

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Lennox Birchhead and wife, 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... 1 B 02.3 (1) (To permit the construction of residential homes on a lot width of 50' instead of the required 55' with a side yard of 8' and 12' instead of the 10' required under the existing regulations.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) To permit the construction of residential homes on a lot width of 50' instead of the required 55' with a side yard of 8' and 12' instead of the 10' required under the existing regulations. The present development of the area basically has been with a minimum lot of 50' x 125'. This is the only area within the community which has not been developed under the criteria of 50' lots, and should not be penalized under the regulations as adopted by the County Council in March of 1971. Subject lots are previously recorded as part of "Anneslie" as recorded among the Land Records of Baltimore County in Plat Book 7-40.

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.

By: Lennox Birchhead
Contract purchaser
Address: 2429 Lightfoot Drive
Baltimore, Maryland 21209
Legal Owner
Address: 529 Dunkirk Rd.
Baltimore, Maryland 21212
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... 15th... day of June, 1972, 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... 21st... day of June, 1972, at 1:00 o'clock.

Eric D. Minner
Zoning Commissioner of Baltimore County

(over)



MATZ, CHILD & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-923-0000

DESCRIPTION

2.7979 ACRE PARCEL, KNOWN AS LOTS 23 THROUGH 40 AND 44 THROUGH 64 BLOCK "J", ANNESLIE, HOLLY LANE AND ANNESLIE ROAD, NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This description is for a variance to permit a lot width of 50' instead of the required 55'.

Beginning for the same at the northwest corner of Holly Lane and Anneslie Road, said point being the southeast corner of Lot #44, Block J, as shown on plat of "Anneslie" recorded in the Land Records of Baltimore County in Plat Book 7, Page 40, running thence binding on the northeast side of said Anneslie Road (1) N 71° 59' W - 525 feet to the line of division between Lots 64 and 65, Block J, as shown on the aforementioned plat, thence binding on said division line and continuing to bind on division line between Lots 22 and 23 of said Block J, (2) N 18° 01' E - 250 feet to a point on the southwest side of Dunkirk Road, thence binding on the southwest side of said Dunkirk Road, (3) S 71° 59' E - 450 feet to the line of division between Lots 40 and 41 of the aforementioned Block J, thence binding on said division line, (4) S 18° 01' W - 125 feet, thence binding on the rear line of division between Lots 6, 45, 44 and Lots 41, 42, 43, (5) S 71° 59' E - 75 feet to a point on the northwest side of said Holly Lane, thence binding on the northwest side of said Holly Lane, (6) S 18° 01' W - 125 feet to the place of beginning.

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports



Containing 2.7979 acres of land.
Being Lots 44 through 64 and Lots 23 through 40 of Block J.

KS:jmk J.O. #72040 3/16/72



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric D. Minner, Zoning Commissioner Date: June 20, 1972
FROM: Norman E. Genter, Office of Planning
SUBJECT: Petition #72-290-A, Northwest corner of Holly Lane and Anneslie Road. Petition for variance for lot width and side yard. Lennox Birchhead and Mary A. Birchhead - Petitioners
9th District
HEARING: Wednesday, June 21, 1972 (11:00 A.M.)

The Office of Planning and Zoning will offer no comment on this petition at this time.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric D. Minner Date: May 20, 1972
ATTN: Oliver L. Myers
FROM: Ellsworth N. Diver, P.E.

SUBJECT: Item #240 (1971-1972)
Property Owner: Lennox Birchhead
N/W cor. of Anneslie Road and Holly Lane
Present Zoning: D.U. 5.5
Proposed Zoning: Variance from Section 1802.30.1 lot widths
District: 9th
No. Acres: 2.7979 x 150'

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:

It appears that a preliminary plan, Public Works Agreement and subdivision plat for record may be required to be approved in connection with the development of this tract.

Highways:

Anneslie Road, Dunkirk Road and Holly Lane existing County streets, are improved as 60-foot urban-sections on 50-foot rights-of-ways. No further highway improvements are required. However, the construction or reconstruction of any sidewalk, curb and gutter, entrances, aprons, etc. required in connection with the development or redevelopment of this property will be the full financial responsibility of the Petitioner.

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.

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #184 (1971-1972)
Property Owner: Lennox Birchhead
Page 2
May 21, 1972

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 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:

Public water supply is available to serve this property. Additional fire hydrant protection will be required.

Sanitary Sewer:

Public sanitary sewerage is available to serve this property.

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

END:EAM:PMR:ms

cc: G. Heier
J. Loos
J. Treaner

N-20 Key Sheet
20 NE 2 Position Sheet
NS 8 A Topo
60 Tax Map

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 25, 1972

Frank E. Cicone, Esq.,
411 Jefferson Building
Towson, Maryland 21204

RE: Variance Petition
Item 184
Lennox Birchhead and wife - Petitioners

Dear Mr. Cicone:

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 attached comments are a result of this review and inspection.

