

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald C. Covahey, Jr., F. Vernon Boozer and Edward C. Covahey, Jr., 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 232.3b to permit a rear yard setback of 10 feet instead of the required 20 feet, and to permit a rear yard setback of 1.5 feet instead of the required 20 feet, Section 232.2b to permit a side yard setback of 6 feet instead of the required 15 feet; Section 232.1 to permit a front yard setback of 6 feet instead of the required 10 feet, and Section 232.2b to permit a side yard setback of 15' instead of required 25'

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

Two existing structures necessitate request for variance. Property is bisected by stream which controls and dictates the location of structures.

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.

Donald C. Covahey, Jr. Legal Owner
Address: 614 Bosley Ave., Towson, Md. 21204

F. Vernon Boozer
C. Marlow, Jr. Petitioner's Attorney
Address: 614 Bosley Ave., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of April, 1973, 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 September, 1973, at 10:00 o'clock

County, on the 17th day of September, 1973, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald C. Covahey, Jr., F. Vernon Boozer and Edward C. Covahey, Jr., 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 (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an D.R. 16 Density Residential/zone to an B.L. zone, for the following reasons:

Error and mistake in the comprehensive Zoning map in that it is impossible to develop or improve property compatible with existing zoning and substantial change in the conditions of the neighborhood.

see attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception 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.

Donald C. Covahey, Jr. Legal Owner
Address: 614 Bosley Ave., Towson, Md. 21204

Edward C. Covahey, Jr. Legal Owner
Address: 614 Bosley Ave., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of April, 1973, 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 September, 1973, at 10:00 o'clock

County, on the 17th day of September, 1973, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

EX PARTE * BEFORE THE
IN THE MATTER OF * ZONING COMMISSIONER
ZONING RECLASSIFICATION * OF
FOR DONALD C. COVAHEY, * BALTIMORE COUNTY
F. VERNON BOOZER, AND *
EDWARD C. COVAHEY, JR. *

PETITION

Donald C. Covahey, F. Vernon Boozer and Edward C. Covahey, Jr., legal owners, in support of their Petition that the zoning status of their property be classified from D.R. 16 Density Residential Zone and D.R. 3.5 Density Residential Zone to a B.L., Business Local Zone, say:

1. That the County Council in not zoning the subject property Business Local, committed mistake and error on the Comprehensive Zoning Map for the following cogent reasons:
 - a. The property immediately to the south of the subject property is zoned business roadside, and has been so zoned since approximately 1952.
 - b. That the property immediately across York Road from the subject property is zoned business local and has been so zoned since approximately 1970.
 - c. That the property is situate on York Road, a major thoroughfare and is situate in any area no longer suitable for residential development.
 - d. That the County Council failed to consider that

DR 16 TO BL
AND VARIANCES
N/W Corner YORK ROAD and ROSE STREET

OFFICE COPY

BEGINNING for the same at the point formed by the intersection of the westernmost side of York Road (66 feet wide) with the northernmost side of Rose Street (30 feet wide) said point being the southeasternmost corner of Lot No. 1 as shown on the Plat of Timonium Heights as filed in Plat Book No. 5 folio 82, thence binding on the west side of York Road north 12 degrees 18 minutes west 46.00 feet to the division line between Lots No. 2 and No. 3, thence on said division line south 77 degrees 42 minutes west 126.00 feet to the center of a 12 foot wide alley, thence on the center of said alley north 12 degrees 18 minutes west 80.00 feet to the center of a second 12 foot wide alley and the northeast corner of Lot No. 13, thence on the north side of Lot No. 13 and in the center of said second alley south 77 degrees 42 minutes west 1.00 feet to the division line between DR 16 and DR 3.5 zoning said division line being distant 160 feet measured at right angles in a westerly direction from the center of said York Road, thence binding on said division line south 12 degrees 18 minutes east 126.00 feet to the northernmost side of said Rose Street, thence binding on said Street north 77 degrees 42 minutes east 127.00 feet to the place of beginning.

CONTAINING 0.136 acres of land more or less.

