

74-124-A 722 74-124-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rosa & Morris Tucker, 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 1801.2C.2A to permit a setback of a window from a tract boundary of 27' instead of the required 35'.

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

The property is zoned DR16. Approximately one half of the property falls within a category of a maximum of 101 feet width (parallel property lines). This precludes achieving a reasonable density since entrance road, structure and other requirements violate the building set-back line of 35 feet from windows to property line.

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.

Ivan Stern Contract purchaser
Address: 3421 W. of Bedford Avenue, Baltimore, MD 21208
Address: 3421 W. of Bedford Avenue, Baltimore, MD 21208
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22th day of October, 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 Commission of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 26th day of November, 1973, at 11:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

MICROFILMED

DESCRIPTION OF PROPERTY, KNOWN AS 110 CHURCH LANE, PIKEVILLE, MD.

Beginning for the first in the North side of Church Lane at the distance of 342 feet 10 inches West from the Northwest corner of said Church Lane and Bedford Avenue, and running thence South 77°35' West 101 feet and thence running North 12°16' West 250 feet and thence running South 77°35' West 81.3 feet to a point on the East side of Dwyer Avenue, 30 feet wide, thence running North 12°16' West 120 feet, and thence still binding on the East side of Dwyer Avenue, running North 0°30' East 27 feet more or less to the center line of a stream, and thence binding along the center line of said stream the following courses and distances, viz: North 62°35' East 22 feet; North 40°10' East 40 feet; North 69°30' East 16.2 feet; North 39°24' East 36.6 feet; North 62°45' East 39.3 feet; North 48°15' East 61.6 feet; North 66°30' East 35.4 feet; North 48°55' East 34.5 feet; North 75°50' East 14.9 feet; North 58°15' East 6 feet and thence leaving the center line of said stream and running South 3°30' East 95 feet more or less and thence running South 12°16' East 166 feet and thence running South 77°35' West 80 feet, and thence running South 12°16' East 250 feet to the place of beginning, containing 1.925 acres.



RE: PETITION FOR VARIANCE :
from Section 1801.2C.2A :
of the Baltimore County :
Zoning Regulations :
N/S of Church Lane 342 feet :
West of Bedford Avenue :
3rd District :
BALTIMORE COUNTY :
Morris Tucker, et al :
Petitioners :
Ivan Stern :
Contract Purchaser :
No. 74-124-A

OPINION

This case comes before the Board on an appeal by the Protestants from a decision of the Deputy Zoning Commissioner, dated December 4, 1973, which granted a side yard setback. The subject property is located at 110 Church Lane, in the Pikeville area. Same contains approximately 1.92 acres and is located on the north side of Church Lane approximately 342 feet west of Bedford Avenue, and about 1200 feet west of Reisterstown Road, in the Third Election District.

The subject property is zoned D.R. 16, and the Petitioner proposes to construct approximately 28 townhouses on this parcel. The access to the subject property, which is irregular in shape, is from the north side of Church Lane. The frontage on Church Lane is approximately 101 feet.

The variance requested is to permit a setback from a window location to the tract boundary line of approximately 27 feet instead of the required 35 feet. Ivan Stern, a joint venturer with the land owners, told the Board of his plans for this tract. These plans may be noted as detailed on Petitioner's Exhibit No. 4. The variance is involved in the structure located nearest to Church Lane, and the windows in question would be those along the west side of this portion of the subject property.

At this point, the Board would like to point out that while the Petitioner most assuredly promised to improve the subject site as proposed in Petitioner's Exhibit No. 4, this Board cannot require same, and if the Petitioner had a change of heart as to his current plans, the Board nor the County could not force the Petitioner to go forward with the plans as now presented to this Board.

Morris Tucker, et al - No. 74-124-A
be better than a midrise in the mind of this Board seems to be more of a threat than of a distinct possibility for such a development at this particular site.

In conclusion, and after carefully considering the evidence and testimony presented in this case, the Board is not impressed by the Petitioner's request. The Board feels that there has been insufficient evidence and testimony to warrant the granting of the requested variance. In the mind of this Board, a case for unreasonable hardship and/or practical difficulty has not been made. Thence, by the executed Order set out below, the Board will deny the requested variance.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1975, by the County Board of Appeals ORDERED, that the Variance petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman
W. Giles Parker
Walter C. Horn, Jr.

