

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCES : BEFORE THE DEPUTY ZONING COMMISSIONER
NE/corner of Chesapeake and Central Avenues - 9th Election District : COMMISSIONER
Elizabeth Silver Cole - Petitioner :
NO. 79-126-XA (Item No. 30) : OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for Special Exception for offices in a D.R.16 Zone and, additionally, a Petition for Variances to permit a side yard setback of 19 feet in lieu of the required 25 feet, from Central Avenue, a front yard setback of 29.5 feet in lieu of the required 30 feet, from the proposed right of way line of Chesapeake Avenue, and a front yard setback of 20.5 feet in lieu of the required 22.5 feet, from said right of way line for an open porch, all for property at the subject location.

The subject property comprises 0.30 of an acre, more or less, and is improved with a three-story dwelling that has been converted to apartments. The described Variances are required in order to legalize existing setbacks.

Testimony at the hearing indicated that the Petitioner plans to convert the 10 to 12 room dwelling to general office use, retaining its outward appearance, and that no new construction is planned for the site.

Nearby residents indicated their concern for what they termed as the "apartment character" of the vicinity and their fear of additional traffic, which might materialize as a result of the office use. However, a concerned resident indicated that she was not present in protest, but, rather, that she was merely interested in the preservation of the exterior of the building so that it would be in harmony with nearby residentially styled buildings. It is noted that comments from the Director of Planning expressed a similar concern and stated that the proposed use would be appropriate.

Without reviewing the evidence further in detail but based upon all of the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations have been met and the health, safety, and general welfare of the community not being adversely affected, the Special Exception should be granted. Likewise, the Variances should also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of December, 1978, that the Petition for Special Exception for offices in a D.R.16 Zone and the Petition for Variances to permit a side yard setback of 19 feet in lieu of the required 25 feet, from Central Avenue, a front yard setback of 29.5 feet in lieu of the required 30 feet, from the proposed right of way of Chesapeake Avenue, and a front yard setback of 20.5 feet in lieu of the required 22.5 feet, from said right of way line for an open porch, should be and the same are hereby GRANTED, from and after the date of this Order, subject to the following restrictions:

1. No substantial changes shall be made to the exterior of the building.
2. Approval of a site plan by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning, to include landscaping approval by the Current Planning and Development Division.

John W. Hession, III
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES :
NE corner of Chesapeake Ave. and :
Central Ave., 9th District : OF BALTIMORE COUNTY

ELIZABETH SILVER COLE, Petitioner : Case No. 79-126-XA

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

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 therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2118

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2118

I HEREBY CERTIFY that on this 8th day of November, 1978, a copy of the foregoing Order was mailed to John J. Bishop, Jr., Esquire, 305 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Petitioner.

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 20, 1978

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

cc: Nicholas B. Commodari
Chairman

cc: Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
County Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

John J. Bishop, Jr.
305 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 30
Petitioner - Elizabeth S. Cole
Special Exception and Variance
Petitions

Dear Mr. Bishop:

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.

The subject of this petition is a three-story dwelling, converted to apartments, located on the northeast corner of Chesapeake and Central Avenues in West Towson. Because of your client's proposal to convert this structure to office use, the Special Exception is required, while the Variance is included in order to legalize the existing setbacks of this structure.

In view of the fact that revised site plans, incorporating the comments of the Office of Current Planning and Development, were submitted, I proceeded to schedule this petition for a hearing date. Please note that these plans do not reflect the proposed widening of Chesapeake Avenue, nor is the square footage of the "entrance" along Central Avenue included in the parking regulations. The site plans should again be revised to include these items prior to the scheduled hearing.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be

Item No. 30
Page 2
November 20, 1978

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/sf

cc: Gerold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MORGAN, P.E.
DIRECTOR

October 2, 1978

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

Re: Item #30 (1978-1979)
Property Owner: Elizabeth S. Cole
N/E cor. Chesapeake Ave. and Central Ave.
Existing Zoning: OM 16
Proposed Zoning: Special Exception for offices (IDCA 78-48X)
Acreage: 0.30 District: 9th

Dear Mr. Dillman:

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:

This property is the subject of Project IDCA 78-48X.

Highways:

Central and Chesapeake Avenues, existing public streets, are proposed to be improved in the future as 40 and 44-foot local section roadways on 60 and 72-foot rights-of-way, respectively.

The status of the indicated 10-foot alley located approximately 40 feet north of this specific site, is unknown to this office. This alley should be improved in the future as a 20-foot commercial type alley on a 24-foot right-of-way. A comprehensive review of this site, together with the neighboring properties along this alleyway, from Mosley Avenue westerly to Central Avenue, and thence to Highland Avenue, indicates that the centerline of the proposed 20-foot alley and 24-foot right-of-way is to be located 3 feet northward of the centerline of the present 10-foot alley. Highway right-of-way widening will be required on Chesapeake Avenue, including a fillet area for sight distance at the Central Avenue intersection and for the future alley improvement, together with any necessary invertible easements for slopes. A common entrance for this and other of 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 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 striping of top soil.

