RE: PETITION FOR VARIANCE AND : DEFORE THE SPECIAL HOMITION STATEMENT AND SPECIAL SPECIAL

70218
1/40
7/22/71
ME/S OF THE SALL-HANGEN NATIONAL PIRES DISTRICT
ALLAN BERMAN, et al. Case No. 71-237-ASPH
STIPULATION AGREEMENT

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NOW come the Petitioners, Allan Berman, Jean Berman, Paul Ruddles and Jean Huddles, by James D. Nolan and Nolan, Plumhoff and Williams, their attorneys, and the Protestants, Louise Rinaudo and Charles J. Rinaudo, Sr., by John P. Zebelaen, Jr., their attorney, and Irvin I. Yrupp and Frances Trupp by their attorney, Ernest C. Trimble, and the parties stipulate as follows WHEREAS the Petitioners have sought side yard valiances of zero (0) feet instead of the required thirty (30)

variances of zero (0) feet instead of the required thirty (30 feet on the east and west sides, as well as other relief not relevant hereto; and

WHEREAS the Zoning Commissioner did grant five (5) foot side yard variances on the east and west sides by his Order dated June 25, 1971; and

WHEREAS in order to prevent an Appeal from said Order, the parties stipulate and agree as follows, and request and consent to the passage of an amended Order by the Zoning Commissioner in substantially the following form:

THIS AMENDED ORDER passed by the Deputy Zoning Commissioner this 22. And day of July , 1971, hereby amends the prior Order herein of June 25, 1971, to read as follows:

GRANTED, to permit a side yard setback of ten (10) feet on the west side and a side yard setback of ten (10) feet

LAW STREES NOLAN, PLUMHOFF & WILLIAMS on the east side to a depth of two hundred (200) feet from the front property line of the subject property, and a side yard setback of five (5) feet on the east side thereafter to the rear property line of the subject property, instead of the required thirty (30) feet; and in all other respects the aforesaid Order of June 25, 1971, is hereby ratified and confirmed

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We the undersigned hereby consent to the parsage of an Amended Order in substantially the form as above.

Nolan Plumbof + W. Cames
Nolan, Plumbof and WITLENS
Attorneys for the Petitioners

John P. Zebelean, Jr.

Attorney for Protestants,
Louise Rinaudo and Charles
Rinaudo, Sr.

Ernest C. Trimble
Attorney for Protestants
Irvin I. Trupp and
Frances Trupp

-2

DESCRIPTION

2.5'90 ACRE PARCEL, NORTH SIDE OF BALTIMORE NATIONAL PIKE, WEST
OF ROLLING ROAD, PART OF PROPERTY OF ALLAN L. BERMAN AND OTHERS.
FIRST ELECTION DISTRICT. BALTIMORE COUNTY, MARYLAND.

"bis Description is for BR Zoning with Side Yard Variance . PARCEL "A"

Beginning for the same at a point on the northeast side of Baltimore
National Pike, at the distance of 1388 feet, more or less, as measured northwesterly along said northeast side of Baltimore National Pike from its intersection
with the center line of Rolling Road, said beginning point being at the southernmost
corner of the land described in the deed to Allan L. Berman and others, recorded
among the Land Records of Baltimore County in Liber O. T. G. 4548, page 723,
running thence binding on the northeast side of said Baltimore National Pike,
(1) N 71° 42° 40° W 290. 75 feet, thence along a part of the northwest outline of
said land two courses: (2) N 20° 25° 10° E 273. 52 feet, and (3) N 19° 34° 40° E

115.15 feet to a point in the third or northwesterly 29°0 foot line of the Baltimore
County Zoning Description i -BR-15, thence binding reversely on a part of said
line, (4) S 70° 46° 50° E 278. 67 feet, thence along a part of the southeast outline
of the land herein referred to, (5) S 18° 23′ 10° W 383, 92 feet to the

J. O. #62205

Water Supply Bewerage Drainage Highways g Struct

HGW:mpl

O Developments & Planning of the Computer of Computer



Lester Matz, P. E., L. S.
John C. Childs, P. E., L. S.
Associates
Ronald W. Broyles, L. S.
George W. Bushby, L. S.
Robert W. Casban, P. E.
Loonard M. Glass, P. E.
Norman F. Herrer snn, L. S.
Paul Lee, P. E.
Paul S. Smeton

ell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-00

DESCRIPTION

1.0491 ACRE PARCEL, NORTH OF BY LTIMORE NATIONAL PIKE, WEST OF

ROLLING ROAD, PART OF PROPERTY OF ALLAN L. BERMAN AND OTHERS,

TIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND,

This Description is for R-10 Zoning with Parking Permit
PARCEL "B"

