

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

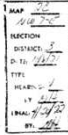
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard H. Erlanger and Florette F. Erlanger, 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 238.2 (requiring 30 foot minimum side and rear yard building setback; to permit 0 foot side yard setback and 5 foot rear yard setback on the subject property;

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

Because of shallow depth and existing shape of property application of 30 foot rear setback would eliminate 15 parking spaces, and application of 30 foot side setback would make development of property impractical.

See attached description



Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser
Address
Pikesville, Maryland 21208

William D. Wells, Petitioner's Attorney
Address
Pikesville Professional Building
Pikesville, Maryland 21208 464-0300

ORDINANCE NO. 117-157-A
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 106, County Office Building in Towson, Baltimore County, on the 24th day of January, 1972, at 11:00 o'clock.

James E. Dyer
Zoning Commissioner of Baltimore County
(over)

BACHARACH ASSOCIATES, INC. ARCHITECTS & ENGINEERS
1601 South Road Baltimore, Maryland 21209 (301) 664-0411

71521
October 20, 1971

Beginning for the same at a point on the SW side of Reisterstown Road at a point distant 181 feet south-easterly from the centerline of Drueher Avenue and running thence South 52 degrees 48 minutes 30 seconds West 198.75 feet and thence South 38 degrees 27 minutes 40 seconds East 65.00 feet to the center of a former 10 foot alley there situated, thence binding on the center of said former alley North 52 degrees 48 minutes 30 seconds East 44.00 feet to the center of another former 10 foot alley, thence binding on the center of said mentioned former 10 foot alley South 38 degrees 27 minutes 40 seconds East 112.00 feet, thence leaving said former alley and running North 52 degrees 48 minutes 30 seconds East 154.75 feet to the southwest side of Reisterstown Road, and thence binding on said SW side of Reisterstown Road North 38 degrees 27 minutes 40 seconds West 177.00 feet to the place of beginning.

The improvements thereon being known as No. 302 Reisterstown Road.



BALTIMORE COUNTY, MARYLAND No. 1473
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Jan. 3, 1972 ACCOUNT 01-662
AMOUNT \$25.00
DISTRIBUTION
WHITE - CASHIER
YELLOW - CUSTOMER
Mr. James E. Dyer
Pikesville Professional Building
7 Church Lane
Pikesville, Md. 21208
Advertisement for Variance for #72-167-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. S. Eric Ditzman, Zoning Commissioner Date January 24, 1972
FROM George E. Cavellis, Director of Planning
SUBJECT Petition #72-167-A, Southwest side of Reisterstown Road 1st feet south of Drueher Avenue
Petition for variance for a side and rear yard
Richard H. Erlanger and Florette F. Erlanger - Petitioners

3rd District
HEARING: Monday, January 24, 1972 (11:00 A.M.)

We offer no comment on the variances as such. If they are granted, the granting should be conditioned upon compliance of development with a plan to be approved by the appropriate State and County agencies.

GEC:amh



February 15, 1972

William D. Wells, Esquire
Pikesville Professional Building
7 Church Lane
Pikesville, Maryland 21208

Dear Mr. Wells:

In regard to your letter of February 15, 1972, please be advised that this office will accept an application for a permit for the property at 302 Reisterstown Road prior to the expiration of the thirty (30) day appeal period for the Zoning Commissioner's petition granting a rear and side yard variance. The application is to be accepted with the stipulation as set forth in your letter that the applicant accept full responsibility for any financial or other subsequent losses that may be occasioned due to an appeal.

Very truly yours,
James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED:mc

cc: S. Eric Ditzman
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND No. 1503
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Jan. 24, 1972 ACCOUNT 01-662
AMOUNT \$52.25
DISTRIBUTION
WHITE - CASHIER
YELLOW - CUSTOMER
Erlanger Properties
Pikesville, Md. 21208
Advertising and posting of property
#72-167-A
\$52.00 PERM 25 \$52.25

PETITION FOR A VARIANCE
FROM AREA AND HEIGHT REGULATIONS
The undersigned, Richard H. Erlanger and Florette F. Erlanger, 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 238.2 (requiring 30 foot minimum side and rear yard building setback; to permit 0 foot side yard setback and 5 foot rear yard setback on the subject property;

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 6, 1972
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 each week one time before the 24th day of January, 1972, the first publication appearing on the 6th day of January, 1972.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.....

