PETITION FOR ZONING RE-CL SSIFICATION AND/OR SPECIAL EXCEPTION 76-130 ×A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

PECK

I, or we, ALAN PECK AND PRANCA/ legel owner s of the property situate in B County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant

___zone; for the following reasons



and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Balt County, to use the herein described property, for a special exception for offices

and an office building in a D.R. 16 zone

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. upon filing of this petition, and further agree to and are to be bound by the zoning ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltim

P.M.

alanteck Alan Pegk
Franca Fick
Legal Own Address 314 Ridgley Road, East

James D. Nolan
Nolan Plumber Milliams

g & Williams Petitioner Attorney Lutherville, Maryland 21093

204 W. Pennsylvánia Ave.
Towson, Maryland 21204
823-7800 ORDERED By The Zoning Con sioner of Baltimore County this 28th

... 1975 , that the subject matter of this petition be advertised as aired by the Zoning Law of Baltimore County, in two newspapers of general circulation through required by the Zoning Law of Baltimore County, in two newspapers or general curvature.

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Committedioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of December 197 5 at 1:00 o'clock

> Von - Volume Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

I, or we, AJAM, PECK, AND, PRANCA/...legal owners of the property situate in Baltimore unty and which is described in the described and plat attached hereto and made a part hereof.

for a Variance from Section 1802.2B. and Section V.B. 2. of The

Comprehensive Manual of Development Policy and other applicable sections to permit a side yard of fifteen (15) feet for an existing building in lieu of the required twenty-five (25) feet

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

1. That without the requested variance the Petitioners and Contract Purchaser will experience practical difficulty and unreasonable hardship.

2. That the requested variance is in accordance with the spirit and intent of the Regulations since the existing building is constructed within fifteen (15) feet of the property line and was constructed in accordance with subdivision regulations in effect at the time of construction.

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

Low we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this tilon, and further agree to and are to be bound by the zoning regulations and restrictions of month of the zoning Law For Baltimore County.

ponald L. Ruggles Control purpler 800 Court Square Building Address Baltimore, Maryland 21202

France Peck Address 314 Ridgley Road, East. Lutherville, Maryland 21093

Volan, Plumhoff & Williams Wolan, Plumhoff & Wil

15th ___day of December 197 5, at 1:00 o'clock .P. M.

Zoning Commissioner of Baltimore County

PETITIONS FOR SPECIAL EXCEP- : TION AND VARIANCE Alan Peck, et ux - Petitioners NO. 76-130-XA (Item No. 92)

BEFORE THE OF

111 111 111

FOR FULING

ORDER

DATE

BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of Peti tions filed by Alan and Franca Peck, for a Special Exception for an office build ing and offices in a D. R. 16 Zone, and, additionally, a Variance to permit a side yard setback of 15 feet for an existing building in lieu of the required 25 feet. The subject property is located on the southeast corner of York and on Roads, in the Eighth Election District of Baltimore County, and

Let it be noted that, although People's Counsel entered his appearance. e did not attend the hearing

Testimony on behalf of Mr. Peck indicated that he purchased and moved to the subject property in 1948 and had lived there for approximately 26 years Further testimony indicated that the anticipated use of the subject property is that of law and advertising agency offices. It was also indicated that the Petiioner proposes to construct a 30 foot by 47 foot addition to the existing house.

A shopping center is located on York Road, immediately to the south of

Mr. Hugh Gelston, a qualified expert in the field of zoning, indicated that anticipated use would not be detrimental to the health, safety, general welfare of the community and, furthermore, that traffic, emanating subject property, would not overburden the immediate roads. Mr. ston further indicated, from a planning standpoint, that the subject property is the only residentially zoned property in that block of York Road, and, if the

property were converted to offices, it would be considered a good buffer for those residences residing to the east of the subject property.

