

PEITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

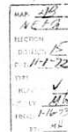
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Allan Henry Spath, 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 1802.3, i.e. 50 feet lot instead of the required 55 feet.

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

LOTS WERE CONVEYED OUT AS 50' X 140'. THEN THE DEVELOPER IN THE LOT'S ON EITHER SIDE OF MY LOT, THOUGHT, I CANNOT BECAUSE MY LOT IS 50' WIDE.

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.

Contract purchaser: Allan Henry Spath
Legal Owner: Allan Henry Spath
Address: 405 Eastern Avenue, Baltimore, Maryland 21221
Petitioner's Attorney: [Signature]
Protestant's Attorney: [Signature]
Address: 405 Eastern Avenue, Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of November 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 through-out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 11th day of December, 1972, at 10:00 o'clock.

[Signature]
Zoning Commissioner of Baltimore County
(over) 12/1/72

RE: 302 Taylor Avenue
15th Election District - Baltimore County

Beginning for the same at a point on the Southwest side of Taylor Avenue 50 feet Southeast of the corner formed by the intersection of the Southwest side of Taylor Avenue and the Southeast side of Taylor Avenue and the Southeast side of Delaware Avenue and running thence Southeasterly blinding on the Southwest side of Taylor Avenue 50 feet thence Southeasterly parallel with Delaware Avenue 140 feet to the Northwest side of an alley there situate thence Northwesterly binding on the Northeast side of said alley 50 feet thence Northwesterly parallel with Delaware Avenue 140 feet to the place of beginning.

BEING known as Lot No. 2, Block 1-1, Section (E) of Essex Subdivision as shown on the Plat of the same recorded among the Land Records of Baltimore County in Plat Book M.P.C. No. 5, folio 39.

See Deed dated August 14, 1972, Liber 5293, page 835, from Lillian L. Spath to Allan Henry Spath and Barbara Lee Spath, his wife.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: November 30, 1972

FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition #73-137-A, Southwest side of Taylor Ave., 50 feet South of Delaware Ave.
Petition for a Variance for lot width.
Petitioner - Allan Henry Spath

15th District

HEARING: Monday, December 11, 1972 (10:00 A.M.)

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

The granting of this variance would allow construction which appears to be consistent with existing development in the area.

NEG:rw

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

November 15, 1972

DONALD J. BROWN, M.D., M.P.H.
CHIEF OF HEALTH AND COMMUNITY SERVICES DIVISION

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

Dear Mr. DiNenna:

Comments on Item 81, Zoning Advisory Committee Meeting November 14, 1972, are as follows:

Property Owner: Allan Henry Spath
Location: SW/S of Taylor Avenue, 50' SE of Delaware Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3b to permit a 50' lot width instead of required 55'.
District: 15
No. Acres: 50' x 140'

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

Very truly yours,

[Signature]
Thomas H. Davlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:amg

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 30, 1972

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Trent L. Seawell, Esq.,
405 Eastern Avenue
Baltimore, Maryland 21221

Re: Variance Petition
Item 81
Allan Henry Spath - Petitioner

Dear Mr. Seawell:

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 following comments are a result of this review and inspection.

The subject property is located on the southeast side of Taylor Avenue, 50 feet southeast of Delaware Avenue, in the 15th District of Baltimore County. The subject property is currently part of a lot that is improved with a one story dwelling and is at the corner of Taylor and Delaware Avenue. This entire area is developed and this is one of the last remaining vacant lots along this street. Curb and gutter and sidewalk 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,
[Signature]
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJD:JD
Enclosure

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EDWARD J. CLIFFORD, P.E. WILFRED L. MELSER
DIRECTOR DEPUTY DIRECTOR

December 1, 1972

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

Re: Item 81 - ZAC - November 14, 1972
Property Owner: Allan Henry Spath
Taylor Avenue SE of Delaware Avenue
Variance from Section 1802.3b to permit a 50 foot lot width instead of the required 55 feet
District 15

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to lot width.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

November 30, 1972

Division of Engineering
ELLsworth H. DIVER, P. E., Chief

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

Re: Item 81 (1972-1973)
Property Owner: Allan Henry Spath
SW/S of Taylor Avenue, 50' S/S of Delaware Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3b to permit a 50' lot width instead of the required 55'.
District: 15th No. Acres: 50' x 140'

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Taylor Avenue, an existing County street, is proposed to be improved in the future as a 60-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements are not required at this time.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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 and Sanitary Sewers:

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

Very truly yours,

[Signature]
ELLsworth H. DIVER, P. E.
Chief, Bureau of Engineering

END:RAN/PW:lan

1-SK Key Sheet
3 NE 27 Position Sheet
TS 3.0 Topo
97 Tax Map

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 81
Trent L. Seawell, Esq.,
405 Eastern Avenue
Baltimore, Maryland 21221

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

Your Petition has been received and accepted for filing
this 17th day of November 1972.

