

75-68-1 #26 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, W. Wilson Back, 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 permit setback from side street property line 1902.3C.1 & 2 instead of required 25'. Section 1802.3C.1 (50-7.5.5) to permit setback ~~19' from~~ from centerline of side street instead of required 50'.

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

Lot is 65' wide. In order to construct a 36' house with a side setback of 10' on the interior side and it would only allow us 19' on the street side and 44' from the center line of the street, this being a corner lot.

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 W. Wilson Back Legal Owner
Address 2843 Louisiana Ave.
Baltimore, Md. 21227
Petitioner's Attorney _____ Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day

of August 1974, that the subject matter of this petition be a "varied, 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 17th day of September, 1974, at 10:45 o'clock

W. Wilson Back
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION FOR VARIANCE

Located on the southeast corner of Louisiana Avenue and Washington Street. Known as lots #1, 2, and 3 in the subdivision plot of Rosemont. Said Plat being recorded among the Land Records of Baltimore County. Liber 7 Folio 100

Mr. W. Wilson Back
2843 Louisiana Avenue
Baltimore, Maryland 21227

RE: Petition for Variances
SE/corner of Louisiana Avenue and
Washington Street - 13th District
W. Wilson Back - Petitioner
NO. 75-68-A (Item No. 26)

Dear Mr. Back:

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

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

Bureau of Engineering
ELLSWORTH M. DIVER, P. E. CHIEF

August 19, 1974

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

Re: Item #26 (1974-1975)
Property Owner: W. Wilson Back
S/E cor. Louisiana Avenue and Washington Street
Existing Zoning: D.P. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit side setback of 19' from centerline of side street instead of required 50'. 1802.3C.1 to permit side setback on street side of 19' instead of required 25'.
No. of Acres: 0.125 sq. ft. District: 13th

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.

Highways:

Louisiana Avenue, an existing improved public street, is proposed to be further improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way.

Washington Street is an unimproved "paper" street at this location.

Both Louisiana Avenue and Washington Street are shown on the recorded Revised Plat of Rosemont (M.P.S. 7, Folio 100), each with a right-of-way width of 50 feet.

At such time as Washington Street may be improved as a public street, it will also be as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way.

Highway improvements are not required at this time. Highway right-of-way widening, consisting of a 111-foot area at the intersection and any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering; the plan must be revised accordingly.

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 #26 (1974-1975)
Property Owner: W. Wilson Back
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August 19, 1974

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Louisiana Avenue.

Very truly yours,

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

ENCLOSURE

cc: J. Conner

C-18 Key Sheet
21 SW 1/4 Sec. 13, T. 45N, R. 12W
SW 1/4 Sec. 13, T. 45N, R. 12W
109 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 23, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 75-68-A. Southeast corner of Louisiana Avenue and Washington St.

Petition for Variance for Side Yard.
Petitioner - W. Wilson Back

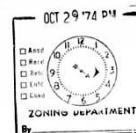
13th District

HEARING: Tuesday, September 17, 1974 (10:45 A.M.)

The staff of the Office of Planning and Zoning has no comment to offer on this request at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw



Oct. 25, 1974

Mr. James E. Dyer
Baltimore County Office of Planning/Zoning
Office of Zoning Commissioner
111 West Chesapeake Ave.
Towson, Maryland 21204

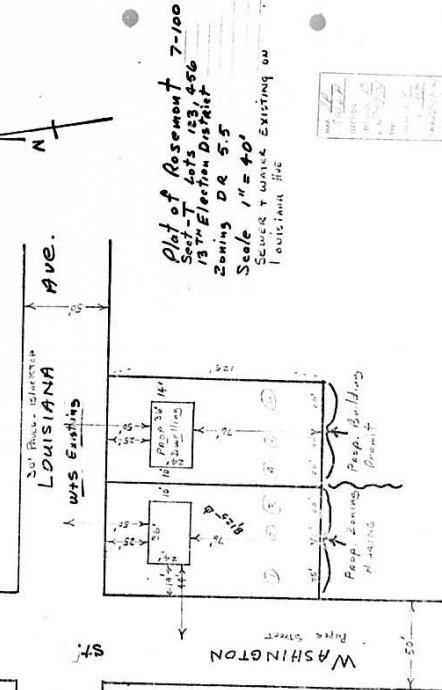
Re: Petition for Variance
SE/corner of Louisiana Ave. and
Washington St. - 13th District
W. Wilson Back - Petitioner
No. 75-68-A (Item No. 26)

