15-180-PA PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

D

10 St. 194

12.5.74

VAR

IT LOU.

ING COMMISSIONER OF BALTIMORE COUNTY

PERBOUT DEVELOPMENT CO.

DEBUT J. SMESSET, PRES. legal owner of the property situate in Baltimore which is described in the description and plat attached hereto and made a part hereof

on for a Variance from Section, 1802, 30(1) to negut a side yord satback

of & feet on one side in lieu of the required 10 feet; and a sum of both side.

words of 16 feet in lies of the required 25 feet.

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

Ay son and his wife are cremently renting a one bedress apartment and have just had a child.

2. The ingressing cost of rent.

3. They would like to establish permanent residency in Baltimore County as

4. There were no adjacent properties for sale.

5. The property we purchased was within our financial limitations.

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 beautible by the zoning regulations and restrictions of Balimore County adopted pursuan: te the Zoning Law For Baltimore County.

WALLACE R. WAYNICK

cos m. Wayrick Contract purchaser 3710 K. JOSPA ROAD

BALTIMORE, MD. 21236

Petitioner's Attorney

ORDERED By The Zoning Commissioner of Baltimere County, this 20th

1975 at 10:15 clock County, on the 27th

Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCE FrimON FOR VARIANCE from Section 1802.3C(1) of the Baltimore County Zoning Regulations S/S of Lincoln Street 494 feet West of York Road 8th District

COUNTY BOARD OF APPEALS

Peabody Development Company

BALTIMORE COUNTY

BEFORE

Wallace R. and Frances M. Waynick

ORDER OF DISMISSAL

Petition of Peabody Development Company (Wallace R. and Frances M. Waynick, contract purchasers) for Variance from Section 1802, 3C(1) of the Baltimore County Zoning Regulations, on property located on the south side of Lincoln Street 494 feet west of York Road, in the 8th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal, filed May 4, 1976 (a copy of which is attached hereto and made a part hereof), from the attorney representing the contract purchasers-appellants in the above entitled

WHEREAS, the said attorney for the said contract purchasers-appellants requests that the appeal filed on behalf of said contract purchasers be dismissed and withdrawn as of May 4, 1976.

TI IS HEREBY ORDERED, this 4th day of May, 1976, that said appeal be and the same is Dismissed.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

ITTION FOR VARIANCE ection 1 B02.3C (1)

S/S of Lincoln Stree 494' W of York Roas 8th Election District
Peabody Development Co. Petitioner

BEFORE THE BALTIMORE COUNTY BOARD OF APPEALS

ORDER TO ENTER APPEARANCE

Mr. Clark.

Please enter my appearance as counsel for the following Protestants

in the above-captioned matter-

Washington Street Timonium, Nid, 21093

Mrs. George F. Eckhart 101 Washington Street Timonium, Md. 21093

Mrs. Mary L. Mix 7 Washington Street Timonium, Md. 2109

Mrs. Mary L. Covahey Timonium, Md, 21093

> Edward C. Covahey, Jr Atty. for Protestants 614 Bosley Ave. Towson, Md, 21204 828-9441

I HEREBY CERTIFY that on this 7) day of February, 1975, a copy

of the foregoing Order to Enter Appearance was mailed to Myer E. Grossfeld, Esquire, 2514 N. Charles Street, Baltimore, Md. 21218.

Edward C. Covahey, Jr.

Recil 3/4/75 4:50 au WALDMAN and GROSSFELD 2514 N. CHARLES STREET BALTIMORE, MARYLAND 21218

April 30, 1976

Mr. Walter A. Reiter, Jr., Chairman County Board of Appeals Room 219 Court House Towson, Maryland 21204

Re: Case No. 75-160-A Petition for Variance (Peabody Development Compar Wallace R. and Frances M. Waynick, Contract Purchase

Dear Mr. Reiter:

Please dismiss the Appeal in the above-referred to matter now pending and scheduled for hearing on Tuesday, June 15, 1976 at 10:00 a.m.

Very truly yours, WALDMAN AND GROSSFELD

MYER E. GROSSPELD

ME.C/ms
cc: Edward C. Cowahey, Jr., Esquire
Mr. Henry J. Sweeney, President - Peahody Development
Company

BARTIMORE COUNTY, MARY AND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date January 27, 1975

FROM William D. Fromm, Director of Planning

SUBJECT Petition #75-160-A. South side of Lincoln Street 494 feet West of York Rd. Petition for Variance for a Side Yard. Petitioner - Peabody Development Co. Inc.

8th District

HEARING: Monday, January 27, 1975 (10:15 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 p.

Villiam Mann

.IAN 24 '75 PM



Containing 5040.00 square feet more or less.