January 17, 1973
Revised March 16, 1973

DR 3.5 TO BL
AND VARIANCES
N/W Corner YORK ROAD and ROSE STREET

BEGINNING for the same on the northernmost side of Rose Street (30 feet wide) at a point distant 127.00 feet south 77 degrees 42 minutes west from the westernmost side of York Road (66 feet wide) said point being on the division line between DR 16 and DR 3.5 zoning and being distant 160 feet measured at right angles in a westerly direction from the center of said York Road, thence binding on the northernmost side of said Rose Street south 77 degrees 42 minutes west 45.00 feet to the division line between Lots No. 14 and 15 as shown on the Plat of Timonium Heights as filed in Plat Book No. 5 folio 81, thence on said division line north 12 degrees 18 minutes west 126.00 feet to the northernmost side of said Lot No. 14 and the center of a 12 foot wide alley, thence on the center of said alley north 77 degrees 42 minutes east 45.00 feet to intersect said zoning division line, thence on said division line south 12 degrees 18 minutes east 126.00 feet to the place of beginning.

CONTAINING 0.130 acres of land more or less.

January 17, 1973
Revised March 16, 1973

- the Petitioners' tract as zoned is insufficient to support residential development.
- a. That the County Council erred in not considering the fact that the subject property will be served with sanitary sewer within approximately one (1) year.
 - f. The County Council erred in not taking into consideration the many changes in the condition and character of the neighborhood which have occurred since the adoption of the original comprehensive zoning map for this area.
2. That there has been a substantial change in the conditions and character of the neighborhood since the present comprehensive zoning map for this district was adopted as follows:
 - a. Sanitary sewer has been positively programmed for the area and is reasonably probable of fruition within the reasonable foreseeable future.
 - b. That by Order of the Zoning Commissioner dated March 29, 1972 in Case No. 72-171X the property situate approximately 1,000 feet from the subject property was granted a special exception for offices.
 - c. That by Order of the Zoning Commissioner dated December 2, 1971 in Case No. 72-137X the property directly across York Road from the subject property was granted a special exception for a funeral establishment.
 - d. That a residential structure two properties north of the subject site and on the same side of York Road is presently being utilized for offices.

3. That the use of the subject property for commercial uses as permitted in a B.L. zone would be in harmony with the overall character of the neighborhood.
4. That the Petitioners have other and further reasons to support their application, all of which will be shown at the hearing on same.

F. Vernon Boozer
Atty. for Petitioners
614 Bosley Avenue
Towson, Md. 21204
828-9441

Edward C. Covahey, Jr.
Atty. for Petitioners
614 Bosley Avenue
Towson, Md. 21204
828-9441

William F. C. Marlow, Jr.
Atty. for Petitioners
614 Bosley Avenue
Towson, Md. 21204
828-9441

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING



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 - strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

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 a rear yard setback of 10 feet in lieu of the required 20 feet, to permit a rear yard setback of 1.5 feet in lieu of the required 20 feet, to permit a side yard setback of 6 feet in lieu of the required 15 feet, to permit a front yard setback of 6 feet in lieu of the required 10 feet, and to permit a side yard setback of 13 feet in lieu of the required 25 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of September, 1973, 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 rear yard setback of 10 feet in lieu of the required 20 feet, to permit a rear yard setback of 1.5 feet in lieu of the required 20 feet, to permit a side yard setback of 6 feet in lieu of the required 15 feet, to permit a front yard setback of 6 feet in lieu of the required 10 feet, and to permit a side yard setback of 13 feet in lieu of the required 25 feet, subject to the approval of a site plan by the State Highway Administration, Department of Public Works 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 day of 1973, that the above Variance be and the same is hereby DENIED.

