

72-153-A 76 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Paul & Mary Channell, 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 180.2.3.1 to permit a lot width of 53.49 feet at the front bldg. line for lot 35 and 50 feet for lots 36&37 in lieu of the required 55 feet and to permit a side setback 14' 6" of Alice Ave. in lieu of the required 25 feet 1907-20.3.3 to permit a side setback of 14' 6" from the center line of Alice Avenue in lieu of the of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (indicate hardship or practical difficulty)
I am requesting this Variance because I have been disabled since Aug. 1975 with Leukemia. Also in Nov. 1977 I had a cancerous kidney removed, because of these health problems I am unable to maintain this property. The money I could receive from the sale of this property would pay off the existing mortgage on my home an alleviate alot of physical an financial stress

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 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
Paul & Mary Channell
Address 3233 Lynch Rd. Baltimore, Md. 21219
382-1959

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 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 22nd day of January, 1979, at 10:00 o'clock A.M.
S. Eric Dinenna
Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SE corner of Alice Ave. and : OF BALTIMORE COUNTY
Lynch Ave., 15th District
PAUL CHANNELL, et ux, Petitioners : Case No. 79-153-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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Heslian, III
John W. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of December, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Paul Channell, 3233 Lynch Road, Baltimore, Maryland 21219, Petitioners.

John W. Heslian, III
John W. Heslian, III


Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 494-2363
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martink
Deputy Zoning Commissioner

January 29, 1979

Mr. & Mrs. Paul G. Channell, Jr.
3233 Lynch Road
Baltimore, Maryland 21219

RE: Petition for Variances
SE/corner of Alice and Lynch
Avenues - 15th Election District
Paul G. Channell, Jr., et ux -
Petitioners
NO. 79-153-A (Item No. 76)

Dear Mr. & Mrs. Channell:

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:mr

Attachment

c: John W. Heslian, III, Esquire
People's Counsel

Being known as the southeast corner of Alice ave. and Lynch rd. as recorded in the land records of Balto. Co. 11br. 8 folio 38 plat of Lynch Point block K lots 35,36,37 otherwise known as 3233 Lynch rd. in the 15 th. election district

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
TO: Lettie H. Grigg Date: December 28, 1978
FROM: Director of Planning
SUBJECT: Petition 79-153A, Item 76
Petition for Variances for lot widths, side yard setback and minimum distance from centerline
Southeast corner of Alice Avenue and Lynch Avenue
Petitioner - Paul and Mary Channell
15th District

HEARING: Monday, January 22, 1979 (10:15 A.M.)

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

Lettie H. Grigg
Lettie H. Grigg
Director of Planning and Zoning

LHG:JGH:rw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 27, 1978

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

cc: Nicholas B. Commodari
Chairman

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

Mr. & Mrs. Paul Channell
3233 Lynch Road
Baltimore, Maryland 21219

RE: Item No. 76
Petitioner - Channell
Variance Petition

Dear Mr. & Mrs. Channell:

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:af

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 12th day of December, 1978

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Channell

Petitioner's Attorney

Mr. & Mrs. Paul Channell
3233 Lynch Road
Baltimore, Maryland 21219

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

JUN 25 1979

ORDER RECEIVED FOR FILING
DATE: 12/11/78

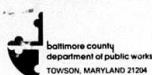
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be granted and it further appearing that by reason of the granting of the Variance(s) requested, no adverse effect on the health, safety, and general welfare of the community, the Variance(s) to permit lot widths of 33.49 feet at the front building line for Lot No. 25 and a total of 30 feet for Lot Nos. 36 and 37 in lieu of the required 55 feet, and side yard setbacks of 14 feet from Alice Avenue and 14 feet from the center line of Alice Avenue in lieu of the required 25 feet and 50 feet, respectively, for Lot No. 33 should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of January, 1978, that the herein Petition for the aforementioned Variance(s) should be and the same is/are 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 Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of January, 1978, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

December 12, 1978

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

Re: Item #76 (1978-1979)
Property Owner: Paul & Mary Channell
S/E cor. Alice Ave. & Lynch Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths at the building line of 33.49' for lot 35 and 50' for lots 36 and 37 in lieu of the required 55' and a side setback of 14' in lieu of the required 25' to Alice Ave.
Acres: 0.2318 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:

Lynch Road and Alice Avenue, existing public roads, are proposed to be improved in the future as 30-foot, closed section roadways on 40-foot right-of-way. Highway rights-of-way widenings, consisting of a fillet area for sight 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 strippling, grading and stabilization could result in a sediment pollution problem, causing private and public buildings downstream of the property. A grading permit is, therefore, necessary for all grading, including the strippling 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.

The property to be developed is located adjacent to the water front. The Petitioner 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.



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

November 22, 1978

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

Dear Mr. DiNenna:

Comments on Item #76, Zoning Advisory Committee Meeting of October 3, 1978, are as follows:

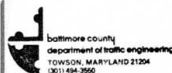
Property Owner: Paul & Mary Channell
Location: SE/C Alice Ave. & Lynch Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths at the building line of 33.49' for lot 35 and 50' for lots 36 and 37 in lieu of the required 55' and a side setback of 14' in lieu of the required 25' to Alice Ave.
Acres: 0.2318
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/BJB/rhg



STEPHEN COLLINS
DIRECTOR

November 22, 1978

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

Item No. 76 - ZAC - Meeting of October 3, 1978
Property Owner: Paul & Mary Channell
Location: SE/C Alice Ave. & Lynch Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths at the building line of 33.49' for lot 35 and 50' for lots 36 & 37 in lieu of the required 55' and a side setback of 14' in lieu of the required 25' to Alice Ave.
Acres: 0.2318
District: 15th

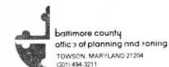
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the lot widths.

Very truly yours,

Michael S. Flanagan
Engineer Associate II

MSF/sjm



LESLIE H. C. NEP
DIRECTOR

December 11, 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 #76, Zoning Advisory Committee Meeting, October 3, 1978, are as follows:

Property Owner: Paul and Mary Channell
Location: SE/C Alice Avenue and Lynch Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths at the building line of 33.49' for lot 35 and 50' for lots 36 and 37 in lieu of the required 55' and a side setback of 14' in lieu of the required 25' to Alice Avenue
Acres: 0.2318
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 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. Wimbly
Planner III
Current Planning and Development

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1978

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

Z.A.C. Meeting of: October 3, 1978

Item No: 76
Property Owner: Paul & Mary Channell
Location: SE/C Alice Ave. & Lynch Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths at the building line of 33.49' for lot 35 and 50' for lots 36 & 37 in lieu of the required 55' and a side setback of 14' in lieu of the required 25' to Alice Ave.

District: 15th
No. Acres: 0.2318

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

JOSEPH M. WOODMAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARJORIE M. WINTER

THOMAS H. BRYAN
MRS. LORRAINE E. CHAMBERS
ROBERT A. WATSON

ALVIN LORRICK
WILLIAM W. BRYAN, JR., EDWIN J. JR.
RICHARD W. THAYER, T.M.H.

ROBERT V. DUBEL, SUPERINTENDENT

JUN 25 1979