November 27, 74

Sections as a main on the most rate of Licola Street add point thing 48-000 feet from the learning most nide of forch food and the neutrony side of 11 cels, and appears being loss 55 & 57 section D on the plat of Timonium laterate which pit is recorded in the plat records of Baltimore County in N.P.C. m5; page 82 and sloe recorded among the land records of Sattimore County in tiber 2004 foils 504.



PRABODY DEVELOPMENT CO.

PENNEY J. SWEENEY, PRSS.

Robert Menney from Jacky

Rathlein H. Legal Owner

Legal Owner

Address N. E. Cov. Chulmleigh & Sheffield

Protestant's Attorney

Baltimore Maryland 21212

MEG/ae Enclosure

614 Bosley Avenue Towson, Maryland 21204

Prod 9-76-75

LAW DEFICES WALDMAN and GROSSFELD

February 25, 1975

Zoning Commissioner County Office Building Towson, Maryland 21204

0

RE: Petition for a Variance Section 1 B02.3C (1) File # 75-160-A (Item # 118)

Gentlemen: Please enter the appearance of Myer E. Grossfeld and Waldman and Grossfeld as attorneys for Wallace R. and Frances M. Waynick in the above referred to matter. Please enter an appeal from the decision of the Zoning Commissioner dated February 13, 1975 relative to the denial of the petitioner's request for a zoning variance.

Enclosed please find our check in the amount of \$35.00 covering the cost of the appeal.

Very truly yours, WALDMAN AND GROSSFELD

By MYER E. GROSSFELD

cc: Edward C. Covahey, Jr., Esquire

February 13, 1975

Mr. Henry J. Sweeney, President Peabody Development Company Chulmleigh and Sheffield Roads Baltimore, Maryland 21212

> RE: Petition for Variances S/S of Lincoln Street, 494' W of York Road - 8th Election District Peabody Development Company -Petitioner NO. 75-160-A (Item No. 118)

Very truly yours,

18/ S. ERIC DI NENNA

Zoning Commissioner

I have this date passed my Order in the above captioned matter,

SED/srl

cc: Mr. & Mrs. Wallace R. Waynick 3710 East Joppa Road Baltimore, Maryland 21236

Edward C. Covahey, Jr., Esquire 614 Bosley Avenue Towson, Maryland 21204



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 21, 1975

XXXXXXXXXXXXXXX Pranklin T. Hogan

Mr. Henry J. Sweeney, President Peabody Development Co., Inc. N.E. Cor. Chulmic gh & Sheffield Roads Baltimore, Maryland 21212

RE: Variance Petition Item 118 Peabody Development Co., - Petitioner

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referented petition and has made an omite 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 awars 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 Lincoln Street, 494 (est west of York Road, and in a 40 foot wide lot on which the petitioner is requesting permission to construct a single family dwelling. Adjacent properties on the south side of Lincoln Street, a partially improved road, are pre-sently unimproved. sently unimproved.

Please note with particular interest the Please note with particular interest the comments of Bureau of Engineering concerning possible widenings of Lincoln Street, as well as revision for storm water and surface water drainage.

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

Mr. Henry J. Sweeney, President he: Tiem 118 January 21, 1975

Dam- 2

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,

Chairman, Zoning Plans Advisory Committee

FTH:JD

Enclosure

ce: John D. Bresnan Land Surveyor 8905 Carlisle Avenue Baltimore, Md. 21236

Dear Mr. DiMenna:

Bureau of Engineering ELLEWONTH N. DIVER. P. E. CHIEF

Mr. S. Bric DiNenna Zoning Commissioner County Office Building

Towson, Maryland 2120h

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.

Re: Item #118 (1971-1975)

Property Owner: Peabody Development Co.
5/S of Lincoln St., WW. W. of York Rd.
Existing Youthur: D.B. 3.5

Proposed Zoning: Variance from Sec. 1802.30 (1) to

prepaid a side yard setback of 8 on one side in lieu of the required 10 and a sum of both side yards of 16 in 11eu of the required 25. No. of Acres: 5040.00 sq. ft. District: 8th

Baltimore County, Maryland Bepartment Of Bublic Works

COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

January 9, 1975

Lincoln Street is a partially improved 30-foot right-of-way shown on the recorded plats of Timenium Heights (W.P.C. 5, Folio 82). If improved in the future as a public road, Lincoln Street is proposed to be a 30-foot closed section roadway on a 50-foot right-of-way, Highway right-of-way widening, including any mocessary revertible examents for alpes, will be required in connection with any grading or building

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

Provisions for accommodating storm water or drainage have not been indicated on the submitted ρlan_\bullet

Item #118 (1976-1975)
Property Owner: Peabody Development Co.
Page 2 January 9, 1975

Storm Drains: (Cont'd)

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any mulsances or desages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due improper rading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Waters

There is an 8-inch public water main in lincoln Street approximately 160 feet east of this property (Graving #Si-336, File 3).