Mrs. Janet Stover, a representative of the residents of the area, indicated that she was not opposed to the subject Petition and that the proposed use would ot, in her opinion, have an adverse affect upon the area.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations Furthermore, as strict compliance with the Zoning Regulations would result in practical difficulty and/or unreasonable hardship upon the Petitioners and as it does not adversely affect the health, safety, or general welfare of the community, the requested Variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore day of February, 1976, that the Special Exception for an office building and offices should be and the same is GRANTED, and the Variance to permit a side yard setback of 15 feet for an existing building in lieu of the required 25 feet should be and the same is GRANTED, from and after the date of this Order, subject to the following restrictions

- The subject property must be developed in substantial compliance with the site plan, as submitted with this Petition.
- Any future addition to said building shall not exceed the square footage indicated on the plat, dated October 13, 1975.
- Approval of a site plan by the State Highway Admin-istration, the Department of Public Works, and the Office of Planning and Zoning.

10/1 ing Commissioner of Baltimore County

February 9, 1976

James D. Nelan, Esquire 204 West Pennsylvania Av Towson, Maryland 21204

RE: Petitions for Special Exception and Variance
SE/corner of York and North-

Dear Mr. Nolan

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

SED/sew

c: Mrs. Janet Stover onium, Maryland 21093

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

E F BARMEL & ASSOCIATES registered Professional Land Surveyor 201 COURTLAND AVENUE CHARLES MARYLAND 21204

76-130

Description to Accompany Petition for Special Exception for Office - Peck Property

Beginning for the same at a point on the east Right of Way Line of York Road as now widened and the south Right of Way Line of Northampton Road. Running thence on the southernmost Right of Way Line of Northampton Road the two following courses and distances (1) N-26-51-29-E 39.45 ft. and (2) N-65-34-57-E 108/E thence leaving the south Right of Way Line of Northampton Road and binding on the easte amost and southernmost outline of C. Allen Peck, Jr. & wife the two following courses and distances (1) 5-20-23-21-£ 120.38 ft. and 5-65-34-57-W 136.34 ft. to intersect the east Right of Way Line of York Road as now widened, running thence and binding on the east Right of Way Line of York Road N-20-12-10-W 95.63 ft. to the place of Beginning.

Containing 0.368 Acres of Land more or less. Being the property of C. Allen Peck, Jr. & wife.



76-130-1A Baltimore County, Margland Bepartment Of Fublte Borks COUNTY OFFICE BUILDING

December 17, 1975

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item #92 (1975-1976)
Property Owner: Alan & Franca Peck
5/E cor. of York and Northampton Roads
Existing Zoning: DR 16 and DR 3.5
Proposed Zoning: Special Exception for offices
and an office building and a Variance from
Sec. 1802.2B and Sec. VB 2 of the Comprehensive
Manual of Development policy to permit a side
yard of 15' in lieu of the required 25'.
No. of Acres: 0.368 District 6th

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.

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #12, Cycle I (April - October 1971) are referred to for your

The construction and/or reconstruction of sidewalks, curb and gutter, entrance apron, etc. as may be required will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic neering and shall be constructed in accordance with Baltimore County Standards This property is tributary to the Jones Fallssanitary sewer system, subject to

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #92 (1975-1976).

Very truly yours,

ELLSWORTH N. DIVER, P.E.

END: EAM: PWR: SE

S-SE Key Sheet 50 NW 1 Pos. Sheet NW 13 A Topo and 60 Tax Map



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

PETITION FOR VARIANCE

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

ALAN PECK, Petitions

: Case No. 76-130-XA

ORDER TO ENTER APPEARANCE

......

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 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. Deputy People's Counsel

John W. Hessian, III People's Counsel County Office Building

I hereby certify that on this 11th day of December, 1975, a copy of the foregoing Order was mailed to James D. Nolan, Esquire, 204 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.





Baltimore County Fire Department

PAUL H. REINCKE



Towson, Maryland 2120-925-7310

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

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: Alan & Franca Peck Togetion: SE/C of York & Northampton Roads

Item No. 92

Zoning Agenda November 11, 1975

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with am "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 read in accordance with Baitinger County Standards as published by the Department of Public MorKs, NOTE: Hydrant on corner of York Road also one on first block Northampton, Hydrants not shown on plans.

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. EXCESSE the maximum allowed by the Fire Department.

| L. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operations.
| S. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Protection
Association Standard No. 10. The Life Safety Code', 1970 Edition prior

() 6. Site plans are approved as drawn.

(XXX) 7. The Fire Prevention Bureau has no comments at this time.

