

430 P.M. March 11 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ruth A. Gagner, 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 1802.28(1)(a) of the Baltimore County Zoning Regulations to allow front yard of 21 feet (in line with existing adjacent office buildings) rather than required 30 feet (specify location) and allow side yards of 4 feet and 0 feet respectively, rather than the required 25 feet (specify location).

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

Strict compliance with Section 217.2 and 217.3 will result in practical difficulty and unreasonable hardship to the owner. Granting of Variances will not cause any substantial harm to the Public.

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.

Ervin J. Cerveny Ruth A. Gagner
Joan West Cerveny Ruth A. Gagner
Contract purchaser Legal Owner
Address: 803 Stoneleigh Road Address: 1201 Fidelity Bldg.
Baltimore, Maryland 21212
377-6218
Petitioner's Attorney Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of March, 1974, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of January, 1974, at 11:30 o'clock.

James E. Hefner
Zoning Commissioner of Baltimore County.

cribed property and area should be and the same is GRANTED a Special Exception for a one story office building together with Variances to permit a front yard setback of 21 feet instead of the required 30 feet; and side yard setbacks of five feet on each side (in lieu of the requested four feet and zero feet) instead of the required 25 feet for each side. Said granting is subject to the approval of a site plan by the State Highway Administration, Department of Public Works, Department of Traffic Engineering and the Office of Planning and Zoning, and to the following restrictions:

1. Concrete wheel stops shall be installed on the Petitioner's property parallel to the rear property line in such a manner as to prevent cars from overflowing onto the alley and to define an entrance to the parking area.
2. Four foot high screening along the rear of the property adjacent to the parking spaces.
3. Grading, paving and curbing of the parking area in such a manner as to properly provide for water run-off.
4. Posting of the alley to prevent parking thereon that impedes the free-flow of traffic.

James E. Hefner
Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES : BEFORE THE
275 of York Road, 50' N of Anneslie : DEPUTY ZONING
Road - 9th District : COMMISSIONER
Ruth A. Gagner - Petitioner :
NO. 74-162-XA (Item No. 102) : OF
BALTIMORE COUNTY

This Petition represents a request for a Special Exception for an office building and use in a D.R.16 Zone together with setback Variances that would permit construction of a one story office building, containing 2,070 square feet. The property in question is located on the east side of York Road, 50 feet north of Anneslie Road, in the Ninth Election District of Baltimore County.

Testifying in behalf of the Petition, Mr. Ervin J. Cerveny, explained that he is contract purchaser of the subject parcel as well as owner of an adjoining parcel that is presently improved with a two story office and parking complex.

Improvements on the subject property consist of a two story dwelling and detached garage. The dwelling was judged to be approximately 50 years old and not suited to conversion for office use. Mr. Cerveny, a builder, realtor and attorney, stated that he had investigated the possibility of leasing the dwelling for office use and is convinced that the age, construction or location of interior bearing walls prohibits its economical or feasible conversion to general office use.

With regard to the granting of the Special Exception, Mr. Cerveny made reference to Planning recommendations which state in part:

"The granting of this request would be consistent with the objectives and the policies of the 1980 Guideplan and the Comprehensive Zoning Maps adopted by the County Council in 1971."

Reference was also made to comments by several County and State agencies who reviewed and commented on the impact of the Petitioner's proposed

development plans, with respect to their particular requirements. All comments have been inserted in and are a permanent part of this case file. However, specific reference was made to the following comments by the:

Department of Traffic Engineering

"The subject petition is requesting a special exception for offices and variances to the side yard. This special exception can be expected to increase the trip generation from approximately 15 trips per day to approximately 30 trips a day. This special exception and variances to the side yard are not expected to cause any major traffic problems. This area has parking problems at this time and should this site generate the need for more parking than provided, further inconvenience to the residents in the area can be expected."

State Highway Administration

"The subject plan indicates no access from York Road, therefore, there will be no requirements from the State Highway Administration.

The 1972 average daily traffic on this section of York Road is 16,400 vehicles."

Mr. Cerveny's hardship or practical difficulty, with regard to the Variances, was based on his belief that failure to obtain some relief would amount to usurpation of his property rights in that the D.R.16 requires a total of 50 foot side yard setbacks for his 50 foot wide lot.

