

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edgar F. Lassahn, Sr., 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 1. A04-3 D.3 E.C. 5.5 to permit a side yard of 3'-10" in lieu of required 50'.

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

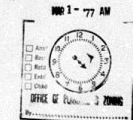
This proposed addition is to a bathroom and it is only practical and efficient to connect to the existing utilities at this location

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

Contract purchaser Edgar F. Lassahn, Sr.
Address 7401 Belair Road
Baltimore, Md. 21236
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of March, 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 the public hearing be had before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 16th day of May, 1977, at 10:15 o'clock a.m.



RE: PETITION FOR VARIANCE
S/S of Bay Drive 411' E of
Wye Road, 15th District
EDGAR F. LASSAHN, Sr., Petitioner
Case No. 77-220-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. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 11th day of May, 1977, a copy of the foregoing Order was mailed to Mr. Edgar F. Lassahn, Sr., 7401 Belair Road, Baltimore, Maryland 21236, Petitioner.

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



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3261
S. ERIC DINENEN
ZONING COMMISSIONER

May 19, 1977

Mr. Edgar F. Lassahn, Sr.
7401 Belair Road
Baltimore, Maryland 21236

RE: Petition for Variance
S/S of Bay Drive, 411' E of Wye Road -
15th Election District
Edgar F. Lassahn, Sr. - Petitioner
NO. 77-220-A (Item No. 194)

Dear Mr. Lassahn:

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

Very truly yours,

George W. Martinak
George W. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
862-4470

Property 16, 1977

Zoning Description

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the south side of Bay Drive at the northwest corner of Lot No. 248 as shown on the Second Addition to Plat No. 1 Bowleys Quarters and recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8 Folio 71, said piece of beginning being North 60 degrees 54 minutes East 111 feet measured northeasterly along the south side of Bay Drive from the prolongation southerly of the center line of Wye Road, thence running and binding on the south side of Bay Drive, North 60 degrees 54 minutes East 150 feet to the northeast corner of Lot No. 250 as shown on the aforementioned plat of Bowleys Quarters, thence leaving Bay Drive and binding on the division line between Lots Nos. 250 and 251 as shown on said plat, South 29 degrees 06 minutes East 28 feet more or less to the Chesapeake Bay, thence running and binding on the Chesapeake Bay, South 89 degrees 09 minutes West 153.21 feet to intersect the division line between Lots Nos. 247 and 248 as shown on the aforementioned plat of Bowleys Quarters and thence running and binding on said division line, North 29 degrees 06 minutes West 255.59 feet to the place of beginning.

Containing 0.62 of an Acre of land more or less.

Being Lots Nos. 248, 249 and 250 as shown on Second Addition to Plat No. 1 Bowleys Quarter and recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8 Folio 71.



March 11, 1977

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

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

Dear Mr. Dinennen:

Comments on Item #194, Zoning Advisory Committee Meeting, March 1, 1977, are as follows:

Property Owner: Edgar F. Lassahn, Sr.
Location: S/S of Bay Drive 411' E. Wye Road
Existing Zoning: R.C.5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50' Acres: 0.62
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 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
Planner III
Project and Development Planning

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 9, 1977

COUNTY OFFICE BUILDING
104 CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
Nicholas B. Commodari
Commodari
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRANSPORTATION
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATIVE
INDUSTRIAL DEVELOPMENT

Mr. Edgar F. Lassahn, Sr.
7401 Belair Road
Baltimore, Maryland 21236

RE: Variance Petition
Item No. 194
Petitioner - Edgar F. Lassahn

Dear Mr. Lassahn:

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.

This waterfront property, currently zoned R.C. 5 and improved with a single family dwelling and pavilion is located on the south side of Bay Drive east of Wye Road in the 15th Election District. Adjacent properties are also zoned R.C. 5 and improved with similar type uses.

This Variance is necessitated by your proposal to construct an addition closer to the easterly side property line than the existing non-conforming 13 foot setback.

This property lies within an Environmental Protection Area, as shown on the Interim Development Control Map as provided by Bill 12-77, and therefore, any application for building permits may be affected by said bill.

Mr. Edgar F. Lassahn, Sr.
Page 2
Item No. 194
May 9, 1977

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 Advis

NBC:rf

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

AUG 02 1977

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

to permit a side yard of 3 feet 10 inches instead of the required 50 feet should be granted.

It IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of May, 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 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 15th day of May, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: D. Eric DiNenna, Zoning Commissioner Date: May 11, 1977
FROM: Norman S. Gerber, Acting Director of Planning

SUBJECT: Petition #77-220-A, Petition for Variance for a Side Yard
South side of Bay Drive 411 feet East of Wye Road
Petitioner - Edgar F. Lassahn, Sr.

