

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William C. Richards, 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. and 2. to permit a front yard setback of 10 feet from the property line and 30 feet from the center line of the street instead of the required 25 feet and 50 feet, respectively.

Existing structure has been utilized as a residence since 1974. However, it has been assessed continually as a chicken house. In order to legally maintain the requirements of the Baltimore County Zoning Regulations and to improve the structure for adequate living purposes relief from the present requirements is requested.

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: William C. Richards
Address: 1109 Delong Ave., Apt. D, Catonsville, Maryland 21228

Thomas N. Evans, Jr., Petitioner's Attorney
Address: 401 Washington Ave., Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of May, 1974.

1974 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of June, 1974, at 10:30 clock.

Zoning Commissioner of Baltimore County
(over)

RE: PETITION FOR VARIANCES
SE/S Meridale Road, 225' NE of Academy Road - 1st District
William C. Richards - Petitioner
NO. 74-291-A (Item No. 191)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for Variances to the front yard setback requirements for a dwelling in a residential zone. The property in question is situated in the First Election District of Baltimore County, contains approximately one acre and is improved with three principle buildings: one building, the subject of this Petition, is presently being remodeled and enlarged.

The acre of ground, buildings, and use thereon was the subject of a previous zoning violation hearing (Case No. 71-48-V) which resulted in the Zoning Commissioner, and subsequently the Board of Appeals, finding that the owner was in violation of storing junk and debris on said property. The same Order, however, also established that a legal nonconforming use (carpenter shop) existed on said property.

Area residents, concerned about recent activities of a new owner, requested an investigation to determine whether the zoning regulations were being complied with. This hearing together with a separate violation hearing (Case No. 74-123-V) are direct outgrowth of the investigation.

The present owner and the previous owner testified on behalf of the request. An adjoining resident and property owner and the President of the Westgate Community Association also appeared but voiced no objection to the granting of a Variance for residential purposes.

Testimony established that the subject building had been used for some time as a dwelling, however, the exact time period of said use was not clearly defined and the Baltimore County Assessment Office presently has the structure classified as a farm building.

The present owner's plans include an addition and extensive remodeling of the existing structure. The addition would be added to the back leaving the front foundation wall as is. The granting of the Variance would establish the legal front yard setback for a dwelling which would in turn permit the owner to complete the work and legally established the structure as a dwelling.

The structure, as it presently exists, was described by those present as having been an eyesore for many years. It was generally felt that the proposed improvements would be beneficial to the character of the neighborhood.

After reviewing the testimony and evidence and making an on site inspection of the property, it is the opinion of the Deputy Zoning Commissioner that the Petitioner is confronted with an unavoidable and unreasonable difficulty in complying with present setback requirements for a structure built many years ago possibly prior to any zoning or setback requirements being established for such building. It is also quite evident, that the granting of said Variance will not be detrimental to the health, safety and general welfare of the community and would not violate the spirit and intent of the zoning regulations.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of November, 1974, that the herein requested Variance, to permit a front yard setback of ten feet from the front property line, and thirty feet from the center line of the street, instead of the required thirty feet and fifty feet, respectively, should be and the same is hereby GRANTED, from and after the date of this Order. Said granting is subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of Baltimore County

November 13, 1974

Thomas N. Evans, Jr. Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Petition for Variances
SE/S Meridale Road, 225' NE of Academy Road - 1st District
William C. Richards - Petitioner
NO. 74-291-A (Item No. 191)

Dear Mr. Evans:

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: Jesse Spector, Esquire
612 Court Square Building
Baltimore, Maryland 21202

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

DESCRIPTION

Beginning at a point on the Southeast side of Meridale Road, approximately 225 feet Northeast of Academy Road, and thence running the four (4) following courses and distances:

1. N 37°02' E 249.72'
2. S 60°03' E 156.95'
3. S 36°42' W 269.59'
4. and N 52°43' W 156.33' to the place of beginning.

Containing approximately one (1) acre of land, more or less.

Item 191

Thomas N. Evans, Jr. Esq.
401 Washington Avenue, Towson
Maryland 21204

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

Your Petition has been received and accepted for filing this 22nd day of May, 1974.

S. Eric Dinenna
Zoning Commissioner

Petitioner: William C. Richards

Petitioner's Attorney: Thomas N. Evans, Jr. Reviewed by: James E. Dyer, III, Chairman, Zoning Advisory Committee

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
427-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: William C. Richards

Location: SE/S of Meridale Road, 225' NE of Academy Road

Item No. 191 Zoning Agenda May 13, 1974

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 100 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. The vehicle dead-end condition shown at [redacted] is not acceptable.
- () 3. The maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable parts 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.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

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

mls
4/16/73

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1974

Thomas N. Evans, Jr. Esq.
401 Washington Avenue, Towson
Maryland 21204

RE: Variance Petition
Item 191
William C. Richards - Petitioner

Dear Mr. Evans:

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.