Mr. and Mrs. Frederick W. Ringger, who reside at 50C Anneslie Road, appeared in protest to the Petitioner's request. Mr. Ringger explained that his property fronted on Anneslie Road and sided along Locust Drive. Locust Drive parallels York Road at a depth of approximately 125 feet therefrom, and provides access to the commercial (office) uses between said drive and York Road, as well as the residential uses on the east of said drive. Locust Drive has a paved width of 16.8 feet and while it is maintained by the County from time to time, has not been dedicated, and is considered a private alley.

The Ringger property sides on both the existing office complex owned by Mr. Cerveny as well as the property that is the subject of this Petition.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for Offices and Office Building, and : COUNTY BOARD OF APPEALS
VARIANCE from Section 1802.28 :
(504-V.B.2) of the Baltimore County : OF
Zoning Regulations : BALTIMORE COUNTY
E/S of York Road 50 feet North of :
Anneslie Road :
9th District :
Ruth A. Gagner : No. 74-162-XA
(Ervin J. Cerveny, et ux :
Contract Purchasers) :

ORDER OF DISMISSAL

Petition of Ruth A. Gagner (Ervin J. Cerveny, et ux, contract purchasers) for Special Exception for Offices and Office Building, and Variance from Section 1802.28 (504-V.B.2) of the Baltimore County Zoning Regulations, on property located on the east side of York Road fifty (50) feet north of Anneslie Road, in the 9th District of Baltimore County.

WHEREAS, in open hearing before the Board of Appeals on November 7, 1974, prior to the taking of any testimony and by agreement of parties, the Petitioner-Appellant dismissed the appeal taken on his behalf in the above entitled matter.

IT IS HEREBY ORDERED, this 20th day of November, 1974, that the appeal is hereby DISMISSED, and the Order of the Deputy Zoning Commissioner dated February 7, 1974 is hereby affirmed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gilland
Robert L. Gilland, Acting Chairman
John A. Miller
John A. Miller
Walter C. Horn, Jr.
Walter C. Horn, Jr.

The lack of curbing and defined driveway entrances to the existing parking area that serves Mr. Cerveny's office building has resulted in parked vehicles overflowing into the alley making it very difficult to maneuver in and out of the various properties. This condition has existed for sometime and has resulted in damage to the Ringger's fence and property in general.

Mr. Ringger was also concerned with the influx of additional on-street parking on Anneslie Road and other residential streets in his area, as well as flooding conditions brought about, in part, by the construction of off-street parking areas. In view of these problems, Mr. Ringger emphasized that it is becoming more and more difficult to live side by side with the commercial uses.

After reviewing the above testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that the use as proposed, with certain restrictions, will meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations, and the Special Exception should be granted. Set-back requirements of side yards totaling 50 feet is confiscatory insofar as this particular property is concerned, and it is evident, that some Variance will be required if the property is to be improved with a modern office building.

In view of the testimony and Planning recommendations, it is also evident that this section of the York Road corridor which is predominantly improved with offices and office structures, was, in fact, placed in a D.R.16 Zone to provide for these uses. When commercial and residential uses exist in close proximity to one another, certain problems such as those pointed out by Mr. Ringger, are inevitable. In this case, some of the problems can and should be corrected by way of restrictions that will be placed on the granting of this Petition.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of February 1974, that the herein des-

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
AND VARIANCES : BOARD OF APPEALS
E/S of York Road, 50' N of : OF BALTIMORE COUNTY
Anneslie Road - 9th District : file # 74-162-XA

PETITION TO DISMISS APPEAL

Mr. Clerk:
Please dismiss the Appeal filed on behalf of the Petitioners in reference to the above captioned matter without prejudice.

Ervin J. Cerveny
Ervin J. Cerveny
Appellant's Petitioner

ORDER RECEIVED FOR FILING
DATE February 7, 1974
BY John P. Harvey, et

430 P.M. March 11

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ruth A. Gagner, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

No Zoning Re-classification required.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____ Office use in DR-16 Zone

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception 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.

Ervin J. Cerveny Ruth A. Gagner
Joan West Cerveny Ruth A. Gagner
Contract purchaser Legal Owner
Address: 803 Stoneleigh Road Address: 1201 Fidelity Bldg.
Baltimore, Maryland 21212
377-6218
Petitioner's Attorney Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of March, 1974, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of January, 1974, at 11:30 o'clock.

