

72-236-ASPH 114 72-236-ASPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Carolyn H. Herzberg I, or we, Bernard T. Herzberg, 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 409.2b (3) A (1) to permit 36 parking spaces instead of the required (52) and a Variance to Section 409.3 to permit use of 14th Zoned DMS-5 for parking areas. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Patronage of existing tavern and proposed retail store will consist of mostly neighborhood trade who walk instead of drive. See attached description Strict compliance with the regulations create a hardship and difficulty. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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 Bernard T. Herzberg Legal Owner Address 832 Dorsey Ave Essex MD 21221 Petitioner's Attorney _____ Protestant's Attorney _____ Address _____ ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of March, 1972, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of April, 1972, at 2:00 o'clock P.M. Eric D. Nenna Zoning Commissioner of Baltimore County. (over)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bernard T. Herzberg, 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the zoning Commissioner and/or Deputy Zoning Commissioner should approve _____

To permit use of land in a residential zone for parking area to meet the requirements to section 409.4

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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

Address

Petitioner's Attorney

Address

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of March, 1972, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of April, 1972, at 2:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

ZONING DESCRIPTION FOR VARIANCE
727 South Marilyn Avenue - Fifteenth Election District

Beginning at the Southeast corner of Homberg Avenue and Marilyn Avenue, running 1400 feet Southerly to the point of beginning of said property, and running thence South 84 degrees West 200 feet along a 20 foot private road (Lane Road), North 6 degrees West 112.67 feet, South 84 degrees West 200 feet, North 6 degrees West 112.67 feet to the point of beginning.

Containing 20,280.60 square feet

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 21, 1972

COUNTY OFFICE BLDG.
171 W. Chesapeake Ave.
Towson, Maryland 21204

Oliver L. Myers

Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. Bernard T. Herzberg
832 Dorsey Avenue
Essex, Maryland 21221

RE: Type of Hearing: Special Hearing
Location: E/S Marilyn Avenue, 1400' S. of Homberg Avenue
Petitioner: Bernard T. and Carolyn H. Herzberg
Committee Meeting of January 18, 1972
3rd District
Item 114

Dear Sirs:

Attached are revised comments for the Department of Traffic Engineering. These are Advisory only and your plans will not be required to be revised prior to the hearing.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JJD:JU
Enc.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Attn: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 114 - Revised Comments
Marilyn Ave. & Homberg Ave.

Date: February 17, 1972

The petitioner is requesting a variance from the required 52 parking spaces to 24 spaces, for a loss of 28 parking spaces. If the petitioner were to redesign the site, a considerable improvement in the parking could be made, although the parking requirement would not be met.

It must also be noted that if the so called garage would be used for commercial purposes, parking problems will occur in the neighborhood.

Michael S. Flanigan
Traffic Engineer Associate

MSF:nrr

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mrs. S. Eric DiNenna, Zoning Commissioner Date: April 10, 1972

FROM: Leslie H. Groff, Deputy Director of Planning

SUBJECT: Petition 72-236-ASPH. East side of Marilyn Avenue 1400 feet South of Homberg Avenue.
Petition for variance for off-street parking.
Petition for special hearing to permit off-street parking in a residential zone.
Bernard T. Herzberg and Carolyn H. Herzberg - Petitioners
15th District

HEARING: Monday, April 10, 1972 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to make:

The addition would "ster on over use of the land; we suggest that additional land be secured by the petitioner for off-street parking in order to accommodate the proposed new use.

If the variance and special permit are granted, we suggest that a lighting plan be required and that the lighting standards be limited to 8 foot height. Also, any additional development on this property should be conditioned on an approved satisfactory site plan.