Item #30 (1978-1979)

Property Owner: Elizabeth S. Cole
Page 2
October 2, 1978

Storm Drainage:

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage 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:

Public 6-inch water mains and 8-inch sanitary sewerage exist in both Central Avenue and Chesapeake Avenue.

Very truly yours,

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

END:SAH:FWB:as

cc: J. Trimmer
J. Somers

N-W Key Sheet
38 NE 2 Pos. Sheet
NE 10 A Topo
70 Top Map

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(410) 486-2800

STEPHEN COLLINS
DIRECTOR

October 18, 1978

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

Item No. 30 - MC - Meeting of August 15, 1978
Property Owner: Elizabeth S. Cole
Location: NE/C Chesapeake Ave. & Central Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices (IDCA 78-48-X)

Acreage: 0.30
District: 9th

Dear Mr. Dillman:

The requested special exception for an office is not expected to be a major traffic generator.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer, Associate II

NSP/sjp

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

Dear Mr. DiNenna:
Comments on Item # 30 Zoning Advisory Committee Meeting, August 15, 1978
are as follows:
Property Owner: Elizabeth S. Cole
Location: NE/C Chesapeake Ave. & Central Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for office (IDCA 78-48-X)

Area: 0.30
District: 9th

The items checked below are applicable:

1. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and Land Use and other applicable codes.
2. A building permit shall be required before construction can begin.
3. Additional Change of occupancy.
4. Building shall be upgraded to new use - requires 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 6'0" of property line.
8. Requested setback variance conflict with the Baltimore County Building Code. See Section _____.
9. No comment.
10. Comment:

Very truly yours,
Charles K. Nurnham
Charles K. Nurnham
Planning Director

(CDB:rs)

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

Property Owner: Elizabeth S. Cole
Location: NE/C Chesapeake Avenue and Central Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices (IDCA 78-48-X)
Area: 0.30
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 plans or problems with regard to development plans that may have a bearing on this petition.

Since the site and the property to the east is in the same ownership, the parking areas should be connected and the driveways from Chesapeake Avenue should be made one-way. The compact screening should be live evergreen plant material.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Elizabeth S. Cole

Location: NE/C Chesapeake Ave. & Central Ave.

Item No. 30

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 entered 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 or _____ 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 _____ 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.
- (X) 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:
Special Inspection Division

NOTED AND APPROVED:
Fire Prevention Bureau

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

Dear Mr. DiNenna:

Comments on Item #30, Zoning Advisory Committee Meeting, August 15, 1978, are as follows:

Property Owner: Elizabeth S. Cole
Location: NE/C Chesapeake Avenue & Central Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for office (IDCA 78-48-X)
Area: 0.30
District: 9th

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

Any new installation/s of fuel burning equipment should contact the Division of Air Pollution Control, 1-800-3773, to obtain requirements for such installation/s before work begins.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
Bureau of Environmental Services

THD:JRP/g
cc: W. L. Phillips

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. 30
Property Owner: Elizabeth S. Cole
Location: NE/C Chesapeake Ave. & Central Avenue
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for offices (IDCA 78-48-X)

District: 9th
No. Acres: 0.30

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Nick Petrovich
Nick Petrovich,
Field Representative

MNP/tp

JOSEPH W. H. GOWAN, PRESIDENT
Y. BARBAR WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BOUTWELL

THOMAS A. BOYER
MRS. LORRAINE F. THURGOOD
ROGER B. HAY EN

ALVIN LORECE
MRS. MILTON B. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT T. DUBEL, SECRETARY

CERTIFICATE OF PUBLICATION

TOWSON, MD. NOVEMBER 2, 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., once a week, at least one time, at least one week, before the 27th day of November, 1978, the final publication appearing on the 29th day of November, 1978.

THE JEFFERSONIAN
B. Leland
Manager

Cost of Advertisement, \$ _____

NOTICE FOR SPECIAL
ZONING AND PLANNING
COMMISSIONERS
The Board of Planning and Zoning
Commissioners of Baltimore County, by
this notice, hereby certifies that the
proposed zoning and planning for the
property located at the intersection of
Chesapeake Avenue and Central Avenue
in the 9th District, Baltimore County,
Maryland, is being published in the
Towson, Maryland, edition of the
Jeffersonian newspaper, once a week,
at least one time, at least one week,
before the 27th day of November, 1978,
the final publication appearing on the
29th day of November, 1978.

