

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, James L. Iman & Sandra L. Iman, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, 1801.2.C.3 hereby petition for a Variance from Section 15-101 to permit a distance of 32' between the proposed dwelling and the side street center line instead of the required 50'. 1802.30.1 to permit a side setback of 12' in lieu of the required 25' in a D.R.S.5 Zone. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty): The lot is 50' wide. The right of way designated as Wells Road is only a paper road and has never been improved and is over grown in weeds. To comply with the 25' set back requirement would present an impossibility and would deprive the owners of any practical use of the said property.

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 _____
Address _____
City _____
State _____
County _____
Petitioner's Attorney _____
Address _____
City _____
State _____
County _____
ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 through-out 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 _____, 1977, at 10:30 o'clock A.M. _____
Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NE corner B Avenue and : OF BALTIMORE COUNTY
Wells Road, 15th District
JAMES L. IMAN, et ux, Petitioner : Case No. 79-116-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 date which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III
Peter Max Zimvarian
Deputy People's Counsel

I HEREBY CERTIFY that on this 31st day of October, 1978, a copy of the a foregoing Order was mailed to Norman R. Stone, Jr., Esquire, 6905 Dunnaway, Dundalk, Maryland 21222, Attorney for Petitioners.

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

Baltimore County
Office of planning and zoning
TOWSON, MARYLAND 21204
(410) 461-2222
S. ERIC DENNEN
Zoning Commissioner
George J. Martinak
Deputy Zoning Commissioner

December 7, 1978

Norman R. Stone, Jr., Esquire
6905 Dunnaway
Dundalk, Maryland 21222

RE: Petition for Variances
NE/corner of "B" Avenue
and Wells Road - 15th
Election District
James L. Iman, et ux -
Petitioners
NO. 79-116-A (Item No. 51)

Dear Mr. Stone:

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

Very truly yours,

S. Eric Dennen
S. ERIC DENNEN
Zoning Commissioner

SEDA:

Attachment

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

Beginning at a point on the northeastern corner of Avenue B and Wells Road, being Lot 18, Plat of Todd to Brown as recorded in the Land Records of Baltimore County, Book 7, folio 147. Also known as Avenue B.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dennen
Zoning Commissioner
Date: November 13, 1978
TO: Lellie H. Gross
Director of Planning
FROM: Petition # 79-116-A, Item #51
SUBJECT: Petition for Variances
Northeast corner Avenue B and Wells Road
Petitioner - James L. and Sandra L. Iman

15th District

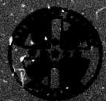
HEARING: Monday, November 20, 1978 (10:30 A.M.)

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

Lellie H. Gross
Lellie H. Gross
Director of Planning

LHG:JGH:aw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

PLANNING COMMISSION

Mr. & Mrs. James L. Iman
9210 Todd Avenue
Fort Howard, Maryland 21052
Item No. 51

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 29th day of August 1978.

S. Eric Dennen
S. ERIC DENNEN
Zoning Commissioner

Petitioner Iman
Petitioner's Attorney
cc: Frank Lee
77 Neighbors Avenue
Baltimore, Maryland 21237

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 18, 1978

Chairman
Nicholas B. Commodari
MEMBERS
Bureau of Engineering
Department of Traffic & Engineering
State Road Commission
Bureau of Fire Protection
Health Department
Project Planning
Public Department
Board of Education
County Administration
Industrial Development

Mr. & Mrs. James L. Iman
9210 Todd Avenue
Fort Howard, Maryland 21052

RE: Variance Petition
Item No. 51
Petitioner - Iman

Dear Mr. & Mrs. Iman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed 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

NBC:awp
Enclosure

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

MARCH 13 1979

MARCH 13 1979

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 fact 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 GRANTED, and it further appearing that by reason of the STANDING of the Variance requested not adverse to affecting the health, safety, and general welfare of the community, Variance to permit a distance of 32 feet between the proposed dwelling and the side street center line in lieu of the required 50 feet and side yard setback of 12 feet in lieu of the required 25 feet should be GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2 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 day of , 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

July 16, 1978

Branch of Engineering
ELLIS W. H. DIVER, P.E., CHIEF

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

Re: Item #1 (1978-1975)
Property Owner: Harry H. & Regina P. Inne
Location: NE/C "B" Ave. & Wells Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 609.2.6 to permit 37 parking spaces in lieu of the required 58 spaces. Special exception for a best yard in a D.R. 5.5 zone.
Acres: 0.2238
District: 15th

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

Avenue "B", an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway easements for slopes will be required in connection with any grading or building permit application. The submitted plan must be revised to indicate the proposed highway widening.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

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

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

There is an existing storm drain crossing Avenue "B" at this location with its outfall blocked by fill material.