Dear Mr. Dyer,

Permission is hereby requested to file for a building permit on said lot prior to the 30 day appeal time expiration. We will not start any construction on said property until after the 30 day appeal has expired. It is further understood that we shall observe Baltimore County of any liability arising out of the solving of the 30 day waiting period.

Yours truly,

W. Wilson Back
W. Wilson Back
2843 Louisiana Avenue 21227



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 Petitioner

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. Variances to permit a setback from a side street property line of 19 feet instead of the required 25 feet; and a setback from the centerline of the side street of 44 feet instead of the required 50 feet

should be granted.
It is ORDERED by the Zoning Commissioner of Baltimore County this 24th day of October, 1974, that the herein Petition for a Variance should be and the same is granted from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.
James B. Byrnes, III
Deputy Zoning Commissioner, Baltimore County

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 24th day of October, 1974, that the above Variance be and the same is hereby DENIED.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

Item 26
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Mr. W. Wilson Back
2843 Louisiana Avenue
Baltimore, Maryland 21227
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted
for filing this 15th day of August 1974.
S. ERIC DINENNA,
Zoning Commissioner
Petitioner W. Wilson Back
Petitioner's Attorney Reviewed by James B. Byrnes, III
Chairman,
Zoning Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 15, 1974

Mr. W. Wilson Back
2843 Louisiana Avenue
Baltimore, Maryland 21227

RE: Variance Petition
Item 26
W. Wilson Back - Petitioner

Dear Mr. Back:

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 of the property. The following comments are a result of this review and inspection. 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 at the southeast corner of Louisiana Avenue and Washington Street, in the 13th Election District of Baltimore County, and is presently unimproved.

The petitioner is requesting a Variance to permit setbacks from a side street of 19 feet from the property line and 44 feet from the center line of the street, instead of the required 25 feet and 50 feet respectively. Two dwellings are proposed on the subject property, the corner lot of which requires the requested Variance.

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

Mr. W. Wilson Back
Re: Item 26
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August 15, 1974

on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD
Enclosure

Baltimore County Fire Department

J Austin Deitz
Chief



Towson, Maryland 21204

327-7318

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: W. Wilson Back

Location: SE/C Louisiana Avenue & Washington Street

Item No. 26 Zoning Agenda July 30, 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.
- () 3. The vehicle dead-end condition shown at _____ EXCEEDS 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 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: [Signature] Noted and Approved: [Signature]
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

August 9, 1974

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

Dear Mr. DiNenna:

Comments on Item 26, Zoning Advisory Committee Meeting, July 30, 1974, are as follows:

Property Owner: W. Wilson Back
Location: SE/C Louisiana Ave. and Washington St.
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Section 1801.2C.3 to permit side setback of 44' from centerline of sidewalk instead of required 50'. 1802.3C.1 to permit side setback on street side of 19' instead of required 25'.

No. of Acres: 8.125 sq. ft.
District: 13th

Comments: Metropolitan water and sewer are available.

Very truly yours,

Thomas R. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

ZHB/nc

WILLIAM J. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



August 6, 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 #26, Zoning Advisory Committee Meeting, July 30, 1974, are as follows:

Property Owner: W. Wilson Back
Location: SE/C Louisiana Avenue and Washington Street
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Section 1801.2C.3 to permit side setback of 44' from centerline of sidewalk instead of required 50'. 1802.3C.1 to permit side setback on street side of 19' instead of required 25'.

No. of Acres: 8.125 sq. ft.
District: 13th

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
Planning Specialist II
Project & Development Planning

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

No. 15192

DATE Sept. 20, 1974 ACCOUNT 01-662

AMOUNT \$35.89

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

W. Wilson Rack
204 1/2 Louisiana Ave.
Baltimore, Md. 21227
Advertising and Posting of property
#75-68-A

35.89