Public sanitary sewerage exists in Lincoln Street (Drawing #69-0248, File 1).

Very truly yours, ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: 55

Sanitary Sever:

cc: John Somers

S-ME Key Sheet 56 and 57 NW L Pos. Sheets NW lli A Topo 51 Tax Map

S. ERIC DINENNA



December 23, 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 #118, Zoning Advisory Committee Meeting, December 24, 1974, are as follows:

Property Owner: Peabody Development Co. Location: S/5 of Lincoln St. 474 ft. W. of York Road Existing Zoning: D.R.3.5 Proposed Zoning: Variance from Sec. 1802.3C(1) to permit a side yard setback of 8 ft. on one side in lieu of the required 10 ft. and a sum of both side yards of 16 ft. in lieu of the required 25 ft. No. of Acres: 5040.00 sq. ft District: 8th

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

CHVB/nc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

DONALD J. ROOP, M.O. MEN

December 19, 1974

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

Comments on Item 118, Zoning Advisory Committee Meeting, December 24, 1974, are as follows:

Property Owner: Peabody Development Co.
Location: S/S of Lincolm St. 494 ft W of York Rd.
Existing Zoning: DR 3.
Proposed Zoning: Variance from Sec. 1802.3c(1) to
permit a side yard setback of 8 ft.
om one side in lieu of the required
10 ft., & a sum of both side yards
of 16 ft. in lieu of the required
25 ft.
No. of Acres: 5040.00 sq. ft.
District: 8th

Metropolitan water and sever are available.

Jones Falls Meratorium: A moratorium was placed on net sever connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Hental Byglene, on November 13, 1973, therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin. Director BUREAU OF ENVIRONMENTAL SERVICES

CASE 75 160-11

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD. P.E.

February 6, 1975

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

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

Re: Item 118 - ZAC - December 24, 1974 Property Owner: Peabody Development Co. Location: 575 of Lincoln St. 494 ft, W of York Road Location: 5/8 of Lincoln St. 494 ft. W of York Road Existing Zoning: D8 3.5 Proposed Zoning: Variance from Sec. 1802.3C (1) to permit a side yard setback of 8 ft. on one side in lieu of the required loft., 6 a sum of both side yards of 16 ft. in lieu of the required of ft.

No. of Acres: 5040.00 sq. ft. District: 8th

Dear Mr. DiNenna

No traffic problems are expected by the requested variance to

Very truly yours. Michael S. Flanigan Traffic Engineer Assoc.

MSF/1b

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING 105 WEST CHESAFEAKE AVENUE AREA CODE 301 PLANNING 494-3211 IONING 484-3381

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 11, 1974

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

Z.A.C. Meeting of: December 24, 1974

Re: Item 118
Property Owner: Feaboy Development Co-pany
Location: S/S of Lincoln Street, 194 ft. W. of York Road
Present Zcning: D.R. 3.5 Present Zoning: 0.R. 3.5

Proposed Zoning: Variance from Section 1802.3C (1) to permit a side yard setbeck at 2 ft, on one side in lieu of the required 10 ft, and a sum of both side yards of 16 ft., in lieu of the required 25 ft.

8th 5040.00 sq. ft.

District: No. Acres:

No bearing on student population.

W. Nick Fetwerel Field Representative

Very truly yours,

JOSEPH N. MICONAN JOSHUA R. WHEELER, SURES TRANSPORTE RICHARD W. TRACEY, V.M.D.

Mr. Henry J. Sweeney, President Peabody Development Co., Inc. N.E. Cor. Chulmleigh & Sheffield Roads Item 118 Baltimore, Md. BALTIMORE COUNTY OFFICE OF PLATTING & ZONING

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

filing this 27th day of January 197%5

Zoning Commissioner

PetitionerPeabody Development Company

Petitioner's Attorney_ oc:John D. Bresnan Land Surveyor 8905 Carlisle Avenue Baltimore, Md. 21236 Reviewed by Franklin T. Hogens, Chairman, Zoning Advisory Committee

1-SIGN . 75-160-A

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

osted for PETITION A	FOR VARIANCE. Date of Posting NAW. 11,
etitioner: PCAGODY D	ev. Co., INC.
ocation of property: S/S e	F LINCOLN ST. 494' W OF YORK Rd
ocation of Signs: S/S of	LINCOLIN ST. 5/5 tax - WOF YORK Pd
	/

