

7-10-A #350 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Clinton & Joan Stokes, 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 B.01.3.C.1 to permit a lot width of 51' instead of the required 55' and a side street setback of 5' instead of the 25' and 1 B.01-2.C.4 to permit a setback of 25' from the center of the street instead of the 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)

The present dwelling has been there for at least 45 years. We are in the process of rebuilding a complete new home, which there is not enough footage on side's of our boundary.

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 Clinton & Joan Stokes
Address 629 S. Avondale Rd. Dundalk, Md. 21222
Petitioner's Attorney Charles E. Kountz, Jr.
Address 1304 N. 2nd St. Baltimore, Md. 21204
Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of July, 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 25th day of July, 1977, at 10:15 o'clock.

John W. Heslian, III
Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/corner of Pine St. and Sollers : OF BALTIMORE COUNTY
Point Rd., 12th District
CLINTON A. STOKES, et al, : Case No. 78-10-A
Petitioners

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. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204

I HEREBY CERTIFY that on this 8th day of July, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. Clinton A. Stokes, 629 South Avondale Road, Baltimore, Maryland 21222, Petitioners.

John W. Heslian, III
John W. Heslian, III



August 3, 1977

Mr. & Mrs. Clinton A. Stokes
629 S. Avondale Road
Dundalk, Maryland 21222

RE: Petition for Variance
NW/corner of Pine Street and Sollers
Point Road - 12th Election District
Clinton A. Stokes, et al - Petitioners
110. 78-10-A (Item No. 250)

Dear Mr. & Mrs. Stokes:

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

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

Subject: Surveyor's description

Beginning at a point on the northeast corner of Pine St. and Sollers Point Road and known as lots 128 & 129 on the plat of Turner and recorded among the Land Records of Baltimore County in plat book No. 7 folio 36.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner
FROM: Director of Planning
SUBJECT: Petition #78-10-A. Petition for Variance for Lot Width and Side Yard and Centerline Setbacks.
Northwest corner of Pine Street and Sollers Point Road
Petitioner - Clinton A. Stokes and Joan C. Stokes

12th District

HEARING: Monday July 25, 1977 (10:15 A.M.)

There are no comprehensive planning factor, requiring comment on this petition.

Leslie H. Graw
Leslie H. Graw
Director of Planning

LHG:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 18, 1977

COUNTY OFFICE BLDG.
1100 N. EAGER ST.
BALTIMORE, MD. 21201
Nicholas B.

Chairman
MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF
PUBLIC PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
HUMAN ADMINISTRATION
RECREATION
DEVELOPMENT

Mr. Clinton Stokes
Mrs. Joan Stokes
629 South Avondale Road
Baltimore, Maryland 21222

RE: Variance Petition
Item No. 250
Petitioner - Clinton Stokes
Joan Stokes

Dear Mr. & Mrs. Stokes:

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 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, consisting of a vacant lot currently zoned D.R. 5.5 is located on the northeast corner of Pine Street and Sollers Point Road in the 12th Election District. Adjacent properties to the west across Pine Street are improved with a store and dwelling zoned B.L. and D. R. 5.5, respectively. and also to the north across Oak Street are existing row homes currently zoned D.R. 10.5.

This Variance is necessitated by your proposal

Mr. Clinton Stokes
Mrs. Joan Stokes
Page 2
Item No. 250
July 18, 1977

to construct a dwelling on this site in conflict with certain sections of the Baltimore County Zoning Regulations. Particular attention should be afforded the comments of the Department of Permits and Licenses concerning Section 120.2 of the Baltimore County Supplement of the Building Code.

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. Comodari
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

ORDER RECEIVED FOR FILING
DATE 10/1/77
BY 10/1/77

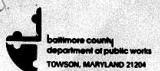
Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

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. Variance to permit a lot width of 51 feet instead of the required 55 feet, a side street setback of 5 feet instead of the required 25 feet, and a setback of 25 feet from the centerline of Pine Street instead of the required 50 feet should be granted.

Deputy
THIS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of August, 1977, that the herein Petition for the aforementioned Variance should be and the same are 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 30th day of August, 1977, that the above Variance be and the same is hereby DENIED.
Zoning Commissioner of Baltimore County



THOMAS H. COLLINS, P.E.
DIRECTOR

June 14, 1977

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

Re: Item #250 (1976-1977)
Property Owner: Clinton & Joan Stokes
N/E cor. Pine St. & Sollers Point Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.
Acres: District: 12th

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

Pine and Oak Streets, and Sollers Point Road are existing public roads.
Sollers Point Road is improved as a 30-foot closed section roadway on a 40-foot right-of-way in this immediate vicinity.

Pine and Oak Streets, partially improved streets, are proposed to be improved in the future as 30-foot closed section roadways on the present 40-foot right-of-way. Highway right-of-way widening for fill-in areas for right distance at the intersections will be required in connection with any grading or building permit application. The construction of concrete sidewalks, curbs and gutters, 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, 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

Item #250 (1976-1977)
Property Owner: Clinton & Joan Stokes
Page 2
June 14, 1977

Storm Drains (Cont'd)

to improve grading, or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Elevation of this property is below 10 feet. 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.

Water and Sanitary Sewer

Public water mains and sanitary sewers exist to serve this property, which formerly contained a dwelling. Additional fire hydrant protection is required in the vicinity.