The subject property is located on the northwest corner of Anneslie Avenue, in the 9th District of Baltimore County. This property lies between Dunkirk Road and Anneslie Road. This entire area known as Anneslie is a well developed residential neighborhood. There are existing residential homes on all sides of this property. Curb and gutter exist at this location.

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

John J. Dillon, Jr., Zoning Technician II

OLM:JJD:JD

Enc.

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING
OF MAY 2, 1972

Petitioner: BIRCHHEAD

Location:

District: 9

Present Zoning:

Proposed Zoning:

No. of Acres:

Comments: NO BEARING ON STUDENT POPULATION

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

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, a Variance to permit the construction of residential homes on a lot width of fifty feet (50') instead of the required fifty-five feet (55'); and to permit a side yard of eight feet (8') and twelve feet (12') instead of the required ten feet (10') and ten feet (10') should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 23rd day of June, 1972, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order, to permit the construction of residential homes on a lot width of fifty feet (50') instead of the required fifty-five feet (55'); and to permit a side yard of eight feet (8') and twelve feet (12') instead of the required ten feet (10') and ten feet (10') subject to the approval of a site plan by the 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 granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, a Variance to permit the construction of residential homes on a lot width of fifty feet (50') instead of the required fifty-five feet (55'); and to permit a side yard of eight feet (8') and twelve feet (12') instead of the required ten feet (10') and ten feet (10') subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of June, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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

TO: S. Eric DiNenna
Attn: Oliver L. Myers
FROM: Michael S. Flanigan
SUBJECT: Item 184 - ZAC - May 2, 1972
Property Owner: Lennox Birchhead
W Corner of Anneslie Rd. & Holly Lane
Variance from Section 1802.3C.1 lot widths
District 9

Date: May 4, 1972

This petition is not expected to create any traffic problems.

Michael S. Flanigan
Traffic Engineer Associate

MSF:mr

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
May 5, 1972
DONALD J. ROOP, M.D., M.P.H.
DEPT. OF STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 184, Zoning Advisory Committee Meeting, May 2, 1972, are as follows:

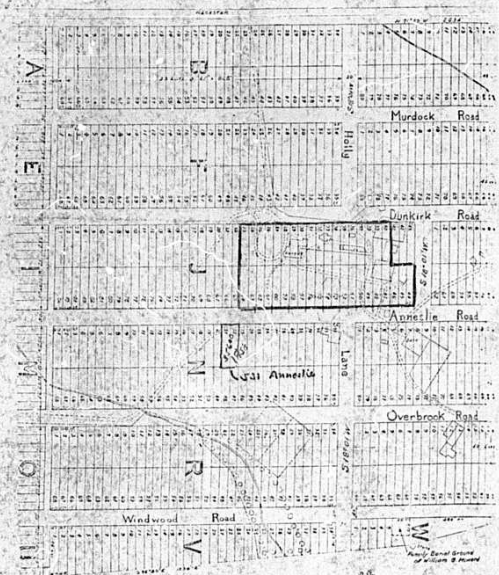
Property Owner: Lennox Birchhead
Location: N/W corner Anneslie Road and Holly Lane
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 lot widths
District: 9
No. Acres: 430' x 150'

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mn



Site to Anneslie, Holly, and Holly Lane
here on this plat are for the purpose of M.C.B.
that only, and are hereby reserved for dedication

PETITION FOR A VARIANCE

SECTIONS 1802.3C.1 and 1802.3C.2
LOT 184, DISTRICT 9
DATE: June 1, 1972
BY: S. Eric DiNenna
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 1, 1972.
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 June 1, 1972, at one o'clock, P.M. before the 23rd day of June, 1972, the 1972 publication appearing on the 1st day of June, 1972.

THE JEFFERSONIAN
S. Eric DiNenna, Manager

Cost of Advertisement, \$.....

OFFICE OF
THE TOWSON TIMES
TOWSON, MD. 21204
June 5 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 5th day of June, 1972 that is to say, the same was inserted in the issue of June 1, 1972.

STROMBERG PUBLICATIONS, Inc.

By: [Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9H
Date of Posting: June 1, 1972
Posted for: Hearing, Wed. Jan. 21st, 1972 @ 11:00 A.M.
Petitioner: Lennox Birchhead
Location of property: N/W Cor. of Holly Lane & Anneslie Rd.
Location of Signs: 1 Sign Posted on Dunkirk Rd.
Remarks: [Signature]
Posted by: [Signature] Date of return: June 8, 1972

ank E. Cione, Esq.,
411 Jefferson Bldg.,
Towson, Md. 21204
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 21st day of June, 1972