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 substantial changes in the character of the neighborhood, error in the original zoning map, and the health, safety, and general welfare of the community not being adversely affected,

the above Reclassification should be had, and it is hereby ordered that the same be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of September, 1973, that the herein described property or area should be and the same is hereby reclassified from a D.R. 3.5 & D.R. 16 zone to a B.L. zone, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works, 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 above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1973, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a zone; and/or the Special Exception for and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

IN RE: STATE ROADS COMMISSION Right of Way Acquisition
Property Owner: Messrs. Edward C. Covahay, Jr. and Donald C. Covahay
Address: 2322 York Rd., Lutherville, Md.
Project: Md. Rte. 45 (York Rd.) Tinsicum Road to Industry Lane

PETITIONER'S EXHIBIT 4

PETITION The State Highway Administration The Petition of the State Roads Commission of BALTIMORE respectfully represents

1. That it has deemed it necessary to acquire the property and rights of Edward C. Covahay, Jr. and Donald C. Covahay, and V. Vernon Booser, Fee Owners,

located in the EIGHTH Election District of BALTIMORE County, containing approximately 1185.203 (1185 1/2 square feet) of land as shown on State Road Commission Plat No. 2211 which is being taken in 13 fee strips, 598 sq. ft. for Perpetual Easement for Drainage Facilities, as shown on the aforesaid plat, and 216 sq. ft. for Reversible Easement for Special Purpose, i.e. Temporary easement for use during construction, as shown on same plat. Said plat being filed herewith.

2. That the State Roads Commission has caused an investigation to be made to determine, in its opinion, the fair market value of the property and rights to be acquired and the resulting damage to the remainder, if any, and has determined that the above is in the amount of \$ 5,700.00 as of the date of the filing hereto.

3. That there is deposited herewith a check made payable to the Clerk of the Circuit Court for BALTIMORE County, in the use of Edward C. Covahay, Jr., Donald C. Covahay, and V. Vernon Booser, Fee Owners,

in the amount of \$ 5,700.00, which it believes represents the fair value of the property and rights to be acquired and the resulting damage to the remainder of the property, if any.

4. This is not a formal condemnation petition and does not require an answer. A letter of final disposition is being filed.

Special Attorney
JAMES and PAULI RODE
BROOKHAVEN, Maryland

SIGNED BY - NOLAN H. ROGERS

Special Assistant Attorney General
for the State Roads Commission

Local Counsel
John J. Schuchman
215-8110

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

COUNTY OFFICE BUILDING
111 E. Charles Ave.
Towson, Maryland 21204

JOHN J. DILLON, JR.
Chairman

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

Messrs. Edward C. Covahay, Jr.
F. Vernon Booser
William F. C. Marlow, Jr.
614 Bosley Avenue
Towson, Maryland 21204

RE: Petitions for Reclassifications and Variances
Donald C. Covahay, et al - Petitioners
Item No. 19 - Fifth Zoning Cycle

Gentlemen:

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.

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 this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northwest side of York Road and Rose Street, in the Eighth District of Baltimore County. The subject property, which is currently zoned D.R. 16 on the corner and D.R. 3.5 at the rear of the property, is requesting a Reclassification to Business Local. The property is "L-shaped," and the Petitioner is proposing to utilize the existing one (1) story metal building as a garden shop and provide parking in the rear of the property. Rose Street is a dead-end street that is currently developed with single family dwellings that are in good to excellent condition. Curb and gutter does not exist along Rose Street or York Road at this location. The property on the southwest corner is a residence and a liquor store, and the property on the east side of York Road is improved with a two (2) story residence that was the subject of a Special Exception zoning petition for a funeral home.

The Petitioner is also requesting several Variances for side, front and rear yards. As a matter of practice, we usually do not encourage Variances on existing structures of this nature because once they are granted, they run with the land and a new building could be built that would not be in keeping with the intent of the original Variance requested. Also the Petitioner's

Messrs. Covahay, Booser and Marlow
April 13, 1973
Page Two

site plan shall be revised to reflect the Bureau of Engineering and the State Highway Administration comments.

These petitions for Reclassifications and Variances are accepted for filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1973 and October 15, 1973 will be forwarded to you well in advance of the date and time.

