

# 71-238-4 71-238-4 71-238-4 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

James R. & Catherine D. Peak, legal 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 petition for a Variance from Section 255.1 (238.2) to permit a minimum rear yard setback of 17.0' in lieu of the required 30.0' and Section 255.1 (238.2) to permit a minimum side yard setback of 12.0' in lieu of the required 30.0' and Section 405.4-A-3a to permit a zero & 10.0' tangent distances on the curb radius returns in lieu of the required 20.0'. The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The strict enforcement of the regulations would result in practical difficulty and undue hardship to the Petitioners.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. 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: James R. Peak, Catherine D. Peak  
Address: 124 Green Spring Dr., Towson, Maryland 21204

Protetant's Attorney: Fred E. Waldrop, Esq., 201 Loyola Federal Building, 22 West Fennell Avenue, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of February, 1971.

1971, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of March, 1971, at 2:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Edward Hardesty, Attn: Oliver L. Myers  
FROM: William G. Ulrich, Jr., Registered Land Surveyor

SUBJECT: Item 124 (1970-1971)  
Property Owner: James R. & Catherine D. Peak  
N/W corner int. of Greenspring Drive and Timonium Road  
Present Zoning: M.L.  
Proposed Zoning: Variance from 255.1 (238.2) - rear yd; side yd; 405.4 A 3a - tangent distance  
District: 8th  
No. Acres: 0.495

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:  
Timonium Road, an existing County road, is improved as a divided highway with dual lanes, each 24 feet wide on a 70-foot right-of-way.

Greenspring Drive, an existing County road, is improved in this area as a divided highway with dual lanes, each 24 feet wide on a 60-foot right-of-way.

No further improvements are required for these roads other than concrete sidewalks.

The status of the driveway east of this site is unknown. However, the petitioner is cautioned in regard to Baltimore County's utility easement through this property, (within what appears to be a proposed driveway for this site) and the existing storm drain and sanitary sewerage located therein. No encroachment by construction of any structure will be permitted over the right-of-way. The protection of these utilities, and any damage sustained, would be the full responsibility of the petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering.

#### Sediment Control:

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

OFFICE PHONE  
825-2382

William G. Ulrich, Jr.

Registered Land Surveyor

18 FULLERTON HEIGHTS AVE BALTIMORE, MD 21236

FOR THE PURPOSE OF ZONING ONLY

All that piece or parcel of land situate lying and being in the Eighth Election District of Baltimore County State of Maryland and described as follows:  
Beginning for the same at an iron pipe set where the northerly right of way line of Timonium Road intersects the easterly right of way of Greenspring Drive (as shown on Baltimore County Highway Right of Way Plat BW 68-065-1A, said point being designated by the coordinate values N51566.869 W 4414.396 and referring the courses of this description to the True Meridian as established by the Baltimore County Metropolitan District) running thence and binding on the east side of Greenspring Drive as shown on the said right of way plat the two following courses and distances viz: north 76 degrees 55 minutes 03 seconds west 46.71 feet to an iron pipe and north 23 degrees 05 minutes 08 seconds west 138.10 feet to an iron pipe set at the centerline of the existing concrete curbing entrance there situate thence leaving the right of way line of Greenspring Drive at a right angle north 66 degrees 54 minutes 52 seconds east 141.54 feet to an iron spike and to intersect the second or north 22 degrees 41 minutes 18 seconds west 429.33 feet line of that parcel of land which by a deed dated January 12, 1970 and recorded among the land records of Baltimore County in Liber O.T.G. No. 5065 folio 311 etc. was conveyed by Margaret W. Price, Trustee to James R. Peak and Catherine D. Peak his wife, running thence and binding reversely on part of said second line and also on the west side of a right of way 12.00 feet wide south 22 degrees 41 minutes 18 seconds east 145.69 feet to an iron spike and to intersect the north side of Timonium Road as shown on the firstly herein mentioned right of way plat running thence and binding on the north side of Timonium Road south 58 degrees 14 minutes 28 seconds west 108.92 feet to the place of beginning. Containing 0.495 of an acre of land more or less.

William G. Ulrich Jr.

