

67-70-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas A. Henrietta Leek, 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 211.3 to permit a side yard set back of 4'6" instead of the required 8'.

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

Practical difficulty
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 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 Thomas Leek Legal Owner
Address 1215 Leeds Terrace, Towson, Md. 21204

Petitioner's Attorney _____ Protestant's Attorney _____

Address _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 23rd day

of August 1966, 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 28th day of September 1966 at 10:00 o'clock A.M.

Edmund D. Hardisty
Deputy Zoning Commissioner of Baltimore County.

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 _____

the above Variance should be had; and it further appearing that by reason of _____

a Variance _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day

of 196, that the herein Petition for a Variance should be and the _____ granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical or unreasonable hardship to permit a side yard setback of 4 feet 6 inches instead of the required 8 feet

the above Variance should NOT BE GRANTED.

DEPUTY

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6 day

of October 1966, that the above Variance be and the same is hereby DENIED.

Edmund D. Hardisty
Deputy Zoning Commissioner of Baltimore County

MICROFILMED

LAW OFFICES
POWER AND MOSNER
34 WEST CHESTER AVE.
TOWSON, MARYLAND 21204

November 4, 1966

John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: 67-70-A
Petition for Variance
N/S Leeds Terrace
250 ft. East of Shelbourne Road
13th District
Thomas Leek and Henrietta Leek

Dear Mr. Rose:

We represent Mr. and Mrs. Thomas Leek.

Please enter their appeal from an order of the Deputy Zoning Commissioner dated October 6, 1966 denying a side yard setback of 4 feet 6 inches instead of the required 8 feet.

Our check for \$40.00 is enclosed to cover the necessary advertising and posting and the costs.

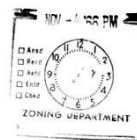
With appreciation.

Very truly yours,

Gordon G. Power
Gordon G. Power

GGP/alb

Enc.



RE: PETITION FOR VARIANCE FROM SECTION 211.3 OF THE ZONING REGULATIONS ON PROPERTY LOCATED ON THE N/S LEADS TERRACE 250' EAST OF SHELBORNE ROAD, 13TH DISTRICT THOMAS AND HENRIETTA LEAK, PETITIONERS

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 67-70-A

OPINION

The petitioners in this case appealed from a decision of the Deputy Zoning Commissioner denying a variance from Section 211.3 of the Zoning Regulations for a side yard setback of four feet six inches instead of eight feet in order to construct a side addition to their existing dwelling.

The petitioners' property is on an inside lot fronting approximately fifty feet on the north side of Leeds Terrace Road and running approximately one hundred and thirty feet deep. It is improved by a two story cottage and a garage. The addition is proposed to be built on the west side of the dwelling and would face a side entrance of the house owned by the next door neighbor, Mr. Brice, who is a protestant.

The petitioner claims to have need for the extra living space in order to provide first floor accommodation for a sickly mother-in-law. Testimony revealed that the petitioner has a surplus room on the second floor and the petitioner did not prove to the Board's satisfaction that additional first floor space could not be built on the rear of the house.

Further testimony revealed that this is a high class, stable neighborhood and that no such additions exist on any of the houses on Leeds Terrace Road. The protestants claimed that the proposed addition would adversely affect their property values, and that the granting of this petition could be an opening wedge for further change.

The Board is aware that the petitioner, under the existing County Regulations, is permitted to extend the present width of his dwelling another five and one-half feet without a variance. The Board, however, is of the opinion that denying the petition will not result in practical difficulty or unreasonable hardship to the

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 16, 1966
FROM: George E. Gavelis, Director of Planning
SUBJECT: Petition #67-70-A. North side of Leeds Terrace 250 feet East of Shelbourne Road. Petition for Variance to permit a side yard of 4 feet 6 inches instead of the required 8 feet.
Thomas Leek - Petitioner.
13th District
HEARING: Wednesday, September 28, 1966. (10:00 A.M.)

The planning staff of the Office of Planning and Zoning will offer no comment on the subject petition.

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Thomas and Henrietta Leek - #67-70-A

petitioner; whereas, granting it will have an adverse effect or injure the general welfare of the neighborhood.

The Board, therefore, upholds the decision of the Deputy Zoning

Commissioner.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4 day of May, 1967 by the County Board of Appeals, ORDERED that the variance petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
BALTIMORE COUNTY

John A. Slowik, Acting Chairman

W. Giles Parker

Walter A. Reiter

WRITTEN BY: THOMAS
FOR THOMAS & HENRIETTA LEAK

Being Lot #46 Leeds Terrace recorded among the 1st Records of Baltimore Co. in Plat Book 13-1115 101, said lot being on north side of Leeds Terrace 250 ft. 2-3/4" east of Shelbourne Rd.

CERTIFICATE OF PUBLICATION

TOWSON, MD. _____ 1966

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 in each of 2 successive weeks before the 28th day of September, 1966, the 6th publication appearing on the 28th day of September 1966.

