PETITION FOR ZONING VARIANCE FROM AREA AND HEIGH REGULATIONS

TO THE ZONING COMMISSIONED OF BALTIMORE COUNTY

I, or we,... X1111am.T.. Tomlin999...legal owner...of the property situate in Bastimor County and which is described in the description and plat attached hereto and made a part hereof for a "ariance from Section. 400.1. to permit an eccessory building in the front yard (waterfront) instead of the required rear

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

See attached description

Bula Doze

operty is to be posted and advery-sed as prescribed by Zoning Regulations. By we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this spand further agree to and are to be bound by the zoning regulations and restrictions of County adopted pursuant to the Zoning Law For Baltimore County.' William & Tombinson William T. Tomlinson 231 South Ann Street Baltimore, Maryland 21231

1973 at 10:00 o'clock

Girusa County.

A Boda Brock

HARDIC V

ZONING DESCRIPTION OF LOWS NOS. 334 AND 33 SECOND ADDITION TO PLAT NO. 2 SITUATED IN 15TH ELECTION DISTRICT BAITIMORE COUNTY, MARYLAND

Beginning for the same on the southeast side of New Section Road, 30 feet wide, at the distance of 505.55 feet, measured northeasterly southeastern right-of-way line of said Road, from its intersection with the northeast side of South Seneca Read, 30 feet wide, and fronting on the southeast side of said New Section Road 103.0 feet total distance with an average depth of 309.46 feet.

Being known as Lots Nos. 334 and 335 as shown on the plat titled, "SECOND ADDITION TO PLAT NO. 2, DOWLEYS QUARTERS", recorded among the Land Re rds of Baltimore County, Maryland in Flat Book No. 10 Folio 64, containing



RE: PETITION FOR VARIANCE rom Section 400.1 of th Zoning Regulations SE/S of New Section Road, 505,551 NE of South Seneca Road 15th District

BEFORE COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY

No. 74-24-A

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Zoning Commissioner, dated November 5, 1973, denying a requested variance to permit an accessory building in the front yard instead of the required rear yard.

The property that is the subject of this appeal is locate i on the southeast sid of New Section Road, 505.55 feet northeast of South Seneca Road, in the Fifteenth Electio

Mr. William Tomlinson, owner of the subject property, testified that he ction of the subject building sometime during the early part of the year 1971, and that he intended to use it as a dwelling. Mr. Tomlinson also testified that he bea this construction without applying for and obtaining a building permit. The record indicates that this was called to the County's attention on April 6, 1971, by the Bowley's Quarters Improvement Association. After investigation by the Buildings Engineer's Office of Baltimore County, Mr. Tomlinson was notified by that office on April 7, 1971, to ediately any further construction. Mr. Tomlinson was cited for a violation, and was subsequently fined the sum of \$600 by the District Court of Maryland. The record also indicates that on October 26, 1971, a complaint was filed with the Department of Permits and Licenses relative to electrical work being performed in the subject building ven though a stop order had been issued.

This petition was the subject of an earlier variance petition for a dwelling (Case No. 72-246-A), which resulted in the granting by the Zoning Commissioner or April 25, 1972, of two side yard setbacks for the subject building for use as a dwelling. A later site visit by the Buildings Engineer's representative indicated that Mr. Tomlinson had apparently not intended to follow through with his plans to build a dwelling as there

RE: PETITION FOR VARIANCE from Section 400.1 of the Baltimore County CIRCUIT COURT Zoning Regulations SE/S of New Section Roa NE of South Seneca Road 15th District FOR BALTIMORE COUNTY William T. Tomlinson AT LAW Zoning File No. 74-24-4 Folio No. 438 File No. 5321

PETITION IN SUPPORT OF APPEAL

The Petition of William T. Tomlinson, by his attorney, A. one, Jr., respectfully represents unto Your Honor:

- 1. That the above named Petitioner and Appellant filed a Petition for a Zoning Variance SE/S of New Section Road, 505.55'
- 2. That the County Board of Appeals by Opinion dated May 14, 1974 denied the said Petition for the reasons set forth in the aforesaid opinion.
- 3. That your Petitioners aver that the action of the County Board of Appeals of Baltimore County is erroneous, arbitrary, capricious, illegal and constituted an abuse of its administrative discretion for the following reasons:
 - a. That the decision was improper and against the weight of evidence presented by the netitioners
 - b. And for other good and sufficient reasons to be assigned at the time of the hearing on this Appeal.