Planning Group Special Inspection vision

Acting Deputy Chief Fire Prevention Bureau

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building Towson, Maryland 21204

Your Petition has been received and accepted for day of 19785 filing this 10th

Petitioner Alen & France Post Petitioner's Attorney Sames D. Holen

, th

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Franklin'T. Hogan XXXXXXXXXXXXXXXX

MEMBERS CONING ADMINISTRATION HEALTH DEPARTMENT

STATE HIGHWAY

BUREAU OF ENGINEERING PROJECT AND DEVELOPMENT PLANN

INDUSTRIAL DEVELOPMENT COMMISSION BOARD OF EDUCATION OFFICE OF THE BUILDINGS ENGINEER December 8, 1975

James D. Nolan, Esq. Nolan, Plumhoff & Williams 204 W. Pennsylvania Avenue Towson, Maryland 21204

RE: Special Exception Petition Alan & Franca Peck - Petitioners

Dear Mr. Nolan:

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 on the southeast corner of York and Northampton Roads, and is currently improved with an existing single family dwelling. This property abuts along its southern boundary the Grand York Shopping Center, and abuts on its eastern boundary single family detached dwellings fronting on Northampton Road.

Although the majority of this property is zoned D.R. 16, approximately 30 feet of the rear of this property is zoned D.R. 3.5. The petitioner is requesting a Special Exception to permit the use of this property as offices.

James D. Nolan, Esq. Re: Item 92 December 8, 1975

In requesting this Special Exception, the petitioner also proposes to construct an addition to the existing house 47'x30', and is also requesting a Variance to permit a setback of 15 feet on the southernmost side of the existing house in lieu of the required 25 feet.

In light of the fact that no request is herein made for a Special Hearing to permit parking in the D.R. 3.5 portion of the property, it is noted therefore that said portion may not in any case be used for automobile accessory parking.

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

FTH: JD

Enclosure

cc: E. F. Raphel & Associates 201 Courtland Avenue Towson, Md. 21204

TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

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

: Item 92 - ZAC - November 11, 1975
Property Owner: Alan & Franca Peck
Location: SE/C of York & Northampton Rds.
Existing Zoning: DR 16 & DR 3.5
Proposed Zoning: DR 16 & DR 3.5
Proposed Zoning: S.E. for offices & an office bldg. & variance from Sec.
1802.28 & Sec. VB 2 of the Comprehensive Nanual of
Development policy to permit a side yard of 15' in lieu
of required 25'
No. of Acres: 0.368
District: 8th

As presently zoned, this site will generate approximately 45 trips The proposed Special Exception would generate approximately 70 trips

The York Road Corridor is experiencing capacity problems at this time and any increase in traffic is undesirable.

Very truly yours. Midael & Homes Michael S. Flanigan Traffic Engineer Associate

MSF:nc

Harry R. Hughes Bernard M. Evans

November 7, 1975

Mr. S. Fric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

ATTN: Mr. Franklin Hogans

Rei Z.A.C. meeting; 11-11-75
ITEM: #92
Frop. Owner: Alan & Franca Peck
Location: \$E/corner of York Rd.
(Rt. 45) & "Orthagston Road
Existing Zoning: DR 16 & DR 3.5
Froposed Zoning: S.E. for offices
& variance to permit aside
yard of 15' in lieu of the required 25'

Dear Mr. Di Nenna:

No direct access is proposed from York Road; therefore, there will be no requirements from the State Highway Administration.

No adverse effects to the State Highway are anticipated by the de-

CL:gjc

Very truly yours.

Charles Lee, Chief Bureau of Engineering Access Permits

Joh 1 mye by: John E. Meyers



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

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and 7oning County Office Building Towson, Maryland 2.04

Dear Mr. DiNennat

Comments on Item #92, Zoning Advisory Committee Meeting. November 11, 1975, are as follows:

Property Owner: Alan & Franca Peck
Location: SE/C of York & Northampton Rds.
Existing Zoning: DR 16 & DR 3.5
Proposed Zoning: Special Exception for offices and an
office bldg, & a variance from Sec. 1802.28
& Sec. VB 2 of the Comprehensive Manual of
Development policy to permit a side yard
of 15' in lieu of the required 25'.
No. of Acres: 0.368 No. of Acres: 0.368 District: 8th

Metropolitan water and sewer are existing.

