

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard J. Nee, 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 1802.38 (Current Zoning Regulations) and Section 208.3 (1955 Zoning Regulations) to permit a side yard setback from a side street by 48" to the center line of the street rather than the required 30' and 55' respectively.

...for the following reasons: (indicate hardship or practical difficulty)

Petitioner desires to construct one car garage and storage area as addition to existing house, thus necessitating the above variance requests. Positioning of garage due to existing concrete drive.

10-20-78
10/30/78

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.

Richard J. Nee
Contract purchaser
Legal Owner
Address: 318 Farmstead Road
Cockeysville, Maryland 21030
Phone: 667-0983
Petitioner's Attorney
James C. Doub
10 Light Street
Baltimore, Maryland 21202
Protestor's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of October, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of October, 1978, at 10:00 o'clock A.M.

Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NW corner of Farmstead Rd. and Lancewood Rd., 8th District : OF BALTIMORE COUNTY
Richard J. Nee, Petitioner : Case No. 79-96-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

'Amount 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.

Peter Max Zimmerman
Peter Max Zimmerman
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 5th day of October, 1978, a copy of the foregoing Order was mailed to James C. Doub, Esquire, 10 Light Street, Baltimore, Maryland 21202, Attorney for Petitioner.

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

RE: PETITION FOR VARIANCES : BEFORE THE
NW corner of Farmstead and : DEPUTY ZONING
Lancewood Roads - 8th :
Election District : COMMISSIONER
Robert J. Nee - Petitioner :
NO. 79-96-A (Item No. 28) :
OF
BALTIMORE COUNTY

AMENDED ORDER NUNC PRO TUNC

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of December, 1978, that the Order, dated December 8, 1978, passed in this matter, should be and the same is hereby AMENDED, "Nunc Pro Tunc", to change: "in lieu of the required 30 feet and 44 feet ..." to "in lieu of the required 10 feet and 55 feet"

Eric DiNenna
Deputy Zoning Commissioner of Baltimore County

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
DEPT. 484-3363
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martink
Deputy Zoning Commissioner

December 15, 1978

James C. Doub, Esquire
10 Light Street
Baltimore, Maryland 21202

RE: Petition for Variances
NW corner of Farmstead and
Lancewood Roads - 8th
Election District
Robert J. Nee - Petitioner
NO. 79-96-A (Item No. 28)

Dear Mr. Doub:

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

Very truly yours,
George J. Martink
George J. Martink
Deputy Zoning Commissioner

GJM:rr

Attachments:

cc: Mr. Robert Hultquist
Box 514
Cockeysville, Maryland 21030
John W. Hession, III, Esquire
People's Counsel

ORDER RECEIVED FOR FILING

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
Date: October 18, 1978
TO: Leslie H. Grael
FROM: Director of Planning
SUBJECT: Petition #79-96-A, Item 28

Petition for Variances for side yard setback and distance from center line of street Northwest corner of Farmstead Road and Lancewood Road
Petitioner - Richard J. Nee

8th District
HEARING: Monday, October 30, 1978 (10:00 A.M.)

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

Leslie H. Grael
Leslie H. Grael
Director of Planning

LHG:JGH:m

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
DEPT. 484-3363
STEPHEN COLLINS
DIRECTOR

October 18, 1978

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

Item No. 28 - SAC - Meeting of August 15, 1978
Property Owner: Richard J. Nee
Location: NW corner of Farmstead Rd. & Lancewood Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 30' and 55' respectively.

ACRES: 0.21
DISTRICT: 8th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the setbacks for the side yard and the center of the street.

Very truly yours,
Richard J. Nee
Richard J. Nee
Engineer Associate

MSF/mjn

FROM THE OFFICE OF
GEORGE WILSON, JR. AND ASSOCIATES, INC.
ENGINEERS
978, TOWSON, MARYLAND 21204

Description to Accompany Petition
For Variance Requests
#114 Farmstead Road
Lot 38 Block P SPRINGDALE
July 13, 1978

Beginning for the same at a point which is North 28° 49' 03" West 43.00 feet from the intersection of the center lines of Lancewood Road and Farmstead Road, said point being on the northerly side of Farmstead Road at the beginning of the cut-off leading to the easterly side of Lancewood Road, running thence binding along said northerly side of Farmstead Road the two following courses viz: (1) North 64° 21' 11" West 41.50 feet and (2) westerly by a curve to the left having a radius of 210.00 feet and a distance of 8.97 feet, thence leaving said road, the two following courses viz: (3) North 23° 11' 56" East 90.77 feet and (4) South 64° 21' 11" East 104.33 feet to the easterly side of said Lancewood Road, thence binding along said easterly side (5) South 25° 38' 49" West 80.00 feet, thence across the heretofore mentioned cut-off (6) South 70° 38' 49" West 14.14 feet to the place of beginning.