Morris Tucker, et al - No. 74-124-A

2.

William Kirwin, a land planner with the firm of Smith, Kirwin & Associates, testified on behalf of the Petitioner, and further described the plans as now proposed for the subject property. Mr. Kirwin described the topography at the subject property and the amenities of the proposed plan, and particularly as same provided for the protection of the stream valley area and how the proposed plan would be better than a midrise apartment structure on the subject property. While Mr. Kirwin compared the Petitioner's plan with some other plans that he felt would not be good for the property, Mr. Kirwin did admit that perhaps there were still other plans not considered which could readily be built upon the subject property. To the knowledge of this witness there was no physical reason why the subject property could not be developed in an orderly fashion without the requested variance.

These two witnesses presented the Petitioner's case.

The Protestants included the adjoining property owner to the west, i.e., that property owner most directly affected by the variance request. This owner told the Board that she was opposed to the granting of the variance and felt that if this variance would be granted that it would adversely affect the enjoyment of her parcel, particularly as it pertained to light, air and privacy, which she felt the setback law provided for her. This witness told the Board that she understood when she bought her property twelve years ago that this subject site was zoned for apartments, and that some day perhaps same would be constructed there, but that she had relied upon the County Regulations and had anticipated that same would be no closer than the thirty-five feet that are now set out in the Zoning Regulations. Like many adjoining property owners, it is probably fair to summarize, that this Protestant would rather the subject property not be improved at all but that if it must be, then she would anticipate, and hopefully expect, that it would be constructed in accordance with the existing County Regulations, and this meaning, particularly in the subject case, no closer than the required side yard window setback of 35 feet from her easterly property line.

The above succinctly summarizes the testimony and evidence presented to this Board. The sole question to be decided is whether or not the Petitioner has evidenced practical difficulty and/or unreasonable hardship. These are the measures

RE: PETITION FOR VARIANCE :
N/S Church Lane, 342' W of :
Bedford Avenue - 3rd District :
Morris Tucker, et al - Petitioner :
NO. 74-124-A (Item No. 72) :
DEPUTY ZONING :
COMMISSIONER :
OF :
BALTIMORE COUNTY

This Petition represents a request for a Variance to permit a setback from a window to a tract boundary of 27 feet instead of the required 35 feet. The tract in question contains 1.92 acres, and is located on the north side of Church Lane, approximately 1,200 feet west of Reisterstown Road, in the Third Election District of Baltimore County.

Testimony and evidence presented indicated that the site is presently zoned D.R. 16 which would allow the construction of 31 condominium townhouses. The Petitioner's plans call for the construction of 28 townhouses on the irregular shaped tract.

This request for a setback Variance for one of the buildings was based on practical difficulty due to the narrow width of the frontage which extends back from a width of 101 feet for approximately 250 feet before it widens to a width of approximately 260 feet. The 101 feet of frontage along Church Lane provides the only access to the property. This roadway together with the parking and other area requirements, effectively restricts the use of the property for which it is zoned.

The owner of an adjoining three apartment dwelling and two other area residents appeared in protest to the Variance. Their protest was based on the number of townhouses to be built and the existing traffic conditions on Church Lane. The owner of the adjoining three apartment dwelling also objected to the townhouses being located any closer to her property than is permitted by law.

After reviewing the above testimony and other evidence presented, it is the opinion of the Deputy Zoning Commissioner that the Petitioners

Morris Tucker, et al - No. 74-124-A

3.

as to whether or not a variance from the existing zoning regulations may be granted by this Board. The Board sees absolutely no evidence of unreasonable hardship. As to whether or not there is a practical difficulty, the argument of the Petitioner has been fully considered by this Board. After reflecting upon same, it is the judgment of this Board that the Petitioner has not proven practical difficulty of a substantial nature that might legally sustain the basis for granting the requested variance. The Petitioner has readily admitted that the property could physically be developed in its existing zoning as apartments without the granting of the variance. The Petitioner's basic argument for the granting of the variance is that he can use the property for the proposed land use as set out on Petitioner's Exhibit No. 4, which, in the mind of the Petitioner, is a well conceived land utilization for the subject property.

