition for a Variance from Front and Rear Yards, Side Yard and Front and Rear Yards and Front and Rear Yards.

**LOCATION:** Northwest corner of Cheswell Road and Frederick Road, Catonsville, Maryland.

**DATE:** 6 TIME MONDAY, FEBRUARY 22, 1971 at 10:00 A.M.

**PUBLIC HEARING:** Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, February 22, 1971 at 10:00 A.M.

The zoning Commission of Baltimore County, by authority of the zoning Act and Regulations, will hold a public hearing on the petition for a variance from the zoning regulations of Baltimore County to permit a side yard setback of 4 feet instead of the required 20 feet, and to permit a rear yard setback of 2 feet instead of the required 30 feet, and to permit a front yard setback of 3 feet instead of the required 20 feet, on the lot at the intersection of Cheswell Road and Frederick Road, Catonsville, Maryland.

The zoning Commission will be held on February 22, 1971 at 10:00 A.M. at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

**EDWARD D. HARDESTY**  
Zoning Commission of Baltimore County

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., February 4, 1971.

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 time ~~before~~ before the 22nd day of February, 1971, the first publication appearing on the \_\_\_\_\_ day of February, 1971.

THE JEFFERSONIAN  
*L. Frank Stricker*  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

**Mr. Harold L. Egan, Agent for Herman L. Bradley**  
709 Frederick Road  
Baltimore, Md. 21220

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Your Petition has been received and accepted for filing this \_\_\_\_\_ day of January, 1970.

*Edward D. Hardesty*  
EDWARD D. HARDESTY  
Zoning Commissioner

Petitioner **Harold Egan, Agent for Herman L. Bradley** Reviewed by *Charles P. Neal*  
Chairman of the Advisory Committee

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**EDWARD D. HARDESTY**  
Zoning Commission of Baltimore County

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 1st Date of Posting FEB. 6-1971

Posted for VARIANCE

Petitioner: HERMAN L. BRADLEY

Location of property: N/W COR. OF CHESWELL AND FREDERICK ROADS

Location of Signs: N/S. OF FREDERICK RD. 1602

Remarks: \_\_\_\_\_

Posted by *Charles P. Neal*  
Signature Date of return: FEB. 13-1971

OFFICE OF  
**THE CATONSVILLE TIMES**

CATONSVILLE, MD. 21228 Feb. 5, 1971

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, Zoning Commissioner of Baltimore County was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 5th day of Feb., 1971 that it is to say, the same was inserted in the issue of Feb. 5, 1971.

STROMBERG PUBLICATIONS, Inc.  
*Rich Morgan*

TELEPHONE 498-3413 INVOICE No. 75360 DATE Feb. 18, 1971

**BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE**  
Revenue Division  
COURT HOUSE  
TOWSON, MARYLAND 21284

To: **Mid-Atlantic Properties, Inc.**  
709 Frederick Road  
Baltimore, Md. 21220

Zoning Dept. of Baltimore County

QUANTITY	DEBIT TO ACCOUNT NO.	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	91-622	Advertising and posting of property for Herman Bradley 871-210-A	\$46.25

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21284

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THE JEFFERSONIAN  
*Rich Morgan*  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

