

79-177-A #118 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Delight, Inc., legal owner of the property situated 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 1-402, § 1-102.3, to permit side setbacks of 49.56' 45.5' instead of the required 50'. R.C.A.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Sedate hardship or practical difficulty)
The lot width will not permit the size house that I would like to build.

RE: PETITION FOR VARIANCE
NE/S of Bonnie Meadow Circle
2,153.53' SE of W/2 of Delight
Meadows Md., 4th District

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

DELIGHT, INC., Petitioner : Case No. 79-177-A

ORDER TO ENTER A PPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceedings. 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
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 2nd day of February, 1979, a copy of the foregoing Order was mailed to Herbert Kishner, Vice President, Delight, Inc., 944 Equitable Building, Calvert & Fayette Streets, Baltimore, Maryland 21202, Petitioner.

John W. Hession, III

305 W. Chesapeake Avenue Towson, Maryland 21204 501-6911 William T. Sadler
David S. Sadler

W. SADLER, INC.
Surveyors

DESCRIPTION TO ACCOMPANY APPLICATION FOR SIDELINE VARIANCE

LOT 17, DELIGHT MEADOWS
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of Bonnie Meadow Circle located 2153.53 feet southeasterly from the west side of Delight Meadows Road and being known and designated as lot 17 on "Plat Two, Section Two, And Lot 22, Section Four, Delight Meadows" recorded among the Land Records of Baltimore County in Plat Book 40, folio 133.

William T. Sadler, P.E., S.E. 7770
DATED: 1/16/79



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
501-68-3383

S. ERIC DINENNO
ZONING COMMISSIONER

March 23, 1979

Delight, Inc.
944 Equitable Building
Calvert & Fayette Streets
Baltimore, Maryland 21202

Attention: Mr. Herbert Kishner
Vice President

RE: Petition for Variance
NE/S of Bonnie Meadow Circle,
2,153.53' SE of the W/2 of
Delight Meadows Road - 4th
Election District
Delight, Inc. - Petitioner
NO. 79-177-A (Item No. 118)

Dear Mr. Kishner:

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

Very truly yours,
S. ERIC DINENNO
Zoning Commissioner

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

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.

District purchase
Herbert Kishner Legal Owner
Address: 944 Equitable Bldg.
Calvert & Fayette St.
Baltimore, Md. 21202
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 5th 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 21st day of February, 1979, at 10:15 o'clock A.M.

S. ERIC DINENNO
Zoning Commissioner of Baltimore County

Rescheduled for
Wed. Mar. 21, 1979 at 10:15 A.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
TO: Lillian H. Grant
Zoning Commissioner
FROM: February 12, 1979

SUBJECT: Petition # 79-177A, Petition for Variance for side yard setbacks
northeast side of Bonnie Meadow Circle 2,153.53 feet Southeast of the west side
of Delight Meadows Road
Petitioner - Delight, Inc.

4th District

HEARING: Wednesday, February 21, 1979 (10:15 A.M.)

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

Lillian H. Grant, Director
Office of Planning and Zoning

LHG:JCH

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. Commagere

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

February 1, 1979

Delight, Inc.
Mr. Herbert Kishner
944 Equitable Building
Calvert & Fayette Streets
Baltimore, Maryland 21202

RE: Item No. 118
Petitioner - Delight, Inc.
Variance Petition

Dear Mr. Kishner:

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 31 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. Commagere
Chairman
Zoning Plans Advisory Committee

cc: W. T. Sadler, Inc.
305 West Chesapeake Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

T. HORTON M. MOURING, P.E.
DIRECTOR

January 12, 1979

RE: S. Eric Dinenna
Zoning Commissioner
County Office Building
Towson, Maryland 21202

Re: Item #118 (1978-1979)
Property Owner: Delight, Inc.
NE/S Bonnie Meadow Circle, 2153.53' SE of Delight Rd.
Existing Zoning: R-3
Proposed Zoning: Variance to permit side setbacks of 49.56' in lieu of the required 50'.
Acres: 1.166 District: 4th

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 #4704, executed in connection with the development of Delight Meadows, Section Two, Plat Two, of which this property is lot 17 of "Plat Two-Section Two and lot 22-Section Four Delight Meadows" recorded E.P.A., Jr. 40, folio 133.

Development of this property through striping, grading and stabilization would result in a sediment pollution problem, damaging private and public holdings downcast on the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any runaways or damage to adjacent property, especially by the runoff 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 #118 (1978-1979).

