

72-247-1 #126 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, HERMAN KAHN, 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 238.2 to permit a sideyard set back of four (4) feet in lieu of the required 30 feet.

Because of existing design of building, this area is the only practical location for this addition.

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: Herman Kahn Legal Owner
Address: 111 Eyring Avenue
Baltimore, Maryland 21221
Protestant's Attorney:
Robert J. Romadka, Esq.
Address: 809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of March, 197 2, 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 a public hearing be had before the Zoning Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 24th day of April, 197 2, at 10:30 o'clock.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 22, 1972

COUNTY OFFICE BLDG.
111 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

Robert J. Romadka, Esq.,
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Type of Hearing/Variance from Section
238.2 - side yard
Location: SE Cor. Eyring and Franklin Avenues
Petitioner: Herman Kahn
Committee Meeting of February 1, 1972
15th District
Item 126

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 located on the southeast corner of Eyring Avenue and the proposed extension of Franklin Avenue. The property is presently improved with a large storage building for lumber supplies. To the south and east of the site there are various brick and frame dwellings. To the north of the site and across the proposed Franklin Avenue is the Whirlwind Car Wash. On site inspection revealed that approximately one half of the parking area is presently being used for lumber storage. The area of the proposed addition is now utilized as a driveway. There is existing curb and gutter at this location.

BUREAU OF ENGINEERING

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

General:

The submitted plan does not indicate the Petitioner's site improvements as they exist in the field, i.e., motor fuel dispensing pump, location of buried motor fuel tank, portico, concrete sand and gravel bays, etc. The plan should be revised to indicate all physical improvements on this site.

A subdivision plat appears to be required in connection with the development of this property, which constitutes a part of the

ESSEX LUMBER CO. INC.
111 EYRING AVENUE Phone: MU 7-3030 ESSEX, MARYLAND 21221

Gold Bond
PLASTICRYLIC SIDING

S.E.C. Eyring Avenue & Franklin Avenue
15th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the east side of Eyring Avenue with the south side of Franklin Avenue and thence running and binding on the east side of Eyring Avenue South 6 degrees 14 minutes East 150 feet thence leaving Eyring Avenue for lines of division as follows: North 83 degrees 46 minutes East 145 feet to the west side of a ten foot alley thence binding on the west side of said alley North 6 degrees 14 minutes West 5 feet to the north side of said alley thence closing on the north side of said alley North 83 degrees 46 minutes East 310 feet to the west side of a 10 foot alley thence running and binding on the west side of said alley North 6 degrees 14 minutes West 14 feet to the south side of Franklin Avenue and thence running and binding on the south side of said Franklin Avenue South 83 degrees 46 minutes West 455 feet to the place of beginning.

Containing 1.53 acres of land.

PLASTICRYLIC SIDING... LONG LASTING BEAUTY AND PROTECTION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenno, Zoning Commissioner Date: April 21, 1972

FROM: Leslie H. Graef, Deputy Director of Planning

SUBJECT: Petition #72-247-A, Northeast corner of Eyring and Dorsey Avenues.
Petition for Variance for a Side Yard.
Herman Kahn - Petitioner

15th District

HEARING: Monday, April 24, 1972 (10:30 A.M.)

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

The one problem we see with the building so close to the right-of-way is the possible lack of adequate sight access at this street intersection if Franklin Avenue is to be improved.

If the proofs of Section 502.1 are met, this additional development should be conditioned to an approved site plan. That site plan should account for a 4 foot high compact screening and a workable access on-site traffic and parking plan.

LHG:cm

Robert J. Romadka, Esq.
Re: Item 126
Page 2

March 22, 1972

property shown on a plat entitled "Subdivision Plat of the Property of Charles R. and Lottie D. Hauer" recorded among the Plat Records of Baltimore County in Liber W.P.C. 8 Folio 41.