TELEPHONE 498-3413 INVOICE No. 75499 DATE Jan. 29, 1971

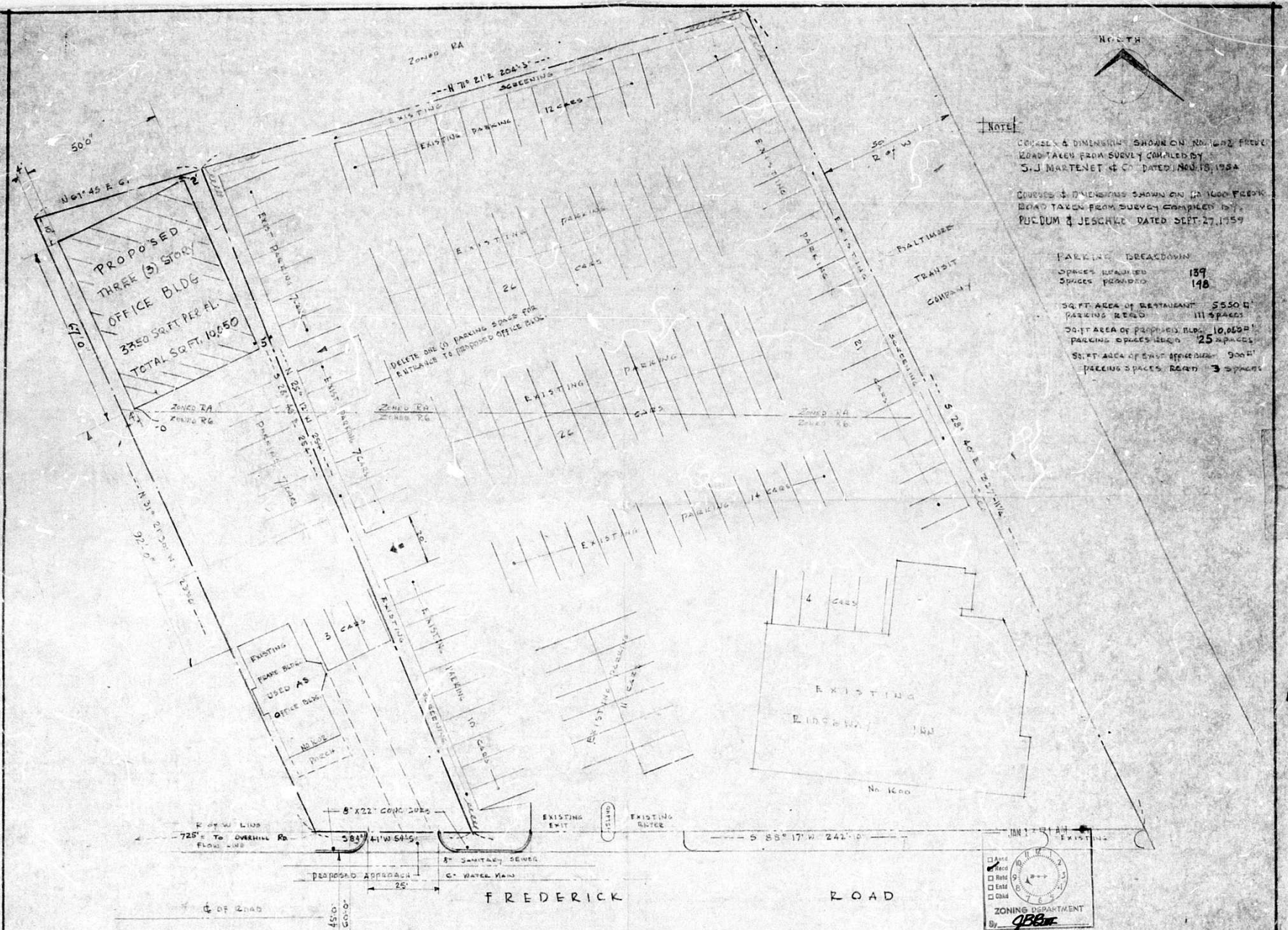
**BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE**  
Revenue Division  
COURT HOUSE  
TOWSON, MARYLAND 21284

To: **Mid-Atlantic Properties, Inc.**  
709 Frederick Road  
Baltimore, Md. 21220

Zoning Dept. of Baltimore County

QUANTITY	DEBIT TO ACCOUNT NO.	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	91-622	Petition for Variance for Herman L. Bradley 871-210-A	\$35.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21284



