

77-141-A 71 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John J. Thomas, Jr., 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 1204.2B.1 (203.3)

to permit a minimum distance from building to lot line on the 40 feet, instead of the required 50 feet, in an R.C. 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)

Practical Difficulty

House size will not permit construction of Garage within required side yard setbacks

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
John J. Thomas, Jr. Legal Owner
Address: 12 Castle Gate
Towson, Maryland 21204
321-7592
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of November, 1978, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/5 of Chestnut Ridge Dr., 334.5'
SE of Fallwood Terrace, 8th District : OF BALTIMORE COUNTY

JOHN J. THOMAS, JR., Petitioner : Case No. 79-141-A

ORDER TO ENTER APPEARANCE

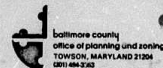
Mr. Commissioner:

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 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
Peo. Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of December, 1978, a copy of the foregoing Order was mailed to Mr. John J. Thomas, Jr., 12 Castle Gate, Towson, Maryland 21204, Petitioner.

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



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

January 5, 1979

Mr. John J. Thomas, Jr.
12 Castle Gate
Towson, Maryland 21204

RE: Petition for Variance
SW/5 of Chestnut Ridge Drive,
334.5' SE of Fallwood Terrace -
8th Election District
John J. Thomas, Jr. - Petitioner
NO. 79-141-A (Item No. 91)

Dear Mr. Thomas:

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

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED:ar

Attachment

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner

Date: December 27, 1978

TO: Leticia H. Green

FROM: Director of Planning

SUBJECT: Petition 79-141-A, Item #91

Petition for Variance for a side yard setback
Southwest side of Chestnut Ridge Drive, 334.5 feet Southeast of Fallwood Terrace
Petitioner - John J. Thomas, Jr.

8th District

HEARING: Wednesday, January 3, 1979 (10:15 A.M.)

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

Leticia H. Green
Leticia H. Green
Director of Planning and Zoning

LHG:JGHw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 13, 1978

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

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Planning
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

Mr. John J. Thomas, Jr.
12 Castle Gate
Towson, Maryland 21204

RE: Item No. 91
Petitioner - John J. Thomas, Jr.
Variance Petition

Dear Mr. Thomas:

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

NBC/sf

cc: George W. Stephens Jr. & Assoc., Inc.
303 Allegheny Avenue
Towson, Maryland 21204

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204
October 3, 1978

Description to accompany Zoning Petition:
For Variance to Sideyard
#1001 Chestnut Ridge Drive
Fallwood - Lot 41

Beginning for the same, at a point on the southwest side of Chestnut Ridge Drive 50 feet wide, said point being South 54° 19' 19" East distant 334.5 feet from the cut-off on the northeast side of Chestnut Ridge Drive which leads to the easterly side of Fallwood Terrace, running thence from said point of beginning the four following courses viz: (1) binding on said southwest side of Chestnut Ridge Drive South 59° 15' 00" East 175.00 feet, (2) leaving said drive South 30° 45' 00" West 260.00 feet, (3) North 59° 15' 00" West 175.00 feet and (4) North 30° 45' 00" East 260.00 feet to the place of beginning, Containing 1.045 acres of land more or less

Being known and designated as House #1001, Lot #41 as shown on the plat entitled "Plat No. 2 Section 1: Fallwood" dated September 29, 1976 and recorded among the Plat Records of Baltimore County in Plat Book E.N.K., Jr. 40 folio 90.



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 of 40 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of JANUARY, 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 19th day of JANUARY, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

December 18, 1978

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

Re: Item #91 (1978-1979)
Property Owner: John J. Thomas, Jr.
SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terrace
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.045 District: 8th

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:

Baltimore County highway and utility improvements are not directly involved and/or are secured by Public Works Agreement #7607, executed in conjunction with the development of "Fallwood", of which this property comprises Lot 41 of "Plat No. 2, Section II Fallwood", recorded S.H.K., Jr. 40, Folio 90.

There are 10-foot wide easements for utilities and drainage along the rear and side property lines of this Lot No. 41.

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.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #91 (1978-1979).

Very truly yours,

William S. Oliver, P.E.
Chief, Bureau of Engineering

ENCLOSURE
cc: C. Warfield

S-W Key Sheet
54 NW 12 Box Sheet
NW 14 C Topo
59 & 60 Tax Maps

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 484-3815

JOHN D. SEIFERT
DIRECTOR

October 30, 1978

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

Dear Mr. DiNenna:

Comments on Item #91 Zoning Advisory Committee Meeting, October 24, 1978
see as follows:
Property Owner: John J. Thomas, Jr.
Location: SW/S Chestnut Ridge Drive - 334.5' SE Fallwood Terrace
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

Acres: 1.045
District: 8th

The items checked below are applicable.

1. A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable code.

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 - requires alteration permit.