Those 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 southeast side of Meridale Road, approximately 225 feet northeast of Academy Road, in the First Election district of Baltimore County. It is presently improved by a one-story structure that apparently enjoys a non-conforming use as a shop. A smaller structure is presently being used as an office in connection with the shop in the subject of a pending application before this office. A large structure at the front most portion of the site is the subject of this request.

Various statements surround the property on all sides. The subject structure has been assessed and used as a chicken house. The petitioner proposes to change the use to a

Thomas N. Evans, Jr. Esq.
Item 191
May 31, 1974

Page 2

residence, which necessitates a request for a Variance to the front yard setback requirements.

This petition is accepted for filing; however, revised plans reflecting the status of the right-of-way through the existing property and to a site adjacent and to the rear must be clarified prior to the hearing.

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,

James B. Wynnes, III
JAMES B. WYNNE, III
Chairman,
Advisory Committee

JBB:JD

Enclosure

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

Division of Engineering
ELLSWORTH N. DAVIS, P. E. CHIEF

May 28, 1974

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

Re: Item #191 (1973-1974)
Property Owner: William C. Richards
5/25 of Meridale Rd., 225' N/E of Academy Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 and two to permit a front yard setback of 15' from the property line and 30' from the center line of the street instead of the required 25' and 50', respectively.
No. of Acres: 1 District: 1st

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 existing lane, driveway, parking areas along the southwestern outline of this property, the proposed widening of Meridale Road to a right-of-way width of 60 feet, not 30 feet as shown, the fenced in dog compound, and the present use of the indicated "shed", apparently as an office.

Highways:

Meridale Road, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 60-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The status of the existing lane, drive, or right-of-way along the southwest outline of this site 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 Design Standards.

Item #191 (1973-1974)
Property Owner: William C. Richards
Page 2
May 28, 1974

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. It appears that some regrading may be underway.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Meridale Road. (See Drawings #51-0570, File 3 and #57-0517, File 2)

Office records indicate that connections for this site apparently have been provided to these utilities. The submitted plan must be revised to correctly indicate the locations of these existing public utilities and any service connections thereto for this site, as it appears that no residential requirement for connections has been on this site for over 20 years.

It is noted that Terminal Sanitary Sewer Manhole 2064h is approximately 50 feet from any frontage of this site, see Drawing #57-0517 (1). If a private off-site easement exists for a sewer connection into this terminal manhole for this site, the easement is to be shown.

It appears that a public sanitary sewer extension is required to properly serve this site, and perhaps adjacent properties. Further information may be obtained from the Baltimore County Bureau of Engineering.

It appears that additional fire hydrant protection is required in the vicinity.

Very truly yours,

Ellsworth N. Davis
ELLSWORTH N. DAVIS, P.E.
Chief, Bureau of Engineering

END:ENR/PW:iss

cc: G. Reier
J. Somers

G-W Key Sheet
S 51 20 Top. Sheet
SW 2 T Topo
95 Tax Map

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

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

May 28, 1974

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

Re: Item 191 - ZAC - May 14, 1974
Property Owner: William C. Richards
SE 1/4 Meridale Road, 225 feet NE of Academy Road
Variance from Section 1802.3C.1 and to permit a front yard setback of 15 feet from the property line and 30 feet from the center line of the street instead of the required 25 feet and 50 feet respectively.
District 1

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the front yard setback.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 20, 1974

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 191, Zoning Advisory Committee Meeting May 14, 1974, are as follows:

Property Owner: William C. Richards
Location: SE 1/4 of Meridale Road, 225' NE of Academy Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 and two to permit a front yard setback of 15' from the property line and 30' from the center line of the street instead of the required 25' and 50', respectively

No. of Acres: 1
District: 1

Metropolitan water and sewer are available.

Very truly yours,

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

HVB/ca0

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 20, 1974

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 #191, Zoning Advisory Committee Meeting, May 14, 1974, are as follows:

Property Owner: William C. Richards
Location: SE 1/4 of Meridale Road, 225' NE of Academy Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 and two to permit a front yard setback of 15' from the property line and 30' from the center line of the street instead of the required 25' and 50', respectively
No. of Acres: 1
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning Division

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: May 15, 1974

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

Re: Item 191
Property Owner: William C. Richards
Location: SE 1/4 of Meridale Road, 225' N.E. of Academy Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 and 2, to permit a front yard setback of 15' from the property line and 30' from the center line of the street instead of the required 25' and 50' respectively.

