

76-257-24 #213 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, H. Stephens Dance, 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 409-28(1) to permit 1.00 parking space instead of the required four (4) parking spaces.

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

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 of Baltimore County.

Contract purchaser H. Stephens Dance Legal Owner
Address 19 M. Pennsylvania Avenue
Towson, Maryland 21204

E. Harrison Stone Petitioner's Attorney
Address 102 M. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY THE Zoning Commissioner of Baltimore County, this 4th day of May, 1976, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of June, 1976, at 10:00 o'clock.

E. Harrison Stone
Zoning Commissioner of Baltimore County.

76-257-24 #213 **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, H. Stephens Dance, 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 Special Exception to the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See attached description

under for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for offices.

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, 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 of Baltimore County.

Contract purchaser H. Stephens Dance Legal Owner
Address 19 M. Pennsylvania Avenue
Towson, Maryland 21204

E. Harrison Stone Petitioner's Attorney
Address 102 M. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY THE Zoning Commissioner of Baltimore County, this 4th day of May, 1976, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of June, 1976, at 10:00 o'clock.

E. Harrison Stone
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 M. Classapeake Avenue
Towson, Maryland 21204

this 11th day of May, 1976.

Petitioner H. Stephens Dance
Petitioner's Attorney E. Harrison Stone Reviewed by Franklin E. Hogan, Jr.
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 7, 1976

E. Harrison Stone, Esq.
102 M. Pennsylvania Avenue
Towson, Maryland 21204

RE: Variance Petition
Item 213
H. Stephens Dance - Petitioner

Dear Mr. Stone:

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 southwest side of Joppa Road, 27.70 feet east of Bosley Avenue, and is currently improved with an existing semi-detached dwelling. The petitioner is requesting a Special Exception to permit office use, and a Variance to permit one parking space in lieu of the required four spaces. The petitioner should note with particular interest the comments of the Bureau of Engineering and the Department of Traffic Engineering.

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

E. Harrison Stone, Esq.
Re: Item 213
June 7, 1976
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than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

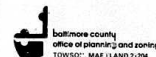
Very truly yours,

Franklin E. Hogan, Jr.
Chairman, Zoning Plans
Advisory Committee

ETH:JD

Enclosure

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Md. 21204



WILLIAM D. FROMM
DIRECTOR

May 11, 1976

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 #213, Zoning Advisory Committee Meeting, April 27, 1976, are as follows:

Property Owner: H. Stephens Dance
Location: SW/S Joppa Road 27.70' E. Bosley Avenue
Existing Zoning: D.R.16
Proposed Zoning: Special Exception for offices and Variance to permit 1 parking space in lieu of the required 4 spaces
Acres: 0.05
District: 9th

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



May 28, 1976

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

Re: Item #213 (1975-1976)
Property Owner: H. Stephens Dance
5/26 Joppa Rd., 27.70' E. Bosley Ave.
Existing Zoning: DR 16
Proposed Zoning: Special Exception for offices and Variance to permit 1 parking space in lieu of the required 4 spaces.
Acres: 0.05 District: 9th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The submitted plan must be revised to indicate the stone parking spaces; the existing water main and sanitary sewerage in relation to this site; and a location or vicinity map should also be provided on the plan.

Highways:

Bosley Avenue and Joppa Road, existing County roads, have recently been reconstructed in this area. Joppa Road is proposed to be further improved in the future as a 44-foot closed section roadway on a 76-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening on Joppa Road, together with any necessary re-entrant easements for stone walls, will be required in connection with any grading or building permit application. Further information may be obtained accordingly.

The residue property on the west side of this site is, as indicated, under Baltimore County, Maryland ownership. The petitioner is utilizing a portion of the Petitioner November 25, 1975 to construct the existing residential driveway entrance on Bosley Avenue, according to Baltimore County Standards. The petitioner's property does not have access to the alley located to the east.

It would be preferable to not have the existing, or any driveway entrance along Bosley Avenue. It would be desirable that ultimately a cooperative common access for access and parking could be arranged for the petitioner's property, 225 W. Joppa Road, and the properties east thereof, Nos. 223 and 221 via the alley. This alley is

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, the Variance to permit one off-street parking space in lieu of the required four parking spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of June, 1976, 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.

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 196, that the above Variance be and the same is hereby DENIED.

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 requirements of Section 592.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for offices should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of June, 1976, that the Special Exception for offices 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 re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 197, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as to remain a zone; and/or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Item #213 (1975-1976)
Property Owner: H. Stephens Dance
Page 2
May 28, 1976

Highways: (Cont'd)

Ultimately to be improved as an 18-foot curbed alley on a 22-foot right-of-way. The Petitioner's present driveway entrance on Bosley Avenue would then be removed. However, the entrance location is subject to approval of the Department of Traffic Engineering, and must be constructed in accordance with Baltimore County Standards.

Any construction or reconstruction of sidewalk, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

Sediment Control:

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

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any obstructions 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 are serving the dwelling on this site. This property is tributary to the Jones Mills Sanitary Sewer System subject to State Health Department imposed maximum restrictions.

Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Edmund H. Moore, Jr.
Edmund H. Moore, Jr., P.E.
Chief, Bureau of Engineering

END:EMH:PS:IS

cc: J. Treumer
J. Soars
W. Hurcha
R. Moore

H-100 Key Sheet
39 No 2 Pos. Sheet
No. 10 A Topo
70 & 70A Tax Maps

Baltimore County
Department of Public Engineering
TOWNSHIP, MARYLAND 21204
(301) 494-3550
STEPHEN E. COLLINS
DIRECTOR

May 17, 1976

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

Re: Item 213 - ZAC - April 27, 1976
Property Owner: H. Stephens Dance
Location: 3045 Joppa Rd. 27.70' E. Bosley Ave.
Existing Zoning: D.R. 15
Proposed Zoning: Special exception for offices and variance to permit 1 parking space in lieu of the required 4 spaces

Acres: 0.5
District: 9th

Dear Mr. DiNenna:

The requested special exception for an office building is not expected to be a major traffic generator.

The requested variance to parking can be expected to cause some traffic problems due to the limited on street parking available in the Towson area.

The one parking space proposed for this site requires backing onto Bosley Avenue, and no parking arrangement that requires backing onto Bosley Avenue can be approved by this department.

Very truly yours,

Richard J. Flanagan
Traffic Engineer Associate

NSP:ZZ

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROD, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 18, 1976

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

Dear Mr. DiNenna:

Comments on Item #213, Zoning Advisory Committee Meeting, April 27, 1976, are as follows:

Property Owner: H. Stephens Dance
Location: 3045 Joppa Rd. 27.70' E. Bosley Ave.
Existing Zoning: D.R. 15
Proposed Zoning: Special Exception for offices and variance to permit 1 parking space in lieu of the required 4 spaces.

Acres: 0.05
District: 9th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Davis, Director
BUREAU OF ENVIRONMENTAL SERVICES

HER:ph

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 28, 1976

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

Z.A.C. Meeting of: April 27, 1976

Re: Item 213
Property Owner: H. Stephens Dance
Location: 3045 Joppa Rd. 27.70' E. Bosley Ave.
Present Zoning: D.R. 15
Proposed Zoning: Special Exception for offices and Variance to permit 1 parking space in lieu of the required 4 spaces.

District: 9th
No. Acres: 0.05

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich, Jr.
W. Nick Petrovich, Jr.,
Field Representative.

NSP/al

JOHN W. HESTON, III
People's Counsel

JOHN W. HESTON, III
People's Counsel

JOHN W. HESTON, III
People's Counsel

RE: PETITION FOR SPECIAL EXCEPTION
and
PETITION FOR VARIANCE
FOR BALTIMORE COUNTY
St. corner of Bosley Avenue and
Joppa Road, 9th District
H. STEPHENS DANCE, Petitioner : Case No. 76-257-XA

MOTION TO DISMISS APPEAL

To the Honorable, the Members of Said Board:

The Motion of the People's Counsel for Baltimore County respectfully represents:

- That by an Order passed on June 24, 1976, the Zoning Commissioner of Baltimore County granted unto the applicant a Special Exception for offices and a variance to permit one (1) parking space instead of the required four (4) parking spaces.
- That thereafter, on July 21, 1976, your Movant filed an appeal from said Order to this Board, and the matter is presently pending for hearing.
- That because the appeal was of necessity directed to the total proceeding, that is, both the Special Exception and the parking variance, the immediate concern was with regard to the parking variance.
- That your Movant's investigation of the general circumstances with regard to the area, previous action of Baltimore County, Maryland, with regard to the provision of a curb cut, and the availability of additional parking area within the permitted 500-foot radius of the subject property, in accordance with the Baltimore County Zoning Regulations, now produces the conclusion that the public interest would be served by the maintenance of this appeal.
- That your Movant is the only appellant in this proceeding.

WHEREFORE, it is respectfully moved that the County Board of Appeals by an appropriate order dismiss the appeal pending in this matter.

AND AS IN DUTY BOUND, etc.,

John W. Heston, III
People's Counsel

June 24, 1976

E. Harrison Scuse, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Variance
SW/corner of Bosley Avenue and Joppa Road - 9th Election District
H. Stephens Dance - Petitioner
NO. 76-257-XA (Item No. 213)

Dear Mr. Scuse:

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

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

cc'd/saw

Attachments

cc: Mr. Mary Glen
506 International Road
Baltimore, Maryland 21204

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

RE: PETITION FOR SPECIAL EXCEPTION
and
PETITION FOR VARIANCE
SW/corner of Bosley Avenue and
Joppa Road, 5th District
H. STEPHENS DANCE, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-257-XA

ORDER FOR APPEAL

Mr. Commissioner:

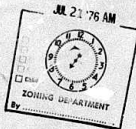
Please note an Appeal from the decision of the Zoning Commissioner in the above-entitled matter under date of June 24, 1976, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

John W. Heslon, III
People's Counsel

Charles E. Kuntz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of July, 1976, a copy of the foregoing Order was mailed to E. Harrison Stone, Esquire, 102 West Pennsylvania Avenue, Towson, Maryland 21204, and Mrs. Mary Ginn, 406 Homcrest Road, Baltimore, Maryland 21204.