James E. Hefner
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
DATE February 7, 1974
BY John P. Harvey, et

ORDER RECEIVED FOR FILING
DATE February 7, 1974
BY John P. Harvey, et

KNOW ALL MEN BY THESE PRESENTS, that I, Ruth A. Gagner, of Baltimore County, State of Maryland, hereby make and appoint my niece, Ruth V. Gausings and my nephew, Frank W. Hansen, or either of them acting alone, my attorneys for me and in my name, place and stead, for me in my own individual capacity and in any representative capacity with which I am charged on behalf of any other persons living or deceased, to conduct all of my personal and business affairs and all of my estate, and for such purposes, for me and in my name, to do, execute or to concur with persons jointly interested with myself therein, in the doing and executing of all or any of the following acts, deeds, and things, that is to say:

1. To buy, receive, lease, or otherwise acquire, to sell, deed, convey, mortgage, hypothecate, lease, pledge, quit-claim, list for sale, or otherwise encumber or dispose of, or to contract or agree for the acquisition, disposal, or encumbrance of, and to make any acknowledgment required on my behalf or on behalf of any person, whatsoever real (including but not limited to my property known as No. 6603 York Road, in Baltimore County, Maryland) or personal, or any custody, possession, interest, or right therein, upon such terms as my said attorneys shall think proper.

2. To take, hold, possess, invest, lease or lot, or otherwise manage any or all of my property or any interest therein; to accept, receive or relieve tenants or other persons from and recover possession of such property by all lawful means and to maintain, protect, preserve, insure, remove, store, transport, repair, rebuild, modify, or improve the same or any part thereof, raise, abandon or otherwise deal with or dispose of any property.

3. To make, do, and transact all and every kind of business of whatever nature or kind, including the receipt, recovery, collection, payment, compromise, settlement, and adjustment of all accounts, debts, claims, demands, interests, dividends, annuities, deposits, debts, taxes, and obligations.

with any now or hereafter to due, owing or payable by or to me, including the right to pay, extend, review, prosecute, defend, compromise or submit to arbitration all rights, obligations or claims which I may have against others or which others may have against me.

4. To make, borrow, accept, receive, sign, seal, execute, acknowledge, and deliver deeds, mortgages, leases, assignments, agreements, certificates, hypothecations, listing contracts, checks, notes, bonds, vouchers, receipts, and such other instruments in writing of whatever kind and nature as may be necessary, convenient, or proper in the premises.

5. To deposit and withdraw for the purposes hereof, in either my said attorneys' name or in my name or jointly in two or more of our names, in or from any banking, savings or financial institution, any funds, negotiable paper, or assets which may come into my said attorneys' hands as such attorneys or which I now or hereafter may have on deposit or be entitled to.

6. To institute, prosecute, defend, compromise, arbitrate, and dispose of legal, equitable, or administrative hearing, actions, suits, attachments, arrests, distresses or other proceedings, or otherwise engage in litigation in connection with the premises.

7. To act as my attorneys or proxy in respect to any stocks, shares, bonds, or other investments, rights, or interest, I may now or hereafter hold, and to vote the same in person or by proxy and to enter into or participate in a voting trust or a share holder's agreement.

8. To constitute and appoint, in my attorneys' place and stead, and as substitute for my attorneys, one attorney or more, to exercise the full power of revocation.

9. To employ, engage and dismiss agents, clerks, counsel, investment counsel, custodians, rentiers, accountants, attorneys, insurance and employees, and to appoint and remove at pleasure any substitute for or agent of my said attorneys, in respect to all or any of the matters or things herein mentioned.

and upon such terms as my attorneys shall think fit in the administration of my affairs.

10. To prepare, execute and file income and other tax returns, in my name alone or jointly with others, and other governmental reports, applications, requests, and documents, and to prosecute on my behalf before any taxing authority or court any claim or suit for refund of taxes or for redetermination of any tax deficiencies.

11. To enter any safe deposit box in my name alone or in my name with any other person or persons.

12. To borrow on my behalf such sums of money upon such terms and with such security as my attorneys deem advisable.

13. To register any property in the name of a nominee or in other form without disclosure of my interest.

14. To carry insurance against damage or loss to my property or against claims of other persons.

15. To exercise any options, rights and privileges contained in any life insurance policy, annuity or endowment contract to which I have an interest, and the right to obtain the cash surrender value, exercise a loan policy or any other type of policy, revoke any mode of settlement and select another, and pay any part of all of the premiums on any such policy or contract.

16. To satisfy written charitable pledges which I have made.

17. To retain, incorporate, enter into or carry on in my behalf any business, whether conducted as a corporation, general or limited partnership, or a sole proprietorship; to employ agents to operate such business to serve in any capacity with such business; to receive reasonable compensation for such services, in addition to compensation for general services as my attorneys; and to distribute, merge, consolidate or transfer such business or any part thereof.

