

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Philomina L. McCordell
I, we, Phillip K. McCordell, 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 1802.3C.1. to 2097A.1. lot widths of 38' and 50' for Lot Nos. 291A and 291B, respectively, instead of the required 55', and to permit a sideyard set back of 4' instead of the required 10' for Lot No. 291A.

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

We, the above named Petitioners, desire to build a home on Lot No. 291A, but are prohibited from doing so by the present 55 ft. lot width requirement. Therefore, we request that the variance be granted.

Without the granting of the requested variance, we are prohibited from utilizing said lot, and it will have no value.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, 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
Legal Owner
Address: 7329 Seis Avenue, 21209

Martin E. Marvel, Esq.,
Petitioner's Attorney
7315 Knollwood Road, 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of November, 1973, at 10:00 o'clock.

By: *William C. Fromm*
Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

October 24, 1973

Martin E. Marvel, Esq.,
7315 Knollwood Road
Baltimore, Maryland 21204

RE: Variance Petition
Item 59

Philomina L. and Phillip K. McCordell - Petitioners

Dear Mr. Marvel:

I am in receipt of additional or revised comments from the enclosed Zoning Advisory Committee member(s) with regard to your petition. Please read and add these comments to those previously sent to you. Should revised site plans be required as a result of these comments, please endeavor to have them filed prior to the hearing.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJDjr.:JD

(Enclosure(s))

WILLIAM C. FROMM
DIRECTOR
S. ERIC DINENNO
ZONING COMMISSIONER



October 23, 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 #59, Zoning Advisory Committee Meeting, September 18, 1973, are as follows:

Property Owners: Philomina L. and Phillip K. McCordell
Location: S/S of Geis Avenue, 772 feet W. of Lincoln Avenue
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit lot widths of thirty-eight (38) and fifty (50) feet for lot Nos. 291A and 291B respectively instead of the required fifty-five (55) feet, and to permit a side yard setback of four (4) feet instead of the required ten (10) feet for lot 291A.

No. of Acres:
District: 15

The site must be developed in accordance with the subdivision regulations of Baltimore County.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 106 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 464-3811 ZONING 464-3811

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 11, 1973

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

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Martin E. Marvel, Esq.,
7315 Knollwood Road
Baltimore, Maryland 21204

RE: Variance Petition
Item 59
Philomina L. and Phillip K. McCordell - Petitioners

Dear Mr. Marvel:

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 south side of Geis Avenue, 772 feet west of Lincoln Avenue, in the 15th District of Baltimore County.

This property, which is in the subdivision known as Chesapeake Terrace, Section B, is zoned D.R. 5.5, and this particular property was apparently subdivided at an earlier date into two lots (291A and 291B). Parcel 291B is currently improved with an existing 30 foot wide house and sits approximately 300 feet from Geis Avenue.

The petitioners are proposing to construct a 24 foot house with a 10 foot side yard setback on the westernmost side, and a 4 foot setback from the easternmost side of the house that would allow a 12 foot driveway easement to the rear property.

Martin E. Marvel, Esq.
Item 59
October 11, 1973

This property is served by water and sewer. The water line apparently serves the property to the rear from the driveway and there is an existing sewer line that parallels the westernmost side of the property. Both these lines should be indicated on the revised site plan.

The Zoning Advisory Committee's initial reaction to this petition was that it was quite unusual. However, in observing the properties in this vicinity, especially the other properties with more than one dwelling located on it.

Revised site plan should also indicate the houses on the adjoining properties. It should also be noted that both properties, 291A and 291B meet the minimum area requirements for this zone.

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,

John J. Dillon, Jr.
JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJDjr.:JD

Enclosure

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

Division of Engineering
ELLSWORTH A. DIVER, P. E., CHIEF

October 9, 1973

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

Re: Item #59 (1973-1974)
Property Owners: Philomina L. and Phillip K. McCordell
S/S of Geis Ave., 772' W. of Lincoln Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot width of 38' and 50' for lot #291A and 291B respectively instead of the required 55', and to permit a side yard setback of 4' instead of the required 10' for lot 291A.
District: 15th

Dear Mr. Dinenna:

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:

The submitted plan should be revised to indicate the drives and all structures on the property to the east. Any subdivision of this Lot 291, Section B, Chesapeake Terrace (W.P.C. 5 Police 36) must be in accordance with Baltimore County Subdivision Regulations.

Highways:

Geis Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a minimum 40-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening will be required in connection with any grading or building permit application.

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.

Item #59 (1973-1974)
Property Owners: Philomina L. and Phillip K. McCordell
Date: October 9, 1973

Comments: (Cont'd)

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Flood Zone must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

The southernmost portion of this property is made use of and is subject to tidal flooding of Jones Creek.

