

79-34-A 269 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Kathleen Lilley, his wife,
I, or we, Robert E. Lilley, and _____ 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 402.1 of the Zoning Code and Regulations to permit a lot width of 75 feet in lieu of the required 80 feet, and a side setback of 10 feet in lieu of the required 15 feet and a rear side yard of 34.6 feet in lieu of 35 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)
The owners will sustain practical difficulty and unreasonable hardship if the Variance is not granted because:

- The Petitioners have completed renovations and conversion of a second story of their residence to an additional living unit, and in doing so have expended a large sum of money which would be lost to the Petitioners if they were not allowed to use the renovations for the intended purposes.
- The renovations are intended to house one of the Petitioner's parents, who are ill, and therefore need someone in the family close at hand to look after their well-being and daily needs.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expense 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: _____
Address: _____
Baltimore, Maryland 21234

Lawrence K. Ginsberg, Esquire
Petitioner's Attorney
Address: 6615 Reisterstown Road - 301
Baltimore, Md. 21215, 338-7411

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 197____.

June 197____, 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 _____ day of _____, 197____, at 11:00 o'clock A. M.

Deputy Zoning Commissioner of Baltimore County,
(over)

RE: PETITION FOR VARIANCES
NE/S of Northwind Rd., 1524'
NW of Harford Rd., 9th District
ROBERT E. LILLEY, et ux, Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 79-34-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 574.1 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.

Peter Max Zinslemann
Deputy People's Counsel

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

I HEREBY CERTIFY that on the 21st day of July, 1978, a copy of the foregoing Order was mailed to Lawrence K. Ginsberg, Esquire, 6615 Reisterstown Road - 301, Baltimore, Maryland 21215, Attorney for Petitioners.

John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner

Date: July 25, 1978

FROM: Leslie H. Graf, Director of Planning

SUBJECT: Petition 79-34-A, ITEM #269

Petition for Variances for lot width and side yard setbacks
Northside of Northwind Road, 1524 feet Northwest of Harford Road
Petitioner - Robert E. and Kathleen Lilley

9th District

HEARING: Monday, August 14, 1978 (11:00 A.M.)

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

Leslie H. Graf
Director of Planning

LHG:JGHw

Baltimore County
Office of Planning and Zoning
TOWSON, MARYL. MD 21204
(301) 494-2283

S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

August 15, 1978

Lawrence K. Ginsberg, Esquire
6615 Reisterstown Road
Baltimore, Maryland 21215

RE: Petition for Variances
N2/S of Northwind Road, 1524' NW
of Harford Road - 9th Election
District
Robert E. Lilley, et ux - Petitioners
NO. 79-34-A (Item No. 269)

Dear Mr. Ginsberg:

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

Very truly yours,

GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJH:mr

Attachments

cc: Mr. Lawrence Gowl
2822 Northwind Road
Baltimore, Maryland 21234

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BEGINNING at a point on the westerly side of Northwind Road, 1524 feet Northwest of Harford Road, being Lot #34 of Debaugh Farms as recorded in the Land Records of Baltimore County in Liber #5, folio # 70.

Also known as 2828 Northwind Road.

Lawrence K. Ginsberg, Esquire
6615 Reisterstown Road - 301
Baltimore, Maryland 21215
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Item NO. 269

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

Your Petition has been received and accepted for filing
this _____ day of _____, 197____.

S. ERIC DINENNA
Zoning Commissioner

Petitioner: _____
Petitioner: _____

Reviewed by: _____
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 3, 1978

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

also

Nicholas B. Commodari
Chairman

MEMBER

Bureau of Engineering

Department of Public Engineering

State Roads Commission

Bureau of Planning

Health Department

Project Planning

Building Department

Board of Education

Public Administration

Industrial Development

Lawrence K. Ginsberg, Esquire
6615 Reisterstown Road - 301
Baltimore, Maryland 21215

RE: Variance Petition
Item No. 269
Petitioner - Lilley

Dear Mr. Ginsberg:

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 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 suitability of the requested zoning.