Very truly yours,
JOHN J. DILLON, JR.
Chairman
Zoning Advisory Committee

JJD:gc
Enclosure

cc: David W. Dallas, Jr.
Civil Engineer
8713 Old Harford Road
Baltimore, Maryland 21234

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLENWORTH N. DIVEN, P.E. CHIEF

April 26, 1973

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

Re: Item #19 (April to October 1973 - Cycle V)
Property Owner: Donald C. Covahay, et al
N/W cor. of York Road and Rose Street
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Parcel 1 - Reclass. to B.L.; Variances from Section 232.1 - front yard and Section 232.3b - rear yard - Parcel 2 - Reclass. to B.L. and Variances from Section 232.2b - side yard and Section 232.3b - rear yard
District: 8th No. Acres: Parcel 1 - 0.136 Parcel 2 - 0.130

Dear Mr. DiMenna:

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:

York Road is a State Road. Any work within the State right-of-way will be subject to State Highway Administration requirements.

Highways:

Rose Street is an existing County road which will be improved with a 30-foot bituminous concrete paving section and curb and gutter on a 50-foot right-of-way.

Storm Drainage:

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.

It appears from information shown on the plan that the existing stream must be piped in order to develop this piece of ground.

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.

Item #19 (April to October 1973 - Cycle V)
Property Owner: Donald C. Covahay, et al
Page 2
April 26, 1973

Water:

There is existing water available to serve this site.

Sanitary Sewer:

Public sewer is not currently available to serve this property.

Sewers to serve the site have been designed, however, and will be available when constructed by Baltimore County.

Very truly yours,

ELLENWORTH N. DIVEN, P.E.
Chief, Bureau of Engineering

END:ENR:HWS:as

C-NE Key Sheet
NW 1/4 Topo Sheet



May 17, 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 #19, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Donald C. Covahey, et al
Location: NWC of York Road and Rose Street
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Par. 11 - Reclassification to B.L. Variances from Section 232.1 front yard and Section 232.3b - rear yard
Parcel 2 - Reclassification to B.L. and Variances from Section 232.2b - side yard and Section 232.3b - rear yard
District: 8
No. Acres: Parcel 1 - 0.136 Parcel 2 - 0.130

The site plan should indicate any outdoor sales areas to be associated with the garden shop.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3211 ZONING 484-3281

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE A. CLIFFORD, P.E. WM. T. MELSER
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 26, 1973

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

Re: Item 19 - Cycle Zoning V - April to Oct. 1973
Property Owner: Donald C. Covahey, et al
York Road & Rose Street
Reclass. to B.L. - District 8

Dear Mr. DiNenna:

The subject petition is requesting a change from DR 3.5 & DR 16 to B.L. of .266 acres. The subject site is of insufficient size to create any major traffic problems to York Road, although serious capacity problems do exist on York Road during the peak hours.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mc



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
James J. O'Donnell
Acting Administrator

April 24, 1973

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

Attn: Mr. John J. Dillon

RE: RECLASSIFICATION, April 1973
Property Owner: Donald Covahey, et al
Location: N/W corner of York Road (Rte. 45) and Rose Street
Present Zoning: D.R. 3.5 & D.R. 16
Proposed Zoning: Reclass to B.L. and a variance from Section 232.3b to permit a rear yard setback of 10' instead of required 20' and a rear yard of 1.5' instead of required 20'. Section 232.2b to permit a side yard setback of 6' instead of required 10' and section 232.2b to permit a side yard setback of 13' instead of required 25'.
District: 8
No. of acres: 0.130 acres and 0.136 acres

Dear Mr. DiNenna:

The subject plan does not correctly indicate the proposed right of way for York Road as shown in the current right of way plat, dated April 10, 1973.

A copy of the plat is herewith being transmitted to your office. An additional copy is being transmitted to the petitioner's engineer.

The plan should be revised prior to the hearing.

It is anticipated that acquisition of the required right of way will begin in fiscal year 1974.

The 1972 average daily traffic count for this section of York Road is 17,980 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

John E. Meyers
BY John E. Meyers
Asst. Development Engineer

CLJ:Mdp

cc: Mr. David Dallas, Jr.