OFFICE OF TIMES NEWSPAPERS

TOWSON MD 21204 November 9 1978

THIS IS TO CERTIFY that the annexed advertisement of
petition for special exception for offices
of Elizabeth S. Cole
was inserted in the following:

- ☐ Catonsville Times
☐ Dapalus 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
14th day of December, 1978, that is to say, the same
was inserted in the issues of November 9, 1978

STROMBERG PUBLICATIONS, INC.
BY *Esther J. Berger*

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>DI</u>					Revised Plans: _____				
Previous case: <u>70-1378A</u>					Change in outline or description: <u>Yes</u>				No
					Map # _____				

JUN 11 1979

79-176 XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 9th Date of Posting Nov. 11, 1978
 Posted for PETITIONERS FOR A SPECIAL EXCEPTION & VARIANCES
 Petitioner _____
 Location of property NE CORNER CHESAPEAKE AVE & CENTRAL AVE.
 Location of Signs NE COR. CHESAPEAKE AVE & CENTRAL AVE.
 Remarks _____
 Filed by Thomas L. Roberts Date of return Nov. 17, 1978
 Signature

2-SIGNS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 1st day of August 1978. Filing Fee \$ 50.00. Received ☒ Check
☐ Cash
☐ Other

S. Eric DiNenna
 S. Eric DiNenna,
 Zoning Commissioner

Petitioner Elizabeth C. Cole Submitted by John Bishop
 Petitioner's Attorney John Bishop Reviewed by John Bishop

* 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. 76162

DATE November 28, 1978 ACCOUNT 1-662AMOUNT \$61.31RECEIVED FROM Ryland C. StewartFOR Cost of Advertising and Posting Case No. 79-126-XA

330924 29

6131MS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 76114

DATE November 1, 1978 ACCOUNT 01-662AMOUNT \$50.00RECEIVED FROM Ryland Stewart Co.FOR Filing Fee for Case No. 79-126-XA Elizabeth S. ColeSet for hearing 10:00 A.M. Nov. 29, 1978

34724 2

50.00MS

VALIDATION OR SIGNATURE OF CASHIER



C-NE N-NW
S-SE R-SW

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
B.L. NOS. 105-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS
BY DATE

SCALE
1" = 200'

DATE OF
PHOTOGRAPHY
APRIL 1965

LOCATION
TOWSON

SHEET
NE
10-A

Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION - PHILADELPHIA, PA.



0-NE N-NW
 5-SE R-SW
 ZONED D.B. 16
 TOWNSHIP 5-SE THE OFFICE
 APPLICANT
 MYLAND P. STEWART
 403 08TH AVENUE
 TOWSON MARYLAND

PROPERTY LOCATED
 TOWN 50 4
 QUADRICT BALTO CO MD
 0.30 ALKE

ARTERIAL INTERSECTION
 BOSLEY AVENUE & JOPPA ROAD

GERHOLD, CROSS & ETZEL
 Registered Professional Land Surveyors
 412 Delaware Avenue
 TOWSON, MARYLAND 21204

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISED	BY	DATE	SCALE	LOCATION	SHEET
1968-05-14	WAL	4-10-68	1" = 200'	TOWSON	NE
DATE OF PHOTOGRAPHY			10-A		
APR 1963					

Topography Compiled By Photogrammetric Methods
 AERO SERVICE CORPORATION-PHILADELPHIA, PA.

1001

2022.05 DE/6

2011

5794C85 10x20

PERFECTED B. - J. M. W. S.
Paving

PAVED PARKING

Zona 3 D216

5-21-65

OFFICES

4 3 2 1 0 9 8 7 6 5 4 3 2 1 0

CHESAPEAKE

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EXISTING ZONING
EXISTING USE
PROPOSED SPECIAL EXCEPTION
FOR OFFICES

Packing Data

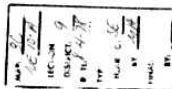
1ST Floor	1224 ^D	+ 300 = 4 SPACES
2ND Floor	1224 ^D	+ 500 = 2 SPACES
3RD Floor	1224 ^D	+ 500 = 2 SPACES