WELLS DURKEE & ALBERT
ATTORNEYS AT LAW
PIKEVILLE PROFESSIONAL BUILDING
7 CHURCH LANE
PIKEVILLE, MARYLAND 21208
TELEPHONE 464-0300

February 15, 1972

Mr. James E. Dyer
Deputy Zoning Commissioner
Office of Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Dyer:

In connection with the application for building permit for property 302 Reisterstown Road, which will be developed as the Slide Village Shopping Center, on behalf of the owners, Mr. and Mrs. Erlanger, I am writing to request suspension of the 30 day waiting period usually required after zoning hearings for the following reasons:

1. The hearing on this variance was held January 24, 1972 and since there were no protestants, Mr. Ditzman expedited the matter by conducting the hearing in his office. At the time, after the hearing, he stated that he would grant the variance as requested and would send the order to me as counsel the following day. As you know, the order was not written until February 7th which caused a substantial delay in our plans to file for the building permit.
2. Mr. Norman Hamkin of Hamkin and Igorski, Inc., the builders on this project, has advised me that the zoning office has refused to accept his application for the building permit until 30 days from February 8th.
3. The time table for construction of this center calls for commencement of construction by March 15th and completion by August 1st. If the 30 day wait period from February 8th is complied with, construction on this project could not reasonably be expected to begin until mid-April. The factors which make this time line more critical are these:

- A. Mr. Erlanger's present business property at 321 Park Heights Avenue is in a high risk neighborhood in Baltimore City and he has been advised that his present insurance will expire without renewal rights on July 15, 1972 because it includes Jewellers stock insurance coverage.

Mr. James E. Dyer
February 15, 1972
Page 2

B. Mr. Erlanger's fall inventory will begin to arrive in August 1, 1972 by which time he will have to be located in his new quarters in the Slide Village Shopping Center.

Because of these factors, unusual as they are, we request that the application for building permit be accepted so that the time for appeal may run concurrent with the time for processing the application. I see no great amount of risk in this procedure since there were no protestants at the hearing. If your office will approve this procedure, Mr. Erlanger is prepared to assume any financial risk involved and any subsequent loss which may be occasioned by any appeal on the zoning hearing.

Would you please confirm your approval of this procedure by covering letter so that we can assure the contractor of his right to proceed.

Thank you for your cooperation.

Yours very truly,
William D. Wells
WILLIAM D. WELLS

WDW/cab

WILLIAM D. WELLS
CAROL A. DUKES
HILLARD P. ALBERT

WELLS DURKEE & ALBERT
ATTORNEYS AT LAW
PIKEVILLE PROFESSIONAL BUILDING
7 CHURCH LANE
PIKEVILLE, MARYLAND 21208
TELEPHONE 464-0300

January 20, 1972

Pikesville Plumbing and Heating, Inc.
300 Reisterstown Road
Baltimore, Maryland 21208

Continued:

In consideration of your execution of the within Deed and Agreement, it is further understood and agreed that the undersigned, Richard H. Erlanger and Florette F. Erlanger, his wife, will also agree to the continuance of a sideyard variance of six feet instead of 30 feet in the event the C & P Telephone Company acquires the portion of your property now fronting along Drueher Avenue, and further agree not to use the exterior of the South wall of any building constructed on our property for advertising purposes, and further agree that the exterior of said South wall shall be of brick or other finish surface and not of block finish.

It is understood and agreed that by your acceptance of this letter by execution of the same or consent to the granting of a zoning variance which will permit construction of retail stores up to three feet from the South-eastmost boundary line of our property, where the same abuts the portion of your property fronting on Reisterstown Road, and now occupied by your office building.

Yours very truly,

Richard H. Erlanger
RICHARD H. ERLANGER
Florette F. Erlanger
FLORETTE F. ERLANGER, his wife

Accepted this 24 day of January, 1972.

WITNESS:

PIKEVILLE PLUMBING AND HEATING, INC.