Located on the northeast side of Northwind Road, approximately 1500 feet northwest of Harford Road in the 9th Election District, the subject property is presently improved with a detached one family dwelling. Because of your client's proposal to convert the existing dwelling into a two family dwelling, this Variance for lot width and side yard setbacks is required in order to conform to the requirements of Section 402.1 of the Baltimore County Zoning Regulations.

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:amr
Enclosure

ORDER RECEIVED FOR FILING
DATE 10/15/1978

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 granted; 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 75 feet in lieu of the required 80 feet, and a side yard setback of ten feet in lieu of the required 15 feet and a sum of the side yards of 34.4 feet in lieu of the required 35 feet should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of August, 1978, that the above 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 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of August, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



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

July 25, 1978

Re: Item #269 (1977-1978)
Property Owner: Robert E. & Kathleen Lilley
Location: NE/S Northwind Rd. 1524' NW Harford Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.
Acres: 28,224 sq. ft. (0.6479 acres) 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:

Northwind Road, 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. Highway right-of-way widening, including any necessary reversible easement 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 Drainage:

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.

A future drainage and utility assessment is required through this property.

Item #269 (1977-1978)
Property Owner: Robert E. & Kathleen Lilley
Page 2
July 25, 1978

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Northwind Road. Additional fire hydrant protection is required in the vicinity.

Very truly yours,

Edmund P. Dwyer, Jr.
Edmund P. Dwyer, Jr., P.E.
Chief, Bureau of Engineering

END:SAW:FWB:as

CC: J. Somers
D. Grise
W. Munchel

R-SR Sheet
42 x 43 1/2" 19 Pos. Sheets
NS 11 E Topo
71 Tax Map



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

July 24, 1978

Dear Mr. DiNenna:

Comments on Item #269, Zoning Advisory Committee Meeting, June 20, 1978, are as follows:

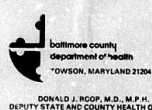
Property Owner: Robert E. & Kathleen Lilley
Location: NE/S Northwind Road 1524' NW Harford Road
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.
Acres: 28,224 sq. ft. (0.6479 acres)
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 ensure that all parties are made aware of planning 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
Current Planning and Development



19-31-A
11:00 AM

August 22, 1978

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

Dear Mr. DiNenna:

Comments on Item #269, Zoning Advisory Committee Meeting, June 20, 1978, are as follows:

Property Owner: Robert E. & Kathleen Lilley
Location: NE/S Northwind Rd. 1524' NW Harford Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.
Acres: 28,224 sq. ft. (0.6479 acres)
District: 9th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

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

TED/JRM/rld



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

June 27, 1978

Item No. 269 - SAC - June 20, 1978
Property Owner: Robert E. & Kathleen Lilley
Location: NE/S Northwind Rd. 1524' NW Harford Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.
Acres: 28,224 sq. ft. (0.6479 acres)
District: 9th

Dear Mr. DiNenna:

The Variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Stephen E. Weber
Engineer I

SEW/ma



Paul H. Reincke
Chief

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert E. & Kathleen Lilley

Location: NE/S Northwind Rd. 1524' NW Harford Rd.

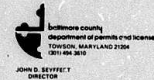
Item No. 269 Zoning Agenda Meeting of 6/20/78

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) The fire hydrants for the referenced property are required and shall be located at intervals on _____ 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 door and condition shown at _____ ~~NOTED~~ 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.

Noted and Approved: *George M. Haggard*
George M. Haggard
Special Inspection Division Fire Prevention Bureau



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

Dear Mr. DiNenna:

Comments on Item #269 Zoning Advisory Committee Meeting, June 20, 1978, are as follows:

Property Owner: Robert E. & Kathleen Lilley
Location: NE/S Northwind Rd. 1524' NW Harford Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.
District: 28,224 sq. ft. (0.6479 acres)
9th

The items checked below are applicable:

- X1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X2. A building permit shall be required before construction can begin.
- C. Additional _____ permits shall be required.
- X3. Buildings shall be upgraded to new use - requires alteration permit.
- X4. Three sets of construction drawings will be required to file an application for a building permit.
- F. 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.
- G. Void front 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comment:

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:raj

OCT 26 1978

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 20, 1978

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

Z.A.C. Meeting of: June 20, 1978

RE: Item No: 269
Property Owner: Robert E. & Kathleen Lilley
Location: NE/4 Northwind Rd. 1524' NW Harford Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 75' in lieu of the required 80' and a side setback of 10' in lieu of the 15' and a sum of the side yards of 34.4' in lieu of the required 35'.