5. Three sets of construction drawings may 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 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

8. Requested setback variance conflicts with the Baltimore County Building Code. See Section

1. No Comment.

2. Comments:

Very truly yours,
Charles E. Burman
Platz Review Chief

CEB/rjs

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-3211

LESLIE M. GRAY
DIRECTOR

December 20, 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 #91, Zoning Advisory Committee Meeting, October 24, 1978, are as follows:

Property Owner: John J. Thomas, Jr.
Location: SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terrace
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.045
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 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, Jr.
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 484-3600

STEPHEN E. COLLINS
DIRECTOR

December 19, 1978

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

Item No. 91 - ZAC Meeting of October 24, 1978
Property Owner: John J. Thomas, Jr.
Location: SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terr.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

Acres: 1.045
District: 8th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the side yard.

Very truly yours,

Richard S. Flanagan
Richard S. Flanagan
Engineer Associate II

RSP/sjs

baltimore county
Department of Health
TOWSON, MARYLAND 21204

Paul H. Reinecke
Chief

November 6, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John J. Thomas, Jr.

Location: SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terr.

Item No. 91 Zoning Agenda Meeting of 10/24/78

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", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Special Inspection Division Fire Prevention Bureau

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

December 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #91, Zoning Advisory Committee Meeting of October 24, 1978, are as follows:

Property Owner: John J. Thomas, Jr.
Location: SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terr.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.045
District: 8th

The proposed garage will not interfere with the location of the well or sewage disposal areas.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TEP/fuc

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 23, 1978

Z.A.C. Meeting of: October 24, 1978

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

RE: Item No: 91
Property Owner: John J. Thomas, Jr.
Location: SW/S Chestnut Ridge Dr. 334.5' SE Fallwood Terr.
Present Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

District: 8th
No. Acres: 1.045

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

JOSEPH M. MCGOWAN, PRESIDENT
Y. DAYARD WALLING, JR., VICE-PRESIDENT
MARION M. MURRAY

THOMAS H. DEVLIN
R. E. LOHRMANN, F. CHURCH
ROGER W. LUTY

ALVIN LUDWIG
WILLIAM R. SMITH, JR.
RICHARD W. TRACY, C.Y.M.

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

No. 76205

DATE January 3, 1979 ACCOUNT 01-662

AMOUNT \$52.04

RECEIVED John J. Thomas, Jr.
FROM

FOR Cost of Advertising and Posting Case No. 75-191-A

4880833 3 52048

VALIDATION OR SIGNATURE OF CASHIER

FALLS WOOD TERRACE

PLAT NO. 1 SECTION 2
"FALLOWOOD"
E.H.K. JR. 40/50

PLAT NO. 2 SECTION 2
"FALLOWOOD"
E.H.K. JR. 40/50

VACANT

VACANT

BUILDING SETBACK LINE

EXISTING ZONING R.C.B.

CHESTNUT RIDGE DRIVE

POINT OF BEGINNING

PROP. GARAGE (ATTACHED)

EX. WELL

EX. DWELLING

10000 sq. ft.

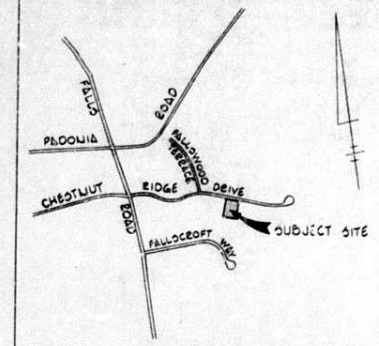
1001

PLAT NO. 1 SECTION 2
"FALLOWOOD"
E.H.K. JR. 40/50

PLAT NO. 2 SECTION 2
"FALLOWOOD"
E.H.K. JR. 40/50

EXISTING ZONING R.C.B.

BUILDING SETBACK LINE



VICINITY MAP
Scale: 1"=1000'

GENERAL NOTES

1. AREA OF TRACT = 1.04 AC.
2. EXISTING ZONING = R.C.B.
3. ZONING WHEN RECORDED = R.D.P.
4. METES AND BOUNDS SHOWN HEREON AND SURROUNDING LOT LINES ARE BASED ON A PLAT ENTITLED "PLAT 2, SECTION 2, FALLOWOOD" DATED DEPT. 20, 1976 AND RECORDED AMONG THE LAND RECORDS OF BALTO. COUNTY IN PLATBOOK E.H.K. JR. NO. 40, FOLIO 50.

VARIANCE REQUESTED TO SECTIONS 1000.5 B.B. AND 1004.5 B.B. TO PERMIT MINIMUM DISTANCE FROM BUILDING TO LOT LINE TO BE 40 FT. INSTEAD OF THE REQUIRED 50 FT.

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
FOR

1001 CHESTNUT RIDGE DRIVE
LOT 41

FALLOWOOD SUBDIVISION

BALTIMORE CO., MD.
8th ELECTION DISTRICT

SCALE: 1"=50'
OCT 11, 1976

OWNER
JOHN J. THOMAS JR.
12 CASTLE GATE
TOWSON, MD. 21204
COLONY AP.

GEORGE W. STEPHENS JR.
& ASSOCIATES INC.
ENGINEERS
309 ALLEGHENY AVE
TOWSON, MD.



PLAN	2D
DATE	10/11/76
DESIGNED BY	JWS
CHECKED BY	JWS
IN CHARGE	JWS
DATE	10/11/76
BY	