As mentioned above, this Board, even if granting the variance, cannot compel the Petitioner to develop the subject property as now proposed on Petitioner's Exhibit No. 4; but even if the Board could so compel this petition as now presented, we do not feel that there has been evidence of practical difficulty. The evidence seems to point to the fact that the Petitioner would be satisfied with his present plan, but frankly, the Board can see no practical difficulty that commands the granting of the variance. Likewise, the Board sees no commanding reason why the subject property must be developed in the manner as proposed on Petitioner's Exhibit No. 4. Furthermore, the Board has some wonder as to the overall concept put forth in the Petitioner's plans, and further wonders if the entire neighborhood that is now zoned D.R. 16 might not be misused if each subsequent lot owner would attempt to seek a similar variance and construct the townhouses in a perpendicular position to the Church Lane frontage. Also, it seems to this Board that with the relatively limited frontage of approximately 101 feet there may be some difficulty in the ingress and egress of traffic to Church Lane from the proposed townhouse development at the subject property. The Protestants' statements concerning an invasion of their light, air and privacy seems reasonable to this Board, and frankly in keeping with the spirit and intent of the setback regulation itself. The Petitioner's suggestion that his plan would

do have a hardship and/or practical difficulty, and that the Variance, with certain restrictions, can be granted without being injurious to the health, safety and general welfare of the community. The proposed townhouses will present a lower profile and will be setback further from the front than the existing dwelling that will be razed when the townhouses are constructed. The setback of window to tract boundary relationship is intended to provide privacy. However, a screen fence of sufficient height constructed along the property line in question can accomplish the same results.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 4th day of December 1973, that the herein requested Variance to permit a setback of 27 feet instead of the required 35 feet should be and the same is GRANTED from and after the date of this Order, subject to the following:

1. A redwood fence or a fence of other comparable material a minimum of eight feet in height being installed along the north 12 degree 15 minute west 250 foot property line.
2. Approval of a site plan by the Department of Public Works, Health Department and the Office of Planning and Zoning.

Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED BY COUNTY CLERK

DATE December 4, 1973

BY John P. [Signature]

Administrative Assistant

ORDER RECEIVED FOR FILING

DATE December 4, 1973

BY John P. [Signature]

Administrative Assistant

MICROFILMED

IN RE: PETITION FOR VARIANCE,
N/S Church Lane, 342' W of
Bedford Avenue, 3rd District;
Morris Tucker, et al, Petitioner
No: 74-124-A (Item No. 72)

APPEAL OF:
ANTIONETTE FABISZAK
112 Church Lane
Pikesville, Maryland 21208

and

RAY P. SISSON, JR., and
ROSE P. SISSON, his wife,
108 Church Lane
Pikesville, Maryland 21208

Appellants,

FROM:
ZONING COMMISSIONER
OF BALTIMORE COUNTY
County Office Building
Towson, Maryland 21204

TO:
COUNTY BOARD OF APPEALS
County Office Building
Towson, Maryland 21204

ORDER FOR APPEAL

Antionette Fabiszak and Ray P. Sisson, Jr., and Rose
P. Sisson, his wife, all taxpayers and residents of Baltimore
County, feeling aggrieved by the findings, decision and order of
The Honorable James E. Dyer, Deputy Zoning Commissioner, dated
December 4th, 1973, hereby appeal from said findings, decision
and order to the County Board of Appeals.

Antionette Fabiszak
112 Church Lane
Pikesville, Maryland 21208

Ray P. Sisson, Jr.

Rose P. Sisson
108 Church Lane
Pikesville, Maryland 21208

Philip T. McCusker
25 S. Charles Street
Baltimore, Maryland 21201
Telephone: 539-2530
Attorney for Appellants

Service of the foregoing Order for Appeal and receipt
of a copy thereof is hereby acknowledged on this day of
January, 1974.

Zoning Commission of Baltimore
County

BY:

I HEREBY CERTIFY that a copy of the foregoing Order for
Appeal was mailed on the 1st day of January, 1974, to

Attorney for the Petitioner, Morris Tucker, et al.