TOTAL SPACES REQUIRED 8 SPACES
SPACES PROVIDED 9 SPACES

ZONING PLAT
PROPERTY LOCATED

TOWSON
9TH DISTRICT BALTO COMD
030AEE +

SCALE 1"=20' JULY 27, 1978
GERHOLD, CROSS & ETZEL
REGISTERED LAND SURVEYORS
412 DELTA WARE AVE. TOWSON MD



NOV 27 '78 PM

REVISED PLANS



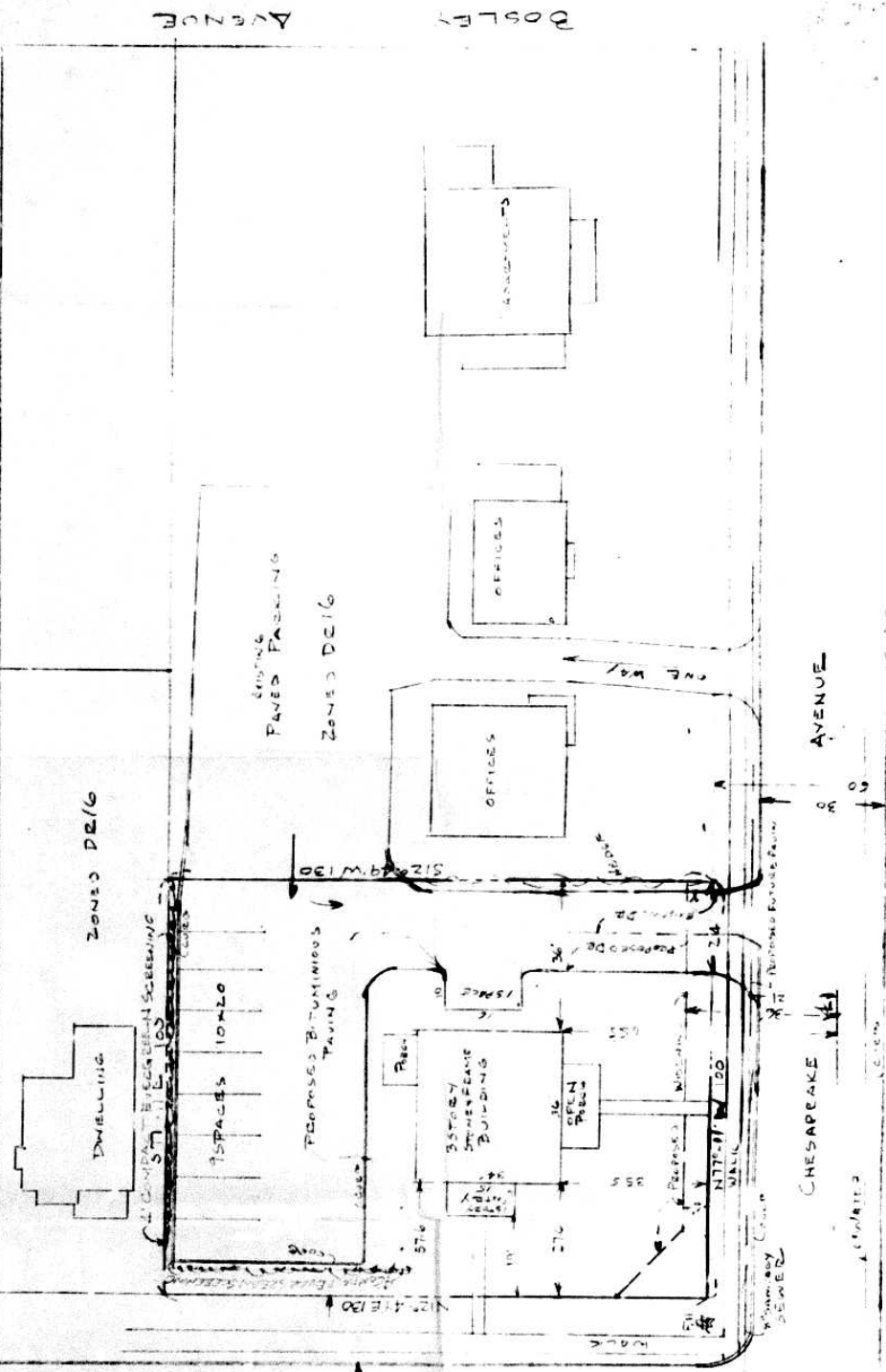
DATE: JUN 27 1978

PROJECT: PARKING DESS

PARKING DESS

10 FEET

ALLEY



EXISTING ZONING: D-16
 EXISTING USE: APARTMENTS
 PROPOSED SPECIAL EXCEPTION
 FOR OFFICES
 NO EXTERIOR CHANGES TO EXISTING BUILDING

PARKING DATA
 1ST FLOOR: 134 SPACES
 2ND FLOOR: 113 SPACES
 3RD FLOOR: 122 SPACES
 TOTAL SPACES: 369 SPACES
 TOTAL SPACES REQUIRED: 10 SPACES
 SPACES PROVIDED: 10 SPACES

ZONING PLAN
 PROJECT LOCATED IN
 TOWSON
 9TH DISTRICT BALTO COMD
 0130 ACRES ±

REVISED: OCT 15 1978
 DATE: JULY 27 1978
 GERHOLD CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 411 DELAWARE AVENUE, TOWSON, MD

JUN 11 1978