[Signature]
S. ERIC DINENNA
Zoning Commissioner

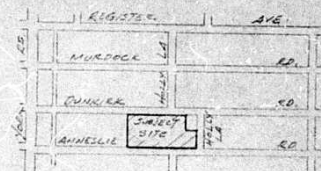
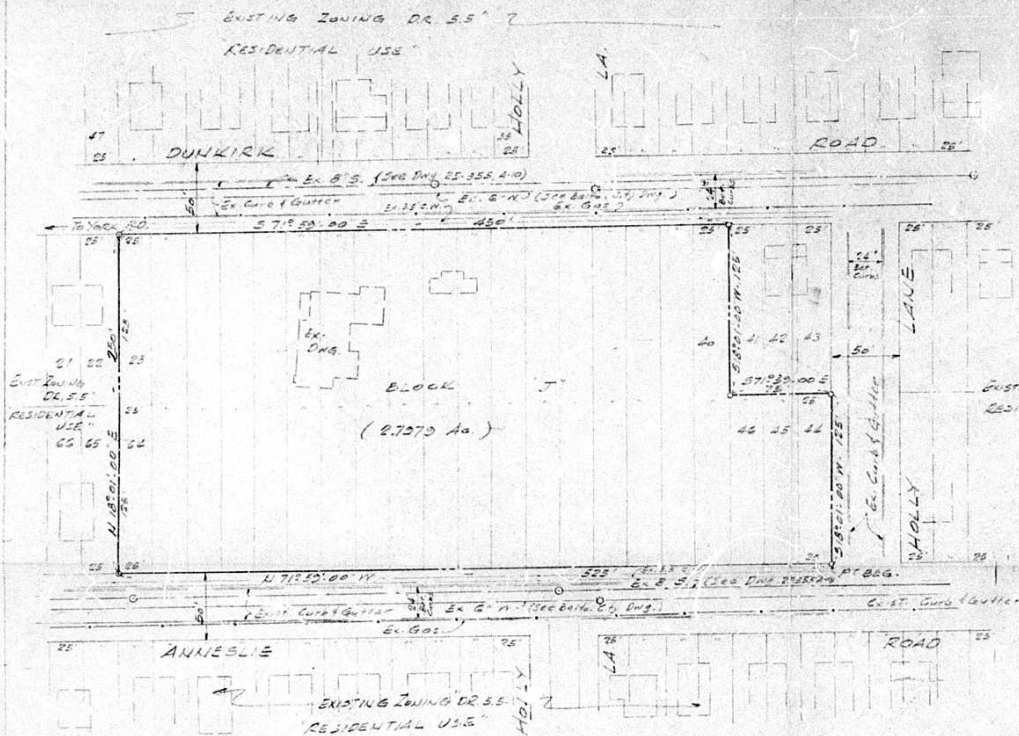
Petitioner: Lennox Birchhead and wife
Petitioner's Attorney: Frank S. Cione
Reviewed by: [Signature]
Chairman, Advisory Committee

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

No. 3711
DATE: June 23, 1972 ACCOUNT 01-669
AMOUNT \$27.50
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER
Mats, Childs and Associates, Inc.
1020 Cromwell Bridge Rd.
Towson, Md. 21204
Advertising and posting of property for Lennox Birchhead
#72-290-A

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

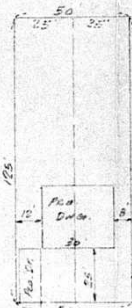
No. 3868
DATE: May 30, 1972 ACCOUNT 01-662
AMOUNT \$15.00
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER
Mats, Childs and Associates, Inc.
1020 Cromwell Bridge Rd.
Towson, Md. 21204
Petition for Variance for Lennox Birchhead
#72-290-A



LOCATION PLAN
SCALE 1" = 50'

GENERAL NOTES

1. TOTAL AREA OF SITE = 2,729 AC.
2. EXISTING ZONING OF SITE = DR. 5.5"
3. USE OF SITE = RESIDENTIAL
4. PROPOSED ZONING OF SITE = DR. 5.5"
5. USE OF SITE = RESIDENTIAL
6. PETITIONER IS REQUESTING A VARIANCE TO SECTION 1802.3 (C)(1) TO PERMIT A MIN LOT WIDTH OF 50' INSTEAD OF THE REQD. 55' & TO PERMIT A MINIMUM WIDTH OF INDIVIDUAL SIDE YARDS OF 8' INSTEAD OF THE REQD. 10'
7. MINIMUM LOT AREA = 6,550 SQ. FT.
8. OFF-STREET PARKING SHALL BE 1 SPACE PER LOT



TYPICAL LOT PLAN
SCALE 1" = 50'

PLAT TO ACCOMPANY PETITION
FOR
LOT WIDTH VARIANCE
VICINITY
ANNESLIE ROAD & HOLLY LANE

ELECT. DIST. 3
SCALE 1" = 50'

EAST MONTGOMERY CO., MD
APRIL 6, 1972



DATE	3/16/72
SECTION	2
REVISION	1/10/72
BY	J
IN CHARGE	J
APPROVED	J
BY	J
DATE	3/16/72

50.70-040 NO. 092