A moratorium was placed on new sever connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Bygiene, on November 13, 1975; therefore, approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

UHVB:d1s€

P.O. Box 717 / 300 West Preston Street. Baltimore, Maryland 21203



November 14, 1975

Mr. S. Eric Di Nenna: Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Di Nenna:

Comments on Item #92, Zoning Advisory Committee Meeting, November 11, 1975, are as follows:

Location: 5E/C of York and Northampton Roads Existing Zoning: D.R.16 and D.R.3.5

Proposed Zoning: D.X.10 and D.X.3.5
Proposed Zoning: Special Exception for offices and an office building and a Variance from Sec. 1872.28 and Sec. VB 2 of the Comprehensive Manual of Development policy to permit a side yard of 15' in lieu of the required 25'.
No. of Acres: 0.368

District: 8th

This office has reviewed the subject perition 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

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

John 2 Wimbley

John L. Wimbley Planning Specialist II Project and Development Planning

ATE & TIME MONDAY, DECEMBER 15, 1975 at 1 m TOWSON MD 21204

OFFICE OF TOWSON I MIES

THIS IS TO CERTIFY, that the annexed advertisement of

ie for Variance. From the Zening Regulations of Petition for special Exception & Variance— C. Allen Peck we Castly, special and of B for for an entity of the Castle and th

In Baltimore County, Maryland, once a week for one (Nethorapea Read Research Head of Way)

(Nethorapea Read Research Head of Research Head of Way)

(Nethorapea Read Research Head of Research Head of Read of 1975 that is to say, the same

STROMBERG PUBLICATIONS, Inc.

By Patti Smirk

PETITION FOR SPECIAL
EXCEPTION AND VARIANCE
SAD DISTRICT NG: Putition for Special Excep-

0 CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was appearing on the 27th day of November 19.75_..

THE JEFFERSONIAN.

Cost of Advertisement, \$__

CERTIFICATE OF POSTING ARTMENT OF BALTIMORE COUNTY

471 120 VA

		A 16-130-XM
District. 8	Det	e of Posting 11-30-25
Posted for Hilling Monday	An 15. 1975 C	1'00 A.N.
Posted for History Monday Petitioner alan Bak		
Location of property: SE/LURE 4	Jak Bd. 4 Horth	hampetin Ad
Location of Signs: Layer Geo	ts on Joh Bl.	on losses
Remarks		
Posted by Mul H. News	Date of re	turn 12-4-75

PETITION	M	APPI	NG	PRO	OGRE	SS	SHE	ET		
FUNCTION		200	200 Sheet							
TOTOTION	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: チタH					d Pla		or desc	ripti	on.	Ves
Previous case:									-	

	BALTIMORE	County Off 111 W. Che Towson, Ma	ice Buildi sapeake Av	ng	ZONING	
0 4	Your Per	ition has			3/5	day of
Oct	1975.	Filing F	ee \$_50	<u> </u>	Received	Chreck
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Petitione	r's Attorne	y_100/	4N	Reviewed	by FA	San S
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BALTIMORE COUNTY, MARYLAND Me. 28217 OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE Dec. 19, 1975 ACCOUNT 01-662 AMOUNT \$69.25 ACCEPTED Resers. Solan, Plumboff & Williams, 20t V.
Penna. Ave., Townon, Ed. 2120t;
ros. Adventising and posting of property for
Alan Peck. #76-130-18 2887 TRUE 17 6925 HSC