WHEREFORE, your Petitioners pray that this Honorable Court reverse the action and decision of the County Board of Appeals dated May 14, 1974 and enter an Order granting the petition for Bock 6/21/74

William T. Tomlinson - 474-24-A

elling structure. This matter was brought to Mr. Tomlinson's attention and b was warned that he could be headed for another violation citation. This apparently son into requesting another variance to parmit this building to remain as an accessory building in the rear of his property which, as stated previously, has been denied by the Zoning Commissioner

2.

In the mind of this Board, the evidence and testimony presented is void of proof of practical difficulty and/or unreasonable hardship. All of the evidence that might tend to prove any such difficulty and/or hardship is the result of overt actions by the Petitioner contrary to existing regulations. While not within the duties or responsibilities of this Board, by way of extraneous comment, the Board feels that a solution to the Petitioner's dilemma right lie in a return to his original thinking that was apparently expressed by him to the Zoning Commissioner in Case No. 72-246-A

After reviewing the evidence and testimony presented in this case, it is the judgment of this Board that under Section 307 of the Zoning Regulations, the Petitioner has falled to prove practical difficulty and/or unreasonable hardship, and should be made to comply with Section 400.1 of the Regulations covering Accessory Buildings in Residence Zones. In fact, had Mr. Tomlinson adhered to Baltimore County Codes and Regulations after being made aware that they do exist by Judge Waldrop in District Court and by the Zoning Commissioner, he would not be before this Board. The Board further conclude that because there is already a dwelling and two accessory buildings on his property, and that Mr. Tomlinson has, in our opinion, created for himself any hardship or difficulty that exists, the petition for variance shall be denied and the Order of the Zoning Commissioner dated November 5, 1973, shall be affirmed.

zoning variance SE/S of New Section Road, 505.55' NE of South Seneca Road 15th District, Baltimore County and grant such other relief as the nature of this case may require.

A. Gordon Boone, Jr. 11 W. Pennsylvania Aven Towson, Maryland 21204 825-5596 Attorney for Appellants

William T. Tomlinson - #74-24-A

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 14th day of May, 1974, by the County Board of Appeals, ORDERED that the varionce 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.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

HEREBY CERTIFY, that a copy of the aforegoing Petition was served on the Secretary of the County Board of Appeals for Saltimore County, County Office Sulluing, Yowson - ryland 21204

a terupa mone ir

1 m. 8 B. Appears for Bartimore County, do hereby acknowledge receipt of a copy of the aforegoing Petition for and on behalf of the County Board of Apreals for Baltimore County,

6/21/74

County Board of Appeals for Baltimore County

Rec'd 6/21/74 3.45pm (Head see d)

MAD 0 6 1975

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
ocentia I N 80.001 SE
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count torong on to begint (increased bury ine i are in much
the above Variance should be had; and it further appearing that by reason of
a Varianceshould be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County this
day of 197, that the herein Petition for a Variance should be and the
same is granted, from and after the date of ince order.

Zoning Comnassioner of Baltimore County Pursuant to the advertisement, posting of property and public hearing on the above Betition and it appearing that by reason of failure to show practical difficulty and unreasonable Variance should NOT BE GRANTED T IS ORDERED by the Zoning Commissioner of Baltimore County, this ofen November 197 3, that the above Variance be and the same is hereby DENIFT

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FOR

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"that it was arbitrary, unreasonable or capricious. Kirkman v. Montgomery County Council, supra: Agneslanc, Inc. v. Lucas, supra; Boslev v. Hospital for Consumptives, supra: Hayor & City Council of Balto. v. Sapero, 230 Md. 291, 166 h. 2d 884 (1962)."