15th District

HEARING: Monday, May 16, 1977 (10:15 A.M.)

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

Norman S. Gerber
Norman S. Gerber
Acting Director of Planning

NBG:JGH:r

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

April 12, 1977

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

Re: Item #194 (1976-1977)
Property Owner: Edgar F. Lassahn, Sr.
8/S Bay Dr., 411' E. Wye Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50'.
Acres: 0.82 District: 15th

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:

Bay Drive, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way (40-foot minimum). Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Item #194 (1976-1977)
Property Owner: Edgar F. Lassahn, Sr.
Page 2
April 12, 1977

Water:

Public water supply is serving this property.

Sanitary Sewer:

This property is utilizing private onsite sewage disposal. The Baltimore County Comprehensive Water and Sewerage Plan, adopted January 1976, indicates this property is beyond the Urban Rural Sanitation Line and "Placed Service" in the area in 6 to 10 years.

Very truly yours,
Donald W. Tucker, P.E.
Donald W. Tucker, P.E.
Acting Chief
Bureau of Engineering

LWT:RAM:FWB:RS
2-SW Key Sheet
3 NE 4th Pos. Sheet
NE 1 L Topo
98 Tax Map

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

April 14, 1977

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

Re: Item 194 - 2AC - March 1, 1977
Property Owner: Edgar F. Lassahn, Sr.
Location: 8/S Bay Dr. 411' E. Wye Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50'.
Acres: 0.82
District: 15th

Dear Mr. DiNenna:

No traffic engineering problem are anticipated by the requested variance to the side yard.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:130

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

March 8, 1977

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

Dear Mr. DiNenna:

Comments on Item # 194, Zoning Advisory Committee Meeting, March 1, 1977, are as follows:

Property Owner: Edgar F. Lassahn, Sr.
Location: 8/S Bay Dr. 411' E. Wye Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50'.
Acres: 0.82
District: 15th

Since metropolitan water exists, no health hazards are anticipated. Existing private disposal system appears to be functioning properly.

Very truly yours,

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

TBD:RJW:mab

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

March 4, 1977

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

Dear Mr. DiNenna:

Comments on Item # 194 Zoning Advisory Committee Meeting, March 1, 1977 are as follows:

Property Owner: Edgar F. Lassahn, Sr.
Location: 8/S Bay Drive - 411' E. Wye Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50'.
Acres: 0.82
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 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 C 2 B

Charles E. Burham
Plans Review Chief
CDB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 28, 1977

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

Z.A.C. Meeting of: March 1, 1977

RE: Item No: 194
Property Owner: Edgar F. Lassahn, Sr.
Location: 8/S Bay Dr. 411' E. Wye Road
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50'.

District: 15th
No. Acres: 0.82

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

N. Nick Petrovich
N. Nick Petrovich,
Field Representative

WNP/hp

JOSEPH M. MCCORMAN, PRESIDENT
T. BARBARO WILLIAMS, JR., VICE PRESIDENT
MARILYN M. MONTAGNA

THOMAS H. DEVLIN
WILLIAM J. CHURCH
ROGER H. HAYDEN
MICHAEL J. DUBIEL, SUPERINTENDENT

ALVIN LORICK
WILLIAM M. SMITH, JR.
RICHARD W. FRISBY, D.V.M.

AUG 02 1977

PLAT TO ACCOMPANY ZONING PETITION
 15TH ELECTION DISTRICT OF BALTIMORE COUNTY, MD.
 ZONING PETITION: VARIANCE
 SIDE YARD: 8' 0" MINIMUM OF 50'
 for proposed addition to Bathroom
 PRESENT ZONING: R-1
 ADDRESS: BOX 374, BAYVIEW, MD.
 BALTIMORE COUNTY, MD 21220

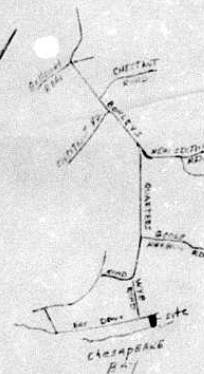


Seal of 30 Feb. 14, 1977

GERHOLD, CROSS & ETZEL
 Registered Land Surveyors
 412 Delaware Avenue
 Towson, Maryland 21204



MAP 58
 1876
 SECTION
 16
 D. 11 28.77
 E. 11
 11 11
 1000 11 11
 BY 11 11



VICINITY SKETCH
 SCALE 1" = 200'

Handwritten initials or mark.

AUG 02 1977