District: 1st
No. Acres: 1

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. L. Peterson
W. L. Peterson
Field Representative

WSP/ml

INTER-OFFICE CORRESPONDENCE

1st District

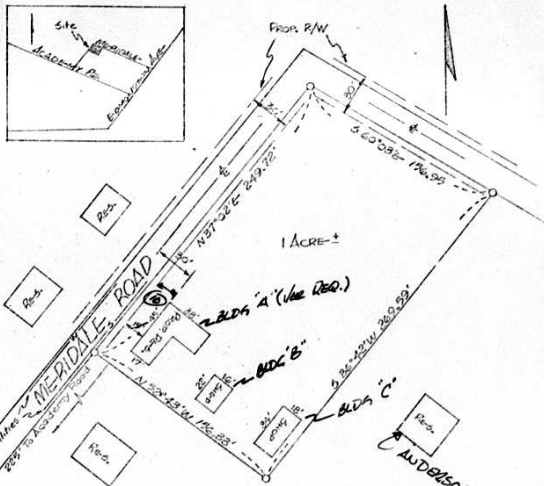
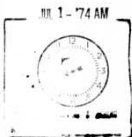
HEARING: Monday, June 24, 1974 (10:30 A.M.)

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

The granting of this request would not be inconsistent with the policies of the 1980 Guideplan, the County's official master plan.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw



ELECTION DISTRICT 1
ZONED D.R.5.5
SCALE 1" = 50'

PET EX #1

FUNCTION	Wall 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>J.R.B.</i>										
Previous case: _____										

Revised Plans:
Change in outline or description _____ Yes
_____ No

Map # _____

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 145
 Posted for: LOTION FOR LINDA
 Petitioner: WILL C. ANDREWS
 Location of property: SE 1/4 of NW 1/4 of T. 26 S. NE of
ACADEMY RD.
 Location of Signs: SE 1/4 of NW 1/4 of T. 26 S. NE of
ACADEMY RD.
 Remarks:
 Posted by: Sharon F. Nelson
 Signature: _____ Date of return: JUNE 14, 1974

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 30TH day of 1974. Item #

S. Eric DiNenna,
Zoning Commissioner

Petitioner RICHARDS Submitted by EVANS
Petitioner's Attorney EVANS Reviewed by JBB
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF PUBLICATION

TOWSON, MD.....June 6.....1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once a week~~ once a week before the 24th day of June, 19 74, the first publication appearing on the 6th day of June 19 74.

THE JEFFERSONIAN.

Cost of Advertisement, \$_____

OFFICE OF
THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 June 10 - 1974

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric DiNenna
Zoning Commissioner of Baltimore County
was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-
lished in Baltimore County, Maryland, once a week for one
~~xxxxxx~~ week / On the 10 day of June 19 74 that is to say,
the same was inserted in the issue of June 6 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Luth Morgan

[illegible]

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

DATE June 3, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW

Thomas N. Evans, Jr., Esq.
Equitable-Townson Building
Townson, Md. 21204
Petition for Variance for Mr. C. Richards
#71-291-A

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

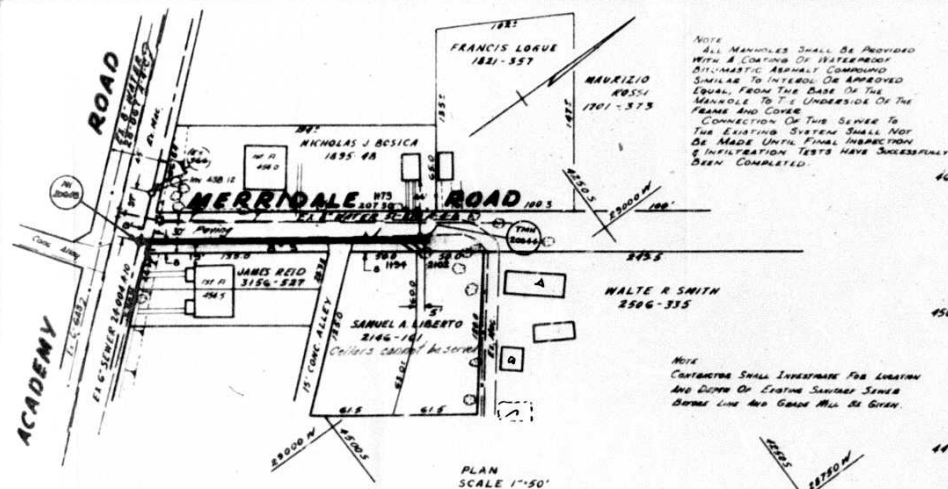
DATE Dec. 30, 1974 ACCOUNT 01-662

AMOUNT \$71.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

Messrs. Anderson, Coe and King
800 Pinkney Building
Baltimore, Md. 21201
Advertising and posting of property for Case #74-3