The questions before the Court at this time are: (1) was there ample legally sufficient evidence to make the issue before the Board "fairly debatable," and if so; (2) has the Appellant shown that the Board's determination was arbitrary, unreasonable or capricious.

This Court realizes that it has no authority to substitute its judgment for that of the zoning authority but is limited to the above determinations

A review of the transcript reveals to this Court that the evidence presented before the Board was sufficient to make the issue "fairly debatable." The Petitioner having filed this appeal has the burden of proving to this Court that the Board's action was arbitrary, capricious or unreasonable. It is this Court's opinion that the Petitioner has failed to establish that the Board abused the discretion vested in it by law.

For the above reasons, the opinion of the County Board of Appeals of Baltimore County is hereby AFFIRMED this day of September, 1974, and the Petitioner's appeal is hereby DENIED.

Copy to: A. Gordon Boone, Esq. Mr. Joseph Kasher County Board of Appeals -Richard D. Byrd, Assistant County Solicitor PETITION FOR VARIANCE IN THE CIRCUIT COURT from Section 400.1 of the FOR BALTIMORE COUNTY Baltimore County Zoning SE/S of New Section 505.55 NE of South Seneca Road MISC. CASE: 5321 15th District 438 WILLIAM T. TOMLINSON

Petitione

******** MEMORANDUM OPINION

This matter involves an appeal from he County Board of Appeals of Baltimore County, which by its Order dated May 14, 1974, denied to Mr. William T. Tomlinson a requested variance from Section 400.1 of the Baltimore County Zoning Regulations to permit an accessory building in the front yard instead of the required rear yard. The property involved is located on the southeast side of New Section Road 505.55 feet northeast of South Seneca Road in the 15th Election District of Baltimore County, also known as 650 New Section Road.

The appeal was filed with this Court on June 13, 1974. A hearing was held by the Court on Avrust 21, 1974 at which time counsel for Appellant presented argument. Appellant's counsel has submitted a memorandum of fact and law which has been reviewed by the Court. Having reviewed the transcript, memorandum and the law, the Court is now in a position to make

The petition was filed pursuant to Section 307 of the Zoning Regulations which states in part:

> "Sec. 307 Variances The Zoning Commissioner of Baltimore County and the County Board of Appeals upon appeal, shall have and they are hereby given the pow

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BEFORE BR: FETTTION FOR VARIANCE from Section 400.1 of the COUNTY BOARD OF AFFEALS 0.8 Zoning Regulations BALTIMORE COUNTY SE/S of New Section Road. 505.55 NE of South Seneca Road 15th District William T. Tomlinson.

Ar Fr.Ai

Please enter an appeal in the above case to the Circuit Court for Baltimore County and forward all necessary papers thereto.

A. Gordon Hoone Jr. 11 Pennsylvan.a Avenue Tosson, Maryland 21204 825-5696 Atterney for Petitioner

"to grant variances from height and area requiations, from off-street parking regulations and from sign regulations, only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardsh.p. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height area, off-street parking or sign regulations, and only in such manner as to grant relief without only in such manner as to grant relief without only in such manner as to grant relief without only in such manner as to grant relief without substantial injury to public health, safety, and general welfare." (Emphasis added.)

The Board found that the testimony presented by the Petitioner was "void of proof of practical difficulty and/or unreasonable hardship." The Board went on to state, "All of the evidence that might tend to prove any such difficulty and/or hardship is the result of overt actions by the Petitioner contrary to existing regulations." This finding was based principally on the testimony of Mr. William Tomlinson, the Petitioner. The facts are as follows:

Mr. Tomlinson began construction of the subject building sometime during the early part of 1971; he intended to use it as a dwelling. He had begun construction wathout applying for or obtaining a building permit. Upon a complaint by the Bowleys Quarters Improvement Association on April 6. 1971, and after an investigation by the Buildings Engineer's Office of Baltimore County, Mr. Tomlinson was notified on April 7, 1971 to halt immediately any further construction. Mr. Tomlinson was cited for a violation and subsequently fined the rum of Six Hundred (\$6'0.00) Dollars by the District Court of Maryland.

