

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOSEPH E. CHANEY, 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 1201.25-3 (3)(1) to permit a front yard setback of 32 feet to the center line of the street (Queen Anne St.) in lieu of the required 50 feet. D.P. 5-5 Some

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

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 Joseph E. Chaney
 Legal Owner
 Address 5773 Queen Anne Street
 Baltimore MD 21207
 Petitioner's Attorney _____
 Protester's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 5th 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 6th day of September, 1977, at 9:30 o'clock.

By Eric DiNenna
 Zoning Commissioner of Baltimore County
 (over)

LEGAL DESCRIPTION

Beginning at a point 125 feet north of the intersection of Queen Anne St. and Dorchester Ave., on the west side of Queen Anne St., being Lots 54, 55, 56 on Chateaufort Manor, plat 81, as recorded in the Land Records of Baltimore County in Liber 16, Page 700. Also known as 5773 Queen Anne St.

RE: PETITION FOR VARIANCE
 NW/4 of Queen Anne St, 125' N of
 Dorchester Ave., 1st District
 JOSEPH E. CHANEY, et ux, Petitioners : Case No. 78-58-A

ORDER TO ENTER APPEARANCE

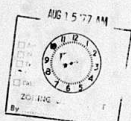
Mr. Commissioner:

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 thereof, 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 12th day of August, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. Joseph E. Chaney, 5927 Queen Anne Street, Baltimore, Maryland 21207, Petitioners.

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 22, 1977
 FROM: Leslie H. Groef, Director of Planning
 SUBJECT: Petition #78-58-A. Petition for Variance for a Front Yard.
 Northwest side of Queen Anne Street 125 feet North of Dorchester Avenue
 Petitioner - Joseph E. Chaney and Emma L. Chaney

In District

HEARING: Tuesday, September 6, 1977 (9:30 A.M.)

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

Leslie H. Groef
 Leslie H. Groef
 Director of Planning

LHG-JGH:rw

September 15, 1977

Mr. & Mrs. Joseph E. Chaney
 5927 Queen Anne Street
 Baltimore, Maryland 21207

RE: Petition for Variance
 NW/4 of Queen Anne Street, 125' N of
 Dorchester Avenue - 1st Election District
 Joseph E. Chaney, et ux - Petitioners
 NO. 78-58-A (Item No. 1)

Dear Mr. & Mrs. Chaney:

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. Hession, III, Esquire
 People's Counsel

BALTIMORE COUNTY

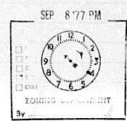
ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



N/C
 OK
 Baltimore County Zoning Office
 Mr. George J. Martinak - Deputy Zoning Commissioner

Sept 6, 1977 at the previous hearing, it was approved for 5927 Queen Anne St. Baltimore Co. 78-58-A. Check variance. The 30 day period now we want to start as soon as possible. We will submit the necessary permit to include part of the front porch for much needed room.

Thank you,
 Mrs. Emma Chaney
 Joseph Chaney

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. Joseph E. Chaney County Office Building
 Mrs. Emma L. Chaney 111 W. Chesapeake Ave.
 5927 Queen Anne Street Towson, Maryland 21204
 Baltimore, MD 21207
 your petition has been received and accepted for filing this 5th day of July 1977.

Petitioner Mr. Joseph E. Chaney
 Petitioner's Attorney _____
 Reviewed by Eric DiNenna
 Eric DiNenna
 Zoning Commissioner
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 17, 1977

Mr. Joseph E. Chaney
Mrs. Emma L. Chaney
Page 2
Item No. 1
August 17, 1977

Mr. Joseph E. Chaney
Mrs. Emma L. Chaney
5927 Queen Anne Street
Baltimore, Maryland 21207

RE: Variance Petition
Item No. 1
Petitioner - Joseph E. Chaney
Emma L. Chaney

Dear Mr. & Mrs. Chaney:

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, currently zoned D.R. 5.5 and improved with a 1-1/2 story single family dwelling, is located on the west side of Queen Anne Street approximately 125' north of Dorchester Avenue in the 1st Election District. Adjacent properties surrounding this site are improved with dwellings to the north and south, while vacant land exists directly opposite this site to the east across Queen Anne Street.

This Variance is necessitated by your proposal to construct an addition to the front of the existing dwelling which is already closer to Queen Anne Street than the existing dwelling directly to the north.

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
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS H. MOURING, P.E.
DIRECTOR

July 27, 1977

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

Re: Item #1 (1977-1978)
Property Owner: Joseph & Emma Chaney
W/S Queen Anne St. 125' N. Dorchester Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.
Acres: 0.172 District: 1st

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:

Queen Anne Street, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the existing 50-foot right-of-way (indicated as 40-foot on the submitted plan). Any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The construction of concrete sidewalk, curb and gutter, entrance, aprons, etc. will be the full responsibility of the Petitioner.

Sediment Control:

Development of this property through striping, 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.

Item #1 (1977-1978)
Property Owner: Joseph & Emma Chaney
Page 2
July 27, 1977

Water:

Public water main exists in Queen Anne Street and serves this property. Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

Public sanitary sewerage is under construction to serve this property and others, which - is utilizing private onsite sewage disposal. (See Job Order 1-2-521, Contract No. 76132 SK2, and Drawing #75-0195, File 1 in particular)

Very truly yours,

Ellsworth M. Oliver, P.E.
ELLSWORTH M. OLIVER, P.E.
Chief, Bureau of Engineering

ENCLOSURES

CC: J. Somers
B. Munchel

H-NE Key Sheet
1 SW 22 Pos. Sheet
SW 1P Topo
95 Tax Map

August 11, 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 #1, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Joseph and Emma Chaney
Location: W/S Queen Anne St. 125' N. Dorchester Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.
Acres: 0.172
District: 1st

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
Planner III
Project and Development Planning

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor
County Office Building
Towson, Maryland 21204

Re: Item 1 - ZAC - July 5, 1977
Property Owner: Joseph & Emma Chaney
Location: W/S Queen Anne St. 125' N. Dorchester Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.
Acres: 0.172
District: 1st

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the front setback from the center of the street.