CONVEY & DIMENSIONS SHOWN ON NO. 1682 FROM ROAD TAKEN FROM SURVEY COMPLETED BY S. J. MARTENET & CO. DATED NOV. 18, 1934

CONVEY & DIMENSIONS SHOWN ON C. 1400 FROM ROAD TAKEN FROM SURVEY COMPLETED BY P. CUDUM & JESCHKE DATED SEPT. 27, 1939

PARKING BREAKDOWN

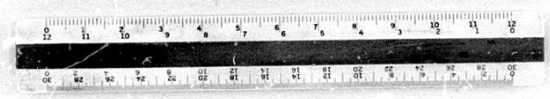
SPACES PROVIDED	139
SPACES PROVIDED	148
SQ. FT. AREA OF RESTAURANT PARKING ROAD	5550
PARKING SPACES PROVIDED	111
SQ. FT. AREA OF PROPOSED BLDG.	10,050
PARKING SPACES PROVIDED	25
SQ. FT. AREA OF EXIST. OFFICE BLDG.	900
PARKING SPACES PROVIDED	3

Conform to all dimensions indicated on drawing in preference to measurements scaled from plan.  
4-6 to 34

SITE PLAN SCALE 1" = 20'

ZONING DEPARTMENT  
By *JB*  
OFFICE COPY #66  
REVISED PLANS

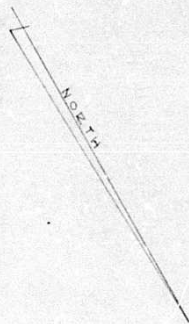
LARDNER & MENZEL, INC.  
DEVELOPERS-CONSTRUCTORS  
706 CHARING CROSS ROAD  
BALTIMORE, MARYLAND 21229



Zoned R-C (Group Homes)

EXISTING CONCRETE ALLEY  
32'-34" x 5' E 50.00'

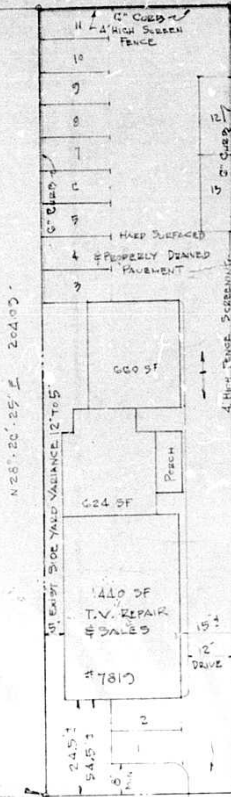
22 21 20  
PLAT OF EDDLYNCH  
PB 9-17



DUNKIN  
DONUTS.  
STORE

24' 00"  
Zoning  
DEAR

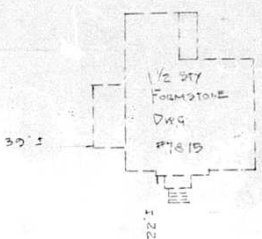
EXISTING SIDEWALK  
EX 100-17



17 16 15 14

- ZONING DATA
1. Existing Zoning B-L with DE for 1 Apt on 2nd Floor. # Variance from 12 To 9 for Bldg. hgt. # Variance from 15 To 9 Parking Spaces
  2. Area of Tract 10,320 Sq. Ft. = 0.2357 Ac
  3. Area of Ex Bldg. 2724 SF with 3 Apts on 2nd Floor.
  4. Required Parking - 2724 SF/200 = 13.62 Spaces  
3 Apts = 3  
Total 17 Spaces
  5. Proposed Parking 13 Spaces
  6. Proposed Variance from 17' to 13 parking Spaces, and 3 E. for 2 additional Apartments on 2nd floor in a B-L Zone
  7. All Utilities available

Zoned R-C



WISE AVENUE

55'-0" N. @ Intersection  
Wise Ave @ Church Lane

45' PAVING  
60' E/W

ZONING PLAT  
7810 WISE AVENUE  
PROPERTY OF  
NORMAN D. DEAN & WIFE  
12TH ELECTION DISTRICT BALTO GO. MD  
SCALE 1" = 20' JAN 4, 1971 Rev JAN 12, 1974  
BY JOHN SCHAFER ATTORNEY Rev FEB 22, 1971  
6905 DUNMANWAY  
BALTO MD 21222

PLANS APPROVED  
OFFICE OF PLANNING & ZONING  
BY *[Signature]*  
DATE 5/17/70

*[Signature]*  
DAVID W. DALLER, JR.  
CIVIL ENGINEER  
8710 OLD MOUNTAIN RD. BALTO MD 21202  
54-7-702



71-210XA