GRANTED AND GRANTED unto my said attorneys full power and authority to do and perform all and every act, deed, matter and thing whatsoever in and about my estate, property, and affairs as fully and effectually to all intents and purposes as I might or could do in my own proper person if personally present, the above specially enumerated powers being in aid and exemplification of the full, complete, and general power herein granted, and not in limitation or definition thereof; and hereby ratifying and confirming all that my said attorneys shall lawfully do or cause to be done by virtue of these presents.

AND, in accordance with Article 93A, Section 601 of the Annotated Code of the Public General Laws of Maryland, and any changes or amendments hereafter made thereto, this Power of Attorney shall not be affected by the disability of the principal, Ruth A. Gagner.

AND I, Ruth A. Gagner, do hereby revoke and terminate any and all other powers of attorney made to anyone except to Ruth V. Gausings and Frank W. Hansen herein.

ALL I request that no guardianship or conservatorship proceeding for the administration of my property be commenced in the event of my disability. However, if for any reason such proceeding becomes necessary or advisable, I appoint Ruth V. Gausings, and if she fails to qualify or ceases to act as such, then Frank W. Hansen, to be the Guardian or Custodian of my property. I excuse such Guardian or Custodian from giving bond or other security for the faithful performance of such duties.

IN WITNESS WHEREOF I set my hand and seal this 2nd day of August, 1973.

Witness:
Alvin D. Gagner
Ruth A. Gagner (SEAL)
Ruth A. Gagner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 28, 1974
FROM: William D. From, Director of Planning
SUBJECT: Petition #74-152-XA. East side of York Road 50 feet North of Anneslie Road.
Petition for Special Exception for Offices and Office Building
Petition for Variances for Front and Side Yards.
Petitioner - Ruth A. Gagner

9th District

HEARING: Wednesday, January 30, 1974 (1:30 P.M.)

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

The granting of this request would be consistent with the objectives and the policies of the 1980 Guideplan and the Comprehensive Zoning Maps adopted by the County Council in 1971.

Any lighting in this location should be limited to standards which extend 8' in height.

If the proofs of Section 502.1 are met any development should be conditioned to conformance with an approved site plan.

William D. From
William D. From, Director of Planning

MOF:NEG:rw



Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E., CHIEF

January 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #102 (1973-1974)
Property Owner: Ruth A. Gagner
S/S of York Road, S. of Dunkirk Road
Existing Zoning: D-3, 15
Proposed Zoning: Variance to allow a front yard setback of 21' instead of the required 30' and a side yard of 1' and 0' respectively instead of required 25'. Special Exception for Office Use
No. of Acres: 0.113 District: 9th

Dear Mr. DiNenna:

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.

Highways:

York Road is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Locust Drive exists as a 15-foot macadam residential alley south of Dunkirk Road.

North of Dunkirk Road, Locust Drive was improved with an 18-foot curb and gutter cross-section to function for both residential and commercial access, to provide a functional surface water way and to separate and give identity to the separate residential and commercial neighborhoods.

Locust Drive south of Dunkirk Road requires, on the basis of existing and proposed land uses, improvement at least commensurate with the existing improvements north of Dunkirk Road. Sidewalks should be provided through the commercial frontage.

Storm Drains:

The areas of Baltimore County to which this property is tributary are subject to flooding and storm drainage damage.

Item #102 (1973-1974)
Property Owner: Ruth A. Gagner
Page 2
January 25, 1974

Storm Drains: (Cont'd)

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 water. 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.

Sanitary Sewer and Water:

This property is within the Towson Fourth Zone of Water Service and the West Branch Herring Run Sewer Service Area.

Public facilities exist in the area of this site.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:ENR:CMK:rs

STATE OF MARYLAND,
BALTIMORE COUNTY, DISTRICT

On this 2nd day of August, 1973, before me, the undersigned officer, personally appeared Ruth A. Gagner, known to me to be the person whose name is subscribed to the within instrument, and she acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Alvin D. Gagner
NOTARY PUBLIC
My commission expires 1, 1974.
Notary Public

January 11, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 102 - ZAC - December 4, 1973
Property Owner: Ruth A. Gagner
York Road south of Dunkirk Road
Variance to allow a side yard setback &
S.E. for offices - Dist. 9

Dear Mr. DiNenna:

The subject petition is requesting a special exception for offices and variances to the side yard. This special exception can be expected to increase the trip generation from approximately 15 trips per day to approximately 30 trips a day. This special exception and the variances to the side yard are not expected to cause any major traffic problems. This area has parking problems at this time and should this site generate the need for more parking than provided, further inconvenience to the residents in the area can be expected.