Philip T. McCusker
Philip T. McCusker
Attorney for Appellants

IN RE: PETITION FOR VARIANCE,
N/S Church Lane, 342' W of
Bedford Avenue, 3rd District;
Morris Tucker, et al, Petitioner
No: 74-124-A (Item No. 72)

APPEAL OF:
ANTIONETTE FABISZAK
112 Church Lane
Pikesville, Maryland 21208

and

RAY P. SISSON, JR., and
ROSE P. SISSON, his wife,
108 Church Lane
Pikesville, Maryland 21208

Appellants,

FROM:
ZONING COMMISSIONER
OF BALTIMORE COUNTY
County Office Building
Towson, Maryland 21204

TO:
COUNTY BOARD OF APPEALS
County Office Building
Towson, Maryland 21204

PETITION OF APPELLANTS

TO THE HONORABLE, THE CHAIRMAN AND MEMBERS OF THE COUNTY BOARD OF
APPEALS:

The petition of the Appellants, by Philip T. McCusker,
their attorney, respectfully represents:

(1) That the cause above entitled is Appellants'
appeal from the decision and order of the Zoning Commissioner of
Baltimore County dated December 4, 1973, which granted the
Petitioners' Petition for Variance in permitting a setback of
twenty-seven feet instead of the prescribed thirty-five feet from
the north 12 degree 16 minute west 250 foot property line.

(2) That the Appellants respectfully contend that the
said Zoning Commissioner erred in granting such variance, appel-
lants contending that the property 110 Church Lane is so narrow
that the proposed construction, if proceeded with, would produce
overcrowding and congestion in the immediate area as well as in
adjacent areas, and that the granting of the variance clearly
thwarts the very reason and purpose for which the thirty-five
foot rule was made a part of the zoning regulations, and further

that the granting of the variance represents the only manner in
which the proposed housing can be fitted (and literally crowded)
into the tract of land; and further that the construction of
twenty-eight housing units on what should reasonably, and in
keeping with the age-old pattern of housing and residence along
Church Lane, contain only two houses, is shockingly contrary to
the long standing composition of the community of Church Lane and
the surrounding residential areas.

(3) That this appeal is brought in the effort to secure
a reversal of the decision and order dated December 4, 1973.

Philip T. McCusker
Philip T. McCusker
2000 First Maryland Building
25 S. Charles Street
Baltimore, Maryland 21201
539-2530

Attorney for Appellants

I HEREBY CERTIFY that a copy of the foregoing Petition
was served on the Zoning Commissioner of Baltimore County, County
Office Building, Towson, Maryland 21204, on the 1st day of January,
January, 1974, and that a copy of the said Petition was mailed on
the 2nd day of January, 1974, to

attorney
for Petitioners Morris Tucker, et al,

Philip T. McCusker
Philip T. McCusker

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-2-

December 4, 1973

Mr. Ivan Stern
3605 Antoon Farms Road
Pikesville, Maryland 21208

RE: Petition for Variance
N/S Church Lane, 342' W of Bedford
Avenue - 3rd District
Morris Tucker, et al - Petitioners
NO. 74-124-A (Item No. 72)

Dear Mr. Stern:

I have this date passed my Order in the above captioned matter
in accordance with the attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED:mc

Attachments

cc: Mr. and Mrs. Morris Tucker
3411 Terrapin Road
Baltimore, Maryland 21208

Mr. and Mrs. Isaac Goldman
6513 Baythorn Road
Baltimore, Maryland 21209

Mr. Ivan Stern
December 4, 1973
Page 2

cc: Mr. Bernard F. Nessel
205 Church Lane
Pikesville, Maryland 21208

Mr. and Mrs. Ray P. Sisson, Jr.
108 Church Lane
Pikesville, Maryland 21209

Mr. Harry L. French
201 Church Lane
Baltimore, Maryland 21208

Mr. Clarence Pursell
11 Church Lane
Pikesville, Maryland 21208

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 23, 1973
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition # 74-124-A. North side of Church Lane 342 feet West of Bedford Ave.
Petition for Variance for a setback of a Window.
Petitioner - Morris Tucker, et al

3rd District

HEARING: Monday, November 26, 1973 (11:00 A.M.)