BY: Richard H. Erlanger
President

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3RD Date of Posting JAN. 8, 1972
Posted for VARIANCE
Petitioner RICHARD H. ERLANGER
Location of property SW/S. OF REISTERSTOWN RD. 181 FT. S.E.F.
DREHER AVE.
Location of Sign W/S. OF REISTERSTOWN RD. 145 FT. S.E.F.
DREHER AVE.
Remarks
Posted by Charles P. Pineda Date of return JAN. 14, 1972
Signature

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,

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community,

to permit a side yard setback of zero (0) feet instead of the required thirty (30) feet; and to permit a rear yard setback of five (5) feet instead of the required thirty (30) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of February, 1972, 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 side yard setback of zero (0) feet instead of the required thirty (30) feet; and to permit a rear yard setback of five (5) feet instead of the required thirty (30) feet, subject to the approval of a site plan by the Zoning Commissioner of Baltimore County, the State Highway Administration, 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 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,

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of February, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 10, 1971

William D. Walls, Esq.,
Pikesville Professional Building
7 Church Lane
Pikesville, Maryland 21208

Re: Type of Hearing: Variance - side and rear yards
Location: S.W. 1/4 of Halstead Road, 180' SE of Broder Avenue
Petitioner: Richard H. Erlanger, et al
Committee Meeting of November 23, 1971
3rd District
Item B2

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 located on the east side of Halstead Road just south of Broder Avenue. It is currently improved with an old existing abandoned church and what appears to be an old dwelling. There is existing curb and gutter on this location. There are existing buildings both to the rear and either side of the subject site.

BUREAU OF ENGINEERING:

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

Highways:

Halstead Road (U.S. 140) is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Sediment Controls:

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

William D. Walls, Esq.,
Item B2
Page 2
December 10, 1971

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

Storm Drainage:

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

Halstead Road (U.S. 140) is a State road. Therefore, drainage requirements as they affect the road area under the jurisdiction of the State Highway Administration.

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 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 Petitioner.

Water and Sanitary Sewers:

Public water supply and sanitary sewers are available to serve this property.

DEPT. OF TRAFFIC ENGINEERING:

Prior to hearing date, revised plans must be submitted showing location of Maryland Avenue relative to this site.

BUILDINGS ENGINEER'S OFFICE:

No comment from this office at this time.

STATE HIGHWAY ADMINISTRATION:

Entrance channelization as indicated on plan is basically acceptable. The northern entrance must be located directly opposite Maryland Avenue. Therefore, Maryland Avenue must be indicated on plan. Plan must also indicate curbs on right of way line or on setback line. The entrance will be subject to State Highway Administration's approval and permit.

It is our opinion that the plan be revised prior to hearing date being set.

William D. Walls, Esq.,
Item B2
Page 3
December 10, 1971

FIRE DEPARTMENT:

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1959 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Micro-titan water and sewer are available to the site.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

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.

ZONING ADMINISTRATION DIVISION:

This office is withholding approval of the subject petition until such time as revised plans are received that indicate the existing structures or the subject property, and the existing structures that are on the adjacent property. Also, Maryland Avenue must be shown on the opposite side of Halstead Road. In addition, the plans must be revised per the comments of State Highway Administration and the Project Planning Office.

Very truly yours,
Oliver L. Myers
Oliver L. Myers, Chairman

JLM:ldj

Enc.

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 January 10 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 10 day of January 1972 that is to say, the same was inserted in the issue of January 6, 1972.

STROMBERG PUBLICATIONS, Inc.

