

79-92-A 32 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Hattie Norris
I, or we, Genevieve L. Bell, 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 1002-3C1 to permit a side yard set back of 6' instead of the required 25' in a S.W. 1/4 Sec.

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

existing bottomless in basement. Addition would allow for an above ground basement.

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

Genevieve L. Bell
Hattie G. Norris

Address: 414 Railroad Avenue
Towson, Md. 21204

Petitioner's Attorney

Address: 825-9452
Towson, Md. 21204

Subscribed By The Zoning Commissioner of Baltimore County, this 15th day

of August 1978, 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 22nd day of October, 1978, at 10:15 o'clock A.M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 17, 1978

FROM: Leslie H. Grief, Director of Planning Item No. 32

SUBJECT: Petition 79-92-A, Petition for Variance for side yard setback West side of Railroad Avenue, 140 feet South of Pennsylvania Avenue Petitioner - Genevieve L. Bell, et al

9th District

HEARING: Monday, October 23, 1978 (10:15 A.M.)

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

Leslie H. Grief
Director of Planning

LHG:JCH:RW

RE: PETITION FOR VARIANCE W/S of Railroad Ave., 140' S of Pennsylvania Ave. 9th District

OF BALTIMORE COUNTY

GENEVIEWE L. BELL, et al, Petitioners Case No. 79-92-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charters, 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 Mrs. Zimmerman
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 29th day of September, 1978, a copy of the foregoing Order was mailed to Genevieve L. Bell and Hattie G. Norris, 414 Railroad Avenue, Towson, Maryland 21204, Petitioners.

John W. Hession, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 684-2283

October 25, 1978

Ms. Genevieve L. Bell and
Ms. Hattie G. Norris
414 Railroad Avenue
Towson, Maryland 21204

RE: Petition for Variance W/S of Railroad Avenue, 140' S of Pennsylvania Avenue - 9th Election District Genevieve L. Bell, et al - Petitioners NO. 79-92-A (Item No. 32)

Dear Ms. Bell and Ms. Norris:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:ar

Attachment

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

PROPERTY DESCRIPTION

BEGINNING at a point on the west side of Railroad Avenue 110' south of the intersection of Railroad Avenue and Pennsylvania Avenue and thence running west 50' 0" thence south 15' 0" thence west 94' 6" thence south 16' 0" thence east 140' 1" thence north 31' 0" to the beginning.

Also known as 417 Railroad Avenue

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

October 4, 1978

Chairman
Members:
Bureau of Engineering
Department of Public Works
Statewide Commission

Ms. Genevieve L. Bell
Ms. Hattie Norris
414 Railroad Avenue
Towson, Maryland 21204

RE: Variance Petition
Item No. 32
Petitioner - Norris and Bell

Dear Ladies:

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.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and item, 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

NE:cmr
Enclosure

Ms. Genevieve L. Bell
Ms. Hattie Norris
414 Railroad Avenue
Towson, Maryland 21204

Item No. 32

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

Your Petition has been received and accepted for filing
this 15th day of August 1978.

S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Ms. Genevieve L. Bell
Petitioner's Attorney: Nicholas B. Commodari
Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

MAR 22 1979

ORDER RECEIVED FOR FILING
DATE: 10/10/78
FILED: 10/10/78

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 difficulties 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, the Variance to permit a side yard setback of six feet in lieu of the required twenty-five feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of October, 1978, 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 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204

THOMAS M. MOHRING, P.E.
DIRECTOR
October 3, 1978

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

Re: Item #32 (1978-1979)
Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Ave. 140' S. Pennsylvania Ave.
Existing Zoning: DR 16
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 25'.
Acres: 0.052 District: 9th

Dear Mr. DiNenna:
The following comments are furnished in regard to the plat submitted to this office for review of the Zoning Advisory Committee in connection with the subject item.

Highways:
Railroad Avenue, 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 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.

Water and Sanitary Sewer:
There is a public 6-inch water main and 8-inch public sanitary sewerage in Railroad Avenue.

Very truly yours,
Elliott M. Dwyer, P.E.
ELLIOT M. DWYER, P.E.
Chief, Bureau of Engineering

END:LAN:PMW:SS
cc: J. Trimmer, J. Somers

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
October 6, 1978

LESLIE H. GRAFF
DIRECTOR

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 #32, Zoning Advisory Committee Meeting, August 15, 1978, are as follows:

Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Avenue 140' S. Pennsylvania Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 25'.
Acres: 0.052 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 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
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 21, 1978

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

Dear Mr. DiNenna:
Comments on Item #32, Zoning Advisory Committee meeting, August 15, 1978, are as follows:

Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Ave. 140' S. Pennsylvania Ave.
Existing Zoning: DR 16
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 25'.
Acres: 0.052 District: 9th

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

Very truly yours,
Thomas P. Devlin, Director
Bureau of Environmental Services

TMD/SRP/gh

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
1801 5th Ave.
Paul H. Reinecke
Chief
August 29, 1978

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

Attention: N. Commaduri, Chairman
Zoning Advisory Committee

Re: Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Ave. 140' S. Pennsylvania Ave.
Item No. 32 Zoning Agenda Meeting of 08/15/78

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 100 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 and condition shown at _____ within 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. Haganoff
Special Inspection Division Fire Prevention Bureau

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
1801 5th Ave.
JOHN S. REPPERT
DIRECTOR
August 23, 1978

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

Dear Mr. DiNenna:
Comments on Item #32 Zoning Advisory Committee Meeting, August 15, 1978 are as follows:

Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Ave. 140' S. Pennsylvania Ave.
Existing Zoning: DR 16
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 25'.
Acres: 0.052 District: 9th

The items checked below are applicable:
X. A structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1970 Supplement, and other applicable codes.