Highways:

Eyring Avenue is an existing County road which has been previously improved as a 42-foot closed roadway section within a 50-foot right-of-way adjacent to this property. No further highway improvements are required except for the replacement of concrete curb and gutter and sidewalk where the existing narrowest entrance is proposed to be eliminated.

The status of Franklin Avenue and the alleys within and/or adjacent to this property is unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify any rights therein.

The severance and termination of Essex Avenue, in connection with the construction by the State Highway Administration of the Southeastern Freeway, emphasizes the desirability and need for the construction of Franklin Avenue as a public road between Essex and Eyring Avenues to provide traffic circulation within the area.

If Franklin Avenue is improved as a public road, it is proposed that Franklin Avenue will be improved as a 30-foot closed type roadway cross section on a 50-foot right of way with fillet areas for sight distance at the corners of the intersections.

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

Sediment Controls

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

Storm Drains

Provision for accommodating storm water or drainage have not been indicated on the submitted plans.

Robert J. Romadka, Esq.
Re: Item 126
Page 3

March 22, 1972

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 Sewer:

Public water supply and sanitary sewerage are available and serving this property.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

1. 4" high compact screen planting must be shown as per Section 409 of the Baltimore County Zoning Regulations.
2. The status of Franklin Avenue is uncertain as to whether it is a public road or not.
3. The parking spaces shown on the plan appear to be inaccessible on the site because of locker storage.

DEPT. OF TRAFFIC ENGINEERING:

The plan must be revised prior to hearing date showing the existing conditions on this site.

HEALTH DEPARTMENT:

Since metropolitan water and sewer are available to the site, no health hazards are anticipated.

BOARD OF EDUCATION:

No bearing on student population.

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing; however, revised plans reflecting the comments of both the Dept. of Traffic Engineering and Project Planning

Robert J. Romadka, Esq.
Re: Item 126
Page 4

March 22, 1972

Division should be submitted prior to the hearing date.

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

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

J88:JD

Enc.

ORIGINAL FILED FOR FILING
DATE 4/24/07 PAGE 11

to permit a side yard setback of four feet (4') instead
a Variance of the required thirty feet (30') should be granted.

Anna Z. Nager
Deputy Zoning Commissioner of Baltimore County

Zoning Commissioner of Baltimore County

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day
of, 15th .., that the above Variance be and the same is hereby DENIED.

ORIGINAL

OFFICE OF

 THE **TIMES**

NEWSPAPERS

RANDALLSTOWN, MD. 21133 April 10 - 1972

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

STROMBERG PUBLICATIONS, INC.

BY Ruth Morgan

PETITION FOR VARIANCE
WITH DISTRICT

ZONING BOARD

JOHN P. BROWN, Chairman of the Board
4 June 1966

JOHN P. BROWN, Chairman of the Board
Fishing and Deep-sea Angling
DARTMOUTH COLLEGE
100 College Avenue
Dartmouth, New Hampshire 03824

PUBLIC HEARING: Room 104, Court
House, 100 College Avenue, Dartmouth,
New Hampshire, May 24, 1966

The Zoning Commission of the
Town of Dartmouth hereby certifies
that the following is a true and
correct copy of the petition for
variance from the Zoning Ordinance
of the Town of Dartmouth, New
Hampshire, as filed with the
Zoning Board.

Petition for Variance from the
Zoning Ordinance of the Town of
Dartmouth, New Hampshire, for the
County to permit a lake yard and
boat dock on the shore of the
Dartmouth Lake, to be used as a
boat dock and moorage for the
boat of the Dartmouth College.

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Section

TOWSON, MD., April 6 1972

THE JEFFERSONIAN,
L. Frank Smith
Manager

Cost of Advertisement, \$..

