

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Charles D. Malone & Christine M. Malone

I, or we, legal owner(s) 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 409, 7b, (6), to permit

0 offstreet parking in lieu of the required 4 spaces.

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

See attached description

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

Petitioner's Attorney
Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day

of 1975, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of July, 1975 at 10:30 o'clock a.m.

Zoning Commissioner of Baltimore County.

July 7, 1975

Mr. & Mrs. Charles D. Malone
111 Riverside Drive
Baltimore, Maryland 21221

RE: Petition for Variance
NE/corner of Riverside Drive and
Virginia Avenue - 15th Election
District
Charles D. Malone, et ux -
Petitioners
NO. 76-3-A (Item No. 216)

Dear Mr. & Mrs. Malone:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

RE: PETITION FOR VARIANCE
FOR OFF-STREET PARKING,
Northeast corner of Riverside
Drive and Virginia Avenue,
15th District.
CHARLES D. MALONE and
CHRISTINE M. MALONE
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 76-3-A, Item 216

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore

County Charter, I hereby enter my appearance in this proceeding. You are

requested to notify me of any hearing date or dates which may be now or

hereafter designated therefore, and of the passage of any preliminary or final

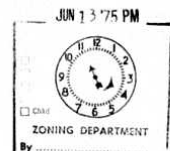
Order in connection therewith.

John W. Hession, III
People's Counsel

Charles E. Kowitz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed
this 13th day of June, 1975 to Charles D. Malone and Christine M. Malone,
111 Riverside Drive, Baltimore, Maryland 21221, Legal Owners.

John W. Hession, III
John W. Hession, III



I will not attend, JWH.

July 11, 1975

Mr. George J. Martinak, President
Essex Improvement Association, Inc.
408 C. rrele Avenue
Baltimore, Maryland 21221

RE: Petition for Variance
NE/corner of Riverside Drive and
Virginia Avenue - 15th Election
District
Charles D. Malone, et ux -
NO. 76-3-A (Item No. 216)

Dear Mr. Martinak:

Enclosed please find a copy of my Order that was passed in the
above referenced matter.

I would appreciate you contacting me at your earliest convenience
so that we may discuss another matter.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Enclosure

I feel that it is a hardship as far as a financial burden is concerned.
I do not feel that it is necessary to have a parking pad put on my
property for the use of a 3 night maximum period of time (Tues, Wed, Thurs-
7:00 to 10:00 p.m.). This is not always the case because some weeks I
only have class 2 nights a week. There is approximately four to five cars
there a night of which one may use my driveway. Most of the ladies that
come to my shop come in car pools due to the fact that they know each
other quite well and that it isn't trully safe to travel alone in the
evening. There is approximately 8 to 12 people a night attending my shop
for class. The average is not enough to warrant the additional expense of
installing and upkeeping the expense of a lot. I do not feel that it is
a problem to my neighbors as the letters explain that have been given to
me to use at the time of the public hearing. My neighbors also have no
recollection of a Mrs. Olson in the area. They feel that my shop is
not a problem to the neighborhood and have no complaints about it!
Mrs. Olson, whoever she may be, is incorrect as to the number of nights
I have class; when the shop is open; and who the shop is opened to. In
my shop I sell paints, greenware and do firing for students. This is not
a large scale shop but more of a club. The shop is only opened to those
parties that I know personally or who have been introduced to me by
someones that I know. It is not opened to the general public every hour of
the day or one hour of the day and will never be opened that way! I feel
I should be able to have who I want in my home.

Another reason for not installing a lot would be parking would become a
problem to my neighbors due to the amount of spaces used constantly by
the Essex Moose Lodge surrounding my property. If I put a lot in it
would send these members further down the street where there is not
as much open on the street spaces available to those neighbors. Members
of the Essex Moose monopolizes these spaces just about everynight and
weekend. I have no complaints about them as long as they don't block
my driveway. I do not feel they should have to park and walk a further
distance to their cars.

For these reasons I ask that my shop be excused and be allowed to use
on the street parking as many other shops in Essex have the privilege!