Very truly yours,

Michael E. Flanagan
Michael E. Flanagan
Traffic Engineer Associate

MSF:nlc

December 6, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. John L. DeHanna

Re: Z.A.C. meeting, 12/4/73
Item 98 -
Property Owner: Ruth A. Gagner
E/S York Road (Route 45) South
of Dunkirk Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance to
allow a front yard setback of
21 ft. instead of required
30 ft. and a side yard of
4 ft. instead of required
25 ft.
Special Exception for Office Use
No. of Acres: 0.143
District: 9th

Dear Sirs:

The subject plan indicates no access from York Road, therefore, there will be no requirements from the State Highway Administration. The 1972 average daily traffic on this section of York Road is 16,400 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
John E. Meyers
by: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



January 11, 1974

Mr. Eric S. DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 102, Zoning Advisory Committee Meeting, December 4, 1973, are as follows:

Property Owner: Ruth A. Gagner
Location: E/S of York Road S of Dunkirk Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance to allow a front yard setback of twenty-one (21) feet instead of the required thirty (30) feet and a side yard of four (4) feet and zero (0) feet respectively instead of required twenty-five (25) feet. Special Exception for office use
No. of Acres: 0.143
District: 9th

If there is to be any exterior lighting it should be limited to 8 feet in height.

There are no other site planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3811 ZONING 494-3811

December 6, 1973

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 98, Zoning Advisory Committee Meeting, December 4, 1973, are as follows:

Property Owner: Ruth A. Gagner
Location: E/S York Rd., S of Dunkirk Rd.
Present Zoning: D.R. 16
Proposed Zoning: Variance to allow front yard setback or 21' instead of req'd 30' and side yards of 4' and 0' respectively instead of required 25'; Special Exception for Office use.
No. Acres: 0.143
District: 9

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mng

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 27, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 98

Property Owner: Ruth A. Gagner
Locations: E/S of York Road, S. of Dunkirk Road
Present Zoning: D.R. 16
Proposed Zoning: Variance to allow a front yard setback of twenty-one (21) feet instead of the required thirty (30) feet and a side yard of four (4) ft. and zero (0) ft. respectively instead of required twenty-five (25) ft. Special Exception for office use.

District: 9th
No. Acres: 0.143

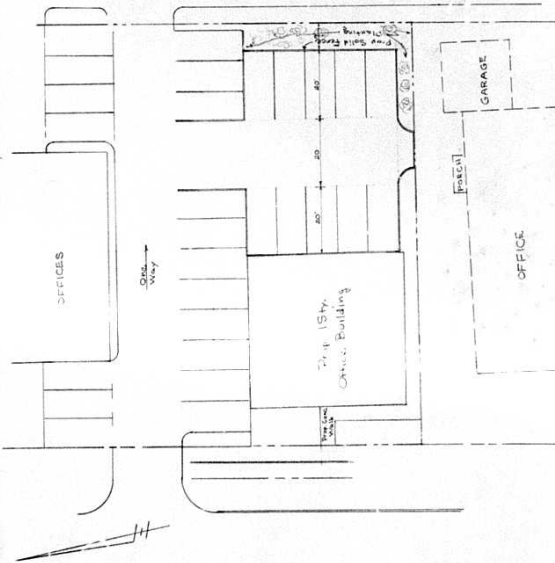
Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Rick Petrovich
W. Rick Petrovich
Field Representative

WNP/ml



February 7, 1974

Mr. Ervin J. Carvey
503 Roselawn Road
Baltimore, Maryland 21212

RE: Petition for Special Exception
and Variances
E/S of York Road, 50' N of Anneslie
Road - 9th District
Ruth A. Gagner - Petitioner
NO. 74-161-XA (Item No. 102)

Dear Mr. Carvey:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: Mr. and Mrs. Frederick W. Riegger
500 Anneslie Road
Baltimore, Maryland 21212

M's. Ruth A. Gagner
c/o M's. Ruth V. Cumings
1201 Fidelity Building
Baltimore, Maryland 21201

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-6060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-9060

REL. AIR
L. GERRARD WOLFF
Landscape Architect
Phone 838-0888

November 21, 1973

Zoning Description:

Beginning for the same at a point distant the two following courses and distances from the intersection formed by the centerline of York Road with the centerline of Anneslie Road viz:
(1) North 12° 02' 50" East 75.00 feet (2) South 78° 56' 10" East 35.00 feet thence binding on the east side of York Road North 12° 02' 50" East 50.00 feet thence South 78° 56' 10" East 125.00 feet thence South 12° 02' 50" West 50.00 feet thence South 12° 02' 50" West 50.00 feet thence North 78° 56' 10" West 125.00 feet to the place of beginning.
Containing 0.143 Acres of land more or less.



