PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS 72. 53 LANGE TO THE ZONING COMMISSIONER OF RALTIMORE COUNTY-Carolyn H. Herzberg legal owner...of the property situate in Baltimore hich is described in the description and plat attached hereto and made a part hereof. for a Variance from Section Variance from 409.2b (3) & (6) to of parking appear instead of the required (52) and non to Section 409.4 to permit use of land comed DR5.5 following resources (indicate hardship or practical difficulty) Patronage of existing tavern and proposed retail store will consist of mostly neighborhood trade who walk instead of See attached description Strict compliance with the regulations create a hardshipner respecty is to be posted and advertised at prescribed by Zoning Regulations. If we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this dag, and further agree to and are to be bound by the zoning regulations and restrictions of the country adopted pursuant to the Zoning Law For Baltimore County. Cereby H Herzburg Bernaud T. Hersling Address 832 DORSEL AUE ESSEX MD. 21221 Protestant's Attorner of \$1.50. 1972. that the subject matter of this petition be advertised, as réquired by the Zoning Law of Baltimore County, in two energapers of general circulation throughout Baltimore County, that properly be posted, and that the public hearing be had before the Zoning Cognitisations of Baltimore County in Room 108, County Office Building in Towner, Baltimore Fini la Jenna

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PETITION FOR SPECIAL HEARING

TO THE CONING COMMISSIONER OF BALLHORS COUNTY:

L. Or We, MESSAGED, T. HESSAGED egal 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 patition 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.

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

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

Regulations.

Regulations.

Regulations are to be a systemses of above Special Hearing advertising posting or e.e., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law, for Baltimore County adopted pursuant to the Zoning Law, for Baltimore County

Carlon H. Herring Bernaud 7 Herring Ingal Owner Contract Purchaser Address 832 Dorsey Ave

Petitioner's Attorney

Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this_7th____ day of watch. 1982, that the subject matter of this patition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, d that the public hearing be had before the Zoning Commissioner of Baltimore County, making the County office Building in Toward, Baltimore County, on the 1921, and 1922, attained to the County of the Suliding in Toward, Baltimore County, on the 1921, and 1922, attained to look.

Di Di Huma

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Zoning Commissioner of Baltimore County

(over)

WR7-72AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

ZONING DESCRIPTION FOR VARIANCE

Geginning at the Southeast corner of Homberg Avenue and Marlyn Avenue, running 1800 feet Southerly to the point of beginning of said property, and running thence South 80 degrees Vest 200 feet along a 20 foot private road (Lana Road), North 6 degrees Mest 112,67 feet, Jouth 80 degrees Vest 200 feet, North 6 degrees West 112,67 feet to the point of beginning.

Containing 20,280,60 square feet

727 South Marlyn Avenue - Fifteenth Election District

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

FROM Leslie H. Graef, Deputy Director of Planning

SUBJECT Petition #72-236-ASPH. East side of Marylyn Avenue 1400 feet South of

Hamberg Avenue.

P etition for vertices for off-street parking.

Petition for vertices for off-street parking.

Petition for vertices for off-street parking in a residential zone.

Bernard 1. Herzberg and Carolyn H. Herzberg - Petitioners

315th District.

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

The staff of the Office of Planning and Zuning has reviewed the subject petition

The addition would "aster an over use of the land; we suggest that additional land be secured by the petitioner for off-street parking in order to accommod

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 feat in height. Also, any additional development on this property should be a diffuned on an approved satisfactory site plan.

- APR 10'72 " -

LHG:NEG:cm



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG

OLIVER L. MYERS

DEFARTMENT OF TRAFFIC ENGINEERIN STATE ROADS COM BUREAU OF HEALTH DEPARTMEN PROJECT PLANNING

> BOARD OF EDUCATION ZONING ADMINISTRA INDUSTRIAL DEVELOPMENT

Hr. Bernard T. Herzberg 832 Jorsey Avenue Essex, Maryland 21221

RE: Type of Hearing: Special Mearing Locations E/S Marlyn Avenu. 1400 °. of Momberg Avenue 1400 °. of Pattitioner: Bernard T. and Carolyn H. Merzb Committee Meeting of January 18, 1972 3rd District Item 114

Bear Stre

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

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Oliver L. Myers, Chairman

JJD:JD

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna, Zoning Commissioner Date. March 21, 1972

John J. Billon, Jr.

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

regarding the use of the existing one-scory garage building, as indicated on the subject plan, I am refraining from months of the existing one-scory garage building, as indicated on the subject plan, I am refraining from months of the foreign from the angular plant if you have any roustion regarding its use that you make a field inspection prior to any order that you make.

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

MITER-DEFICE CORRESPONDENCE

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 neighbor

4/10/7 gran.

February 17, 1972

S. Eric DiNenna Attn: Oliver L. Hyers

Michael S. Flanigan

SUBJECT: Item 114 - Rev'sed Comment Marlyn Ave. & Homberg Ave.