LHG:NEG:cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

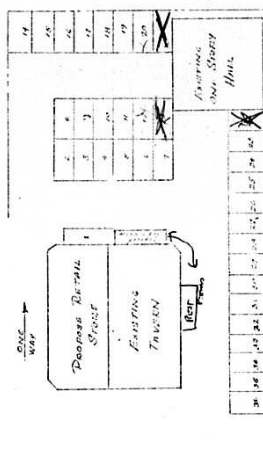
TO: S. Eric DiNenna, Zoning Commissioner
FROM: John J. Dillon, Jr.

SUBJECT: Bernard T. and Carolyn H. Herzberg
E/S Marilyn Avenue, 1400' S. of Homberg Avenue

After two field investigations to the subject site regarding the use of the existing one-story garage building, as indicated on the subject plan, I am refraining from making further comment and suggest if you have any question regarding its use that you make a field inspection prior to any Order that you may make.

John J. Dillon, Jr.
Zoning Technician

JJD:JU



Scale 1" = 20'
Drawing prepared by L.H.G. and J.S.F.

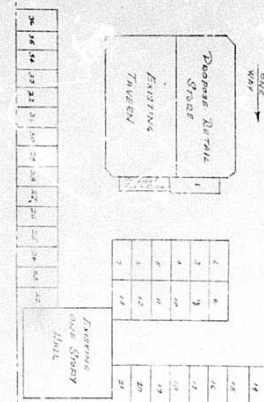


Zoning Commissioner of Baltimore County

Zoning Commissioner of Baltimore County

Michael S. Flanigan
Traffic Engineer Associate

MARLYN AVE



Marilyn Avenue, an existing County road, is proposed to be improved in the future in the vicinity of this property as a 50-foot closed-type roadway cross section on a 70-foot right-of-way. Highway improvements are not required at this time. Highway right-of-

We are withholding comments on this site until revised plans are submitted. The revised plans must reflect the existing conditions, including the sign and the pits in front of the building and the barbers pit in the back. The revised plans should also include an explanation as to how parking space No. 22 can be used.

2. The garage has one small access door for an automobile. There are three other doors leading into this garage, two of them appear from the outside to accommodate a rear porch inside the structure or a future rear room. The bulk of this garage is to be residential zone and this type of use may not be permitted. It also appears that a portion of this area is being used for bull events and the like.

Very truly yours,

 OLIVER L. MYERS, Chairman

JJD:JL

ZONING DESCRIPTION FOR OFF-STREET PARKING IN A RESIDENTIAL ZONE

727 SOUTH MARLYN AVENUE - FIFTEENTH ELECTION DISTRICT

Beginning at the Southeast corner of Homberg Avenue and Marlyn Avenue and running 1400 feet to a point, thence South 84 degrees West 180 feet to the point of beginning, thence running the four following courses and distances: South 84 degrees West 20 feet; North 6 degrees West 112.67 feet; South 81 degrees West 20 feet; and North 6 degrees West 112.67 feet to the point of beginning.

Containing 2,253.40 square feet

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 22, 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., on ~~one time~~ one time before the 10th day of April, 1972, the said publication appearing on the 23rd day of March, 1972.

THE JEFFERSONIAN

L. L. Lusk
Manager

Cost of Advertisement \$.....



RANDALLSTOWN, MD. 21133 March 27 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinsman, Seating Commissioner of Baltimore County was inserted in the following

- | | |
|---|--|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☒ Essex Times | ☐ Community Times |

weekly newspaper published in Baltimore County, Maryland, once a week for one ~~two~~ week before the 27 day of March 1972, that it says, the same was inserted in the issue of March 23, 1972.

STROMBERG PUBLICATIONS, INC.

