

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Elan Development Corp., legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, 1800-315, a 1401-3-15, a 1401-3-15, hereby petition for a Variance from Section 254-4 of the Zoning Law of Baltimore County to allow a 40 foot side yard instead of the required 80 feet.

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

to construct a 40 feet x 84 feet dwelling property oriented to the road

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 Elan Development Corp.
Legal Owner
Address: P. O. Box 6
Phoenix, Maryland 21131
Petitioner's Attorney
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 2nd day of May, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of June, 1977, at 10:45 a.m.

John W. Hession, III
Zoning Commissioner of Baltimore County.
(over)
10:45A
6/21/77

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 14, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition 77-254-A, Petition for Variance for a Side Yard
West side of Fox Land Road 799.37 feet South of Elan Road
Petitioner - Elan Development Corp.
10th District

REMARKS: Monday, June 20, 1977 (10:45 A.M.)

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

Norman E. Gerber
Acting Director of Planning

W3010B12W

RE: PETITION FOR VARIANCE
W/S of Fox Land Rd. 799.37 S of
Elan Rd., 10th District
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Elan Development Corp.,
Petitioners
Case No. 77-254-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

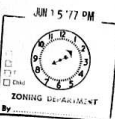
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Charles E. Kuntz, Jr.
Charles E. Kuntz, 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 15th day of June, 1977, a copy of the foregoing Order was mailed to Elan Development Corp., P. O. Box 6, Phoenix, Maryland 21131, Petitioners.

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



COLUMBIA OFFICE
WALTER FARR
Registered Surveyor
Phone 730-9000

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 East Johns Road
Room 101, Towson, Maryland 21204
Phone 538-6888

REL. AIR
L. GREGG WOLFF
Landscape Architect
Phone 538-0888

April 18, 1977

DESCRIPTION 14006 FOX LAND ROAD:

Beginning for the same at a point on the west side of Fox Land Road (50 feet wide) said point being distant southerly 788.37 feet from the point formed by the intersection of the west side of said Fox Land Road with the center of Elan Road, thence being all of lot 21 as shown on the plat of Manor Ridge recorded in Plat Book 35 Folio 129.
Containing 1.00 acres of land more or less.



Malcolm E. Hudkins
Registered Surveyor #9095

June 21, 1977

Mr. E. R. Elliott, President
Elan Development Corporation
P.O. Box 6
Phoenix, Maryland 21131

RE: Petition for Variance
W/S of Fox Land Road, 799.37'
S of Elan Road - 10th Election
District
Elan Development Corporation -
Petitioner
NO. 77-254-A (Item No. 235)

Dear Mr. Elliott:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/arl

Attachments

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 2, 1977

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on the 1st day of June, 1977, the 19th publication appearing on the 20th day of June, 1977.

THE JEFFERSONIAN

H. Leann Shuster
Manager

Cost of Advertisement \$

PETITION FOR VARIANCE
FROM AREA AND HEIGHT REGULATIONS
W/S of Fox Land Rd. 799.37 S of
Elan Rd., 10th District
Elan Development Corp.,
Petitioners
Case No. 77-254-A



OFFICE OF

TOWSON, MD. 21204 June 10 19 77

Petition for Variance-10th Dist.
THIS IS TO CERTIFY that the annexed advertisement was inserted in the following:

☐ Catonsville Times ☐ Towson Times
☐ Durtalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for 1 successive weeks before the 20 day of June 1977, that is to say, the same was inserted in the issues of

June 2, 1977

STROMBERG PUBLICATIONS, INC.

By C. H. S. Jr.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10W Date of Posting: 6-2-77
Posted for: Elan Development Corp. 201 Chapel Wood Lane, Ithaca, NY 14850
Petitioner: Elan Development Corp.
Location of property: W/S of Fox Land Rd. 799.37 S of Elan Rd.
Location of Signs: 1 Sign - Daniel C. 14006 Fox Land Rd.
Remarks: None
Posted by: Neil H. Hession Date of return: 6-9-77

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 51764
DATE: May 27, 1977 AMOUNT: \$0.62
AMOUNT: \$25.00
RECEIVED: Elan Development Corp. 201 Chapel Wood Lane, Ithaca, NY 14850
FOR: Petition for Variance 77-254-A
\$25.00
17 APR 27 2500RE
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 51796
DATE: June 30, 1977 AMOUNT: \$0.62
AMOUNT: \$42.50
RECEIVED: Elan Development Corp. 201 Chapel Wood Lane, Ithaca, NY 14850
FOR: Advertising and posting of property 77-254-A
\$42.50
4250RE
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204

Your Petition has been received * this 18th day of APRIL 1977. Item #

S. Eric DiNenna
Zoning Commissioner

Petitioner: Elan Development Corp Submitted by: Hudkins Assoc.