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

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEC:rw

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

TO: S. Eric DiNenna, Zoning Commissioner Date of Posting: JAN 19, 1974
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition # 74-124-A. North side of Church Lane 342 feet West of Bedford Ave.
Petition for Variance for a setback of a Window.
Petitioner - Morris Tucker, et al
Location of Signs: Front of 110 Church Lane
Remarks: I have this date passed my Order in the above captioned matter in accordance with the attached.
Posted by: JAMES E. DYER Date of return: JAN 22, 1974

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 72
Mr. Isaac Goldman
6513 Bayshore Road
Baltimore, MD. 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 22nd day of October 1973.

[Signature]
Eric D. Nenna
Zoning Commissioner

Petitioner: Jean & Isaac Goldman and
Eva & Morris Tucker
Petitioner's Attorney: *[Signature]*

cc: Smith-Kirwin Inc., Suite 504/4th Mercantile Building/
Towson, Maryland 21204
Mr. Morris Tucker, 3411 Terrapin Rd., (21208)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 6, 1973

- 2 -

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
John J. Dillon, Jr.

Mr. Isaac Goldman
6513 Bayshore Road
Baltimore, Maryland 21204

RE: Variance Petition
Item 72
Jean & Isaac Goldman and
Eva & Morris Tucker - Petitioners

Dear Mr. Goldman:

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 north side of Church Lane, 342 feet west of Bedford Avenue, in the 3rd District of Baltimore County. This property, which is zoned DR 16, is requesting a Variance of a window from a tract boundary line of 27 feet instead of the required 35 feet. The property is currently improved with a 2-1/2 story frame dwelling.

The petitioners propose to raze the existing structure and construct a condominium-townhouse development consisting of four groups with a total of 28 units.

The tract is irregular in shape and lies adjacent to existing residences on either side of the property.

Mr. Isaac Goldman
Item 72
November 6, 1973

The petitioner is advised that the final development plan of this tract must comply with all sections of the Comprehensive Design Manual.

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

JJDjr:JUD

Enclosure

cc: Smith-Kirwin Inc.
Suite 504/the mercantile building/
Towson, Maryland 21204

Mr. Morris Tucker
3411 Terrapin Road
Baltimore, Maryland 21208

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

November 2, 1973

Division of Engineering
ELLENWORTH H. CIVER, P. E. CHIEF

Mr. E. Eric Denna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #72 (1973-1974)
Property Owner: Jean & Isaac Goldman & Eva & Morris Tucker
N/S of Church Ln., 342' W. from the NW corner of Church Ln. & Bedford Ave.
Existing Control: D.R. 16
Proposed Zoning: Variance to permit a setback of 27' from a tract boundary of 27' instead of the required 35'.
No. of Acres: 1.925 District: 3rd

Dear Mr. Denna:

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 plan should be revised to indicate the existing structures on this site.

Highways:

Church Lane, an existing public road, is proposed to be improved in the future as a 40-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements including highway right-of-way widening and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The status of "Dwyer Road" is unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify rights therein.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, draining private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #72 (1973-1974)

Property Owner: Jean & Isaac Goldman & Eva & Morris Tucker
Page 2
November 2, 1973

Storm Drainage

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

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.

Open street drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Church Lane and are serving a residence on this site.

Very truly yours,

[Signature]
ELLENWORTH H. CIVER, P.E.
Chief, Bureau of Engineering

THUR JAN 11 1974

cc: J. Somers

D-23 Top Sheet
28 x 29 1/2 x 21 1/2 Sheets
DW 7 & 8 7 Top
78 Top Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD, P.E. Wm. T. NELSON DIRECTOR DEPUTY TRAFFIC ENGINEER

October 18, 1973

Mr. E. Eric Denna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 72 - ZAC 0 October 16, 1973
Property Owner: Jean & Isaac Goldman and Eva & Morris Tucker
N/S of Church Lane, 342 feet W from the NW corner of Church Lane and Bedford Avenue
Variance to permit a setback of a window from a tract boundary of 27 feet instead of the required 35 feet
District 3

Dear Mr. Denna:

No traffic problems are anticipated by the requested variance to the setback of a window from a tract boundary, but I have the following comments for the site plan itself.

The entrance to the site must be a minimum of 24 feet. All parallel parking spaces must be a minimum of 9' x 23'.