Charles E. Kuntz, Jr.
Charles E. Kuntz, Jr.



RE: PETITION FOR SPECIAL EXCEPTION
and
PETITION FOR VARIANCE
SE corner of Bosley Ave. & Joppa Road,
9th District
H. STEPHENS DANCE, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-257-XA

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

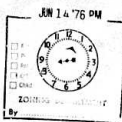
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to E. Harrison Stone, Esquire, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, this 11th day of June, 1976.

John W. Heslon, III
John W. Heslon, III



BALTIMORE COUNTY, MARYLAND

OFFICE CORRESPONDENCE

TO: S. L. DiKenna, Zoning Commissioner Date: June 2, 1976

FROM: William D. Fromm, Director of Planning

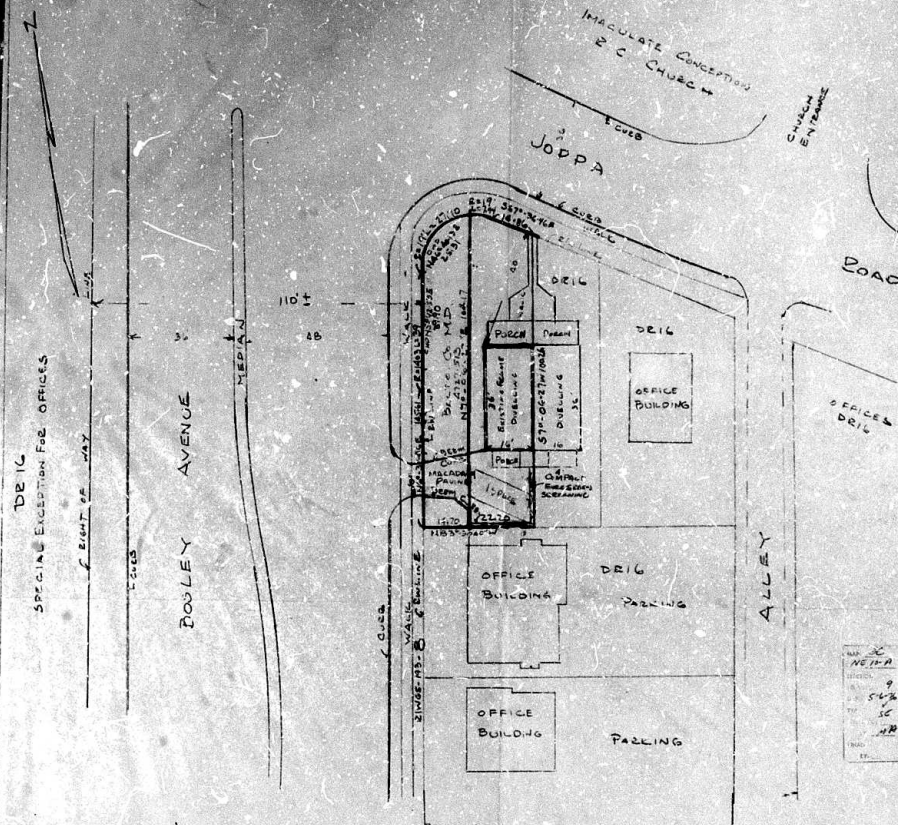
SUBJECT: Petition 76-257-XA; Petition for Special Exception for Offices, Southeast corner of Bosley Avenue and Joppa Road Petitioner: H. Stephens Dance

9th District

HEARING: Wednesday, June 16, 1976 (10:00 A.M.)

Offices are an appropriate use for this area; however, this office is opposed to the petitioner's request. We share the concerns expressed by the Department of Traffic Engineering's representative on the Zoning Advisory Committee.

William D. Fromm
William D. Fromm, Director of Planning
Office of Planning and Zoning



ZONING PLAT
PROPERTY LOCATED
IN
TOWSON
9th DISTRICT BALTO Co MD
0.05 ACRES

EXISTING ZONING DRUG
PROPOSED ZONING ① SPECIAL EXCEPTION FOR OFFICES
② VARIANCE
③ PARKING SPACE
INSTEAD OF 4 REQUIRED

PARKING DATA

1st FLOOR 576' x 300' = 2 SPACES REQUIRED
BASEMENT 576' x 500' = 1 SPACE REQUIRED
2nd FLOOR 576' x 500' = 1 SPACE REQUIRED
TOTAL = 4 SPACES REQUIRED
1 SPACE PROVIDED

EXISTING DWELLING IS TO BE
REMOVED FOR OFFICES



SCALE 1" = 20' APRIL 12, 1976
GERALD CROSS & ETZEL
Registered Land Surveyors
412 Ontario Avenue
Towson, Maryland 21204