This property was the subject of an earlier variance

- 2 -

Petition for Variance SE/S of New Section Road 505.55' NE of South Seneca Road- 15th District William T. Tomlinson Petitioner NO. 74-24-A (Item NO.245

* Baltimore County Office of * PLANNING & ZONING

APPEAL TO THE COUNTY BOARD OF APPEALS

Now comes the Peritioner, William T. Tomlinson, by his Attorney, A. Gordon Boone, Jr. and requests an Appeal from the decision of the Zoning Commissioner of Nov. 5,1973 in the above captioned case, to the County Board of Appeals.

William T. Tomlinson

A. Gordon Boone, Jr. 11 W. Pennsylvania Avenue Towson, Maryland 21204 Va 5-5696

DEC 4'73 PM -اثنو ZONING DEPARTMEN

petition for a dwelling (Case No. 72-246-A) which resulted in the granting by the Zoning Commissioner on April 25, 1972, of two side yard setbacks for the subject building for use as a dwelling. A later site visit by the Buildings Engineer representative indicated that Mr. Tomlinson had apparently not intended to complete his plan to erect a dwelling as there had been no attempt to provide necessary sewage or water hookups, which are mandatory for such a structure. This matter was brought to Mr. Tomlinson's attention, whereupon he subsequently requested another variance to permit this building to remain as an accessory building in the front of his property. The second requested variance, having been denied by the Zoning Commissioner and the County Board of Appeals, is now the subject of this appeal.

The Court must look at all of the facts and circumstances of a zoning appeal in light of the principles set forth in Haldeman v. Board of County Commissioners of Howard County, 253 Md. 298 (1969), where the Court, concerning the scope of review, said:

> "We have often repeated the principles here applicable: courts have no power to rezone and may not substitute their judgment for that of the expertise of the zoning authority. of the expertise of the zoning authority, <u>Kirbman v. Montcomery Country Countell</u>, 251 Md. 273, 247 A. 2d 255 (1968); <u>Boslev v. Hospilal</u> <u>Gro. Consumptives</u>, 246 Md. 197, 227 A. 2d 746 (1967); <u>Board of Country Commirse for Prince</u> <u>George's Country v. Part.</u> 242 Md. 315, 218 A.2d <u>George's Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 242 Md. 315, 218 A.2d <u>And Country v. Part.</u> 315, 218 A.2d <u>And Country v. Part.</u> 243 Md. 315, 218 A.2d <u>And Country v. Part.</u> 243 Md. 315, 218 A.2d <u>And Country v. Part.</u> 314 A.2d <u>And Country v. Part.</u> 315 A.2d <u>And Country v. Part.</u> 314 A.2d <u>And Country v. Part.</u> 315 A.2d <u>And Country v. Part.</u> 314 A.2d <u>And Countr</u> Wollum make the question rairly denatable. ATK
> Redi-Mix Concrete Corp. v. Smith, 251 Md. 1
> 246 A. 2d 220 (1968): Nayor and City Council of
> Greenbelt v. pd. of County Committee for Prince
> George's County, 247 Md. 670, 234 A.2d 140 (1967)
> Amerilane line v. 11062 247 Md. 610, 2314 A.2d 140 (1967) Agnesiane, Inc. v. Lucas, 247 Md. 612, 233 A.2d 757 (1967). Further, the one who attacks the determination made by the authority must show

> > November 5, 1973

Gordon Boone, Jr., Esquire Il West Pennsylvania Ave Towson, Maryland 21204

> RS: Petition for Variance SE/S of New Section Road, 505.55' NE of South Seneca Road - 15th William T. Tomlinson - Petitioner NO. 74-24-A (Item No. 245

Dear Mr. Boone

I have this date passed my Order in the above captioned matter. Copy of said Order is attached.