ENGINEERING ASSOCIATES

134 BELLOMA AVE.
BALTIMORE 12, MD.

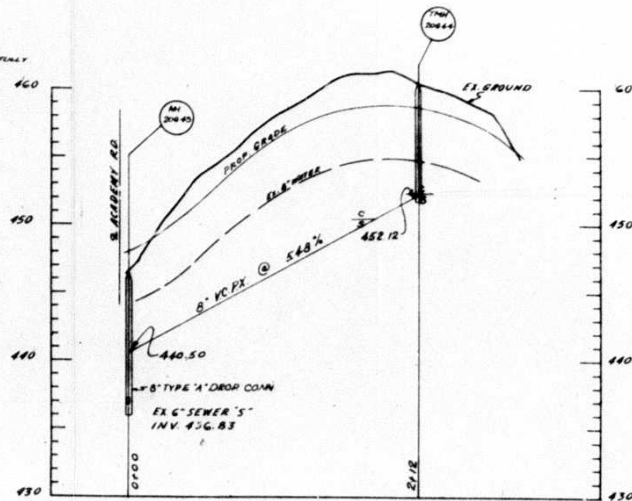
ROAD PERMIT AND GRADES		APPROVED FOR CITY OF BALTIMORE	
PERMIT SUBMITTED	DATE	DATE	
PERMIT NUMBER		DATE	
GRADE ESTABLISHED		DATE	
PROFILE NUMBER		DATE	
DATE	RIGHT OF WAY	ENGINEER	DIRECTOR OF PUBLIC WORKS
1 24 11	KW 57-152	DATE	DATE
ENGINEER: <i>James H. H. H.</i>		DEPARTMENT OF PUBLIC WORKS	
DESIGNED: <i>LTH</i>		APPROVED: <i>[Signature]</i>	
CHECKED: <i>Z.A.G.</i>		DATE: <i>10/1/52</i>	

A permit is required before cutting or trimming any tree of any tree in the City of Baltimore or in the County of Baltimore. The tree will be removed if the tree is found to be a hazard to the public or if the tree is found to be a hazard to the property of the City of Baltimore or the County of Baltimore.

NOTE: ALL MANHOLES SHALL BE PROVIDED WITH A COATING OF WATERPROOF BITUMASTIC ASPHALT COMPOUND SIMILAR TO INTERIOR OR APPROVED EQUAL, FROM THE BASE OF THE MANHOLE TO THE UNDERSIDE OF THE FRAME AND COVER. CONNECTION OF THIS SEWER TO THE EXISTING SYSTEM SHALL NOT BE MADE UNTIL FINAL INSPECTION & INFILTRATION TESTS HAVE SUCCESSFULLY BEEN COMPLETED.

NOTE: CONTRACTOR SHALL INVESTIGATE FOR LOCATION AND DEPTH OF EXISTING SANITARY SEWER BEFORE LINE AND GRADE ARE GIVEN.

MERRIDALE RD.



PROFILE VER. 1"=5'
SCALE HOR. 1"=50'

BENCHMARK DATA

BEND AM N. 101.1 CUT IN CURB
NEAR INLET ON E. SIDE MIDDLETOWN
RD. ABOUT 100 FT. S. OF COLLIER RD.
ELEV. 446.89

LOCATION PLAN
SCALE 1"=500'

MICROFILMED

Revised as per record print
JO 12-42 12-22-59 REC
Contract # GQC-10

BALTIMORE COUNTY		DEPARTMENT OF PUBLIC WORKS		BUREAU OF ENGINEERING	
8" SEWER		MERRIDALE ROAD		FROM ACADEMY ROAD 327 FT NORTH EAST	
CATONSVILLE		ELECT. DIST. NO. 1		SCALE AS SHOWN	
KEY SHEET		SHEET		NO. 1	
G. N. W.		10 1-2-42		22-59	
POSITION SHEET		5 SW 20		OF 1	
DATE		DATE		DATE	

666-16