Notes:

Public water supply is serving the present dwelling.

Sanitary Sewer:

Gravity public sewerage is provided to the first floor only of the present dwelling, see Drawing #EL-202N, file 1.

Very truly yours,

Ellsworth A. Diver
ELLSWORTH A. DIVER, P. E.
Chief, Bureau of Engineering

ENCLOSURES:

cc: John Somers

ACT: Roy Shert
27 ES 31 Rev. Sheet
SS 7 H Topo
111 Tax Map

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 Petitioners, the Variance should be had. And, it further appearing that by reason of the granting of the Variance, no... requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit lot widths of thirty-eight (38) feet and fifty (50) feet for Lot Nos. 291A and 291B in lieu of the required fifty-five (55) feet and to permit a side yard setback of four (4) feet in lieu of the required ten (10) feet for Lot No. 291A should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of November, 1973, that the herein Petition for Variances to permit lot widths of thirty-eight (38) feet and fifty (50) feet for Lot Nos. 291A and 291B in lieu of the required fifty-five (55) feet; and to permit a side yard setback of four (4) feet in lieu of the required ten (10) feet for Lot No. 291A, should be granted, from and after the date of this Order, subject to the approval of a site plan by the Zoning Commissioner of Baltimore County 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 Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of November, 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MILLER
DIRECTOR DEPUTY TRAFFIC ENGINEER

September 27, 1973

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

Re: Item 59 - ZAC - September 18, 1973
Property Owner: Philomina L. and Phillip K. McCardell
5/5 Geis Avenue, 772 feet W of Lincoln Avenue
Variance to permit lot widths of 38 and 50 feet for Lot Nos. 291A and 291B respectively instead of the required 55 feet and to permit a side yard setback of 4 feet instead of the required 10 feet for Lot 291A
District 15

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested variance to the lot widths and side yard setbacks.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF/pk

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 26, 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 Item 59, Zoning Advisory Committee Meeting September 18, 1973, are as follows:

Property Owner: Philomina L. & Phillip K. McCardell
Location: 5/5 Geis Ave., 772' W of Lincoln Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 38' and 50' for Lots No. 291A and 291B respectively instead of required 55'; and to permit a side yard setback of 4' instead of required 10' for Lot 291A.
District: 15

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

Very truly yours,

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

HVB:uno

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 20, 1973

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

Z.A.C. Meeting of: September 18, 1973

Re: Item 59
Property Owner: Philomina L. and Phillip K. McCardell
Location: 5/5 Geis Avenue, 772 feet W of Lincoln Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of thirty-eight (38) and fifty (50) feet for Lot Nos. 291A and 291B respectively instead of the required fifty-five (55) feet, and to permit a side yard setback of four (4) feet instead of the required ten (10) feet for Lot 291A.

District: 15
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

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

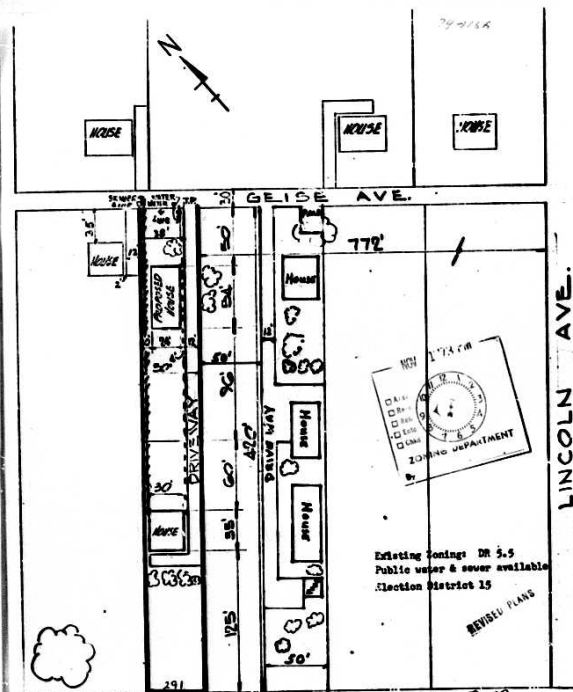
WNP/ml

THOMAS R. DEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

ALVIN J. LORICK
JEROME W. WHEELER, Chairman

EDWARD W. WILLIAMS, Jr.
EDWARD W. WILLIAMS, Jr.

Being located on the South side of Geis Avenue, 772 Ft. West of Lincoln Avenue and being part of the lot known as Lot No. 291 on the Plat of Section 3 of Chesapeake Terrace, which Plat is recorded among The Land Records of Baltimore County in Plat Book W.P.C. 5, Folio 36.