By *Janette Schaefer*

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>W.D.W.</i>	Revised Plans: Change in outline or description Yes ☐ No ☐									
Previous case:	Map # <i>2-2C</i>									

William D. Walls, Esq.,
Pikesville Professional Building
7 Church Lane
Pikesville, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

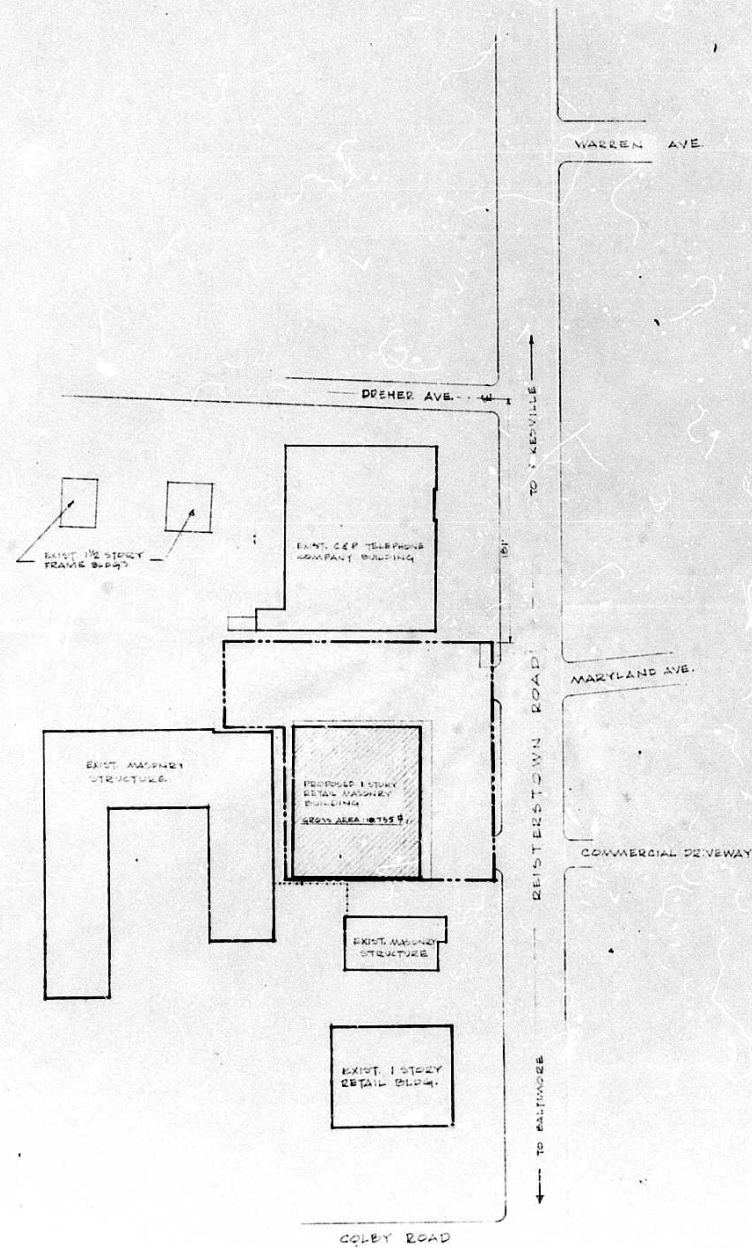
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 22nd day of December 1971

W.D.W.
W.D.W., Esq.
Zoning Commissioner

Petitioner: *Richard H. Erlanger, et al*
Petitioner's Attorney: *William D. Walls*

Reviewed by: *Oliver L. Myers*
Chairman of
Advisory Committee



LOCATION PLAN
SCALE: 1" = 50'

3RD. ELECTION DISTRICT, BALTA CO., MD.