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department



Towson, Maryland 21204
872-7510

J. Austin Deitz
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon
Zoning Advisory Committee

Re: Property Owner: Donald C. Covahey, et al

Location: N/W Corner of York Road and Rose Street

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973
19

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at
- () 4. EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: *John E. Meyers* Noted and Approved: *Paul H. Reincke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 9, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on reclassification, Zoning Advisory Committee Meeting, April 4, 1973, are as follows:

Property Owner: Donald C. Covahey, et al
Location: N/W corner York Road and Rose St.
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Reclass to B.L. and Variance from Sect. 232.3b to permit a rear yard setback of 10' instead of req. 20' and a rear yard of 1.5' instead of req. 20'; Sect. 232.2b to permit a side yard setback of 6' instead of req. 15'; Sect. 232.1 to permit a front yard setback of 6' instead of req. 10' and Sect. 232.2b to permit a side yard setback of 13' instead of req. 25'.
District: 8
No. Acres: 0.130 and 0.136

Metropolitan water is available to the site.

Private sewage disposal system is failing. Public sanitary sewer must be extended prior to issuance of building permit.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HUB:mg

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 26, 1973

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

Z.A.G. Meeting of:

Re: Item 19
Property Owner: Donald C. Covahey, et al
Location: N/W corner of York Road and Rose Street
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Reclass to B.L. and a variance from Section 232.3b to permit a rear yard setback of 10' instead of required 20' and a rear yard of 1.5' instead of required 20'; Section 232.2b to permit a side yard setback of 6' instead of required 15' and Section 232.1 to permit a front yard setback of 6' instead of required 10' and Section 232.2b to permit a side yard setback of 13' instead of required 25'.

District: 8
No. Acres: 0.130 acres and 0.136 acres

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/al

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th
Date of Posting: August 31, 1973
Posted for: PETITION FOR RECLASSIFICATION AND PETITION FOR VARIANCE
Petitioner: DONALD C. COVAHEY, ET AL
Location of property: NW COR. OF YORK RD. AND ROSE ST.
Location of Signs: 25' Front of Rose St. 25' W/Side of York Road
Remarks: *Thomas H. Devlin*
Posted by: *Thomas H. Devlin* Date of return: Sept. 7, 1973

4- SIGNS

74-63-RA

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	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: <i>JLB</i>	Revised PLANS:				Change in outline or description Yes ___ No ___					
Previous case:	Map #									

[illegible]

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 one time successive weeks before the 23rd day of September, 1973, the first publication appearing on the 30th day of August, 1973.

Cost of Advertisement, \$.....

MICROFILMED

[illegible]

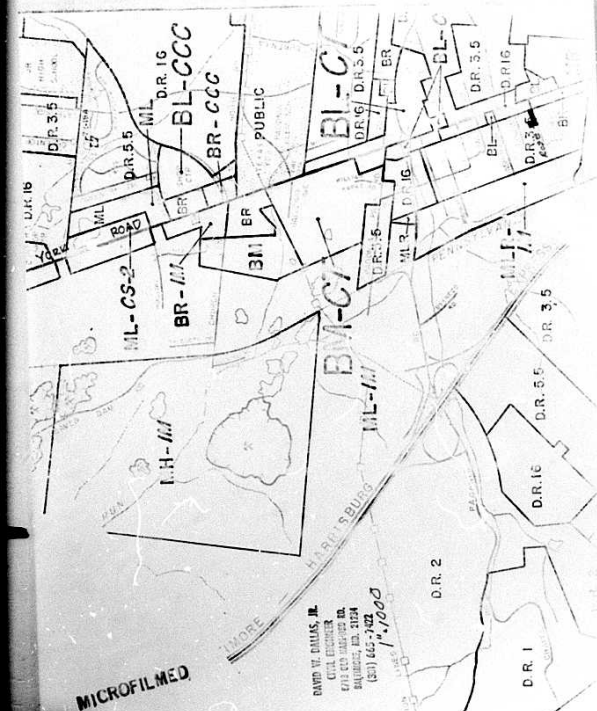
TOWSON, MD. 21204 September 3 - 19 73

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinema
Zoning Commissioner of Baltimore County
was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one successive
week before the 3rd day of September 1973 that is to say, the same
was inserted in the issue of August 30, 1973.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

MICROFILMED



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this _____ day of _____, 20____.