2157

AMOUNT	\$53.50
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DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Cash
Advertising and posting of property for Herman
Kahn
#72-247-A-
5350

5.3.5 C NMR

No. 2118

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Robert J. Romadka, Esq.
809 Eastern Blvd.
Essex, Md. 21221
Petition for Variance for Herman Kahn
072-247-A

25.0 C H₂O

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, GC, CA									
Reviewed by: _____					Revised Plans: Change in outline or description _____ Yes _____ No				
Previous case: _____					Map # _____				

44-414-6

Posted for: Heating Monday Apr. 24th 1972 @ 10:30 AM

Location of property: N.E. corner of Eyring & Duncanson

Location of Signs: 1 Sign on Post in Front of Existing S. L. Co.

Remarks: _____
Posted by Paul H. Hess Date of return: 4-13-72

Item 126

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

S. ERIC DINENNA,
Zoning Commissioner

Petitioner's Attorney Robert J. Boudreau

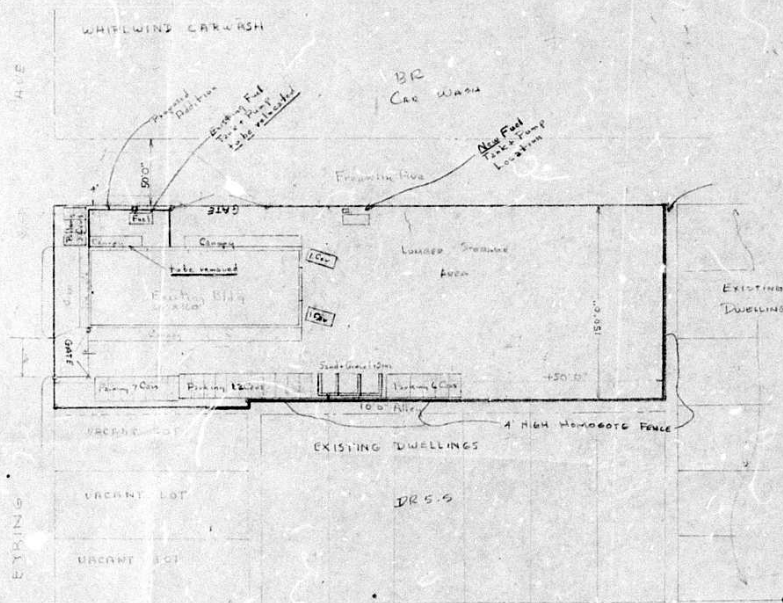
Reviewed by: Chas. L. Myers
Chairman of
Advisory Committee



THIRD WILSON (228)

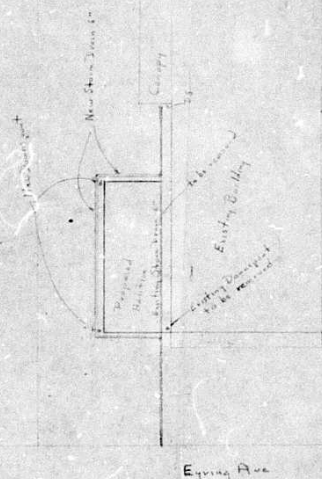
VACANT P.A.

VACANT (10-4)



Note
THIS IS NOT A SURVEY PLAT

LOCATION PLAN
Scale 1"=50'-0"