Very truly yours.

15/ S. ERIC DI NENNA Zoning Commissione

SED/arl

cc: Mr. Joseph Kashen 650 New Section Road Baltimore, Maryland 21220

I WEST PENNA. AVE

DESTRUCTION PUR VARIANCE IN THE CIRCUIT COURS from Section 400.1 of the FOR BALTIMORE COUNT Baltimore County Zoning Regulations SE/S of New Section 505.55 MISC. CASE: 5321 NE of South Seneca Road 15th District DOCKET POLTO 438 WILLIAM T. TOMLINSON Petitioner

MEMORA: DUM OPINION

This matter involves an appeal from the County Board of Appeals of Baltimore County, which by its Order dated May 14, 1974, denied to Mr. William T. Tomlinson a requested variance from Section 400 1 of the Baltimore County Zoning Regulations to permit an accessory building in the front yard instead of the required rear yard. The property involved is located on the southeast wide of New Section Road 505 55 feet northeast of South Seneca Road in the 15th Election District of Baltimore County, also known as 650 New Section Road.

The appeal was filed with this Court on June 13. 1974. A hearing was held by the Court on August 21, 1974 at which time counsel for Appellant presented argument. Appellant's counsel has submitted a memorandum of fact and law which has been reviewed by the Court. Having reviewed the transcript, memorandum and the law, the Court is now in a position to make its decision

The petition was filed pursuant to Section 307 of the Zoning Regulations which states in part:

> "Sec. 307 <u>Variances</u>
> The Zoning Commissioner of Baltimore County and the County Board of Appeals upon appeal, shall have and they are hereby given the power

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"to grant variances from height and area regulations, from off-street parking regulations and from sign regulations, only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in pre tical difficulty or unreasonable hard-ship. No increase in residential density beyond that otherwise allowable by the Zoning Regulacions shall be permitted as a result of any such grant of variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height area, off-street parking or sign regulations, and only in such manner as to crant relief without substantial injury to public health, safety, and general welfare." (Exphasis added.)

The Board found that the testimony presented by the Petitioner was "void of proof of practical difficulty and/or unreasonable hardship." The Board went on to state, "All of the evidence that might tend to prove any such difficulty and/or hardship is the result of overt actions by the Petitioner contrary to existing regulations." This finding was based principally on the testimony of Mr. William Tomlinson. the retitioner. The facts are as follows

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This property was the subject of an earlier variance

- 2 -

petition for a dwelling (Case No. 72-246-A) which resulted in the granting by the Zoning Commissioner on April 25, 1972, of two side yard setbacks for the subject building for use as a dwelling. A later site visit by the Buildings Engineer representative indicated that Mr. Tomlinson had apparently not intended to complete his plan to erect a dwelling as there had been no attempt to provide necessary sewage or water hookups. which are mandatory for such a structure. This matter was brought to Mr. Tomlinson's attention, whereupon he subsequently requested another variance to permit this building to remain as an accessory building in the front of his property The second requested variance, having been denied by the Zoning Commissioner and the County Board of Appeals, is now the subject of this appeal.

The Court must look at all of the facts and circumstances of a zoning appeal in light of the principles set forth in Haldeman v. Board of County Commissioners of Howard County, 253 Md 298 (1969), where the Court, concerning the scope of