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

DWT:RAM:PM:LS

cc: M. Munchel
J. Somers

P-E Key Sheet
20 SE 20 Pos. Sheet
SE SE Type
110 Tax Map



June 6, 1977

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

Dear Mr. DiNenna:

Comments on Item #250, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: Clinton & Joan Stokes
Location: NE/C Pine Street and Sollers Point Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.
District: 12th

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



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

July 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #250, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: Clinton & Joan Stokes
Location: NE/C Pine St. & Sollers Point Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.
Acres: District: 12th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TWD/twh



STEPHEN COLLINS
DIRECTOR

June 15, 1977

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

Re: Item #250 - ZAC - May 31, 1977

Property Owner: Clinton & Joan Stokes
Location: NE/C Pine St. & Sollers Point Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.
Acres: District: 12th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a lot width of 51 feet in lieu of the required 55 feet and the variances to the setbacks from the side street and center line of the street.

Sincerely,

Michael S. Flanigan
Traffic Engineer Associate

MSF/jlc



Paul H. Brincke
Chief

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

Attention: Mr. Nicholas Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Clinton & Joan Stokes

Location: NE/C Pine St. & Sollers Point Rd.

Item No. 250

Zoning Agenda May 31, 1977

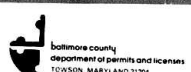
Gentlemen:

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 deed and condition shown at _____
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.
7. The Fire Prevention Bureau has no comments at this time.

Approved: _____
Special Inspection Division

Noted and Approved: _____
Battalion Chief
Fire Prevention Bureau



JOHN D. SEFFERT
DIRECTOR

June 7, 1977

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

Dear Mr. DiNenna:

Comments on Item # 250 Zoning Advisory Committee Meeting, May 31, 1977 are as follows:

Property Owner: Clinton & Joan Stokes
Location: NE/C Pine St. & Sollers Point Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.

Acres: District: 12th
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. Burroughs

Charles E. Burroughs
Plans Review Chief
CBUR/CEB

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 31, 1977

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

Z.A.C. Meeting of: May 31, 1977

RE: Item No: 250
Property Owner: Clinton & Joan Stokes
Location: NE/4 Pine St. & Sollers Point Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 51' in lieu of the required 55' and a side street setback of 5' in lieu of the required 25' and a setback of 25' from the center of the street in lieu of the required 50'.

District: 12th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

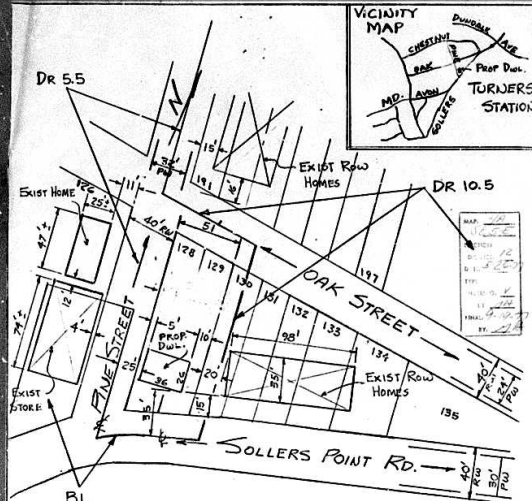
Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NKP/bp

JOSEPH N. MCCORMAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROSENBERG

THOMAS H. BRYER
MRS. LORRAINE F. CONNOR
ROGER A. WATSON
ROBERT T. DUBEL, SUPERINTENDENT

ALVIN L'PRECK
MRS. HILTON B. SMITH, JR.
RICHARD W. TRACEY, DVM.



NOTE!
ALL CITY UTILITIES IN FRONT
OF PROPERTY ON SOLLERS PT. RD.

ZONING DR 5.5

PROPOSED DWELLING FOR:
MR. CLINTON STOKES
308 SOLLERS PT. RD.
BALTO. MD. 21222

PLAT PLAN
SCALE 1" = 50'

12TH ELECTION DIST.
DATE 2-28-77

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Clinton Stokes
Joan Stokes
459 South Avondale Road
Baltimore, Maryland 21222

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

Born No. 250

Your Petition has been received and accepted for filing this 15th day of May 1977.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Clinton and Joan Stokes
Petitioner's Attorney _____ Reviewed by Nicholas S. Commodari
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 2-2-77
Posted for Hearing Monday, July 25, 1977, at 10:15 P.M.
Petitioner Clinton A. Stokes
Location of property NE/4 Pine St. & Sollers Pt. Rd.
Location of Sign 1 sign posted on Ave. H. at corner of Pine St. & Sollers Pt. Rd.
Remarks _____
Posted by David H. Hines Date of return 2-15-77

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 1, 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., once in each week, one time successive weeks before the 25th day of July, 1977, the 19th publication appearing on the 7th day of July, 1977.

THE JEFFERSONIAN

Cost of Advertisement, \$ _____

OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 July 8 19 77

THIS IS TO CERTIFY that the annexed advertisement of Petition for Variance - Clinton A. Stokes - H-1405 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 25th day of July, 1977. That is to say, the same was inserted in the issues of July 7, 1977.

STROMBERG PUBLICATIONS, INC.
BY *Frederic Binger*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 15th day of May 1977. Filing Fee \$ ____ Received _____

Check
Cash
Other

Petitioner Clinton & Joan Stokes Submitted by S. Eric DiNenna
Petitioner's Attorney _____ Reviewed by _____

* 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

DATE July 25, 1977 ACCOUNT 01-662

RECEIVED Money Order-503-7676496, Clinton Stokes,
629 S. Avondale Road, Baltimore, Md. 21212
FOR Advertising and posting of property
#76-10-A

AMOUNT \$4.00
440 CASH

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

DATE May 20, 1977 ACCOUNT 01-662

RECEIVED FROM Clinton Stokes
FOR Petition for Variance

AMOUNT \$ 25.00 (cash)
629 S. Avondale Road
Baltimore, Maryland 21222