Walter Park
Walter Park
Registered Surveyor #5095

November 15, 1974

Reference: Case No. 74-162-XA

I HEREBY CERTIFY that on this 18th day of November, 1974, a copy of the foregoing Petition to Dismiss Appeal was mailed to Mr. and Mrs. Frederick W. Ringger, 500 Annettie Road, Baltimore, Maryland 21212.

Ervin J. Cerveny

Rec'd 11/14/74
1:30 pm

Re: Petition for Special Exception
and Variances
E/S of York Road, 50' N of
Anneslie Road - 9th. District
Ruth A. Gagner - Petitioner
NO. 74-162-XA (Item No. 102)

In accordance with Baltimore County Zoning Regulations Section 500.10 I wish to appeal the Deputy Zoning Commissioner's decision dated the 7th. day of February, 1974 of the above referenced case for Special Exception and Variances.

Ervin J. Cerveny

☐ Grant
☐ Defect
☐ Note
☐ Log
☐ Other

12
11
10
9
8
7
6
5
4
3
2
1

ZONING DEPARTMENT
 By _____

ATTENTION FOR VAMPIRES!
WANTED FOR THE
NATIONAL BLOOD BANK
 The American Red Cross is seeking for donors of the blood type AB negative. This is the blood type of the vampire. The blood type AB negative is the rarest blood type in the world. It is found in only one out of every 250 people. If you are of this blood type, please contact the American Red Cross at the following address: American Red Cross, 1200 North 17th Street, Philadelphia, Pennsylvania 19102. The American Red Cross is a non-profit organization and the blood is donated for the benefit of the community. The blood is used for the treatment of various blood disorders and for the production of blood plasma. The American Red Cross is a member of the International Federation of Red Cross and Red Crescent Societies. The American Red Cross is a member of the United Nations. The American Red Cross is a member of the World Health Organization. The American Red Cross is a member of the World Bank. The American Red Cross is a member of the World Trade Organization. The American Red Cross is a member of the World Intellectual Property Organization. The American Red Cross is a member of the World Tourism Organization. The American Red Cross is a member of the World Meteorological Organization. The American Red Cross is a member of the World Health Organization. The American Red Cross is a member of the World Bank. The American Red Cross is a member of the World Trade Organization. The American Red Cross is a member of the World Intellectual Property Organization. The American Red Cross is a member of the World Tourism Organization. The American Red Cross is a member of the World Meteorological Organization.

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinsena
Zoning Commissioner of Baltimore County
was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one ~~month~~
week before the 14 day of January 1974 that is to say, the same
was inserted in the issue of January 10, 1974.

By Ruth Morgan

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 13127

DATE March 5, 1974 ACCOUNT 01-662

AMOUNT \$70.00

DISTRIBUTION

WHITE CASHIER PAID AGENCY YELLOW - CUSTOMER

Ervin J. Carney

Cost of Filing of an Appeal on Case No. 74-162-XX

E/S of York Road, 50' N of Anneslie Road - 9th District

Ruth A. Gregor - Petitioner

ACD 5 DATE 5 700 C

TOWSON, MD. JANUARY 30, 1974

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 a week~~ at one time ~~announced weeks~~ before the 30th day of January, 1974, the final publication appearing on the 10th day of JUNE.

1974

Cost of Advertisement, \$.....

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

No. 13043

DATE JANUARY 8, 1974 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

R & J Constr. Co.
5905 York Rd.
Baltimore, Md. 21212
Petition for Special Exception and Variance for
Bldg. A. Gagep - 474-162-XA

50000

District: 9th Date of Posting: 3-14-74
 Posted for: _____
 Petitioner: Walt B. Jones, Jr. & Co. Inc.
 Location of property: 7/4 of 1/2 of lot 10, 11th St. & Commercial St.
 Location of Signs: 1 sign at lot 10, 11th St. & Commercial St.
 Remarks: _____
 Posted by: David H. Nelson Date of return: 3-21-74
 Signature: _____

H 74-162-AH

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: <u>JPL</u>					Revised Plans: Change in outline or description _____ Yes _____ No					
Previous case: _____					Map # _____					

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

Your Petition has been received* this 21st day of 1992. Item # _____


S. Eric D. Nance
Zoning Commissioner

Petitioner Eggen Submitted by Carmichael
Petitioner's Attorney _____ Reviewed by OB

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Your Petition has been received and accepted for filing
this 2nd day of December 1973.