> "We have often repeated the principles here applicable: courts have no power to rezone and may not substitute their judgment for that and may not substitute their judgment for that of the us_partise of the zoning authority. Kirkman v. Montcomery Younty Council, 251 Md. 273, 247 A. 242 55 [1969]; Boaley v., Hospital for Consumptives, 246 Md. 197, 227 A. 2d 746 [1967]; Board of County Comm'rs for Prince George's County v. Part, 242 Md. 315, 218 A. 2d 923 [1966]. It has long been settled that the zoning authority's determination is correct if there were such legally sufficient evidence as would make the question fairly debatable. Ark Redi-Mix Concrete Corp. v. Smith, 251 Md. 1, 246 A.2d 220 (1968); Mayor and City Council of 240 A.2d 220 [1981] Mayor and Cty Council of Geenbelt v. Bd. of County Comm'ts for Prince George's County, 247 dd. 670, 234 A.2d 140 (1967); Agnesians, Inc. v. Lucas, 247 Md. 612, 233 A.2d 757 (1967). Further, the one who attacks the determination made by the authority must show

> > - 3 -

substitute its judgment for that of the zoning authority but is limited to the above determinations. A review of the transcript reveals to this Court that the evidence presented before the Board was sufficient to make the issue "fairly debatable." The Petitioner having filed this appeal has the burden of proving to this Court that the Board's action was arbitrary, capricious or unreasonable. It is this Court's opinion that the Petitioner has failed to establish that the Board abused the discretion vested in it by law. For the above reasons, the opinion of the County Board of Appeals of Baltimore County is hereby AFFIRMED this

"that it was arbitrary, unreasonable or

Supra: Mayor & City Council of Balto

capricious. Kirkman v. Montgomery County Council, supra; Agneslane, Inc. v. Lucas, supra: Bosley v. Hospital for Consumptives,

Sapero, 230 Md. 291, 186 A.2d 884 (1962)."

(1) was there ample legally sufficient evidence to make the

issue before the Board "fairly debatable," and if so; (2)

has the Appellant shown that the Board's determination was

arbitrary, unreasonable or capricious.

The questions before the Court at this time are:

This Court realizes that it has no authority to

day of September, 1974, and the Petitioner's appeal is hereby DENIED.

H. KEMP MACDANIE TIDGE.

Capy to: A. Gordon Boone, Esq. Mr. Joseph Kashen County Board of Appeals / Richard D. Byrd, Assistant County Solicitor

BAL MORE COUNTY, MARYL ND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric Olbenna. Zoning Commissioner Date July 18, 1973

FROM - William J. Fromm, Director
Office of Planning and Zoning

SUBJECT. Petition #34-24-A. Southeast side of New Section Road 505.55 feet Northeast of Senera Road.

Petition for Variance for a Pear Yard.

Petitioner - William T. Tomlinson

15th District

HEARING: Monday, July 30, 1973 (10:00 A.H.)

The staff of the Office of Planning and Zoning will offer no ent on this petition at this time.

WDF:NEG:rw



BUILDING NIGHHER'S OFFICE COUNTY OFFICE BUILDING 11 W. CHESAPEAKE AVE. COMPLATNANTS < DISTRICT DATE April 8, 1971 PRIORIE FILE NO. B-71-152-15 NATURE OF COMETATOR DEPUMBUTE 637 New Section Road RECEIVED BY B. Collison PHONE LETTER XX PERSON The above complaint has been received and is being investigated. If the field inspection discloses a violation of the Raltimore County Building Code necessary action will be taken. Buildings Engineer Mr. Stanley Wood - Area Supervisor h94-3957 This job was stopped by Mr. Wood on the day the telephone call was received on April 7, 1971.

Beldmore County, Maryland COUNTY OFFICE BUILDING DISTRICT PITE NO installed in a partially constructed demicils at 637 New Section Read, Since no electrical permit has been complemently posted and since conditruction of this structure was stopped on April 7, 1971 by the Building Eng. Office, it is our assumption that the owner is once 637 New Spott on Bond RECEIVED BY 041 Thompson PHONE LETTER E PERSON The above complaint has been received and is being investigated. If the field inspection discloses a violation of the Baltimore County Electrical Code, necessary action will be taken.

& Ripupiou

Form 058

Complainants

Baltimore County, Maryland

Department Of Bublic Barks COUNTY OFFICE BUILDING

TOWISON MARYLAND 21204

July 16, 1973

The following community are furnished in regard to the plat submitted to this office for review by the Lonin, invigory Committee in connection with the subject item.