RESIDENCE PHONE  
865-4047

71-168-XA  
11/12/71  
#9  
SEC. 3-C  
NW-13A  
XA

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Edward Hardesty, Attn: Oliver L. Myers  
FROM: William G. Ulrich, Jr., Registered Land Surveyor

SUBJECT: Item 124 (1970-1971)  
Property Owner: James R. & Catherine D. Peak  
N/W corner int. of Greenspring Drive and Timonium Road  
Present Zoning: M.L.  
Proposed Zoning: Variance from 255.1 (238.2) - rear yd; side yd; 405.4 A 3a - tangent distance  
District: 8th  
No. Acres: 0.495

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 comments supplied in conjunction with Item 124 (1970-1971), copy attached, remain valid and applicable to this Petition, Item 124 (1970-1971).

Edward Hardesty  
Baltimore County, Maryland  
Chief, Bureau of Engineering

END:RAM:PMW:SS

5-NE Key Sheet  
52 & 53 NW 3 & 4 Position Sheets  
NW 13A Topo  
60 Tax

Attachment

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers  
FROM: Ian J. Forrest

SUBJECT: Item 124 - Zoning Advisory Committee Meeting, February 16, 1971

124. Property Owner: James R. & Catherine D. Peak  
Location: N/W Cor. Int. of Green Spring Dr. and Timonium Road  
Present Zoning: M.L.  
Proposed Zoning: Variance from 255.1 (238.2) - rear yd; side yd; 405.4 A 3a - tangent distance  
District: 8th  
No. Acres: 0.495

Public water and sewers are available to this site.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

Chief  
Water and Sewer Section  
BUREAU OF ENVIRONMENTAL HEALTH

11F/ca

## BALTIMORE COUNTY, MARYLAND

### ZONING ADVISORY COMMITTEE MEETING OF Feb 16, 1971

Petitioner: James R. & Catherine D. Peak  
Location: N/W corner int. of Green Spring Dr. & Timonium Rd.  
District: Y  
Present Zoning: M.L.  
Proposed Zoning: Variance  
No. of Acres: 0.495

Comments: NO READING ON PRESENT POLLUTION

## BALTIMORE COUNTY, MARYLAND

### DEPARTMENT OF TRAFFIC ENGINEERING JEFFERSON BUILDING TOWSON, MARYLAND 21204 INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Attn: Oliver L. Myers  
FROM: C. Richard Moore  
SUBJECT: Item 124 - ZAC - February 16, 1971  
Property Owner: James R. & Catherine D. Peak  
Green Spring Drive and Timonium Road  
Variances from 255.1 (238.2) - rear yd; side yd; 405.4 A 3a - tangent distance

The subject petition is requesting a variance to a curb tangent distance. The Green Spring Drive shown on the plan is to be the future Charles Street Extended and also serve as ramps to the Harrisburg Expressway.

Therefore, this office opposes any variance to the curb tangent distances at the intersection.

C. Richard Moore  
Assistant Traffic Engineer

CRM:mr

05-10-71

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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the Variances requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved,

the above Variance should be had, and it is further appearing that the Variances requested would

to permit a side yard setback of 12 feet instead of the required 30 feet and to permit 10 feet tangent distances on the curb radius returns for the side yard setback and to permit a Variance to the required 20 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of March, 1971, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to permit a side yard setback of 12 feet instead of the required 30 feet and to permit 10 feet tangent distances on the curb radius returns for the side yard setback and to permit a Variance to the required 20 feet

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of March, 1971, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Zoning Date: February 17, 1971

FROM: Everett Reed, Plans Review

SUBJECT: #126 James E. & Catherine D. Peak  
N.W. Cor. Int. of Green Spring Dr. and  
Thimble Road  
District: 5

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations. Also, see Section 109.5 and 911.4 on service stations.

Everett B. Reed  
Everett Reed, Plans Review

### CERTIFICATE OF PUBLICATION

TOWSON, MD. February 11, 1971.

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 one time, ~~successive~~ before the 2nd day of March, 1971, the first publication appearing on the 11th day of February, 1971.

THE JEFFERSONIAN

Cost of Advertisement, \$

### PETITION FOR VARIANCE

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REVISED OCTOBER 8, 1970 TO SHOW VARIANCES