Rich Morgan

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall 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>[Signature]</i>	Revised Plans: Change in outline or description ☐ Yes ☒ No									
Previous case: _____	Map # _____									

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 2138

DATE April 10, 1972 ACCOUNT 01-662

AMOUNT \$61.75

WHITE - CASHIER
DISTRIBUTION
FIRM - AGENCY
Bernard T. Hersberg
832 Dorsey Ave.
Baltimore, Md. 21221
Advertising and posting of property
#72-236-ASPH 2845 2846 10 51.75 MS

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 1588

DATE March 7, 1972 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER
DISTRIBUTION
FIRM - AGENCY
Bernard T. Hersberg
832 Dorsey Ave.
Baltimore, Md. 21221
Petition for Variance and Special Hearing
#72-236-ASPH 2845 2846 10 25.00 MS

Exhibit "A"

PROPERTY ZONE BL4.D.R.5.5
15th DISTRICT BALTO CO. MD.
PROPERTY 20,200.00 SQUARE FEET - BL
PARKING DATA 2,259.40 SQ. FT. - D.R. 5.5

- ① EXISTING BLDG (TAVERN)
ONE PARKING SPACE FOR EACH 50 SQ. FT., 2161 ÷ 50 = 43
PARKING SPACES REMOVED.
- ② PROPOSED ADDITION (LEGAL STORE) 63'x25'x1638 SQ. FT.
ONE PARKING SPACE FOR EACH 200 SQ. FT., 1638 ÷ 200 = 9
(REQ'D) TOTAL PARKING SPACES 52

(26) PARKING SPACES 9'x18' (MIN) SHOWN.

PARKING LOT & DRIVE - DURABLE
DUSTLESS SURFACE.

ENTRY & EXIT SHALL BE PER BALTO. CO.
ST. 7th TRAIL CONC. CONC. PER SPECIFICATIONS.
ENTRY & EXIT CURBS TO BE PER BALTO. CO.
SPEC. - 5'x0" RADIUS.

PROVIDE A 8" WIDE x 6" HIGH
CURB AROUND PARKING LOT

- 409.4 - BUILDINGS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES
a. THE LAND SO USED MUST BE OPEN TO THE PUBLIC OR STREET FROM THE
PARKING SPACE OR DRIVEWAY.
- b. ONLY PASSENGER VEHICLES, EXCEPT BUSES, MAY USE THE PARKING SPACE
c. NO LOADING, UNLOADING, OR ANY USE OTHER THAN PARKING SHALL
BE PERMITTED.
- d. VEHICLES SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF
USE, AND OTHER MATTERS AS MAY BE REQUIRED.
- e. SIGNAGE AS TO PARKING REGULATIONS AND/OR OTHER MATTERS SHALL BE REQUIRED
f. PARKING REGULATIONS BY THE OFFICE OF THE BALTO. CO. PLAT.
g. PARKING SPACE SHALL BE 9'x18' MINIMUM PER REQUIRED.
- h. VEHICLES SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF
USE, AND OTHER MATTERS AS MAY BE REQUIRED.
- i. VEHICLES SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF
USE, AND OTHER MATTERS AS MAY BE REQUIRED.

OWNERS: DEANARD T. & CAROLYN H. HERTZBERG
LICKER 5097 PAGE 627 DATE 6-2-70

PETITIONER IS REQUESTING A VARIANCE TO SECTION 409.4(b)(5)(c)
TO PERMIT PERMIT (26) OFF-STREET PARKING SPACES, INSTEAD OF
THE REQUIRED (52) AND A VARIANCE TO SECTION 409.4
TO PERMIT USE OF LAND ZONED D.R. 5.5 FOR PARKING AREA.