The comments supplied for the converty in consection with Iten #117 (1971 - 1972) remain wall and applicable to this Iten #215 (1972 - 1973). Those comments are referred to for your consideration.

Alberth N. Die pul

it it an #215 (1972-1973)
Property Orper: William T. Tenlinson
how Section most, 505 NM of Beness Nosd
Proposed Contag: Vertames from Section 100.1 to permit an
accessory building in the front yard (usterfront) inctend
of the required rear yard
intricts 15th No. Aerosc 0.50 acre

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

tion I the Low or

Your Petition has been received and accepted for filing

Potitioner William T. Tomline

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

August 2, 1973

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

Item 245 - June 26, 1973 - ZAC Property Owner: "Illiam T. Tomlinson New Section Road, 505" NE of Seneca Road Variance from Section 400.1 to permit an accessary building in the front yard (waterfront) instead of the required rear yard

MSF/pl

No major traffic problems are anticipated by the requested variance for an accessary building in the front yard.

Very truly yours.

Michael S. Flanigan Traffic Engineer Associate

COUNTY OFFICE NUMBER 111 V. Chrospeste Ave.

A. Gordon Boone, Jr. . 11 W. Pennsylvania Aven Towson, Maryland 21204

DEPARTMENT OF TATE BOADS COMM

SEALTH DEPARTMENT PRODUCT PLANNING

OARD OF EDUCATION

August 27, 1973

RE: Variance Petition Item 245 (1972-1973 William T. Tomlinson - Petitioner

Dear Mr. Boone:

The Boning 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.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on the plans that may have a bearing on the plans that the plans the plans that the plans the plans that the plans the plans that the plans the plans the plans the plans that the plans that the plans that the plans the pla

The subject property is located on the southeast side of New Section Road, 505 feet northeast of south Seneca Road, in the 15th District of Baltimore County.

This property is currently improved with a one story brick dwelling that is situated approximately 67 feet from the come on the east side of the property there is a small storage building that is approximately 19 %10! The roar of the property, and the subject of this petition, is a proposed accessory building to be located ten(10) feet from the easternmost property line and is to be located in the front yard on a water front property.

A. Gordon Boone, Jr., Item 245 (1972-1973

This petition was the subject of an earlier Variance petition for a deelling (Cane Mo. 72-246A). Apparently the petitioner this structure, which is partially complete, into a dwelling and now expects to use it as an accessory structure.

This petition is accepted for filling on the date of the enclosed filling cortificate. Notice of the hearing date and time, where the belief once less than 30, nor more than 50 days after the date on the filling certificate, will be forwarded to you in the near future.

Very truly yours, Acto I Kum ho it JOHN J. DILLON, JR., Chairman Zoning Advisory Committee

JJDJr.:JD

(Enclosure)

cc: Samuel Framm, Surveyor 3210 Southgreen Road Baltimore, Maryland 21207

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



JEFFERSON BUILDI

June 28, 1973

DONALD J. ROOP, M.D., M.P.H.

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

Comments on Item 245, Zoning Advisory Committee Meeting June 26, 1973, are as follows:

Property Owner: William T. Tomlinson Location: New Section Road, 505' NE of Seneca Road Fresent Zoning: R.D.P. Prosent Zoning: Warlance from Section 400.1 to permit and the section of the front that (waterfront) instead of the required rear yard No. Acres: 0.80

Metropolitan water is available. Private sewage disposal system functioning satisfactorily at this time.

Very truly yours,

T) 18 H. Devlin, Director BL AU OF ENVIRONMENTAL SERVICES

HVB:mn6

WILLIAM D. FROMU



July 5, 1973

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 #245, Zoning Advisory Committee Meeting, June 26, 1973, are as follows:

Property Owner: William T. Tomlinson Location: New Section Road, 505' NE of Seneca Road Proposed Zoning: No.P. Proposed Zoning: Variance from Section 400.1 to permit an accessary building in the front yard (waterfront) Instead of the required rear yard

No. Acres: 0.80 acres

This plan has been reviewed and there are no site-planning factors requiring comment if the proposal is to be far private use only.