District: 9th
No. Acres: 28,224 sq. ft. (0.6479 acres)

Dear Mr. DiNenna:

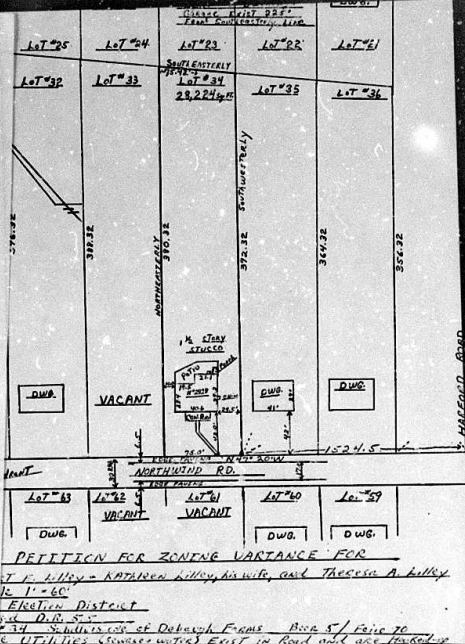
No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/jsp

JOSEPH H. HOFFMAN, PRESIDENT
T. KAYNE WILLIAMS, JR., VICEPRESIDENT
MARCOUS B. HUTCHINS
THOMAS H. BOYER
HARVEY L. LINDSEY, JR., CHAIRMAN
ROBERT S. HATCHEL
D. C. Y. DUBEL, SECRETARY
ALVIN LORICK
HARVEY L. LINDSEY, JR., CHAIRMAN
ROBERT S. HATCHEL
RICHARD W. TRACY, D.V.M.



CERTIFICATE OF PUBLICATION

TOWSON, MD. July 27, 1978

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 27th day of August, 1978, the final publication appearing on the 27th day of July, 1978.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$ 11.00



TOWSON, MD. 21204 July 27 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCES - Robert E. Lilley, et al. was inserted in the following:

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

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 28th day of July, 1978 that is to say, the same was inserted in the issues of July 27, 1978

STRIMBERG PUBLICATIONS, INC.

By *E. E. Burger*

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

No. 73399

DATE: July 20, 1978 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Robert E. Lilley
FOR: Filing Fee For Case No. 78-34

2500

VALIDATION BY SIGNATURE OF CASHIER

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

No. 73453

DATE: August 1, 1978 ACCOUNT: 01-662

AMOUNT: \$44.15

RECEIVED FROM: Robert E. Lilley
FOR: Bank of Advertising and Booking For Case No. 78-34

4415

VALIDATION BY SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Dist. No. 9 Date of Posting: 7-27-78

Posted for: Robert E. Lilley et al.

Petitioner: Robert E. Lilley et al.

Location of property: NE/4 Northwind Rd. 1524' NW of Harford Rd.

Location of Sign: Front of Property

Remarks: 1 - copy

Posted by: W. Nick Petrovich Date of return: 7-27-78

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>W. Nick Petrovich</u>	Revised Plans: Change in outline or description Yes ☐ No ☒								
Previous case: <u>None</u>	Map # <u>NE11E</u>								

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 6th day of JUNE 1978. Filing Fee \$ 25.00 Received ☒ Check ☐ Cash ☐ Other

Petitioner: Robert E. Lilley Submitted by: S. Eric DiNenna
Zoning Commissioner

Petitioner's Attorney: Lawrence J. Binsinger Reviewed by: W. Nick Petrovich

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