Not to Scale

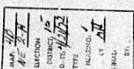
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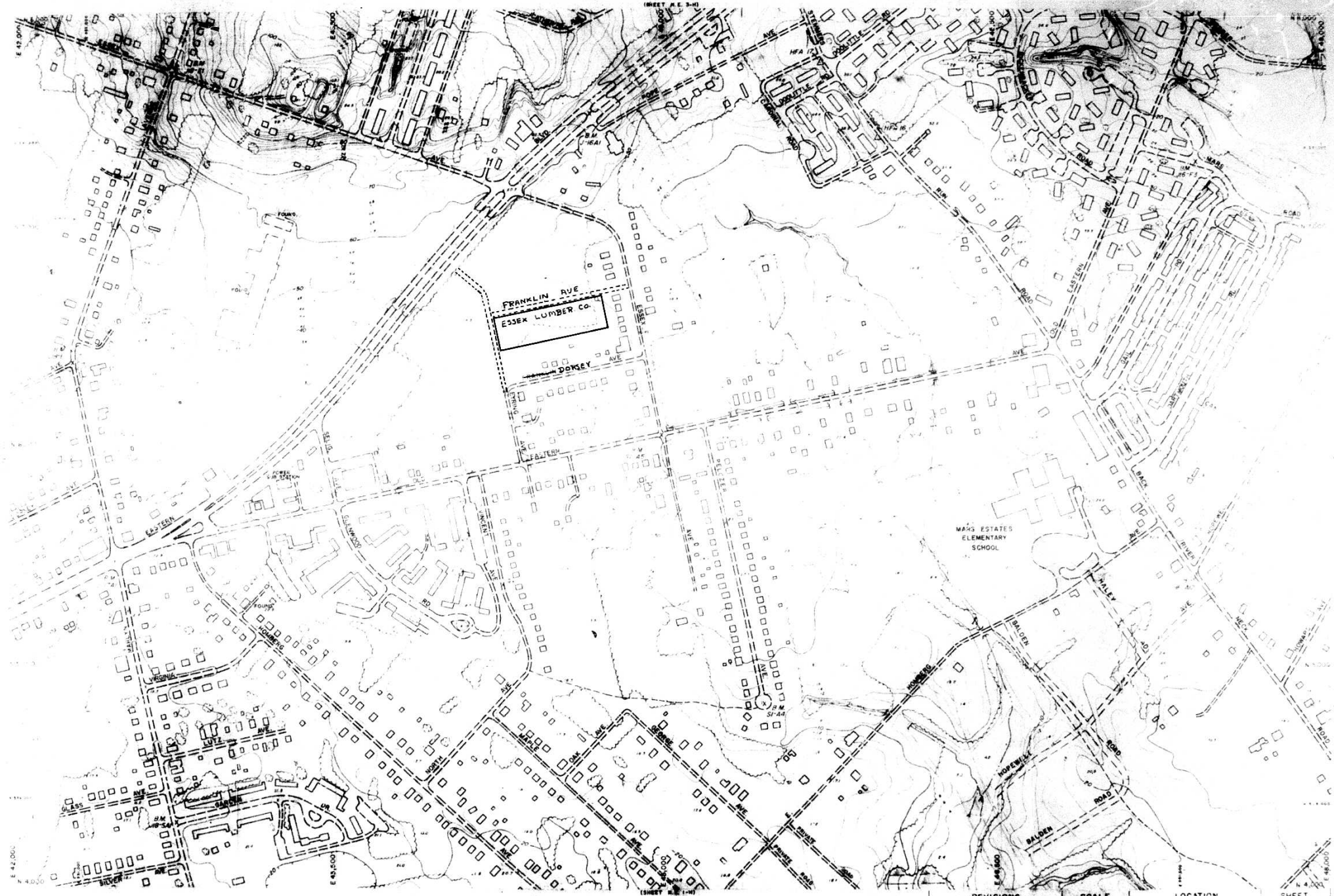
5760 Sq. Ft. (Retail) @ 1/200 ft² = 29
 3 Employees in Warehouse 1/5 Employees = 1
 Required Parking = 30
 Provided Parking = 30

Parking Area Paved With a Durable
 Dustless Surface

Public Utilities Existing In Existing Building

PROPOSED ADDITION
 FOR ESSEX LUMBER COMPANY
 SOUTHEAST CORNER OF EYRING & FRANKLIN AVENUES
 BALTIMORE COUNTY, MARYLAND





PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION STEMMERS RUN BACK RIVER NECK
BY	DATE		
DATE OF PHOTOGRAPHY DEC. 1964		SHEET N.E. 2-H	

Topography Compiled by Photogrammetric Methods
AERIALS AERIAL SURVEY CORP. LANSING, MICH.

727-69



MICROFILMED

JUN 13 1972