HOURS OF USE 10:00 AM TO 2:00 AM

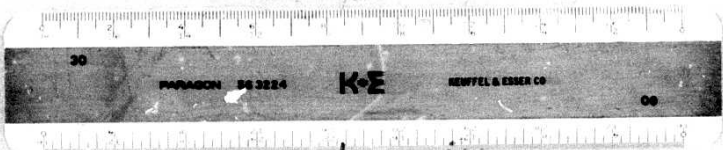
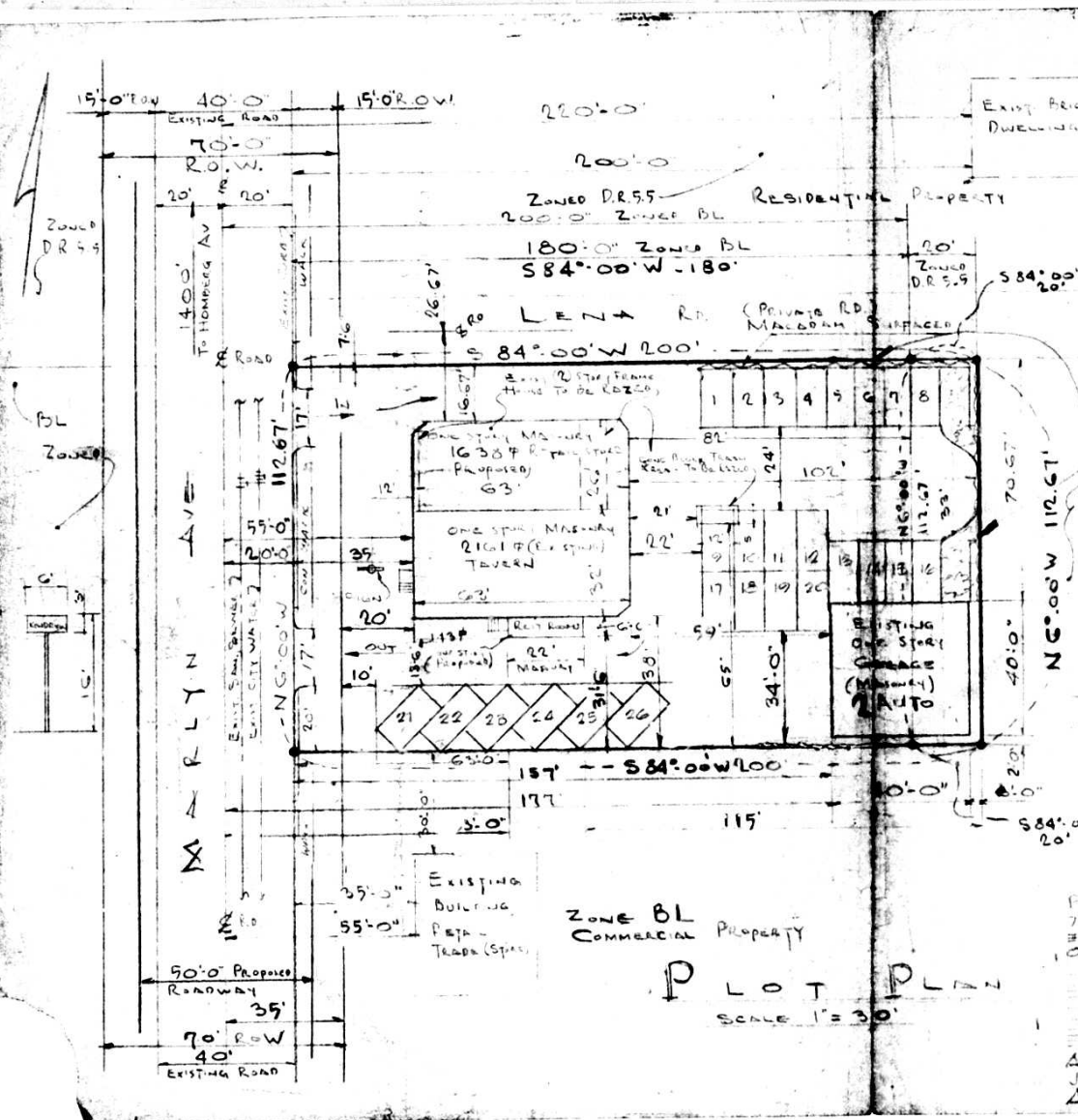
PROPOSED ADDITION TO EXIST. BUILDING
723 S. ELLY AVE
BALTO. CO. MD.
MAY 1971