> Very truly yours, John: Wimbley John L. Wimbley

Planning Specialist II Project Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING JUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

AREA CODE 301 PLANNING 494-3211 ZONING 494-3391

91 Tax Map

END: EAM: PAR: 88 Z-SW Mey Sheet 8 ME 46 & 17 Pos. Sheets

Bureau of Engineering ELLSWORTH N. DIVER. P. E. CHIE

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120

Dear Mr. DiNenna:

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 26, 1973

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

Z.A.C. Meeting of: Tuesday June 26, 1973

Towson, Baryama

Rei Item 2h;

Property Omer: William 7. Towlinson
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Property

New Section Road, 505' ME of Seneca Road

Proposed Zoning: W.D.F.

Proposed Zoning: Wariamee from Section h00.1 to permit an accessory building
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Proposed Zoning: W

No. Acres:

Dear Mr. DiNemna:

No effect on student population.

W. Nick Fetrovich Field Representative

WNP/ml

PETITION	M	APPI	NG	PRO	GRE	SS	SHE	T		
	Wall Map		Original		Duplicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: FTH	!	_					or des	c ript	ion	Yes No

	THE PERSON NAMED IN	
 OFFICE OF BI	ANNING MUD	ZONING

* This is not to be interperted as acceptance of the Petitian for assignment of a hearing

July 30, 1973 ACCOUNT 01-662

DISTRIBUTION PINK - AGENCY William T. Tomlinson
1211 Quantril Way
Baltimore, Md. 21205
Advertising and posting of property
#711-21-4, o 8 1

CERTIFICATE OF PUBLICATION

OFFICE OF Essex Times

July 16 -19 73

THIS IS TO CERTIFY, that the annexed advertisement of 3. Mric Dimenna Zoning Commissioner of Baltimore County

ESSEX TIMES a "eekly news-

By Ruth morgan

CERTIFICATE OF PUBLICATION

19.73

Protestant's Exhibits

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for Heavy Monday July 30 " 1273 & 10'44 BM

Location of Signe / Segin Gestel & 639 Yew Section Rd

Lowbon of property 5.8 /5 of Men. Sellion Rd 505-58 N. J. J. Senera Ld.

Posted by Mul H 447 Date of return 7/19/73

District 15 #

H74-14-A





CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY Location of property: SIE Sife of New Section Rd 505, 55' No. Torsion of Signer lader on South on A. S. Said of Jain Silver had of they as and to the East of South Silver had Posted by Mule) + New Date of return: 12/20/73



BALTIMORE COUNTY, MARYLAND OFFICE OF FINAL - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
DATE December 7, 1973 ACCOUNT 01-662	DATE July 16, 1974 ACCOUNT 01.712
AMOUNT \$40,00	AMOUNT \$17.00
DISTRIBUTION WHITE - CASHER FINK - AGENCY YELLOW - CUSTOMER	WHITE - CASHIER PIRK - AGENCY YELLOW - CUSTOMER
A. Gordon Boone, Jr., Esquire Cost of filing of an appeal and posting of property on Gase No. 74-24-A JE/S of New Section Road, 505.55' NE of South Senega	Case No. 74-24-A - William T. Tomlinson Cost of certified documents filed in case 268 4 6 0 8 JUL 17 1 7.0 0 MIL
Road - 15th District William T. Tomlinson - Petitionar	
BALTIMORE COUNTY, MARYLAND OFFICE OF FIR. CE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	BALTIMORE UNITY, MARYLAN No. 1986

ATE July 6, 1973 ACCOUNT 01-662

A. Gordon Bonne, Jr., Esq.
11 W. Penna. Ave.
Tomon, Hd. 21204
Fetition for Variance for Wn. T. Tomlinson.