VALIDATION OR SIGNATURE OF CASHIER

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

DATE NOV. 24, 1975 ACCOUNT 01-662

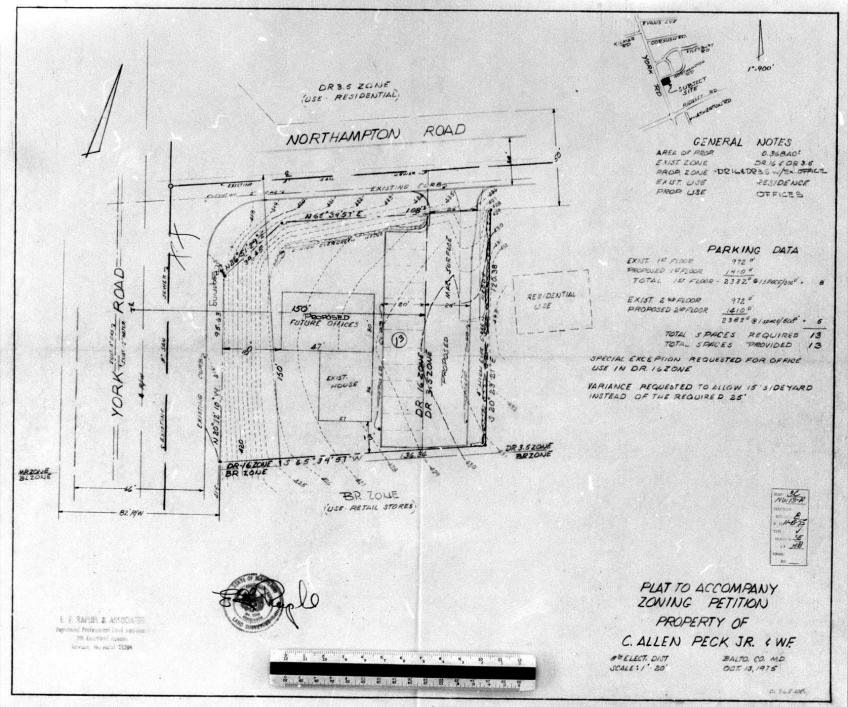
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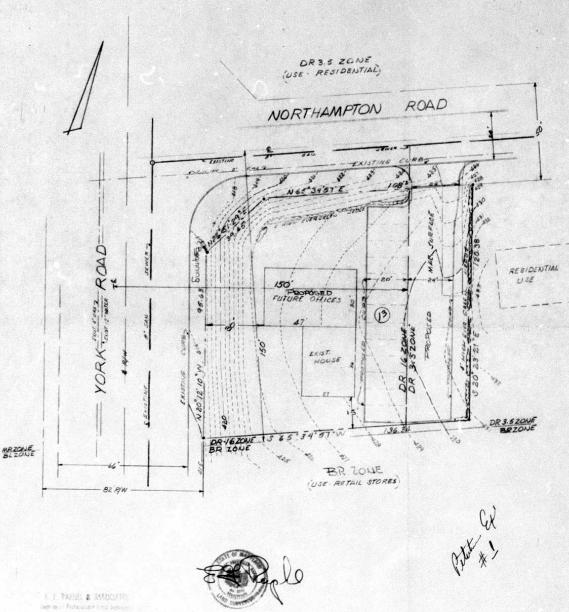
AMOUN \$50.00

50.00mg

ATECOVE RESERVE. Holan, Flumboff & Williams 201, V. Penna. Ave., Towson, Md. 21201, petition for Special Exception and Variance for Alan Peck, et al. 76-130-XA

VALIDATION OR SIGNATURE OF CASHIER





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STATE SECTION 75291

PUALUS AVE POR SUSSIMED.

POR SUSSI

GENERAL NOTES

AREA OF PROP. 0.368AGE
EXIST. ZONE DR.16 COR 3.6
PROP. ZONE DR.16 COR 3.6
PROP. USE RESIDENCE
PROP. USE OFFICE 9

PARKING DATA

EXIST IN FLOOR 972 "

PROPOSED IN FLOOR 1410 "

TOTAL IST FLOOR 2382" DISPASSES. 8

EXIST. 2 SEFLOOR 972 0 PROPOSED 2 PFLOOR 1410 0

2382" 3 / spice/508" . 5

TOTAL SPACES REQUIRED 13
TOTAL SPACES PROVIDED 13

SPECIAL EXCEPTION REQUESTED FOR OFFICE USE IN DR. 1620NE

VARIANCE REQUESTED TO ALLOW 15'S DEYARD INSTEAD OF THE REQUIRED 25'

PLAT TO ACCOMPANY ZONING PETITION PROPERTY OF

C. ALLEN PECK JR. & WF.

SCALE: 1 . 20

BALTO. CO. MD. OCT. 13, 1975

0.367 AVS