March 1973
1972. from 1

[Signature]
S. Eric DiNanno
Zoning Commissioner

Patronage CONRAEY Submitted by CONRAEY

Petitioner's Attorney COVIELL Reviewed by ABR

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

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT No. 8339

DATE May 3, 1973 ACCOUNT 01-60

AMOUNT \$50.00

WHITE - CASHIER **DISTRIBUTION** **YELLOW - CUSTOMER**
PINK - AGENCY

Rose Street Associates
614 Bosley Ave.
Towson, Md. 21204
Petition for Reclassification for Donald G. Conway

10/10/53 5000 REC
MICROFILMED

10/10/53 5000 REC
MICROFILMED



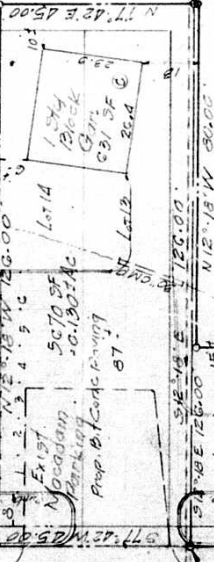
- ZONING DATA**
1. Existing Zoning of Tract DE 14.3.5
 2. Proposed Zoning DE 14.3.5
 3. Gross Acreage DE 14.3.5 - 0.1301 Ac.
 4. Area of Buildings
 - A. 1,344 Bldg 541.35
 - B. 1,344 Bldg 125.35
 - C. 1,344 Bldg 125.35
 5. Proposed Use - Garden Shop
 6. Estimated Sales 24/300 = 4.71
 7. Estimated Sales 125/1000 = 0.125
 8. Estimated Sales 125/1000 = 0.125
 9. Proposed Parking 8 Spaces
 10. All Utilities Available

12' Alley

NORTH

Zoned DE 3.5
TIMONIAN HEIGHTS
PMT Bldg 5-82

Zoned DE 3.5



BEGINNING OF
ZONING DE 14.3.5
DE 14.3.5 TO DE 14.3.5

Zoned DE 14.3.5

VARIANCE
10' FRONT YARD
40' REAR YARD

Zoned DE 14.3.5

VARIANCE
25' TO 13'

1,344
Bldg
2230

1,344
Bldg
2230

Exist
Masodum
Parking

Exist
Masodum
Parking

Exist
Masodum
Parking

Exist
Masodum
Parking

Exist
Masodum
Parking

Exist
Masodum
Parking

BEGINNING OF
ZONING DE 14.3.5
DE 14.3.5 TO DE 14.3.5

YORK ROAD
(STATE ROAD)

Zoned DE 14.3.5

Zoned DE 14.3.5 with Special Exception
for Funeral Home

ZONING PLAT
NW CORNER YORK RD & DE 14.3.5
Eighth Election District Baltimore Co. Md
Scale 1" = 20'
January 8, 1973
Rev Mar 15, 1973

OWNER: ~
Edward C. Carother, Jr. Esq.
614 Bayview Ave
Towson Md 21204
Phone 828-3441

