

76-99-A
#59

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Robert G. Peck and Elaine M. Peck, his wife, and Donald O. Peck
I, or we, and Helen S. Peck, his wife, 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 255.1 (to allow a zero set back on the south side of the existing building and on the north side of the proposed

building) in lieu of the required thirty (30) feet setback for both the south

side yard of parcel "A" and the north side yard of parcel "B".
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

(1) The existing building on parcel "A" is owned by the contract seller of parcel "B" and no objection to the Variance is made by them. (2) The total lot consisting of parcels "A" and "B" is not now utilized to its economic potential but adherence to the 30' north side yard setback would make parcel "B" undevelopable. (3) The existing building and the proposed building will be abutting and all area requirements other than that for which Variance is requested will be met. (4) The combination of the existing and proposed buildings will present a unified appearance and the practical effect would be the same as if an extension to the existing building were constructed.

See attached description

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

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.

Robert G. Peck, Elaine M. Peck, his wife, Donald O. Peck, Legal Owner
Address: Helen S. Peck, his wife
c/o William F. Mosner, Esquire
21 W. Susquehanna Ave., Towson 21204

W. Lee Thomas, Esquire, Suite 314, 409 Washington Avenue, Towson, Md. 21204
Petitioner's Attorney
Protestant's Attorney

Address: 314, 409 Washington Avenue, Towson, Md. 21204
ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September, 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 3rd day of November, 1975, at 10:30 clock A.M.

Zoning Commissioner of Baltimore County
(over)

RE: PETITION FOR VARIANCE

East side of Greenspring Drive
1370 feet South of Timonium Road,
8th District

: BEFORE THE ZONING COMMISSIONER

: OF BALTIMORE COUNTY

ROBERT G. PECK, Petitioner

: Case No. 76-99-A

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.

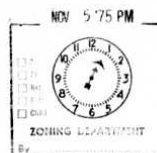
Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 1st day of November, 1975, a copy of the foregoing

Order was mailed to W. Lee Thomas, Esquire, Suite 314, 409 Washington Avenue, Baltimore, Maryland 21204, Attorney for Petitioner.

John W. Hession, III



W. Lee Thomas, Esquire
Suite 314
409 Washington Avenue
Towson, Maryland 21204

RE: Petition for Variance
E/S of Greenspring Drive 1370' S of
Timonium Road - 8th Election District
Robert G. Peck - Petitioner
NO. 76-99-A (Item No. 59)

Dear Mr. Thomas:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: William F. Mosner, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 3, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-99-A, Petition for Variance for Side Yards.
East side of Greenspring Drive 1370 feet South of Timonium Road
Petitioner - Robert G. Peck, et al

8th District

HEARING: Monday, November 3, 1975 (10:30 A.M.)

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

William D. Fromm
Director of Planning

WDF:NEG:rw

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

Description to Accompany Zoning Petition
for Sideyard Variance. Greenspring Drive
South of Timonium Road. Parcel "A"
Containing 0.444 Acres, more or less.

September 10, 1975
Beginning for the same on the east side of Greenspring Drive at a point 1370 feet more or less measured southerly along said east side from the center line of Timonium Road, thence binding on the east side of Greenspring Drive, southerly by a curve to the right having a radius of 2446.59 feet for a distance of 81.14 feet, said arc being subtended by a chord bearing South 12° 34' 40" East 81.13 feet, thence leaving said Drive and running the three following lines viz: North 80° 27' 02" East 237.89 feet, North 9° 22' 38" West 80.29 feet and South 80° 37' 22" West 242.42 feet to the place of beginning.

Containing 0.444 Acres of land, more or less.



FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

Description to Accompany Zoning Petition
for Sideyard Variance. Greenspring Drive
South of Timonium Road. Parcel "B"
Containing 0.649 Acres, more or less.

September 10, 1975
Beginning for the same on the east side of Greenspring Drive at a point 1488 feet more or less measured southerly along said east side from the center line of Timonium Road, thence binding on the east side of Greenspring Drive the two following lines, viz: southerly by a curve to the right having a radius of 2446.59 feet for a distance of 96.10 feet, said arc being subtended by a chord bearing South 10° 30' 09" East 96.09 feet and South 9° 22' 38" East 22.92 feet, thence leaving said Drive and running the three following lines viz: North 80° 37' 22" East 236.00 feet, North 9° 22' 38" West 119.71 feet and South 80° 27' 02" West 237.89 feet to the place of beginning.

Containing 0.649 acres of land, more or less.



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

October 8, 1975

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

Re: Item 59 - ZAC - Sept. 30, 1975
Property Owner: Robert G., Elaine M., Donald O.
& Helen S. Peck

Location: Parcel A - E/S Greenspring Dr. 1370' S
of Timonium Rd.
Parcel B - E/S Greenspring Dr. 1451' S
of Timonium Rd.

Existing Zoning: ML - IM
Proposed Zoning: Var. from Sec. 255.1 to allow a 0' setback on s/s of existing bldg. & on N/S of proposed bldg., in lieu of required 30' setback for both the s/s yard of Parcel "A" & N/S yard of Parcel "B"
No. of Acres: Parcel A-0.444 Parcel B-0.649
District: 8th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the side yard setbacks.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSP:nc

DEC 17 1975

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, a Variance to permit zero setback on the south side yard of Parcel "A" and zero setback on the north side yard of Parcel "B" instead of the required 30 feet should be granted.

It IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of November, 1975, that the herein Petition for the aforementioned 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.

Deputy Zoning Commissioner of 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 14th day of November, 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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

Bureau of Engineering
ELLENWORTH N. DIVER, P.E., CHIEF

October 11, 1975

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

Re: Item #59 (1975-1976)
Property Owner: Robert G., Elaine M., Donald O. & Helen S. Peck
Parcel A - E/S of Greenspring Dr., 1370' S. of Timonium Rd.
Parcel B - E/S of Greenspring Dr., 1451' S. of Timonium Rd.
Existing Zoning: ML - IM
Proposed Zoning: Variance from Sec. 255.1 to allow a 0' setback on S/S of the existing building and on the N/S of the proposed building in lieu of the required 30' setback for both the S/S yard of Parcel "A" and the N/S yard of Parcel "B".
No. of Acres: Parcel A - 0.444 Parcel B - 0.649
District: 8th

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:

Greenspring Drive, an existing County road, is proposed to be improved in the future in this vicinity as a 45-foot sloped section roadway on a 40-foot right-of-way. Highway improvements for any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

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 strippling, grading and stabilization could result in a sedimentation problem, damaging private and public buildings downstream of the property. A grading permit is, therefore, necessary for all grading, including the structure of the building.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. HOGANS, JR.
Chairman

October 24, 1975

W. Lee Thomas, Esq.
Suite 314, 409 Washington Avenue
Towson, Maryland 21204

RE: Variance Petition
Item 59
Robert Gwynn Peck and Elaine M. Peck,
his wife, and Donald O. Peck and
Helen S. Peck, his wife - Petitioners

Dear Mr. Thomas:

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 consists of two parcels of land on the east side of Green Spring Drive, 1370 feet south of Timonium Road. An existing building on Parcel "A" is presently utilized for manufacturing and storage purposes.

A subdivision of this overall property is proposed to create the aforementioned parcels, with a line of division proposed along the southernmost wall of the existing building. On Parcel "B" is proposed a warehouse building which will also abut this line of division, and it is the proximity to this division line of not only the proposed building but also the existing building, which necessitates a Variance in this case. The existing building to the rear of

Item #59 (1975-1976)
Property Owner: Robert G., Elaine M., Donald O. & Helen S. Peck
Page 2
October 11, 1975

Storm Drains:

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.

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are serving this property which is tributary to the Jones Falls Sanitary Sewer System, subject to State Health Department imposed restrictions.

Very truly yours,

ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:PMW:as

cc: J. Trenner

S-16 Key Sheet
S1 NW 3 Post Sheet
NW 13 A Topo
S1 Tax Map

W. Lee Thomas, Esq.
Re: Item 59
October 24, 1975
Page 2

Parcel "B" is proposed to be removed, and that area of the property is proposed to be utilized as parking.

The existing development to the north and south of this property is industrial in nature. The rear of this property abuts a drainage area and the right-of-way of the Northern Central Railroad.

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. HOGANS, JR.
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure

cc: George William Stephens, Jr.
and Associates, Inc., Engineers
P.O. Box 6828
Towson, Md. 21204

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-3211

WILLIAM D. FROMM
DIRECTOR

October 22, 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 #59, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: Robert G. Elaine M., Donald O. and Helen S. Peck
Location: Parcel A - E/S of Greenspring Drive 1370' S of Timonium Road
Parcel B - E/S of Greenspring Drive 1451' S of Timonium Road
Existing Zoning: M.L.-I.M.
Proposed Zoning: Variance from Sec. 255.1 to allow a 0' setback on S/S of the existing building and on the N/S of the proposed building in lieu of the required 30' setback for both the S/S yard of parcel "A" and the N/S yard of Parcel "B".
No. of Acres: Parcel A - 0.444 Parcel B - 0.649
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 L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

October 15, 1975

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert G., Elaine M., Donald O. & Helen S. Peck

Location: Parcel A - E/S of Greenspring Drive 1370' S of Timonium Road
Parcel B - E/S of Greenspring Dr. 1451' S of Timonium Road
Item No. 59 Zoning Agenda September 30, 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.

(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

() 4. EXCEEDS the maximum allowed by the Fire Department.
() 5. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. 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: H. J. Kelly Noted and Approved: Paul H. Reinke
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

baltimore county
department of health
TOWSON, MARYLAND 21204

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

October 8, 1975

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

Dear Mr. DiNenna:

Comments on Item #59, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: Robert G., Elaine M., Donald O. & Helen S. Peck
Location: Parcel A - E/S of Greenspring Dr. 1370' S of Timonium Rd.
Parcel B - E/S of Greenspring Dr. 1451' S of Timonium Rd.
Existing Zoning: ML - IM
Proposed Zoning: Variance from Sec. 255.1 to allow a 0' setback on S/S of the existing bldg. & on the N/S of the proposed bldg. in lieu of the required 30' setback for both the S/S yard of parcel "A" & the N/S yard of parcel "B".

No. of Acres: Parcel A - 0.444 Parcel B - 0.649
District: 8th

Metropolitan water and sewer existing.

A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:dls

OCT 17 1975