PLAN TO ACCOMPANY ZONING PETITION  
FOR

SPECIAL EXCEPTION FOR AUTOMOTIVE SERVICE STATION

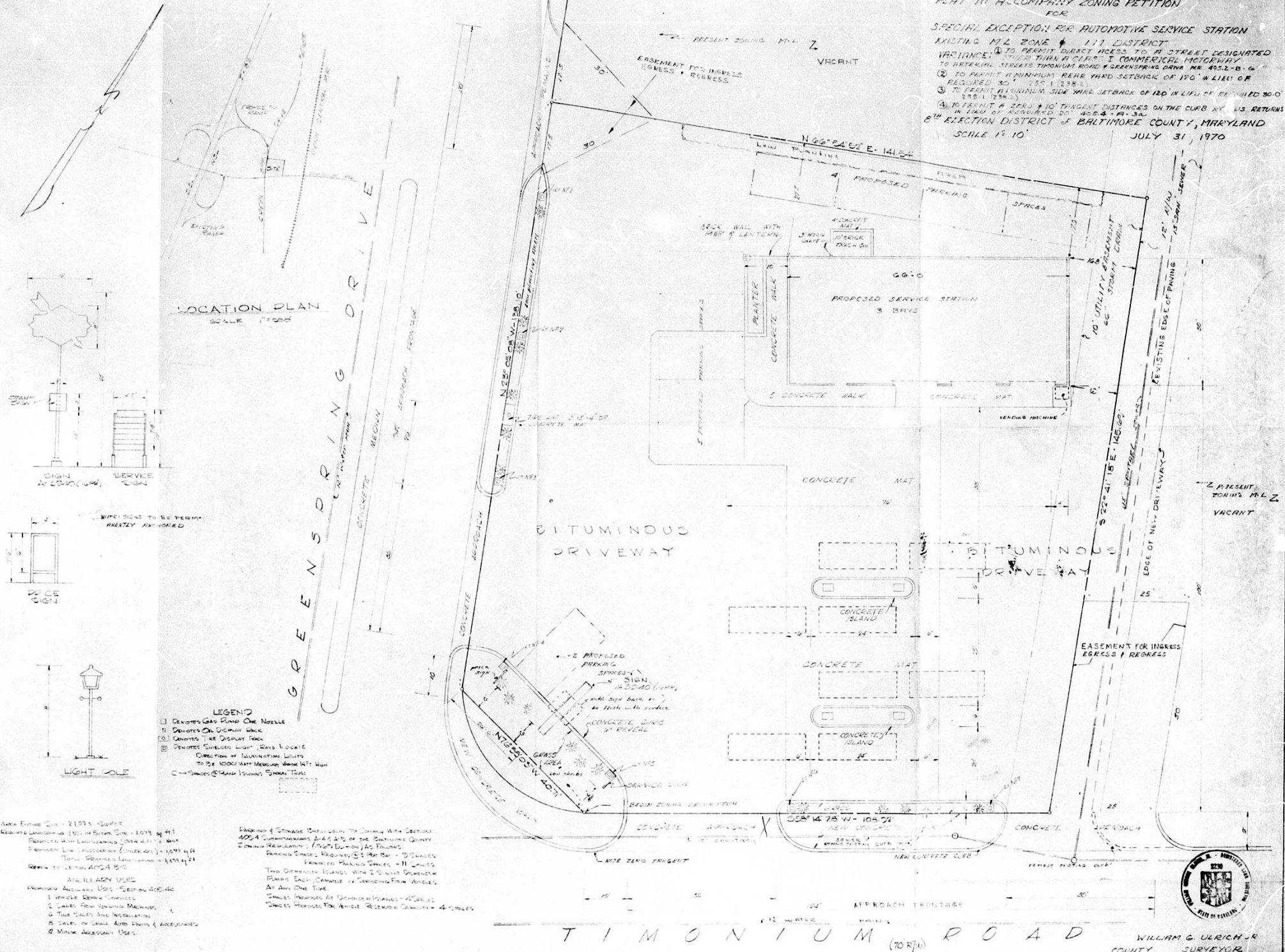
EXISTING M.L. ZONE # 111 DISTRICT

- VARIANCE: (1) TO PERMIT DIRECT ACCESS TO A STREET DESIGNATED TO BE A STREET THROUGH ROAD GREENSPRING DRIVE N.E. 4052-10-6  
(2) TO PERMIT A MINIMUM REAR YARD SETBACK OF 170' IN LIEU OF REQUIRED 30' 250' 1238-2  
(3) TO PERMIT A MINIMUM SIDE YARD SETBACK OF 120' IN LIEU OF REQUIRED 30' 250' 1238-2  
(4) TO PERMIT A ZERO 0' TANGENT DISTANCES ON THE CURB BY ITS RETURN IN LIEU OF REQUIRED 20' 4052-10-3A

6TH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

SCALE 1" = 10'

JULY 31, 1970



WILLIAM G. ULRICH, JR.  
COUNTY SURVEYOR  
COURT HOUSE  
TOWNSHIP MARYLAND