S. ERIC DIENNA,
Zoning Commissioner

Petitioner David A. Goggin
 Petitioner's Attorney _____ Reviewed by John J. Dutton Jr.
 cc: Elynn J. Conway, Esq., 883 Stoneleigh Rd. (21204) Chairman
 Building Association, Inc., 101 Shell Bldg.,
 200 E. Joppa Road, Towson, Md. 21204 Zoning Advisory Committee

District 94 Date of Posting 1-26-24
 Posted for Hearing W. J. Jones 26-12-24 & 1-26-24
 Petitioner Ruth H. Sawyer
 Location of property E/S of York Road, S.W. 1/4 of Township 36
 Location of Signs 1 Sign posted on York Road, S.W. 1/4 of Township 36
 Remarks:
 Posted by Mabel H. Kane Date of return 1-27-24

#74-162-XA

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

No. 15064

DATE June 14, 1974 ACCOUNT 01-662

AMOUNT 15.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
Ervin J. Cerveney, Esquire
Cost of Posting: Property of Ruth A. Goggar for an A
Hearing
E/S of York Road, 50' N of Anneslie Road - 9th Elec
District 24-30-June-74
Case No. 74-162-XA 50.00 net



EX 6.11

REGISTER RD.
MADOCK RD.
DUNKIRK RD.
WILSON RD.
OVERBROOK RD.

SITE

VICINITY MAP SCALE: 1"=900'

NOTES:

EXISTING ZONING: DR16
PROPOSED ZONING: DR16 WITH
SPECIAL EXCEPTION FOR
OFFICES AND VARIANCE
FOR SIDE YARDS, ALSO
SPECIAL EXCEPTION FOR PARKING (1) DR16
PROPOSED FLOOR SPACE
FIRST FLOOR: 2070 / 200-7

PARKING:
PROP. PARKING: 7 SPACES
REQUIRED PARKING: 7 SPACES
AREA: 0.14 AC.

EXIST.
FRAME
GARAGE

DR 5.5

EXIST.
FRAME
GARAGE

EXIST.
20TH
FRANK
HOUSE

MAP. 9C
NEB-A
SECTION
DISTRICT 9
C.T. 11-26-73
TYPE SE
ROAD C. ✓
BY 4M
FINAL 1-30-79
M. AN

PLAT FOR
VARIANCE TO SIDEYARD REQUIREMENTS
AND SPECIAL EXCEPTION FOR PARKING
AND OFFICES IN A RESIDENCE ZONE

BALTO. COUNTY MD.
SCALE 1"=20'
ATV ELECT DIST
NOV. 21, 1973

HUDKINS ASSOCIATES, INC.
101 SMELL BUILDING
200 E. JOPPA ROAD
JOPPA, MARYLAND 21284

NOV. 21, 1973 P.H.S. #5095

MICROFILMED

*3226

BL-CNS

528

STEE

F. C. STEEL RD.

MURDOCK RD.

BUNKIRK RD.

OVERBROOK RD.

OVERBROOK RD.

VICINITY MAP SCALE: 1"=90'

NOTES:

EXISTING ZONING: DR1G
PROPOSED ZONING: DR1G WITH
SPECIAL EXCEPTION FOR
OFFICES AND VARIANCE
FOR SIDE YARDS, ALSO
SPECIAL EXCEPTION FOR PARKING IN DR1G
PROPOSED FLOOR SPACE
FIRST FLOOR: 2,570 / 200-7

PARKING:
PROP. PARKING: 7 SPACES
REQUIRED PARKING: 7 SPACES
AREA: 0.143AC.

EXIST.
FRAME
GARAGE

DR 5.5

EXIST.
FRAME
GARAGE

[illegible]

REVISED PLANS
74-16249
Ruth A. Symon

PLAT FOR
VARIANCE TO SIDEYARD REQUIREMENTS
AND SPECIAL EXCEPTION FOR PARKING
AND OFFICES IN A RESIDENCE ZONE

BALTO. COUNTY MD.
SCALE 1"=20'
NOV. 21, 1975

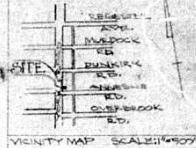
NC 1.21, 1975

NOV. 21, 1975 P.L.S. #5095

MICROFILM -

2226

BL-CNS



NOTES:
EXISTING ZONING: DR1G
PROPOSED ZONING: DR1G WITH
SPECIAL EXCEPTION FOR
OFFICES AND VARIANCE
FOR SIDE YARDS ALSO
SPECIAL EXCEPTION FOR PARKING
PROPOSED FLOOR SPACE
FIRST FLOOR: 2,007 / 2,007-7

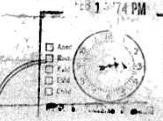
PARKING:
EXISTING: 11 SPACES
REQUIRED PARKING: 7 SPACES
AREA: 0.14 AC.