Petitioner's Attorney: Reviewed by

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

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 side yard setback of 40 feet in lieu of the required 50 feet should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of June, 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.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

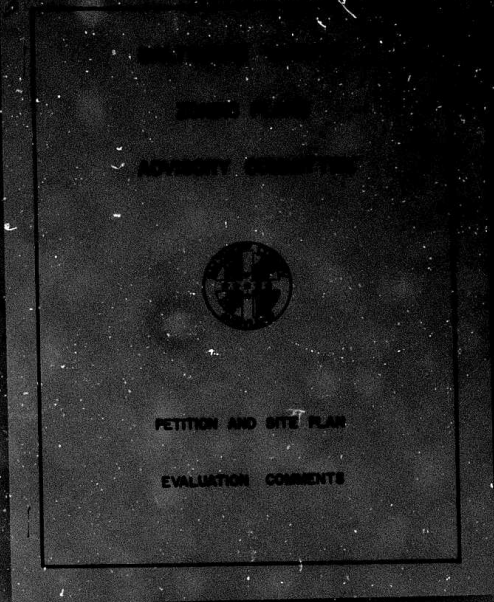
the above Variance should NOT BE GRANTED.

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

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE June 21, 1977
FILED In the Office of the Zoning Commissioner



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item # 235

Your Petition has been received and accepted for filing
this day of June 1977

Petitioner's Attorney
Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Road
Towson, Maryland 21204

Reviewed by
Nicholas B. Commodari
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

June 10, 1977

Nicholas B. Commodari
Chairman

Elan Development Corporation
P. O. Box 6
Phoenix, Maryland 21131

RE: Variance Petition
Item No. 235
Petitioner - Elan Development Corporation

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

Gentlemen:

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 currently vacant site is located on the west side of Fox Land Road approximately 788 feet south of Elan Road in the 10th Election District. Properties immediately contiguous to this site are vacant, while dwellings existed immediately to the east of this site across Fox Land Road. This Variance is necessitated by your proposal to construct a dwelling within 40 feet to the side property line in lieu of the required 50 feet.

Elan Development Corporation
Page 2
Item No. 235
June 10, 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
Chairman
Zoning Plans Advisory Committee

NBC:ff
cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Road
Towson, Maryland 21204

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

May 25, 1977

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

Re: Item #235 (1976-1977)
Property Owner: Elan Development Corp.
W/S Fox Land Rd. 788.37' S. Elan Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acre: 1.0 District: 10th

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.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by public works Agreement #107202 executed in conjunction with the development of "sewer ridge subdivision".

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #235 (1976-1977).

Very truly yours,
DONALD W. TUCKER, P.E.
Acting Chief, Bureau of Engineering

DWT:EAM:PWR:as
U-NE Key Sheet
77 NE 14 & 15 Pos. Sheets
NE 20 D Topo
44 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

May 20, 1977

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

Dear Mr. DiNenna:

Comments on Item #235, Zoning Advisory Committee Meeting, May 3, 1977, are as follows:

Property Owner: Elan Development Corp.
Location: W/S Fox Land Road 788.37' S. Elan Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acre: 1.0
District: 10th

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
Planner III
Project and Development Planning

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 684-2000

STEPHEN E. COLLINS
DIRECTOR

May 18, 1977

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

Re: Item No. 235 - ZAC - May 3, 1977
Property Owner: Elan Development Corp.
Location: W/S Fox Land Road 788.37' S. Elan Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40 feet in lieu of the required 50 feet.
Acre: 1.0
District: 10th

Dear Mr. DiNenna:

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

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate

MSF/ljo

baltimore county
department of health
TOWSON, MARYLAND 21204

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

May 4, 1977

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

Dear Mr. DiNenna:

Comments on #235, Zoning Advisory Committee Meeting, May 3, 1977, are as follows:

Property Owner: Elan Development Corp.
Location: W/S Fox Land Rd. 788.37' S. Elan Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acre: 1.0
District: 10th

Since this property has an existing approved water well and an approved percolation test, no health hazard is anticipated.

Very truly yours,
Thomas R. Swinley, Director
BUREAU OF ENVIRONMENTAL SERVICES

TSD/rth-



Paul H. Reincke
CHIEF

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

Attention: Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: Ekan Development Corp

Location: W/S Fox Land Rd. 788.37' S Eland Road

Item No. 235 Zoning Agenda May 3, 1977

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.

- () 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 load and 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.

REVIEWER *H. J. Kelly*
Planning Group
Special Inspection Division

Noted and
Approved: *George M. Wagoner*
Fire Prevention Bureau



JOHN D. SEVEFFERT
DIRECTOR

May 3, 1977

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

Dear Mr. DiNenna:

Comments on Item # 235 Zoning Advisory Committee Meeting, May 3, 1977
are as follows:

Property Owner: Ekan Development Corp.
Location: W/S Fox Land Rd. 788.37' S Eland Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

Acres: 1.0
District: 10th

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. Burnham C.E.B.