THOMAS M. MOULDER, P.E.
DIRECTOR

October 23, 1978

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

Re: Item #51 (1978-1979)
Property Owner: James L. & Sandra L. Inne
Location: NE/C "B" Ave. & Wells Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 12' and 32' to the center of the side street in lieu of the required 25' and 50' respectively.
Acres: 0.2238 District: 15th

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.

General

Comments were supplied in connection with the Zoning Advisory Committee review of an overall larger project for Item #1 (1978-1979), of which, this property comprises Lot 18 of the Plat "Thomas, M. Todd to Lillian Brown" (W.P.C. 7, Folio 147). Those comments are referred to for your consideration.

Highways

Avenue "B", indicated as "Todd Avenue" on the aforesaid recorded plat, and 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.

Wells Road, also indicated on the aforesaid plat as a 40-foot right-of-way, if improved in the future as a public road, would be as a 30-foot closed section roadway on the 40-foot right-of-way.

Highway right-of-way widening, including a filllet area for eight feet distance at the intersection and any necessary reversible easements 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.

Item #51 (1978-1979)
Property Owner: James L. & Sandra L. Inne
Page 2
October 23, 1978

Storm Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

As stated for Item #1 (1978-1979), there is an existing storm drain crossing of Avenue "B" at this location with its outfall blocked by fill material. This existing drainage pipe and provision for its outfall including a supporting utility easement will be required to be shown in connection with any planned improvement of this property.

The property to be developed is located adjacent to the water front. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels and other special construction features are required.

Water and Sanitary Sewer

Public water main and sanitary sewerage exist in Avenue "B".

Very truly yours,

Ellis W. H. Diver
ELLIS W. H. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM/PWR:aa

CC: J. Wimbly
J. Soners

A-NE Key Sheet
30 SE 34 Pos. Sheet
SE 61 Topo
111 Tea Map

Attachment

October 24, 1978



LESLIE H. GRAFF
DIRECTOR

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 #51, Zoning Advisory Committee Meeting, August 24, 1978, are as follows:

Property Owner: James L. & Sandra L. Inne
Location: NE/C "B" Avenue and Wells Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 12' and 32' to the center of the side street in lieu of the required 25' and 50' respectively.
Acres: 0.2238
District: 15th

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. Wimbly
JOHN L. WIMBLY
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

October 20, 1978

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

Item No. 51 - SMC - Meeting of August 29, 1978
Property Owner: James L. & Sandra L. Inne
Location: NE/C "B" Ave. & Wells Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 12' and 32' to the center of the side street in lieu of the required 25' and 50' respectively.
Acres: 0.2238
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the side and front setbacks.

Very truly yours,

Michael S. Flanigan
MICHAEL S. FLANIGAN
Engineer Associate II

MSF/sjs

September 22, 1978



JOHN L. SEATON
DIRECTOR

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

Dear Mr. DiNenna:

Comments on Item #51 Zoning Advisory Committee Meeting, August 29, 1978 are as follows:
Property Owner: James L. & Sandra L. Inne
Location: NE/C "B" Ave. & Wells Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 12' and 32' to the center of the side street in lieu of the required 25' and 50' respectively.
Acres: 0.2238
District: 15th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Redesignated and aged and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional permit shall be required.
- D. Building shall be upgraded to new use - require attention unit.
- E. These sets of construction drawings will be required to file an application for a building permit.
- F. These sets of construction drawings with a registered Professional Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3' of a property line. Contact Building Department if distance is between 3' and 4' of property line.
- H. Reported setback variance conflicts with the Baltimore County Building Code, for Section .
- I. No Comment.
- X J. Comment: If basement or 1st floor is below or at elevation 10', see Section 320.0 of the supplement to the Baltimore County Building Code.

Very truly yours,

Charles E. Burman
CHARLES E. BURMAN
Plans Review Chief

CEB:rsj

MAR 13 1979

March 13 1979
F B I
4 5 6 7 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

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, CC, CA											
Rev. used by: <u>MS</u>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>										
Previous case:	Map # <u>V-12</u>										

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 16 day of Nov 1977. Filing Fee \$ 25. Received ☒ Check ☐ Cash ☐ Other

H. R. Stone
S. Eric Dinwiddie,
Zoning Commissioner

Petitioner THAN Submitted by H. Stone

Petitioner's Attorney STONE Reviewed by MS

* 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

No. 76176

DATE December 7, 1978 ACCOUNT 01-662

AMOUNT \$41.16

RECEIVED Dendra Lee Tann

FOR Cost of Advertising and Posting Case No. 79-116-A

41.16 MS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 76095

DATE Oct. 23, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Howard A. Stone

FOR Filing Fee for Case No. 79-116-A

25.00 MS

VALIDATION OR SIGNATURE OF CASHIER