Containing 0.210 acres of land, more or less.
The herein above described parcel being known and designated as Lot 38 Block 'P' as shown on a plat entitled "Plat II Section IV Springdale" recorded among the Plat Records of Baltimore County in Plat Book O.T.G. 33 folio 80



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
DEPT. 484-3363

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

James C. Doub, Esquire
10 Light Street
Baltimore, Maryland 21202

RE: Petition for Variances
NW corner of Farmstead and
Lancewood Roads - 8th
Election District
Robert J. Nee - Petitioner
NO. 79-96-A (Item No. 28)

Dear Mr. Doub:

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

Very truly yours,
George J. Martink
George J. Martink
Deputy Zoning Commissioner

GJM:rr

Attachments:

cc: Mr. Robert Hultquist
Box 514
Cockeysville, Maryland 21030

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

ORDER RECEIVED FOR FILING
DATE: Dec 14, 1978
FILED: 11/17/78

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 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 (Lancewood Road) of 23 feet and 48 feet to the center line of the street in lieu of the required 30 feet and 55 feet, respectively, should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of December, 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 14th day of December, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 4, 1978

Mr. Richard J. Nee
918 Farmstead Road
Cockeysville, Maryland 21050

RE: Variance Petition
Item No. 28
Petitioner - Nee

Dear Mr. Nee:

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 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

ENCLOSURE

cc: George William Stephens, Jr.
and Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS M. MOURING, P.E.
DIRECTOR

October 2, 1978

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

Re: Item #28 (1978-1979)
Property Owner: Richard J. Nee
N/W cor. Farmstead Rd. & Lancewood Rd.
Existing Zoning: OR 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 30' and 55' respectively.
Acres: 0.21 District: 8th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan 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 #86905, executed in conjunction with the development of Springdale, of which this property comprises lot 38, block "B" of plat II, section IV Springdale, recorded O.T.C. 33, Police 86.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #28 (1978-1979).

Very truly yours,
William H. Dyer, P.E.
WILLIAM H. DYER, P.E.
Chief, Bureau of Engineering

END:PAW:PMW:EE

U-SW Key Sheet
67 NE 2 Pos. Sheet
NE 17 A Topo
52 The Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
OR 114-3311

September 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #28, Zoning Advisory Committee Meeting, August 15, 1978, are as follows:

Property Owner: Richard J. Nee
Location: NW/C Farmstead Road and Lancewood Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 30' and 55' respectively.
Acres: 0.21
District: 8th

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 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

Dear Mr. DiNenna:

Comments on Item #28, Zoning Advisory Committee Meeting, August 15, 1978, are as follows:

Property Owner: Richard J. Nee
Location: NW/C Farmstead Rd. & Lancewood Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 30' and 55' respectively.
Acres: 0.21
District: 8th

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

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

TMD/2EP:phd

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7330

Paul H. Heinke
CHIEF

August 23, 1978

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

Attention: J. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Richard J. Nee
Location: NW/C Farmstead Rd. & Lancewood Rd.
Item No. 28
Zoning Agency 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 _____ 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", 1976 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

Approved: *George M. Maganett*
George M. Maganett
Fire Prevention Bureau

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
401-86-80

JOHN S. SEBERT
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 #28 Zoning Advisory Committee Meeting, August 15, 1978 are as follows:

Property Owner: Richard J. Nee
Location: NW/C Farmstead Road & Lancewood Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 30' and 55' respectively.
Acres: 0.21
District: 8th

The items checked below are applicable:

1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
2. A building permit shall be required before construction can begin.
3. Additional _____ permits shall be required.
4. Building shall be upgraded to new use - require alteration permit.
5. Three sets of construction drawings will be required to file an application for a building permit.
6. 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.
7. Wood frame walls are not permitted within 10' of a property line. Contact Building Department if distance is between 10' and 15' of property line.
8. Suspect setback variance conflicts with the Baltimore County Building Code. See Section _____.
9. No Comment.
10. Comments:

Very truly yours,
John S. Sebert
John S. Sebert
Planning and Zoning

Mr. Richard J. Nee
918 Farmstead Road
Cockeysville, Maryland 21030

Item No. 28

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.

Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Nee
Petitioner's Attorney: Nicholas B. Commodari

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

cc: George William Stephens, Jr.
and Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

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: 28
Property Owner: Richard J. Nee
Location: 36/C Farmstead Rd. & Laurewood Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 23' and 48' to the center of the street in lieu of the required 50' and 55' respectively.

District: 8th
No. Acres: 0.21

Dear Mr. DiNenna:

No hearing on student population.