Sincerely,

Michael I. Flanagan
Michael I. Flanagan
Associate Traffic Engineer

MSP/jlf

July 22, 1977

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 425-3550

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

July 25, 1977

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

Dear Mr. DiNenna:

Comments on #1, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Joseph & Emma Chaney
Location: W/S Queen Anne St. 125' N. Dorchester Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.
Acres: 0.172
District: 1st

Since the existing septic system appeared to be functioning properly, a health hazard is not anticipated.

Very truly yours,

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

ES/MS/rth

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 425-7210

Paul H. Reincke
CHIEF

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

Attention: Mr. Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph & Emma Chaney

Location: W/S Queen Anne St. 125' N. Dorchester Ave.

Item No. 1

Zoning Agenda, July 5, 1977

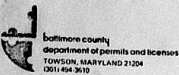
Comments:

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.
7. The Fire Prevention Bureau has no comments, at this time.

By: *John L. Wimbley*
Special Inspection Division

Noted and Approved: *Thomas H. Devlin*
Fire Prevention Bureau



JOHN D. SEVIENT
DIRECTOR

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 # 1 Zoning Advisory Committee Meeting, July 5, 1977 are as follows:

Property Owner: Joseph & Emma Chaney
Location: W/S Queen Anne St. 125' N. Dorchester Ave.
Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.

Acres: 0.172
District: 1st

- 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. Contain Building Department if distance is between 3'0" and 6'0" of property line.
 - ☐ F. No comm.-nt.
 - ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- Very truly yours,

Charles E. Burdhan
Charles E. Burdhan
Planning Review Chief
C10177

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 8, 1977

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

Z.A.C. Meeting of: July 5, 1977

RE: Item No: 1
Property Owner: Joseph & Emma Chaney
Location: W/S Queen Anne St. 125' N. Dorchester Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 32' to the center of the street in lieu of the required 50'.

District: 1st
No. Acres: 0.172

Dear Mr. DiNenna:

No bearing on student population.

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

WNP/tp

JOSEPH M. MCCORMACK, PRESIDENT
T. BARNES HILLMAN, JR., VICE-PRESIDENT
MARCUS H. BOTSANIS

THOMAS H. BOYER
WILLIAM F. CHENEY
ROGER S. HAYDEN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORECK
WILLIAM M. LUTZ, JR.
RICHARD W. TRACY, CLERK

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 18, 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. on the _____ day of _____, 1977, at _____ o'clock _____ before the _____ day of _____, 1977, the _____ day of _____, 1977, the _____ day of _____, 1977.

THE JEFFERSONIAN
L. Frank Smith
Manager

Cost of advertisement, \$ _____



OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 August 19 1977

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - J. Chaney - NW/S Queen Avenue 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 _____ day of _____, 1977, that is to say, the same was inserted in the issues of August 15, 1977

STROMBERG PUBLICATIONS, INC.
By *Esther Singer*

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 FINDING OF FACTS, the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit a front yard setback of 32 feet to the center line of the street (Queen Anne Street) instead of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commission of Baltimore County this _____ day of September, 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.

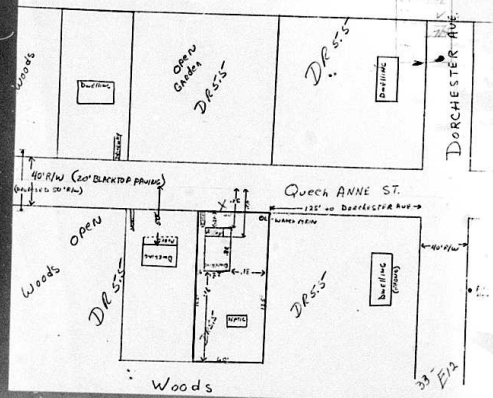
IT IS ORDERED by the Zoning Commission of Baltimore County, this _____ day of _____, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

JOSEPH & EMMA CHANEY
Lots 23, 25, 26 (CONTAINING 1.46 AC.)
FLECTION DISTRICT - 12E
SCALE 1"=50'
PRIVATE SEPTIC SYSTEM
PUBLIC WATER -
222' PROPOSED 6'x18' ENCLOSURE



PLAT FOR FRONT PORCH ENCLOSURE



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 22nd day of June 1977. Filing Fee \$ 2.00 Received ☒ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner's Attorney _____ Reviewed by _____

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

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting August 20, 1977

Posted for: PETITION FOR VARIANCE

Petitioner: JOSEPH & EMMA CHANEY

Location of property: NW/S.E. Queen Anne St. 125' N. of Dorchester Ave.

Location of Sign: FRONT 5827 QUEEN ANNE ST.

Remarks: _____
Posted by: *Richard K. Balaban* Date of return August 26, 1977

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

DATE: August 10, 1977 ACCOUNT: 71-662

AMOUNT: \$25.00

RECEIVED FROM: Joseph Chaney 5927 Queen Anne St., Balto., Md.
FOR: Petition for Variance #78-58-A

2500 REC

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

DATE: Aug. 31, 1977 ACCOUNT: 01-662

AMOUNT: \$40.75

RECEIVED FROM: Joseph Chaney 5927 Queen Anne St., Balto., Md.
FOR: Advertising and posting of property #78-58-A

4075 REC