BALTIMORE CC 'NTY, M OFFICE OF FINANCE REVENUE MISCELLANEOUS CASH F	DIVISION	No. 1,79:	5.D.C.Mug
DATE March 19, 1975	_ACCOUNT_	01-662	
	AMOUNT_	\$5.00	

Myer E. Grossfeld, Esquire Cost of Posting Property of Peabody Development Company for an Appeal Hearing S/S of Lincoln Street, 494' W of York Road - 8th Election Case No. 75-160-A (Item No. 118)

BALTIMORE COUN OFFICE OF FINANCE - F MISCELLANEOUS	SEVENUE DIVISION	No. 1	7912
DATE March 5, 1	975 ACCOUNT_	01-662	m
	AMOUNT_	\$35.00	
WHITE - CASHIER	DISTRIBUTION		

Myer E. Grossfeld, Esquire Cost of Filing of an Appeal on Case No. 75-160-A (Item No. 118)
S/S of Lincoln Street, 494' W of York Road - 3th Election Peabody Development Company - Petitioner

BALTIMORE COUNTY, MARYLAND OFFICE OF F VCE - REVENUE DIVISION DATE Jan. 24, 1975 ACCOUNT 01-662 AMOUNT \$107.75000 8147.75 WHITE - CASHIER Wallace R. Waymick Baltimore, Md. 21236 Advertising and posting of property for Peabody Dev. Co.----#75-160-1

BALTIMORE COUNT OFFICE OF FILE CE - RE MISCELLANEOUS CA	VENUE BULL	No. 17415
DATE Jan. 6, 15	975 ACCOUNT 01-	-1.62
	AMOUNT \$25	.00
Wallace R. Vaynick 3710 E. Joppa Rd. Baltimore, Md. 21236		YELLOW - CUSTOMER
Petition for Variance	e for Peabody Dev	. Co., Ing. 25.0 Сис

TOWSON I ME LE S

TOWSON, MD, 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

1974. Item #

Petitioner's Attorney___

Petitioner Penerry Our Cor Submitted by Uhynick

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

Your Petition has been received * this 29th day of

Reviewed by Com

JANUARY 27, 18ra
AM.
PUBLIC HEARING Room
106, County Office Building, 117
106, County Office Building, 117

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one successive

weeks before the 27 day of January 1973 that is to say, the same was inserted in the issues of January 9,1975

STROMBERG PUBLICATIONS, Inc.

CERTIFICATE OF PUBLICATION

Avenue, Towson, Maryland	TOWSON, MD.,January 9, 1975
Zoning Commissioner of Bat County by authority of the Act and Regulations of Balti- ounty, will hold a public hear.	THIS IS TO CERTIFY, that the annexed advertisement wa
ion for Variance from the Regulations of Baltimore to permit a side yard set. Is feet to so hide instead required 10 for a land a sem side yards of the to instead, required 25 feet. found Regulation to be ex- found Regulation to the cal-	published in THE JEFFERSONIAN, a weekly newspaper printer and published in Townen. Haltimore County, Md., onco the cade accessive works before the 272h
had parred of land in the Volctive of Bullimore County. More at a Bullimore County. Sing at a Bullimore County long at a Bullimore London of the From the Westerty of York Rand and the set of York Rand and set of York Rand and set of York Rand which paid is recorded in the paid of York Rand and records of County in Liber 2004 folia County in Liber 2004 folia	day of
ing 2040.00 square feet less property of Peabody ret Co., Inc., as shown an filed with the Zoning	Cost of Advertisement, \$

PETITION	M	APPI	NG	PRO	OGRE	SS	SHE	ET		
FUNCTION		Мар		inal	Dup	licate	Tro	ting	200	Sheet
Descriptions checked and outline plotted on map	date	by	date	by	date	by	date	by	date	Ьу
Petition number added to outline										
Denied										-
Granted by ZC, BA, GC, CA										_
Reviewed by:			C	evise hange ap #		ıs: line (or desc	riptic	n	

	ZONING DEPARTMEN	TE OF POSTING T OF BALTIMORE COUNTY	(
	Town	on, Maryland	•
District 8 ^{TL} Posted for: APP	- CAL	Date of Postin	MARCH 15
Pega	ody Devekormen	- 0	
Location of property:	5/5 OF LINCOLD	ST 494' W OF	Vanu Rd
Location of property:	S/S OF LINSOLN	ST. 494' W. OF	Yerk Rd
Location of property:	5/5 OF LINSOLN	St. 494' W. of	/
Location of property:	5/5 OF LINSOLN	ST. 494' W. OF	/
Location of property:	S OF LINCOLN S	St. 494' W. of	F Yeen R

1-00