Beginning for the same at a point N 18° 23' 10" E 383. 92 f-:t, as measured along the southeast outline of the land conveyed to Allan L. Berman and others by deed recorded among the Land Records of Baltimore County in Liber O. T. G. 4948, page 723, from the northeast side of Baltimore National Pike and from the southernmost corner of said land, said corner being distant 1388 feet, more or less, as measured northwesterly along said northeast side of Baltimore National Pike from its intersection with the center line of Rolling Road, said beginning point being in the third or northwesterly 2963 foot line of the Baltimore County Zoning Description 1-BR-15, running thence binding on said line, (1) N 70° 46' 50" W 278. 67 feet, thence along a part of the northwest outline of the land herein referred to, (2) N 19° 34' 40" E 165.00 feet, thence binding on the center line of Powers Lane, (3) S 70° 46' 50" E 275. 24 feet, thence along a part of the southeast outline of said land. (4) S 18° 23' 10" W 155. 02 feet to the said land. (4) S 18° 23' 10" W 155. 02 feet to the said land. (5) S 70° 46' 50" E 275. 24 feet.

Containing 1.0491 acres of land.

J. O. #62205



NOLAN, PLUSHOPP & WILLIAMS
204 WEST PENNSYLVAN'A AVENUE
TOWSON, MARYLAND 21204

NOLAN, PLUMHOF & WILLIAMS



Honorable Edward D, Hardesty Zoning Commissioner Baltimore County, Maryland County Office Building Towson, Maryland 21204

Dear Commissioner Hardesty

Re: Case No. 71-237-ASPH Dated March 22, 1971

You will recall that Dick Smith during his testimony with regard to the question in this case mentioned that there were at least three other cases in which various side and front variances had been granted. In this regard i enclose a copy of Mr. Smith's letter of April 28. 1971 acting this out.

While i do not know all of the circumstances present in these other cases, I would respectfully urge, on behalf of my clients, that Baltumore County would be well served by putting this presently vacant, largely unused Route 40 frontage onto the active tax rolls, and due to the way he property is spill by the water right of way, etc. this can only be done along the lires which we have requested. We would ask no more consideraties than that enjoyed by Calvert lung which, according to Mr. Smith's letter, is built within five (3) feet of the property line; while George's Ear, which property does not reach all the way Lack to Powers Lane is built within fourteen (14) feet of our property line, again according to Mr. Smith's measurements.

Thanking you for your consideration of this letter and of

Honorable Edward D. Pardesty Zoning Commissioner Baltimore County, Maryland May 6, 1971 Page - 2 -

this cas

Respectfully, Newton G. Williams

Newton A. Williams

NAW:en Enclosure cc: Ernest C. Trindle, Esq. John P. Zebelean, Jr., Esq. Mr. Paul Huddles Mr. Richard Smith

Mr. Allan Berman

10-05-71

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 compliances, with the Baltimore County Zoning Regulations would result in practical districtly and unreasonable hardship upon the Petitioners and the Variances requested would grant relief without substantial injury to the public health, asfety and general welfars of the Josalitz involved, Variances to permits a side yard substant 60723 feet on both the east and west sides instead of the required thirty (107) jeet and to permit a seback of thirty (107) jeet between buildings instead of the required sixty (607) feet; and it further appearing that by reason of the following finding of facts that the public health, safety and general welfare of the locality, involved not being adversely affected, the Special Hearing to permit Off-Street Parking in health of the safety desires should beach and the facts constantible to the property of the permit off-street Parking in health called and the facts constantible to the safety desired and the safety desired and the safety desired the safety of the permit off-street Parking in health of the safety desired and the safety desired the safety ASP T the above Marienes should be had; and it further appearing that by conservatives a Residential Zone in accordance with the plat dated July 14, 1970, a Residential Zone in accordance with the plat dated July 14, 1970, revised De-sember, 8, 1972, January 3, 1971, and January 8, 1971, and approved June 14, 1971, by George E. Gavrella, Director of the Office of Planning and Zoning for Balti-more County, said plat having being the date Exhibit "A" in this proceedings, and which is incorporated by reference hereto as a part of this Order, should be IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25

Office of Planning and Zoning the above Variance should NOT BE GRANTED.

RECEIVED !