Very truly yours,

[Signature]
Michael S. Flanagan
Traffic Engineer Associate

HSF/pk

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204
833-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Jean & Isaac Goldman & Eva & Morris Tucker

Location: N/S of Church Lane, three hundred and forty-two ft. W. from the NW corner of Church Lane & Bedford Avenue
Item No. Zoning Agenda Tuesday, October 16, 1973

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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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 *[Location]*
- () 4. *[Location]* 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.
- (XX) 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", 1973 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *[Signature]* Noted and Approved: Deputy Chief
Planning Group Special Inspection Division Fire Prevention Bureau

mls
4/16/73

MAR 11 1975

Mr. Isaac Goldman BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 72
6513 Baykhome Road
Baltimore, Md. 21209

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

Your Petition has been received and accepted for filing

this 28th day of October 1973.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Isaac & Isaac Goldman and
Eva & Morris Tucker
Petitioner's Attorney

Reviewed by

John J. Quinn
Chairman
Zoning Advisory Committee

in Inc., suite 504/the mercantile
land 21204 building/
er, 3411 Terrapin Rd., (21208)

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 26 day of

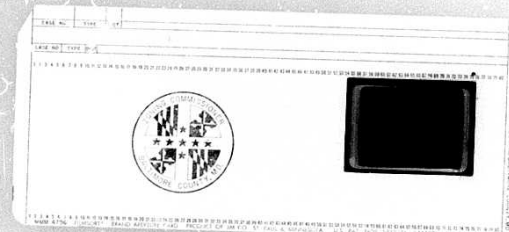
Sept. 1973 Item #

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner IVAN STERN Submitted by SAME

Petitioner's Attorney Reviewed by MH

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



BALTIMORE COUNTY, MARYLAND No. 13046
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE January 10, 1974 ACCOUNT 01-662

AMOUNT \$40.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Philip T. McCusker, Esquire
Cost of Filing of an Appeal and Posting of Property on
Case No. 74-124-A
N/S of Church Lane, 342' W of Bedford Avenue - 3rd
District
Morris Tucker, et al - Petitioners

BALTIMORE COUNTY, MARYLAND No. 12796
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 28, 1973 ACCOUNT 01-662

AMOUNT \$63.25

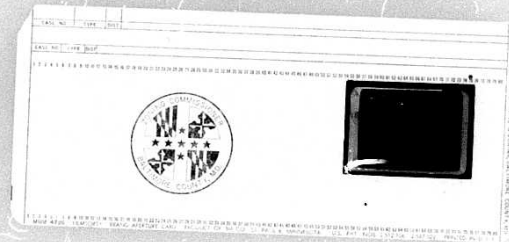
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Park Towne, Inc.
1637 Park Heights Ave.
Baltimore, Md. 21215
Advertising and posting of property 6325 REC
#74-124-A

BALTIMORE COUNTY, MARYLAND No. 12716
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 5, 1973 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Park Towne, Inc.
1637 Park Heights Ave.
Baltimore, Md. 21215
Petition for Taxation for Isaac Goldman, et al 50 C REC
74-124-A





PROPOSED CONDOMINIUM TOWNHOUSES

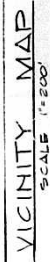


EXHIBIT 4



ETHOLS 057-30





DR 16

DR 16

DR 16

10/28/80

DEVELOPMENT DATA

2ND ELECTION DISTRICT	DRIG
BAI MORE COUNTY, MARYLAND	DRIG
EXISTING ZONING	1925
ADJACENT ZONING	1925
GROSS ACREAGE	2,274.16
NUMBER UNITS ALLOWED	1,000.81
NUMBER DENSITY UNITS	20
NUMBER UNITS PLANNED	20
NUMBER PARKING SPACES REQUIRED	20,143.43
NUMBER PARKING SPACES SHOWN	40
REAL ESTATE TAXES SHOWN	1925
LOCAL TAXES SHOWN	20

NOTE: TOPOGRAPHY TAKEN FROM COUNTY PHOTOGRAMMETRIC MAP
PROPERTY LINE FROM DEED DESCRIPTION DEED
DESCRIPTION DOES NOT INDICATE PROPERTY LINE
BEARINGS OR ACCURATE DISTANCES.

PROPOSED ROAD SECTION
WITH STD. CURB & GUTTER
2 1/2" DIA. CONC. ON 8" CRUSHED STONE