MOBERN MAR

JUN 29 1972

Pursuant to the	refreement, posting of property, and like caring on	the above Betition
and it appearing that b	y ason of the following finding of facts that atrict	compliance.
with the Baltime	ore County Zoning Regulations would res	ult in practi-
cal diffigulty.	and unreasonable hardship upon the Peti	tioners,
- 14-21 20228		
the above Variance sho	uld be had; and it further appearing that by reason of	the granting
of the Yariance	requested not adversely affecting the	bealth, safety
and general well	fare of the community.	
stead of	t twenty-six (26) parking spaces in- ; f the required fifty-two (52) spaces	
IT IS ORDERED by	the Zoning Commissioner of Baltimore County this	<i>It</i>
ame it Ganted from a ng spaces inste he approval of the Bureau of Pu nd the Office o	blic Services	subject to
Pursuant to the adv	ertisement, posting of property and public hearing on the	ne above petition
d appearing that by	reason of	
4		
x		
se above Variance show	uld NOT BE GRANTED.	
IT IS ORDERED by	the Zoning Commissioner of Baltimore County, this	day
C	., 197, that the above Valance be and the same is	hereby DENTED
		many beineb.

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 the public health, safety and general welfare of the locality involved not being adversely affected. the above Special Hearing for <u>Off-street Parking in a Residential Zone</u> in accordance with the plat dated November 17, 1971; revised December 7, 1971, bg:nessens.id. January.3., 1972, and Fabruary. J., 1972. and Approved May.1). 1972. by Leslie B. Graef. Deputy Director of the Office of Planning and Zoning for Baltimore County, and plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a cart of this Order, should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this Special Hearing should be and the same is granted, from and after the date of this order, to permit Off-street Parking in a Residential Zone, subject to the approval of a rite plan by the Bureau of Public Services and the Office of Planning and Zoning. Down Commissioned of Baltimore County free 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 above Special Hearing should NOT BE GRANTED. IT IS ORDERED by the Zoring Commissioner of Baltimore County, this _____day of_____, 196__, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BAUTIMONE COUNTY ZONING ADVISORY COMMITTEE

February 4, 1972

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

RE: Type of Hosting: Special Hearing Location: E/S Harlyn Avenue, 1400' S, of Homberg Avenue Petitioner: Bernard T, and Cerolyn H, Herzberg Committee Pacting of January 18, 1972 3rd district Lea 116

The Zoning Advisory Countitee has reviewed the plans submittee with the above referenced patition 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 onst side of Harlyn Avenue approximately 1400 feet south of its intersection with Mondarg Avenue. Immediately to the north of this site is on Suprement accedent and that is called Lone Road and is marked "Parietath". To the south of the subject property is an endating according to the subject to the subject report is an endating report in the subject to the property in this vicinity is residential. property. The residential.

BUREAU OF ENGINEERING:

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

The submitted plan does not indicate the Patitioner's site improvements as they exist in the field.

Highways:

Marlyn Avenue, en existing Count, read, is proposed to be impresed in the future in the vicinity of this property as a 50-foot closed-type archity cross section on a 70-foot right-of-cary, wilghing improvements are not required at this time. Highway right-of-cary,

Mr. Bernard T. Herzberg Item 114 Page 2 Page 2 February 4, 1972

widening will be required in connection with any building parmit application. The plan should be revised to indicate the proposed highway right-of-way widening.

The status of the rend along the north side of this site, indicated as "tena Read" on the submitted pien, is whencem and assumed to be private, it should be the responsibility of the Patitioner to ascertain and clarify any rights therein.

The entranco locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with 9altimore County Standards.

The Petition: must provide necessity drainings facilities (temporary or paramonn) to present creating any maistness or demaps to adjacent reparamonn and the provided of the p

Water and Sanitary Severs

Public water supply and sanitary severage are available and serving

PROJECT PLANNING DIVISION:

After the inspection of the site, it appears that the site plan does not indicate the misting structures on the site, and unless them of the site of t

DEPT. OF THREFIC ENGINEERING:

We are withholding commonts on this site until revised plans are substituted. The revised plans must reflect the existing conditions, Including the sign and the point in found of the building and the bardener pit is the back. The revised plans should also include an exclaration on the printing space bo, 22 can be send.

BA_CIMORE COUNTY, MARYLAND

S. Eric DiNenna Attn: Oliver L. Myers Michael S. Flanigan

Item 114 - Revised Comments Marlyn Ave. & Homberg Ave.

February 17, 1972

The petitioner is requesting a variance from the required 52 parking spaces to 2% spaces, for a loss of 28 parking spaces. If the petitioner were to redesign the site, a considerable inprovement in the parking could be made, #ithough the parking requirement would not be met.

It must also be noted that if the so called garage would be commercial purposes, parking problems will occur in the neighbor-

Michael S. Flanigan Traffic Engineer Associate

MSF:n

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No bearing on student population.