- A. A building permit shall be required before construction can begin.
- B. Additional permits shall be required.
- C. Building shall be upgraded to new use - requires alteration permit.
- D. Three sets of construction drawings will be required to file an application for a building permit.
- E. 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.
- F. 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.
- G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- H. No Comment.
- I. No Comment.

Very truly yours,
Charles E. Schaefer
Charles E. Schaefer
Planner III

CEB:123

BOARD OF EDUCATION
OF BALTIMORE COUNTY
TOWSON, MARYLAND - 21204
Date: August 11, 1978

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

Z.A.C. Meeting of: August 15, 1978

RE: Item No. 32
Property Owner: Hattie Morris & Genevieve L. Bell
Location: W/S Railroad Ave. 140' S. Pennsylvania Ave.
Present Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 25'.
District: 9th
No. Acres: 0.052

Dear Mr. DiNenna:
No bearing on student population.

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

WNP/JP
JOSEPH H. MCDONALD, PRESIDENT
THOMAS H. SILVER
ALVIN LOCKER
J. HAROLD WILLIAMS, JR., VICE-PRESIDENT
MRS. LORRAINE F. CHURCH
JOE. WILTON M. SMITH, JR.
ROGER M. HAYDON
RICHARD W. TRACY, D.V.M.
FLORENCE T. BUREL, SECRETARY

MAR 22 1979

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 9 Date of Posting: 10-5-78

Posted for: Genevieve L. Bell, et al

Petitioner: Genevieve L. Bell, et al

Location of property: 417 Railroad Avenue, 140' S of

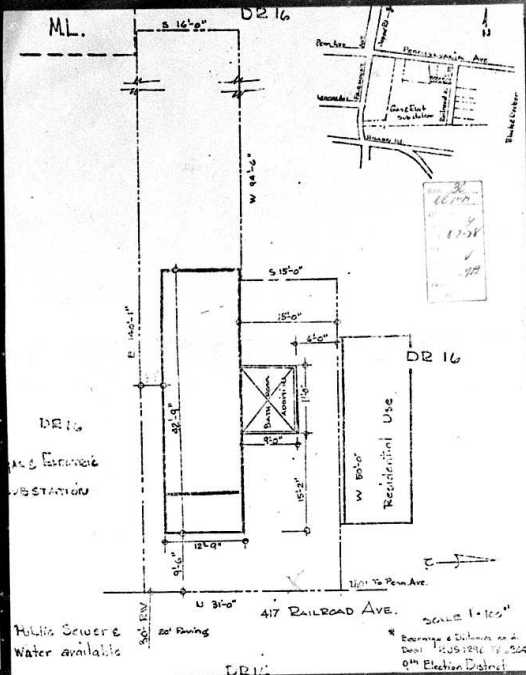
Pennsylvania Avenue

Location of Sign: Front of Property

Remarks: Casey C. Edwards

Posted by: Casey C. Edwards Date of return: 10-5-78

1- Sign



CERTIFICATE OF PUBLICATION

TOWSON, MD. October 5, 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 or about the 5th day of October, 1978, the 5th publication appearing on the 5th day of October, 1978.

THE JEFFERSONIAN
S. L. Edwards, Manager

Cost of Advertisement, \$

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

DATE: Oct. 23, 1978 ACCOUNT: 01-662

AMOUNT: \$12.50

RECEIVED: Genevieve L. Bell

FROM: Cost of Advertising and Posting for Case No. 79-72A

FOR: Cost of Advertising and Posting for Case No. 79-72A

28734200 24 4985000

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 28 day of July, 1978. Filing Fee \$ 85.00. Received check cash other

S. Eric Dillenne
S. Eric Dillenne,
Zoning Commissioner

Petitioner: Halle Morris submitted by Halle Morris

Petitioner's Attorney: Halle Morris Reviewed by Halle Morris

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	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, GC, CA										
Reviewed by <u>Halle Morris</u>										
Revised Plans: Change in outline or description										
Previous case: <u>None</u>										
Map # <u>NE10A</u>										

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

DATE: 7/28/78 ACCOUNT: 01-662

AMOUNT: \$25.00 (cash)

RECEIVED: Halle Morris

FROM: Halle Morris

FOR: Petition for variance 417 Railroad Ave.

28734200 31 25.00000

VALIDATION OR SIGNATURE OF CASHIER



THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Genevieve L. Bell, et al was inserted in the following:

- ☐ Catonsville Times ☐ Towson Times
- ☐ Dundalk Times ☐ Arbutus Times
- ☐ Essex Times ☐ Community Times
- ☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for 28 successive weeks before the 6th day of October, 1978, that is to say, the same was inserted in the issues of October 5, 1978.

STROMBERG PUBLICATIONS, INC.

BY Esther Burger