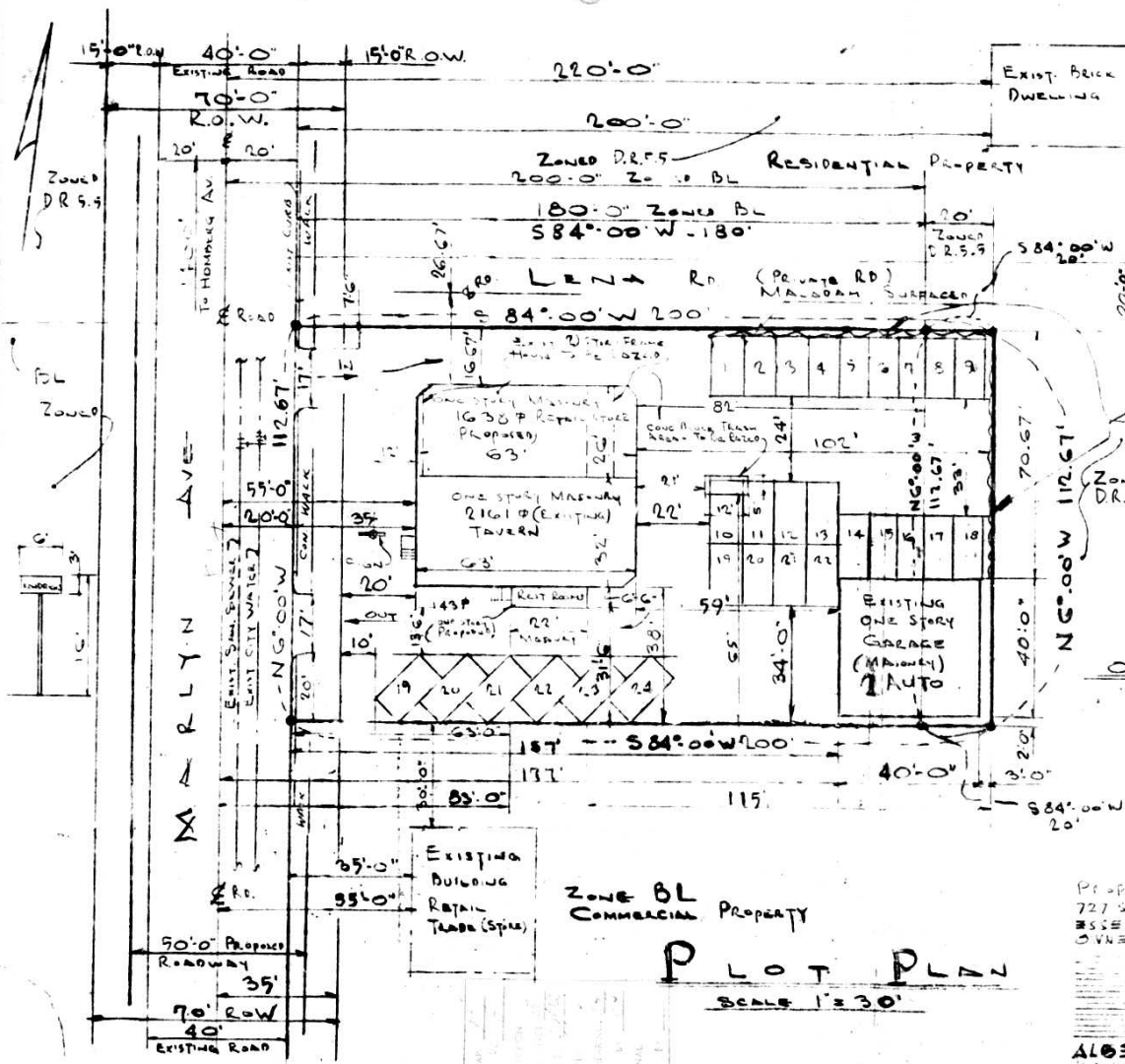


ALBERT K. BROUGHTON, A.I.A.
JAMES S. CALDWELL
ARCHITECTS

NOV. 17, 1971 - DEC. 7,
EXC. NO. A-142 DUES

Approved as to parking layout
D. O. P.