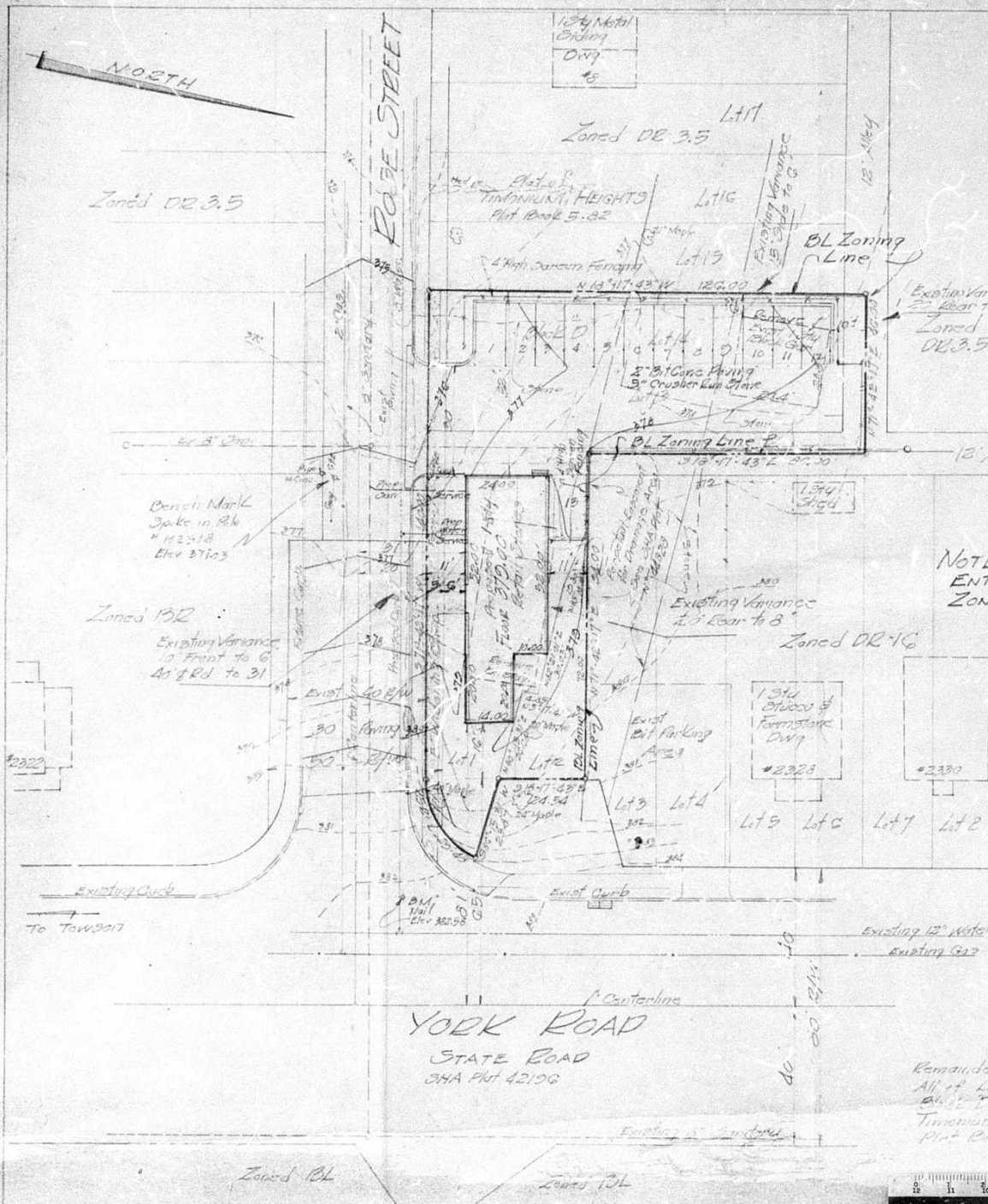
old Plat

RECLASSIFICATION & VARIANCES

old Plat

James W. Dallen
CIVIL ENGINEER
8713 OLD MARSHALL RD.
BALTIMORE, MD 21234
(301) 565-7422





ZONING DATA

1. Existing Zoning of Tract: BL Ord 74-03 CA Item 10
2. Proposed Zoning: BL
3. Proposed Use: 1st Retail Sales
4. Gross Area of Tract: 0.2403 Acres
5. Proposed Building: 24' x 30' + 14' x 20' = 1528 SF
6. Required Parking: 1328/180 = 7.40 Spaces
7. Proposed Parking: 13 Spaces (6' x 18' min)

NOTE ~
ENTIRE SITE
ZONED RL

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *John J. Sullivan*
PLANNING
DATE: 9/17/74
BY: *Donna L. Hume*
ZONING COMMISSIONER
DATE: 9/17/74

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *John J. Sullivan*
DATE: 9/17/74
74-63RA

PLOT PLAN
NW CORNER YORK ROAD & ROSE STREET
3rd Election District
Scale 1" = 20'
Baltimore County, Md.
October 23, 1975
Revised Aug 4, 1976
Revised Aug 26, 1976
Revised Sept 1, 1976
OWNER
Edward C. Conroy Jr. Esq.
214 Bosley Avenue
Baltimore, Md. 21204
Phone 828-3441

Remainder of Lts 1 & 2
All of Lts 13 & 14
CHARTER LOT
Timonium Heights
Plot Book 5-82