Charles E. Burnham
Plans Review Chief
CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: May 3, 1977

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

Z.A.C. Meeting of: May 3, 1977

RE: Item No. 235
Property Owner: Ekan Development Corp.
Location: W/S Fox Land Rd. 788.37' S Eland Road
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

District: 10th
No. Acres: 1.0

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

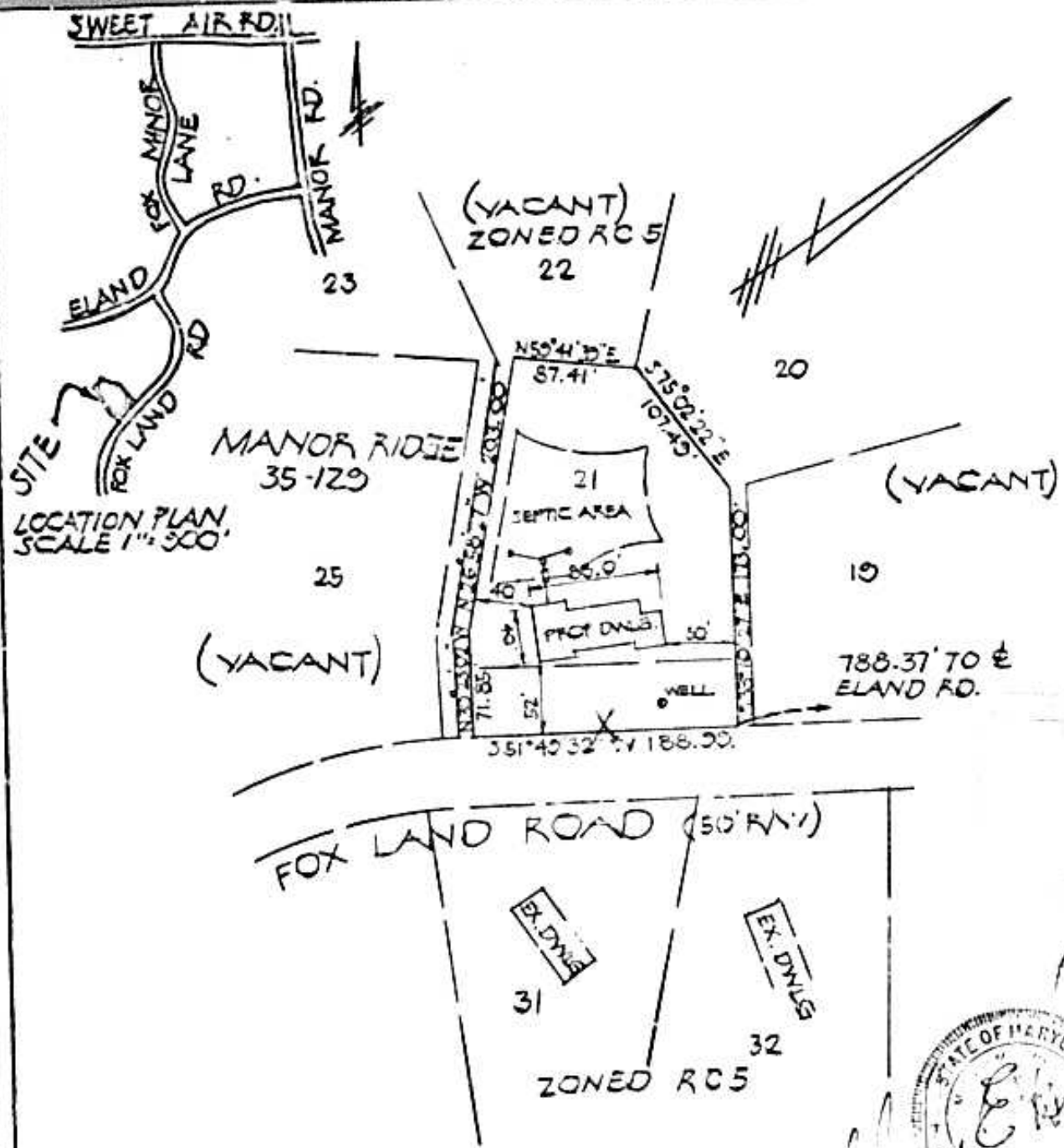
MNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCUS M. BOTZARIS

THOMAS H. BOTE
MRS. LORRAINE F. CHIRCUR
ROGER B. MAYDEN

ROBERT T. DUREL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACET, D.V.M.



SITE
LOCATION PLAN
SCALE 1" = 300'

MANOR RIDGE
35-129

(VACANT)
ZONED RC 5
22

(VACANT)

(VACANT)

788.37' TO E
ELAND RD.

FOX LAND ROAD (50' RWY)

EX. DWLS

EX. DWLS

31

32

ZONED RC 5

NOTES

1. EX. ZONING RC 5
2. AREA = 1.0 AC.
3. PRIVATE WATER & SEWER

WUDKINS ASSOCIATES, INC.
301 SHELL BUILDING
200 E. JOPPA ROAD
BOWEN, MARYLAND 21038

PLAN TO ACCOMPANY APPLICATION
FOR VARIANCE
1400G FOX LAND ROAD
ELECT. DIST. 10. BALTO. CO., MD.
SCALE 1" = 100'
APRIL 6, 1977

