

AMENDED PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Edgar Speer, Ethel I. Speer,
1 or John E. Speer & Son, Inc., 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 211.1.1 to permit width at front building line of 50 feet instead of required 55 feet, on Lots 71G, 71H, 72, 72A, 72B Oakdale Ave., and Section 211.3 to permit side

yard set back of 2.39 feet instead of 4 feet on Lot 72.

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

Property was on a plat recorded prior to 1945 and owner believed that with water and sewer available building would be permitted on a 50 foot lot.

Existing improvement on Lot 72 is 2.46 feet from Lot 72A.

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 of Baltimore County.

Edgar Speer, Ethel I. Speer,
John E. Speer & Son, Inc., President
John E. Speer, Legal Owner
Address: 2201 Schooner Ave.,
Balto., Md. 21234

Contract purchaser
Address: 406 Jefferson Bldg., Towson, Md.
826-7100

Petitioner's Attorney
Address: 406 Jefferson Bldg., Towson, Md.
826-7100

Practitioner's Attorney
Address: 406 Jefferson Bldg., Towson, Md.
826-7100

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of March, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of May, 1971, at 1:00 o'clock.

Edward D. Hardisty, Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 5, 1971

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

MEMBERS

REPRESENTATIVE OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE PLANNING COMMISSION

BOARD OF HEALTH

PLANNING DEPARTMENT

PLANNING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

PLANNING DEPARTMENT

PLANNING DEPARTMENT

Robert J. Ryan, Esq.,
406 Jefferson Building
Towson, Maryland 21204

Re: Type of Hearing: Variance
Location: 111 W. Chesapeake Ave., 200' NE of Rosedale Avenue
Petitioners: Edgar Speer, et al
Committee Meeting of January 26, 1971
15th District
Item 139

Dear Sirs:

The Zoning Advisory Committee has reviewed the plan 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 presently improved on Lot No. 71 with an existing frame dwelling, with a large out building to the rear or the north of the property. Lot 71G and 72 is presently being improved with new dwellings. Oakdale Avenue in this location is not improved insofar as concrete curb and gutter are concerned.

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.

Highways:

Oakdale Avenue, an existing road, is proposed to be improved in the future as a 30-foot closed section on a 50-foot right-of-way. Highways: Improvements, including highway right-of-way widening and any necessary reversible slope drainage will be required in connection with any subsequent grading or building permit applications.

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Sediment Control:

Development of this property through striping, grading and stabilization could result in an adjacent pollution problem, damage private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drains will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially 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:

Both public water supply and sanitary sewerage are available to serve this property.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject variance should have no major effect on traffic.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

HEALTH DEPARTMENT:

Public water and water is available to serve this property.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

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BOARD OF EDUCATION:

No bearing on student population.

ZONING ADMINISTRATION DIVISION:

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, Chairman

OLM:JD

Enc.

CERTIFICATE OF POSTING

JOHNAS DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 154 Date of Posting: 4-15-71

Posted for: Henry M. May Jr. 1971 @ 1:00 P.M.

Petitioner: John E. Speer, Inc.

Location of property: N.W. of Oakdale on 222 E. of Rosedale

Location of Sign: @ Rosedale on 222 E. of New Home Hwy. East of 4th Road

Remarks: Michael H. May

Posted by: Michael H. May Date of return: 4-22-71

ORIGINAL OFFICE OF THE ESSEX TIMES

ESSEX, MD. 21221 April 19 - 1971

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardisty, Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week

before the 19th day of April, 1971 that is to say, the same was inserted in the issue of April 15, 1971.

STROMBERG PUBLICATIONS, Inc.

By: Paul Morgan

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Invoice No. 61211 DATE May 4, 1971

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

Being Dept. of Baltimore County

Advertising and posting of property for John E. Speer & Son, Inc.

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CERTIFICATE OF PUBLICATION

TOWSON, MD. April 15 - 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.

on the 15th day of April, 1971, before the 15th day of May, 1971, the last publication appearing on the 15th day of April, 1971.

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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 Petitioner and the Variances requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved,

the above Variances should be had; and it is hereby recommended that the following Variances be granted:

to permit width at front building line of fifty (50) feet instead of the fifty-five (55) feet on Lots 72A, 72B, 72C, 72D; and to permit a side yard setback of 2.39 feet instead of the required ten (10) feet on Lot 72.

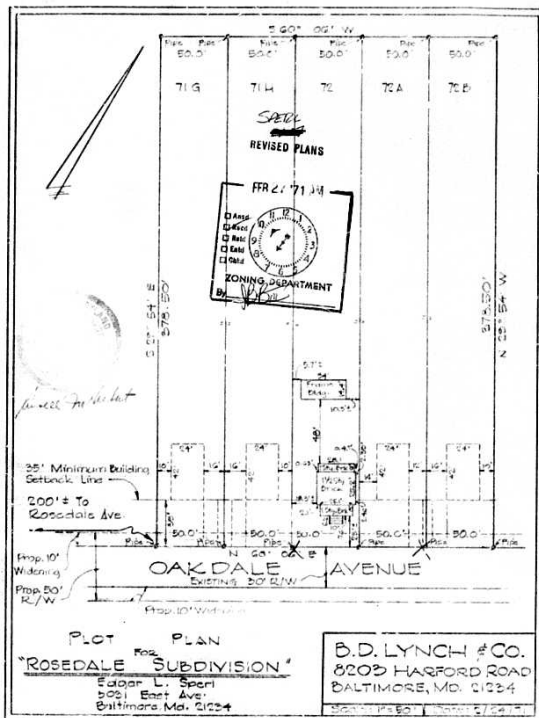
IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of May, 1971, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order, to permit width at front building line of fifty (50) feet instead of the fifty-five (55) feet on Lots 72A, 72B, 72C, 72D; and to permit a side yard setback of 2.39 feet instead of the required ten (10) feet on Lot 72, subject to the approval of the site plan by the Deputy Zoning Commissioner of Baltimore County Bureau of Public Services and the Office 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 following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of May, 1971, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



71-263-14
#139

MICROFILMED