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

Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

James D. Kolan, Esq. Kolan, Plumhoff & Williams 204 W. Pennsylvania Avenue Towson, Maryland 21204

RE: Type of Mearing: Variance & Special Mearing Location: N/S Baltimore National Pike, W. of Rolling Rd. Petitioner: Allen Berman, Jean Berman, Paul Muddles and Esther Huddles Committee Meeting of February 2, 1971

February 19, 1971

Chaires

BUREAU OF ENGINEERING

DEPARTMENT OF STALL BOXES COMM

BUREAU OF

PROJECT PLANNING BUILDING DEPARTMEN

EDARD OF LOVE AT 100

INDUSTRIAL DEVELOPMENT

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 communits are a result of this review and inspection.

The subject property is presently un enterproved tract of land, with the properties to the case, was not south improved with werfour restal fuelless, service station and restant. The property to the north is improved with decisings, in good repair, all timore lational Pike and Powers Lane are not improved insofer as concrete curb and gutter are concerned in this location.

BUREAU OF ENGINEERING:

The comments supplied in conjunction with Item 30 (1970-71), copy attached, remain valid and applicable to this Petition, Item 113 (1970-71).

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject tract was commented on as Item 30 at the Zoning Advisory Committee September 1, 1970. Those comments remain valid.

The changes in the median, as shown on the rubject plan, can only create traffic problems and the median opening should remain as is.

UNITY OFFICE OF PLANNING AND ZONING

County Office Building Chesapeake Avenue

Petition has been received and accepted for filing this

@ 2516NS

7/237 ASPH

CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COUNT Townen, Maryland

Date of Posting #1428# 6-1971 Posted for VARIANCE - STEEMS HEARING Petitioner: ALLAN DERMAN. Location of property. N. E.S. Of BUTTONE MATTERNAL PIKE 1288 FT WW. OF ROLLING ROAD Location of Signe 1.12. N. 13. D. F. BALLEMERE, NATURES PINE 1400 7 - W OF NOLLIN & DONG Posted to Lands A 2 Mark Date at course 14884 13-1971

James D. Nolan, Esq. Item 113 Page 2

37-ASPH

February 19, 1971

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

STATE ROADS COMMISSION:

The subject plan indicates entrance channelization that would be acceptable to the State Roads Commission.

The matter of the storm drain structures at the location of the proposed easterly entrance can be resolved at a later date.

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

PROJECT PLANNING DIVISION:

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

ZONING ADMINISTRATION DIVISION:

Screening will be required along the rear portion of the parking area which borders were Lane.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be hold not less than 30, nor core than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

OLIVER L. MYERS, Chairman

OLH:JD Enc.

OF E OF

ORTGINAL.

CATONSVILLE CL MIES

CATONSVILLE, MD. 21228 March 8 - 19 21

THIS IS TO CERTIFY, that the annexed advertisement of

Edward D. Hardosty Zoning Commissioner of Baltimore County

was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-

lished in Baltimore County, Maryland, once a week for EXECUTED week before the 8 day of March19 71 that is to say, the same was inserted in the issue of March 4, 1971.

STROMBERG PUBLICATIONS, Inc.

B. Roth morgan

Varies, on for Special Hearing to a Off-Street Parking in a still some.

25" Northeast side of Balti-National Pike 1358 feet, or less, northwest of Rolling!

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was ablished in THE IEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. anaccinceasts. day of Harch 19.71 in fifth publication appearing on the hth day of March

