

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, James S. & Helen D. Chellis, 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 1-102-3(c), to permit a rear set-back of 23 ft. instead of the required 30 ft.

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

Re: The lots on the north side of Taylor Avenue, 50 feet east of Dalesford Road, lots known as 42, 43 and 44, Millandsia Park, Plat Book U.M.M. 9, Folio 10.

Due to the fact that the development is an old one and issued before zoning restrictions were made, the house was built on a very small lot... 75 feet wide and 130 feet in depth, we find it necessary to build an addition to the present house. We need a variance of seven (7) feet from the back property line in order to make this addition meaningful. With out this variance, we can not improve our home to the extent that others have been permitted to do. There are other homes in the 1300 block of Taylor Avenue who do not have a 30 feet set back.

See attached description
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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser
Helen D. Chellis Legal Owner
Address: 1834 Taylor Avenue
Baltimore, Md 21234
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of January, 1977

1977 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 a public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of January, 1977 at 10:45 A.M.

10:45 A.M.
11/17/77
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
N/S of Taylor Avenue 50' W of
Dalesford Road, 9th District
JAMES S. CHELLIS, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-124-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
494-2108

I HEREBY CERTIFY that on this 12th day of January, 1977, a copy of the foregoing Order was mailed to Mr. James S. Chellis, 1534 Taylor Avenue, Baltimore, Maryland 21234, Petitioner.

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

January 18, 1977

Mr. & Mrs. James S. Chellis
1534 Taylor Avenue
Baltimore, Maryland 21234

RE: Petition for Variance
N/S of Taylor Avenue, 50' W of
Dalesford Road - 9th Election
District
James S. Chellis, et ux -
Petitioners
NO. 77-124-A (Item No. 95)

Dear Mr. & Mrs. Chellis:

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

Very truly yours,

/s/
Mr. ERIC DI NENNA
Zoning Commissioner

SED/ari

Attachments

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

Being located on the north side of Taylor Avenue, 50 feet west of Dalesford Road, as recorded in the Land Records of Baltimore County, in Liber 9, Folio 10, Lots 42, 43 and 44, Millandsia Park. Otherwise, known as 1534 Taylor Avenue. In the 9th Election District.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 6, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition 77-124-A Petition for Variance for a Rear Yard.
North side of Taylor Avenue 50 feet West of Dalesford Road.
Petitioner - James S. Chellis and Helen D. Chellis

9th District

HEARING: Monday, January 17, 1977 (10:45 A.M.)

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

Norman E. Gerber
Acting Director of Planning

NEG:JGH:wr

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. James S. Chellis
1534 Taylor Avenue
Baltimore, Maryland 21234

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 16 day of January, 1977.

Petitioner: James S. & Helen D. Chellis

Petitioner's Attorney

Eric DiNenna
Zoning Commissioner

Reviewed by
Nicholas S. Comodori,
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 10, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas S. Comodori

Acting Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PROTECTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

Mr. James S. Chellis
1534 Taylor Avenue
Baltimore, Maryland 21234

RE: Variance Petition
Item 95
James S. & Helen D. Chellis -
Petitioner

Dear Mr. Chellis:

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.

Located on the north side of Taylor Avenue, 50 feet west of Dalesford Road, this site is currently improved with a 1-1/2 story brick dwelling and garage in the rear. Adjacent properties to the east, west and north are also zoned D.R. 5-5 and are improved with similar type uses, while to the south across Taylor Avenue is the Moreland Memorial Park Cemetery.

This Variance is necessitated by your proposal to construct an addition to the rear of the existing dwelling 23 feet from the north property line in lieu of the required 30 feet.

ORDER RECEIVED FOR FILING
DATE 12/1/77
BY 12/1/77

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 a rear yard setback of 21 feet in lieu of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of January, 1977, 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 Zoning Commissioner of Baltimore County 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...

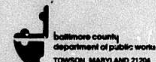
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of January, 1977, that the above Variance be and the same is hereby DENIED.

Mr. James S. Challis
Re: Item 95
January 10, 1977
Page 2

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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman, Zoning
Plans Advisory Committee

WBC:JD
Enclosure



THORNTON M. MOUNING, P.E.
DIRECTOR

December 14, 1976

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

Re: Item #95 (1976-1977)
Property Owner: James S. & Helen D. Challis
N/S Taylor Ave., 50' W. Dalesford Rd.
Existing Zoning: SM 5-5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 30'.
Acres: .75' x 130' District: 9th

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:

Taylor Avenue, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot minimum right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging 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 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.