PROPERTY ZONE BL DR 5.5
 15TH DISTRICT BALTO. CO. MD.
 PROPERTY 2020060 SQUARE FEET - BL
 PARKING DATA 2,259.40 SQ. FT. - DR 5.5

① EXISTING BLDG (TAVERN)
 ONE PARKING SPACE FOR EACH 50 SQ. FT., 1161 - 90.43
 PARKING SPACES REMAIN.

② PROPOSED ADDITION (TAVERN) 63' x 26' = 1638 SQ. FT.
 ONE PARKING SPACE FOR EACH 50 SQ. FT., 638 - 12.76
 (REPAIR) TOTAL PARKING SPACES 51.

(26) PARKING SPACES 9' x 18' (MIN) SHOWN.

PARKING LOT & DRIVE - DRAINAGE
 DRAINAGE SURFACE.

ENTRY & EXIT SHALL BE PAVED BALT. CO.
 4" THICK CONCRETE FOR SPECIFIC USES.
 ENTRY & EXIT CURBS TO BE PAVED BALT. CO.
 SPEC. 5' 0" RADIUS.

PROVIDE A 8" WIDE x 6" HIGH
 CURB AROUND PARKING LOT.

409.4 PURPOSE OF INDUSTRIAL PARKING LOT - RESIDENTIAL ZONING

a. THE LOT SHALL BE LOCATED TO THE REAR OF THE LOT OR TO THE SIDE OF THE LOT AND SHALL BE SEPARATED FROM THE LOT BY A FENCE OR WALL.

b. ONLY PASSENGER VEHICLES, EXCEPT TAXIS, MAY BE IN THE PARKING AREA.

c. NO LOADING, UNLOADING, OR OTHER TRUCK PARKING SHALL BE PERMITTED.

d. LIGHTING SHALL BE REGULATED AS TO LOCATION, INTENSITY, HOURS OF ILLUMINATION, GLARE, AND INTERFERENCE TO ADJACENT PROPERTIES.

e. SECURITY MEASURES SHALL BE REQUIRED AND A SECURITY PLAN SHALL BE SUBMITTED TO THE OFFICE OF PLANNING, SHOWING ON PLAT.

f. A SAFETY PLAN SHALL BE SUBMITTED TO THE OFFICE OF PLANNING, SHOWING ON PLAT.

g. VEHICLES SHALL BE PROPERLY PARKED AND MAINTAINED.

h. METHOD AND HOURS OF OPERATION, PROVISION FOR MAINTENANCE AND REPAIR OF THE LOT SHALL BE SPECIFICALLY DESCRIBED IN THE PLAN.

OWNERS: RICHARD T. & CATHERINE H. HELTZER

LINES 1097 PAGE 627 DATE 6-27-70

PETITIONER IS REQUESTING A VARIANCE TO SECTION 409.26 (3)(6) TO PERMIT PARKING (26) PASSENGER PARKING SPACES INSTEAD OF THE REQUIRED (51) AND A VARIANCE TO SECTION 409.4 TO PERMIT USE OF LAND ZONED DR 5.5 FOR PARKING AREA.

HOURS OF USE 10:00 AM TO 2:00 AM

Zone BL
 COMMERCIAL PROPERTY

PLOT PLAN

SCALE 1" = 30'

PROPOSED ADDITION TO EXIST. BUILDING
 727 S. DARTON AVENUE
 BALTO. CO. MD.
 OWNERS: MARYLAND
 1700 ARS. D. T. HELTZER



ALBERT K. BROUGHTON A.I.A.
 JAMES S. CALWELL
 ARCHITECTS

NOV. 15, 1971 - 02.7,
 DUE NO. 1 - 02.7, 2005.