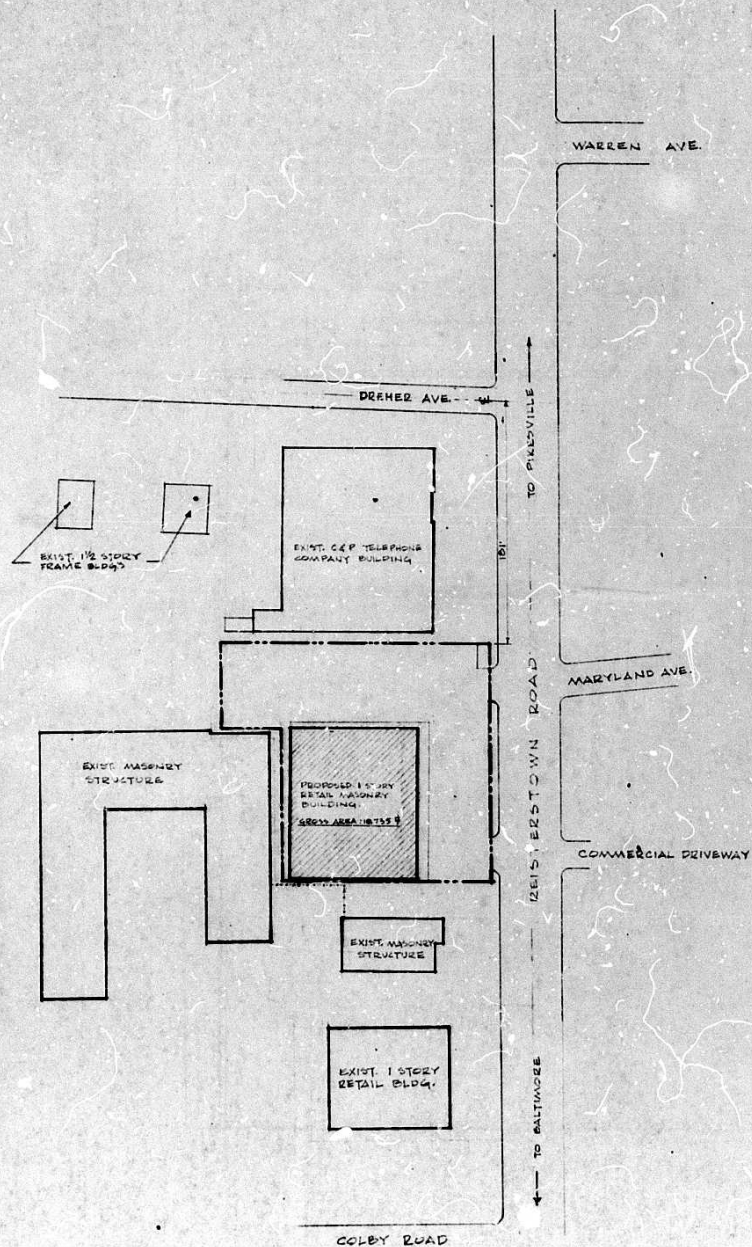
SLADE VILLAGE SHOPPING CENTER

FOR ERLANGER PROPERTIES

BACHARACH ASSOCIATES INC.
ARCHITECTS & ENGINEERS
1801 SOUTH ROAD
BALTIMORE, MARYLAND 21208

DRAWING NO.
P-1
OF 2
JOB NO. 7159
DATE: 10/11/71





LOCATION PLAN
SCALE: 1" = 50'

3RD. ELECTION DISTRICT, BALTA CO., MD.

APP. 26
DATE 11/1/71
DISTRICT 3
DATE 11/1/71
FILE
HEARING
BY
FINAL

SLADE VILLAGE SHOPPING CENTER

FOR ERLANGER PROPERTIES

BACHARACH ASSOCIATES INC.
ARCHITECTS & ENGINEERS
1801 SOUTH ROAD
BALTIMORE, MARYLAND 21206

DRAWING NO.
P-1
OF 2
JOB NO. 71591
DATE: 12/1/71



NOTES:
 3RD ELECTION DISTRICT, BALTO. CO., MD.
 EXISTING ZONING - B2
 AREA OF PARCEL - 30,030.75 #
 PARKING: NO. OF SPACES REQUIRED - 54
 NO. OF SPACES PROVIDED - 55
 DIM. 18' x 18'
 1 SPACE PER 100' OF BUILDING AREA (10,135 #)
 VARIANCES REQUESTED:
 SIDE YARD - FROM 30' REQUIRED TO 0' SETBACK
 REAR YARD - FROM 30' REQUIRED TO 5'-0" SETBACK

SITE PLAN
 SCALE 1" = 10'

SLADE VILLAGE SHOPPING CENTER
 FOR ERLANGER PROPERTIES

BACHARACH ASSOCIATES INC.
 ARCHITECTS & ENGINEERS
 1001 SOUTH ROAD
 BALTIMORE, MARYLAND 21206
 DRAWING NO.
 P-2
 OF 2
 JOB NO. 71891
 DATE: 10/11/71