EXIST.
FRAME
GARAGE

DR5.5

EXIST.
FRAME
GARAGE

EXIST.
2-STY
FRAME
HOUSE



PLAT FOR
VARIANCE TO SIDEYARD REQUIREMENTS
AND SPECIAL EXCEPTION FOR PARKING
AND OFFICES IN A RESIDENCE ZONE

BUILT: 1974
SCALE: 1"=20'

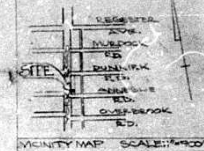
NOV 23 1973
NOV 23 1973

MICROFILMED

NOVINS ASSOCIATES, INC.
101 SHELL BUILDING
200 E. JOPPA ROAD
MIDTOWN, MARYLAND 21204

NOV 23 1973 RLS 88095

BL-CNS



NOTES:
EXISTING ZONING: DR1G
PROPOSED ZONING: DR1G WITH
SPECIAL EXCEPTION FOR
OFFICES AND VARIANCE
FOR SIDE YARDS ALSO
SPECIAL EXCEPTION FOR PARKING
PROPOSED FLOOR SPACE
FIRST FLOOR: 2,007 / 2,007-7

PARKING:
EXISTING: 11 SPACES
REQUIRED PARKING: 7 SPACES
AREA: 0.14 AC.

EXIST.
FRAME
GARAGE

DR5.5

EXIST.
FRAME
GARAGE

REVISED PLAN

74-162-10

Red to sign



PLAT FOR
VARIANCE TO SIDEYARD REQUIREMENTS
AND SPECIAL EXCEPTION FOR PARKING
AND OFFICES IN A RESIDENCE ZONE

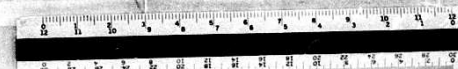
BUILT: 1974
SCALE: 1"=20'

NOV 23 1973
NOV 23 1973

MICROFILMED

NOVINS ASSOCIATES, INC.
101 SHELL BUILDING
200 E. JOPPA ROAD
MIDTOWN, MARYLAND 21204

NOV 23 1973 RLS 88095



Ervin J. Cerveny, Esquire
6505 York Road
Baltimore, Maryland 21212

March 8, 1977

RE: Petitions for Special Exception
and Variances
E/S of York Road, 50' N of An-
neslie Road - 9th Election Dis-
trict
Ruth A. Gagner - Petitioner
NO. 74-162-XA (Item No. 102)

Dear Mr. Cerveny:

I am in receipt of your request of February 18, 1977, to extend
your Special Exception for the above referenced property.

This is to advise you that the Special Exception for an office build-
ing and offices on the subject property was granted on February 7, 1974
(Case No. 74-162-XA).

Pursuant to the Baltimore County Zoning Regulations, over two
years have expired since the granting of the Special Exception and, if
you wish to use this property for offices, you must again petition for a
Special Exception.

The Special Hearing that was conducted and a subsequent Order
passed thereon, on November 7, 1975 (Case No. 75-265-A), did not, in
fact, grant you a Special Exception, but authorized you an expansion of
that which was granted on February 7, 1974.

If you have any further questions concerning this matter, please do
not hesitate to contact me.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Ervin J. Cerveny, Esquire
Page 2
March 8, 1977

cc: Mr. George J. Martinek
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

ERVIN J. CERVENY
ATTORNEY AT LAW
6505 YORK ROAD
BALTIMORE, MARYLAND 21212
777-6200
777-6206

February 16, 1977

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

REFERENCE: Petition #74-162XA
Amendment thereto:
Petition #75- 65-ASPH (Item No. 172)
Final Order, November 7, 1975

Dear Mr. DiNenna,

It is hereby requested that an extension of two
years from your final order in the above reference
petition be granted under Section 502.3.

This time is necessary to complete the proposed
building ready for occupancy.

Very truly yours,

Ervin J. Cerveny

EJC:j