Item 59
Philomina L. & Phillip K. McCardell
Scale: 1"=60'

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 2, 1973

FROM: William D. From, Director of Planning

SUBJECT: Petition #73-116-A. South side of Geis Avenue 772 feet West of Lincoln Ave.
Petition for Variance for Lot Widths and Side Yard.
Petitioner - Phillip K. McCardell and Philomina L. McCardell

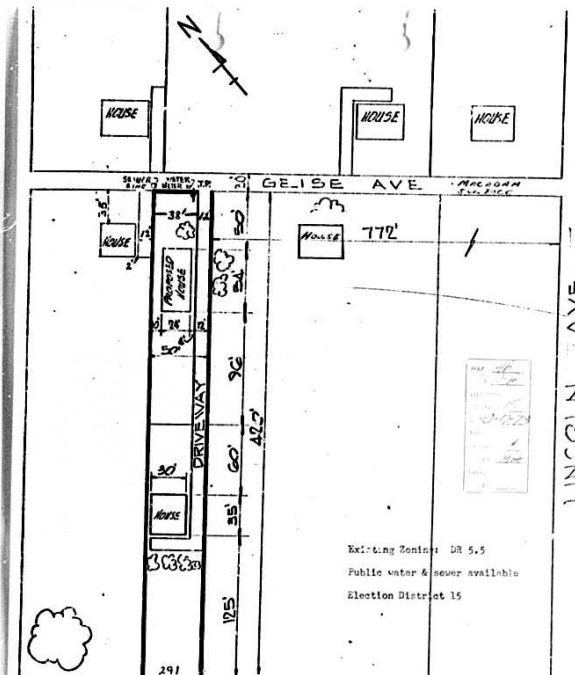
15th District

HEARING: Monday, November 5, 1973 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comment to make at this time.

William D. From
William D. From, Director of Planning

WDF:NBG:evr



VET LANDS

Existing Zoning: DR 5.5
Public water & sewer available
Election District 15

Old Plat - Scale: 1"=60'

ORIGINAL

OFFICE OF



ESSEX, MD. 21221 OCTOBER 22 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinman
Zoning Commissioner of Baltimore County
was inserted in THE ESSEX TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for one successive
week before the 22 day of October, 1973, that is to say, the same
was inserted in the issue of October 18, 1973.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 18, 1973

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., at 10:00 a.m.
on October 18, 1973, the first publication
appearing on the 18th day of October
1973.

THE JEFFERSONIAN

S. L. Smith
Manager

Cost of Advertisement, \$.....

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		GDS 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: <u>WKS</u>	Revised Plans: Change in outline or description				Yes		No			
Previous case: <u>1</u>	Map #									

 CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

M74-116 A

District: 15 Date of Posting: 10/25/73
 Posted for: Heating Man. No. 5, 1973, 9:10:45 A.M.
 Petitioner: Phillip K. McCardell
 Location of property: 5151k of Ave. 212, N. of Linnell Ave.
 Location of Signs: 1 sign, Rural, Linnell Ave. No. 7338
 Remarks: _____
 Posted by: Mark H. New Date of return: 10/25/73

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

 County Office Building
 301 N. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received & this _____ day of _____, 1973.


 S. Eric Dinman
 Zoning Commissioner
Petitioner: McCardell Submitted by: _____Petitioner's Attorney: Phillip K. McCardell Reviewed by: WKS

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

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 Martin E. Marvel, Inc.
 7315 Redwood Road
 Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

 County Office Building
 301 N. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing

this _____ day of _____, 1973


 Martin E. Marvel
 Zoning Commissioner
Petitioner: McCardell, K. and Phillip K.Petitioner's Attorney: Phillip K. McCardell Reviewed by: WKS

Date of Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 12474

DATE: Oct. 15, 1973 ACCOUNT: 01-668

AMOUNT: \$55.00

WHITE - CASHIER DISTRIBUTION PURS. AGENCY YELLOW - CUSTOMER

Martin E. Marvel, Inc.

7315 Redwood Road

Towson, Md. 21204

Petition for Variance for Phillip McCardell

M74-116-A

250000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 12711

DATE: Nov. 1, 1973 ACCOUNT: 01-668

AMOUNT: \$13.00

WHITE - CASHIER DISTRIBUTION PURS. AGENCY YELLOW - CUSTOMER

Martin E. Marvel, Inc.

7315 Redwood Road

Towson, Md. 21204

Advertising and posting of property for Phillip McCardell

M74-116-A

250000