Metropolitan water and sewar are available to the site. Food Service Commental If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food frotection, Baltimore County Department of Health, for review and approxed. This includes the existing between stand.

The comer shall comply with all applicable requirements of the Mational Fire Protection Association Standard No. 101, "The Life Safety Code", 1957 Edition, and the Fire Prevention Code when construction plans are submitted for appreval.

when the field inspection of this property re-coled that the flat submitted does not accurately indicate that is existing on the sits and her it is bring upod. This is not in accordance with the Annier Commissioner's rules of ractice and procedure; therefore, this pattites is being withheld from a 1 in justific the first angle of the procedure is the pattites of the first and the pattites of the first and the first and

Any commercial use of the chisting errore, which was built with a restdential porational bubbled "For demastic storage only", must code immodistely. A field importion revealed that the garage is possibly being used as part of the restaurant and towern facility in that equi cant for hell revisits, eyster recents, and the like are being stored inside or directly adjectn to the parage.

2. The garage has one small secess foor for an automobile. There are three other down leading into this paper, two of them against fresh the entitle to accommobile a restream families in a restrictive or a future restricts. The bulls of this graph is no architection or and this type of under your department. I see that type of under you do provide the second of the type of this area is being used for bull restricted in the.

Mr. Berr rd T. Herzberg Item 114 Page 3 February 4, 1972

BOARD OF EDUCATION:

HEALTH DEPARTMENT:

ZONING ADMINISTRATION DIVISION:

72

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MAKLYN

3. The existing structure that houses the tavern on the plon indicates the entire structure is practically square. A field inspection indicated that the portion of the building on the morth side is not as large as the section that south side, this is not reflected in the plants.

4. The parking as indicated is not in accordance with Belticore County standards, parking spaces 3% to 3% block the doorway into the graze, parking space 2% is inaccessible. There is no existing seconding from the residential area to sides and erar from the existing parking are: If the patitioner intends to use the parage for commarcial pur, ones, he should strengt to have the property recommend once the naxl sending cycler siac, he is printing within 6 feet of the proposed right of two 1 has long larting wheeling.

Very truly yours,

Olive & Myers OLIVER L. MYERS, Chairman

JJD:J?

Enc.

Mr. Bernard T. Herzberg Item 114 Page 4 February 4, 1972

ZONING DESCRIPTION FOR OFF-STREET PARKING IN A RESIDENTIAL

727 SOUTH MARLYN AVENUE - FIFTEENTH ELECTION DISTRICT

Baginning at the Southeast corner of Homberg Avenue and Marlyn Avenue and running 1800 feet to a point, thence South 84 degrees West 180 feet to the point of beginning, thence running the four following courses and dirances: South 84 degrees West 12,67 feet; South 69 degrees West 20 feet; Worth 6 degrees West 112,67 feet; South 80 degrees West 20 feet; and North 6 degrees West 112,67 feet; South 80 degrees West 12,67 feet; South 80 degrees West 12,67 feet; South 80 degrees West 12,67 feet to the point of beginning

Containing 2,253.40 square feet

PETITION	MAPPING			PROGRESS			SHEET			
FUNCTION	Wall Map				Duplicate		Trocing		200 Sheet	
FUNCTION	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:		_			ed Pla e in ou		or des	c ripti		
Previous case:			1	Map i						.No

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ty Office Building, 111 W. Choose
prove Avenue, Toucon, Maryland.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 22 , 19 72

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERONIAN, a weekly newspaper printed and published in Towson, Baltimere County, Md., omecune would offer the Lighthouse April 19.72., the flow publication appearing on the ... 23rd...day of ... March...

Leach Street

Cost of Advertisement, \$_____





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

☐ Catonsville Times ☐ Dundalk Times ☑ Essex Times

☐ Towson Times
☐ Arbutus Times
☐ Community Time

weekly newspaper/ published in Baltimore County, Maryland, once a week for an account weekly before the 27 day of Maryland 19 22, that it to say, the same was naseted in the issue of Kareh 25, 1972.

STROMBERG PUBLICATIONS, INC.

111 Ruth morgan

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE: REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE April 10, 1972
ACCOUNT 01-662
AMC'INT 861.75

white cashien Sikk action vallow custon Sermand T. Heraberg 522 Borger Are.
Baltimore, Md. 21221

2)6-ASPR

61.75 MSC

BALTIMORE COUNTY, MARYLAND OFFICE O, MANCE REVENUE OVERSON MISCELLANGOUS CASH RECEPT

DAYE March 7, 1972 ACCOUNT 01-662

AMOUNT \$25.00

WHITE CLANES PRINT 109

RETRIACT 2, Bestbarg 932 Dersy Wellow - Cusyomes Retriact 2, Bestbarg 932 Dersy Palictungs, Md. 21221

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