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

NSP/bp

JOSEPH M. MCGOWAN, PRESIDENT
T. BRADY HALLIDAY, JR., VICE-PRESIDENT
MARCEL M. MCGOWAN

THOMAS H. BEYER
WES LORRANE F. CONNOR
RODER R. HAYTON
ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LORLOCK
WES HUTTON R. SMITH, JR.
RICHARD W. TRACY, D.V.M.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8 Date of Posting: 10/15
Posted for: Variance
Petitioner: Richard J. Nee
Location of property: 36/C Farmstead Rd. & Laurewood Rd.
Location of Sign: Corner of 918 Farmstead
Remarks: See Certificate
Posted by: Eric DiNenna Date of return: 10/17/78
Signature
No. of Signs: 1

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

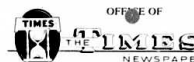
Your Petition has been received * this 1 day of
August 1978. Filing Fee \$ 25.00 Received ☒ Check
Cash ☐ Other ☐

Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Richard J. Nee Submitted by: Eric DiNenna

Petitioner's Attorney: Nicholas B. Commodari Reviewed by: Eric DiNenna

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



TOWSON, MD 21204 October 12 1978

Advertisement of
J. Nee
Towson Times
Arbutus Times
Community Times
Suburban Times West
Published in Baltimore, County, Maryland,
one successive weeks before the
13th day of October 1978, that is to say, the same
was inserted in the issues of October 12, 1978.

STROMBERG PUBLICATIONS, INC.

BY: *Edith Burge*

PETITION FOR VARIANCE
NO. DISTRICT

RECEIVED: The Board of Education for the City and County of Baltimore, Maryland, on the 12th day of October, 1978, at 10:00 A.M., the following Petition for Variance was presented to the Board of Education for its consideration and action thereon.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204, 10/12/78

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 each week, on the 12th day of October, 1978, the first publication appearing on the 12th day of October, 1978.

THE JEFFERSONIAN

Cost of Advertisement \$

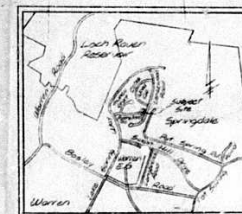
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76054
DATE: October 14, 1978 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED FROM: George William Stephens, Jr.
FOR: Filing Fee for Case No. 79-06-A
Richard J. Nee - Petitioner Set for hearing
October 30, 1978 at 10:00 A.M.
\$25.00 RECEIVED 4 25.00 CASH
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76105
DATE: October 30, 1978 ACCOUNT: 01-662
AMOUNT: \$60.93
RECEIVED FROM: Richard J. Nee
FOR: Cost of Advertising and Posting Case No. 79-06-A
\$60.93 RECEIVED 30 60.93 CASH
VALIDATION OR SIGNATURE OF CASHIER

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					1/3	HP			
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>CH</u>	Revised Plan:				Change in outline or description				
Previous case:					Map # <u>4617A</u>				

REH
ROBERT HULTQUIST
Representing Loading Manufacturers





LOCATION MAP 1"=2000'

GENERAL NOTES

- (1) AREA OF TRACT=0.210 ACRES±
- (2) EXISTING ZONING= DR 35
- (3) PRESENT USE= RESIDENTIAL
- (4) PETITIONER DESIRES TO CONSTRUCT ONE CAR GARAGE AND STORAGE AREA AS ADDITION TO EXISTING HOUSE. THIS NECESSITATING THE BELOW QUOTED VARIANCE REQUESTS. SAID VMC. VARIANCE REQUESTS ARE CREATED DUE TO THE POSITION OF THE EXISTING DRIVEWAY.
- (5) METES AND BOUNDS SHOWN HEREON AND SUBORDINATING LOT LINES ARE BASED ON A PLAT ENTITLED "PLAT OF SECTION 3, SPRINGDALE DATED APRIL 1, 1969 AND RECORDED AMONG THE LAND RECORDS OF BALTO. COUNTY IN PLAT BOOK OTG NO. 33, FOLIO 80

VARIANCE REQUESTED TO SECTION 1802.38 (CURRENT ZONING REGULATIONS) AND SECTION 204.3 (1966 ZONING REGULATIONS) TO PERMIT A SIDE YARD SETBACK FROM A SIDE STREET OF 25% AND 40% TO THE CENTER LINE OF THE STREET RATHER THAN THE REQUIRED 30' AND 55' RESPECTIVELY.

PLAT TO ACCOMPANY
ZONING PETITION
FOR
N2 918 FARMSTEAD ROAD
LOT 38 BLOCK 'P'
SPRINGDALE

BALTO. CO., MD. ELECT. DIST. N28
SCALE: 1"=20' JULY 31, 1978

MAP	33
SECTION	NETE
DATE	7/31/78
BY	W
CHECKED	W
DATE	7/31/78
BY	W

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVE.
TOWSON, MARYLAND 21204