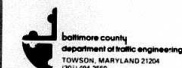
Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

Thornton M. Mouning
Thornton M. Mouning, P.E., Chief
Bureau of Engineering

END/EM:PMR:ms



STEPHEN E. COLLINS
DIRECTOR

November 19, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 95 - ZAC - November 16, 1976
Property Owner: James S. & Helen D. Challis
Location: N/S Taylor Ave., 50' W Dalesford Rd.
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 30'.
Acres: .75' x 130' District: 9th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the rear yard setback.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:hv



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

November 26, 1976

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

Dear Mr. DiNenna:

Comments on Item #95, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

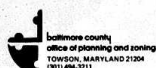
Property Owner: James S. & Helen D. Challis
Location: N/S Taylor Ave. 50' W. Dalesford Rd.
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 30'.
No. of Acres: .75' x 130'
District: 9th

Public water and sewer existing.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/BJV/rth



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 #95, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

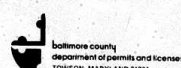
Property Owner: James S. & Helen D. Challis
Location: N/S Taylor Avenue 50' W. Dalesford Road
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 30'.
Acres: .75' x 130'
District: 9th

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. Wintley
John L. Wintley
Planner III
Project and Development Planning



JOHN D. SEYFFERT
DIRECTOR

November 9, 1976

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

Dear Mr. DiNenna:

Comments on Item # 95 Zoning Advisory Committee Meeting, November 16, 1976 are as follows:

Property Owner: James S. & Helen D. Challis
Location: N/S Taylor Ave. - 50' W. Dalesford Road
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 30'.
Acres: .75' x 130'
District: 9th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.O.C.B.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burham
Charles E. Burham
Plans Review Chief
CB:rd



Paul H. Reinecke
CHIEF

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

Attention: Mr. Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: James S. & Helen D. Challis

Location: N/S Taylor Ave., 50' W Dalesford Rd.

Item No. 95

Zoning Agenda 11/16/76

Comments:

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 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED

William E. Kelly
Planning Group
Special Inspection Division

Noted and

Robert C. Neel
Approved: Robert C. Neel
Acting Station Chief
Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 10th, 1976

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

Z.A.C. Meeting of: November 16, 1976

Re: Item 95
Property Owner: James S. & Helen B. Chellis
Location: 5/5 Taylor Ave. 50' N Halesford Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 23' in lieu of the required 50'.

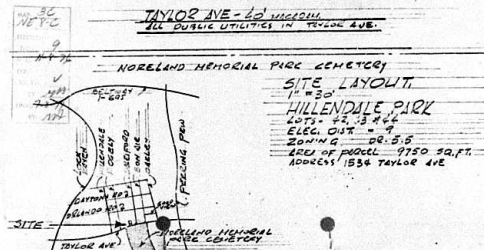
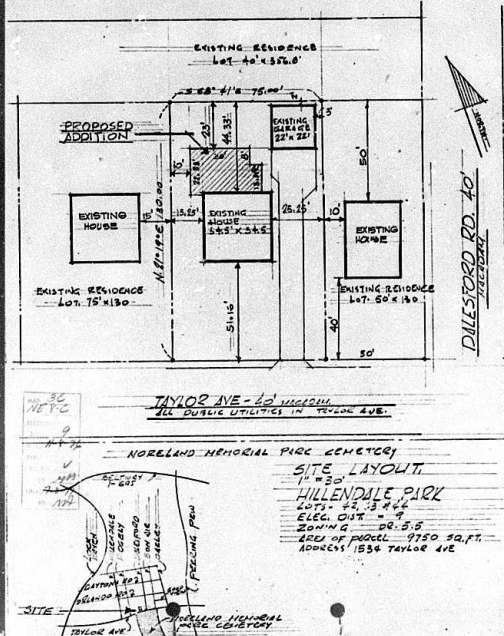
District: 9th
No. Acres: 75' x 130'

Dear Mr. DiNenna:

This has no bearing on the student population.

Very truly yours,
W. Eric DiNenna
S. Eric DiNenna,
Field Representative.

ESF/ol



OFFICE OF

THE TIMES
NEWSPAPERS

TOWSON, MD. 21204

Dec. 30, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Chellis
was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☐ Essex Times
- ☐ Suburban Times East
- ☒ Towson Times
- ☐ Arbutus Times
- ☐ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
17th day of January 1977, that is to say, the same
was inserted in the issues of Dec. 30, 1976.

STROMBERG PUBLICATIONS, INC.

BY *Pete Stumke*

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 30, 1976

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on
one time before the 17th
day of January 1977, the said publication
appearing on the 30th day of December
1976.

H. L. Stumke
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-24-B

District: 9th Date of Posting: 12-1-76
Posted for: *Henry S. DiNenna* 12-1-76 12:22 P.M.
Petitioner: *James S. & Helen B. Chellis*
Location of property: *5/5 Taylor Ave. 50' N Halesford Rd.*
Location of Sign: *1 sign, Post C. 1534 Taylor Ave.*
Remarks: *Post C. 1534 Taylor Ave.*
Posted by: *Paul R. New* Date of return: 1-6-77

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 42852

DATE: Jan. 17, 1977 ACCOUNT: 01-662
AMOUNT: \$70.00
RECEIVED: Hillendale Press, Inc.- 312 Centr. Ave., Balto.
FOR: Advertising and posting of property #77-121-A
39,000

VALIDATION OR SIGNATURE OF CARRIER



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 4th day of
November 1976. Item #

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *Mr. & Mrs. Chellis* Submitted by: *Mr. & Mrs. Chellis*
Petitioner's Attorney: Reviewed by: *Mr. & Mrs. Chellis*

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 40487

DATE: Nov. 14, 1976 ACCOUNT: C1-662
AMOUNT: \$25.00
RECEIVED: Cash (James Chellis, 1534 Taylor Ave., Balto.)
FOR: Petition for a Variance
25,000

VALIDATION OR SIGNATURE OF CARRIER