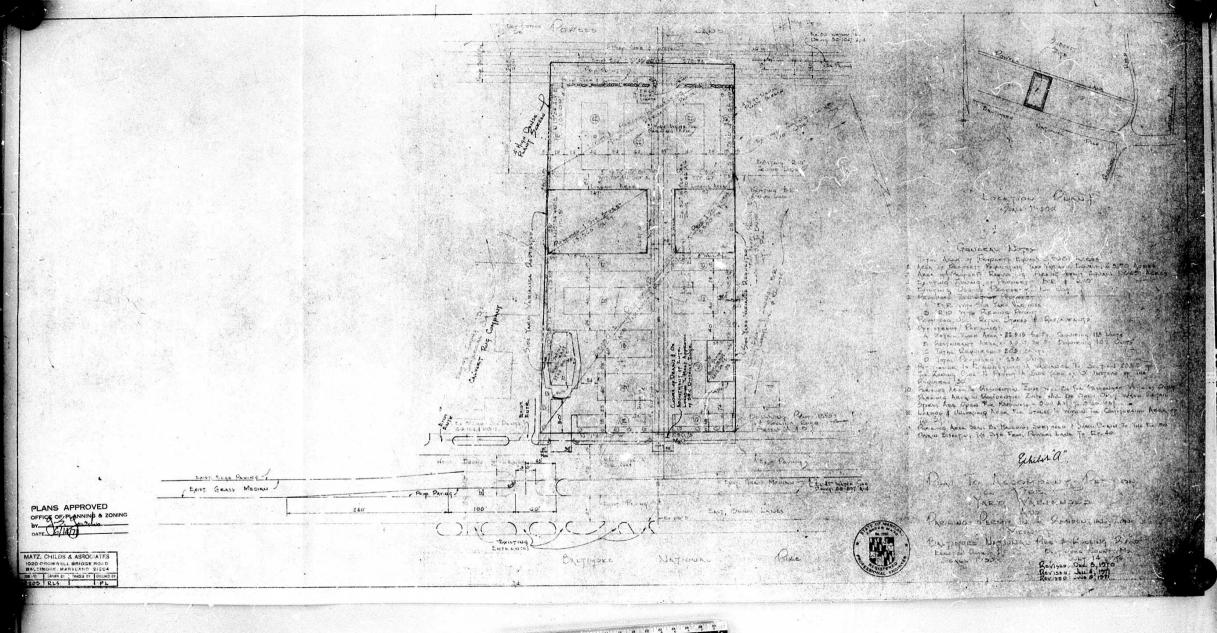
> THE JEFFERSONIAN. I Leank Structur

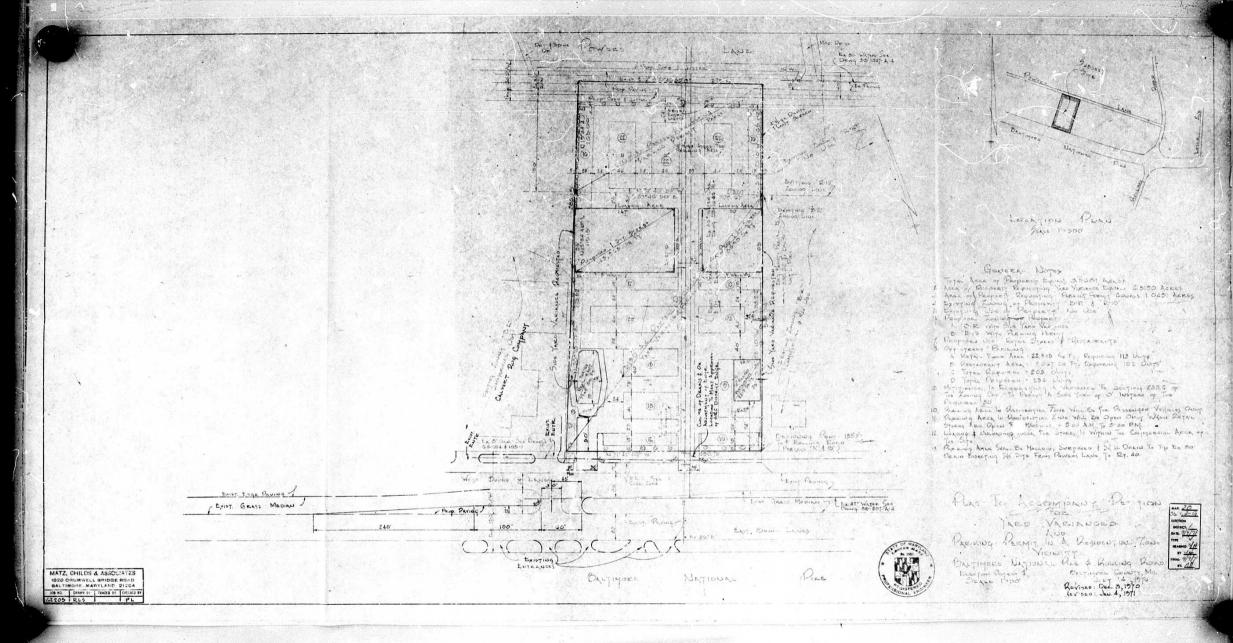
TOWSON, MD. ... March 4-

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8725A			

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	OFFICE OF FINANCE DATE	a 3, 1971
	Revenue Division COURT HOUSE TOWSON, MARYLAND 21204	
To:	Zoning Supt. of Beltleore County	
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DEPOSIT TO	ACCOUNT NO. 01-622 RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFOCATION AND KEEP THIS MUSTICE, FOR YOUR RECORDS	\$25.00
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