DESCRIPTION FOR VARIANCE

Located on the Northeast corner of Riverside Drive & Virginia Avenue
and known as lots # 5 & 6 as shown on Plat of Essex, Section A. Said plat
is recorded among land records of Baltimore County in Liber 3, Folio 15.

Also known as 111 Riverside Drive.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 25, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 76-3-A, Petition for Variance for Off-Street Parking,
Northeast corner of Riverside Drive and Virginia Avenue.
Petitioner - Charles D. Malone and Christine M. Malone

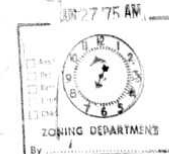
15th District

HEARING: Wednesday, July 2, 1975 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on
this petition at this time.

William D. Fromm
Director of Planning

WDF:NEG:rw



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 Regulation would result in practical difficulty and unreasonable hardship upon the Petitioners.

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, the Variance to permit zero (0) off-street parking spaces in lieu of the required four (4) spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of July, 1975, that the herein Petition for a Variance to permit zero (0) off-street parking spaces in lieu of the required four (4) spaces 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.

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 day of 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Mr. Charles D. Malone
111 Riverside Drive
Baltimore, MD. 21221

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 29th day of May, 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Charles D. & Christine M. Malone

Petitioner's Attorney

Reviewed by Franklin T. Hoggans, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 18, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hoggans, Jr.
Chairman

Mr. Charles D. Malone
111 Riverside Drive
Baltimore, Maryland 21221

RE: Variance Petition
Item 216
Charles D. & Christine
M. Malone - Petitioners

Dear Mr. Malone:

The Zoning Plans 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 at the northeast corner of Riverside Drive and Virginia Avenue, and is currently improved with a frame dwelling and frame garage. The current zoning of this property, B.L., permits a retail use of this property, but only in conjunction with required off street parking.

The petitioner is requesting a Variance to permit zero parking spaces instead of the required 4 spaces, in order that the basement and garage on this property may be utilized as a ceramic shop, without installation of off street parking facilities. The petitioner proposes to continue his residence at this location.

Mr. Charles D. Malone
Re: Item 216
June 18, 1975
Page 2

Adjacent properties exist as single family residences, with commercial uses along Riverside Drive as it approaches the Eastern Avenue business district.

As noted in the comments of the Department of Traffic Engineering, problems are not anticipated by this parking Variance for the use as proposed; however, more intense utilizations of this parcel could not be afforded a similar comment.

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,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.,
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

823-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles D. & Christine M. Malone

Location: NE/C of Riverside Dr. & Virginia Avenue

Item No. 216 Zoning Agenda May 27, 1975

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 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.

(X) 7. The Fire Prevention Bureau has no comment at this time.

Reviewed: [Signature] Noted and
Planning Group Approved:

Special Inspection Division

Deputy Chief
Fire Prevention Bureau

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



June 9, 1975

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 #216, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Charles D and Christine M. Malone
Location: NE/C of Riverside Drive and Virginia Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 409.2B(6) to permit 0 parking spaces in lieu of the required 4 spaces
No. of Acres: 14900 square feet
District: 15th

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 21, 1975

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 #216, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Charles D. & Christine M. Malone
Location: NE/C of Riverside Dr. & Virginia Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 409.2B (6) to permit 0 parking spaces in lieu of the required 4 spaces.

No. of Acres: 14900 sq. ft.
District: 15th

Public water and sewer existing.

No health hazards anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

EHV/bp

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EDWARD J. CLIFFORD, P.E.
DIRECTOR

WM. T. MALZER
DEPUTY TRAFFIC ENGINEER

June 9, 1975

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

Re: Item 216 - ZAC - May 27, 1975
Property Owner: Charles D. & Christine M. Malone
Location: NE/C of Riverside Dr. & Virginia Ave.
Existing Zoning: D. R. 5.5
Proposed Zoning: Variance from Sec. 409.2B (6) to permit 0 parking spaces in lieu of the required 4 spaces.
No. of Acres: 14900 sq. ft.
District: 15th

Dear Mr. DiNenna:

The requested variance to parking is not expected to cause any traffic as long as this is a resident and ceramic shop.

Very truly yours,

Michael S. Flanigan
Traffic Engineering Associate

NSF/bca

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3211 ZONING 494-3351