THE JEFFERSONIAN

B. Leach Struth
Manager

Cost of Advertisement, \$ _____

TELEPHONE 823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 42242
DATE 11/10/66

TO: Gordon G. Power, Esq.,
34 West Chesapeake Avenue,
Towson, Maryland 21204

DEBIT TO ACCOUNT NO. 61-422
QUANTITY 1
DETACH UPPER SECTION - A2 RETURN WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
1	Cost of appeal - Thomas Leek, et al, Petitioners	\$35.00	
1	No. 67-70-A posting	5.00	\$40.00
1	11106 2069 * 42242 TIP-	40.00	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

67-70-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting Sept. 10, 1966

Posted for: Variance

Petitioner: Thomas Leek

Location of property: N/S Leeds Terrace 250' E of Shelbourne Rd.

Location of Signs: N/S Leeds Terrace 250' E of Shelbourne Rd.

Remarks: J. Power

Posted by: J. Power Date of return: Sept. 15, 1966

1 sign

TELEPHONE 823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 43607
DATE 9/4/66

TO: Mrs. Henrietta Leek
1215 Leeds Terrace
Baltimore, Md. 21207

DEBIT TO ACCOUNT NO. 61-422
QUANTITY 1
DETACH UPPER SECTION - A2 RETURN WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
1	Petition for Variance #67-70-A	25.00	
1	4-466 8790 * 43607 TIP-	25.00	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE 823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 10663
DATE 9/26/66

TO: Henrietta Leek
1215 Leeds Terrace
Baltimore, Md. 21207

DEBIT TO ACCOUNT NO. 61-422
QUANTITY 1
DETACH UPPER SECTION - A2 RETURN WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
1	Advertising and posting of property #67-70-A	30.00	
1	4-214 9740 * 10663 TIP-	30.00	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PETITION FOR A VARIANCE FROM SECTION 211.3 OF THE ZONING REGULATIONS ON PROPERTY LOCATED ON THE N/S LEADS TERRACE 250' EAST OF SHELBORNE ROAD, 13TH DISTRICT THOMAS AND HENRIETTA LEAK, PETITIONERS

The Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for a variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 4 feet 6 inches instead of the required 8 feet.

The hearing will be held on September 28, 1966, at 10:00 A.M. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

Being Lot #46 Leeds Terrace recorded among the 1st Records of Baltimore Co. in Plat Book 13-1115 101, said lot being on north side of Leeds Terrace 250 ft. 2-3/4" east of Shelbourne Rd.

Notice: The property of Thomas and Henrietta Leek, as shown on plat filed with the zoning department.

Hearing Date: Wednesday, September 28, 1966, at 10:00 A.M. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of the Zoning Department
Deputy Zoning Commissioner of Baltimore County

ZONING: Petition for Variance for a Side Yard.

LOCATION: North side of Leeds Terrace 250 feet East of Shelbourne Road.

DATE & TIME: WEDNESDAY, SEPTEMBER 28, 1966 at 10:00 a.m.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 4 feet 6 inches instead of the required 8 feet.

The Zoning Regulation to be excepted as follows:

Section 211.3 - Side Yards-- 8 feet for one side yard and not less than 20 feet for the sum of both.

All that parcel of land in the Thirteenth District of Baltimore County

Being Lot #16 Leeds Terrace recorded among the Plat Records of Baltimore County in Plat Book 12 Folio 101, said lot being on north side of Leeds Terrace 250 feet 2-3/4" east of Shelbourne road.

Being the property of Thomas and Henrietta Leek, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, September 28, 1966 at 10:00 A.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order Of
Edward D. Hardesty
Deputy Zoning Commissioner
Of Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY MD. September 8, 1966

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 28th day of September 1966, the first publication appearing on the 8th day of September 1966.

THE TIMES,

Manager.

John M. Martin

Cost of Advertisement, \$18.00

Purchase Order C5550
Requisition No. K649

PETITION FOR A

VARIANCE

13A-100-11

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LOCATION: North side of Leeds Terrace 250 feet East of Shelbourne Road.

DATE & TIME: WEDNESDAY, SEPTEMBER 28, 1966 at 10:00 a.m.

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THE TIMES,

Manager.

John M. Martin

Cost of Advertisement, \$18.00

Purchase Order C5550
Requisition No. K649

Mrs. Thomas Leek
1215 Leeds Terrace
Baltimore, Maryland 21227

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

23 day of August, 1966.

JOHN G. ROSE
Zoning Commissioner

Petitioner Thomas Leek

Petitioner's Attorney

Reviewed by

Chairman of
Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 13th

Date of Posting Nov. 19, 1966

Posted for: Appeal

Petitioner: Thomas and Henrietta Leek

Location of property: N/S Leeds Terrace 250' E of Shelbourne Rd

Location of Signs: N/S Leeds Terrace 255' E of Shelbourne Rd

Remarks: J. Rose
Signature

Posted by

Date of return: Nov. 23, 1966

1 sign

6770