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Allan Henry Spath
Petitioner's Attorney: Trent L. Seawell

Reviewed by [Signature]
Zoning Advisory Committee

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 the proposed variance is a fifty (50) foot wide, a one hundred (100) foot wide lot would not be in keeping with the neighborhood, therefore, strict compliance with the Baltimore County Zoning 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

to permit a fifty (50) foot lot instead of the required 100 foot lot should be granted

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 13th day of December, 1972, that the herein Petition for a Variance should be and the

is granted, from and after the date of this Order, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

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 above Variance should NOT BE GRANTED.

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

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quinby
Acting Director
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(410) 321-1111

November 27, 1972

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

Dear Mr. DiNenna:

Comments on Item #81, Zoning Advisory Committee Meeting, November 14, 1972, are as follows:

Property Owner: Allan Henry Spath
Location: SW/S of Taylor Avenue, 50 feet SE of Delaware Avenue
Present Zoning: D.R.S.5
Proposed Zoning: Variance from Section 1802.38 to permit a 50 foot lot width instead of the required 55 feet.
District: 15
No. of Acres: 50' X 140'

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

Very truly yours,

John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this 30 day of Oct 1972. Item #

S. Eric DiNenna
Zoning Commissioner

Petitioner: A. H. Spath Submitted by: R. Sten
Petitioner's Attorney: Trent Sewall Reviewed by: JPD

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

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

No. 5803

DATE: Nov. 30, 1972 ACCOUNT: 61-662

AMOUNT: \$25.00

WHITE - CASHIER DISTRIBUTION
FIRM - AGENCY YELLOW - CUSTOMER
Trent L. Sewall, Esq.
105 Eastern Ave.
Baltimore, Md. 21221
Petition for Variance for Allan Spath
#73-137-A 5 72 Nov 30 25.00 REC

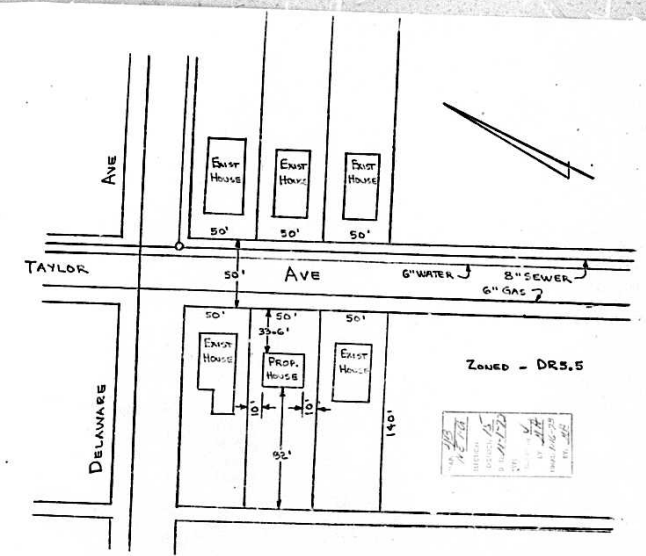
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 5838

DATE: Dec. 11, 1972 ACCOUNT: 61-662

AMOUNT: \$50.00

WHITE - CASHIER DISTRIBUTION
FIRM - AGENCY YELLOW - CUSTOMER
Cash - Allan H. Spath
Refunding and posting of property
#73-137-A 5 72 Dec 11 50.00 REC



PETITION MAPPING PROGRESS SHEET

FUNCTION	Map date	Original date	Duplicate date	Tracing date	SDO Sheet date
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: [Signature]					
Previous cases:					

Revised Plans:
Change in outline or description Yes
Map #

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Trent L. Sewall, Esq.
405 Eastern Avenue
Baltimore, Maryland 21221

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

Item #1

Your Petition has been received and accepted for filing this 17th day of November 1972.

S. Eric DiNenna
Zoning Commissioner

Petitioner: Allan Henry Spath
Petitioner's Attorney: Trent L. Sewall
Reviewed by: [Signature]
Zoning Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 22, 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., once a week, one time, on November 22, 1972, the first publication day of December, 1972, the first publication appearing on the 23rd day of November 1972.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

THE ESSEX TIMES

ESSEX, MD. 21221 November 27 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, 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 27th day of November 1972 that is to say, the same was inserted in the issue of November 22, 1972.

STROMBERG PUBLICATIONS, Inc.

By: [Signature]

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland #73-137-A

District: 15 Date of Posting: 11/22/72
Posted for: Henry Quinby, Jr. 11, 1972 @ 10:00 A.M.
Petitioner: Allan Henry Spath
Location of property: SW 1/4 of Taylor Ave. SE 1/4 of Delaware Ave.
Location of Sign: Signs posted at SW 1/4 of Taylor Ave. and SE 1/4 of Delaware Ave.
Remarks: [Signature]
Posted by: [Signature] Date of return: 11-30-72