Very truly yours,
T. Horton M. Mouring, P.E.
Chief, Bureau of Engineering

END: EAM:PMR:SS
cc: R. Covachy
T-24 Key Sheet
47 NW 39 Key Sheet
NW 2 J Topo and 57 Tax Map

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 had and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) to permit side setbacks of 47.5 feet on 45.5 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of March, 1979, 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 23rd day of March, 1979, that the aforementioned Variance(s) be and the same is/are hereby GRANTED.

Zoning Commissioner of Baltimore County



LESLIE H. GRAFF
DIRECTOR

February 6, 1979

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 #118, Zoning Advisory Committee Meeting, November 28, 1978, are as follows:

Property Owner: Delight, Inc.
Location: NE/S Bonnie Meadow Circle 2153.53' SE Delight Rd.
Existing Zoning: RC-3
Proposed Zoning: Variance to permit side setbacks of 47.5' in lieu of the required 50'
Acres: 1.146
District: 4th

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. Winkley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

January 8, 1979

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

Dear Mr. DiNenna:

Item No. 118 - RC - November 28, 1978
Property Owner: Delight, Inc.
Location: NE/S Bonnie Meadow Cir. 2153.53' SE Delight Rd.
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit side setbacks of 47.5' in lieu of the required 50'

Acres: 1.146
District: 4th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Talarico
Engineer Associate II

MSF/and



STEPHEN E. COLLINS
DIRECTOR

December 1, 1978

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

Dear Mr. DiNenna:

Comments on Item # 118 Zoning Advisory Committee Meeting, November 28, 1978 are as follows:

Property Owner: Delight, Inc.
Location: NE/S Bonnie Meadow Circle - 2153.53' SE Delight Road
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit side setbacks of 47.5' in lieu of the required 50'

Acres: 1.146
District: 4th

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, and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional _____ permits shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- X G. 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.
- X H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- 1. No Comments.
- 2. Comments:

Very truly yours,

Charles E. Smith
Planning & Zoning
Planning Review Chief

CEB/ing



Paul H. Heiske
Chief

December 8, 1978

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

Re: Property Owner: Delight, Inc.

Location: NE/S Bonnie Meadow Cir. 2153.53' SE Delight Rd.

Item No. 118 Zoning Advisory Meeting of 11/28/78

Comments:

Pursuant to your report, 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 _____
- () 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", 1977 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Approved: _____
Special Inspection Division



RONALD J. ROOP, M.D., M.P.H.
DISTRICT STATE AND COUNTY HEALTH OFFICER

January 3, 1979

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

Dear Mr. DiNenna:

Comments on Item #118, Zoning Advisory Committee Meeting of November 28, 1978, are as follows:

Property Owner: Delight, Inc.
Location: NE/S Bonnie Meadow Cir. 2153.53' SE Delight Rd.
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit side setbacks of 47.5' in lieu of the required 50'
Acres: 1.146
District: 4th

The proposed variance will not interfere with the location of either the water well or sewage disposal area.

Very truly yours,

Thomas H. Devlin
Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TB/rth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 22, 1978

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

Z.A.F. Meeting of: November 28, 1978

RE: Item No. 118

Property Owner: Delight, Inc.
Location: NE/S Bonnie Meadow Cir. 2153.53' SE Delight Rd.
Present Zoning: R.C. 3
Proposed Zoning: Variance to permit side setbacks of 47.5' in lieu of the required 50'

District: 4th
No. Acres: 1.146

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Walter P. ...
Field Representative

WNP/tp

JOSEPH A. MCDONNELL, PRESIDENT
T. FARROW WILLIAMS, JR., VICE PRESIDENT
MARCUS B. BUTLER

THOMAS H. ROVER
MRS. LOREANNE F. JOHNSON
ROBERT H. HARTEN
ROBERT V. DUNN, SUPERINTENDENT

ALVIN LORICK
JAMES H. MCIVER & SETH J. JR.
RICHARD W. TRACY, D.M.

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 5th day of December, 1978

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Delight, Inc.
Petitioner's Attorney: _____

Reviewed by: _____
Chairman, Zoning Plans Advisory Committee

Delight, Inc.
Mr. Herbert Fisher
944 Equitable Building
Calvert & Fayette Streets
Baltimore, Maryland 21207

cc: W. T. Sadler, Inc.
305 West Chesapeake Avenue
Towson, Maryland 21204

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: Dec 3, 1978

Posted for: Delight, Inc.

Petitioner: Delight, Inc.

Location of property: NE/S Bonnie Meadow Circle 2153.53' SE of Delight Rd.

Location of Sign: _____

Remarks: _____

Posted by: _____ Date of return: _____

79-177-A

CERTIFICATE OF POSTING

BALTIMORE DEPARTMENT OF BALTIMORE COUNTY

TOWNS, Maryland

District: 4th Date of Posting: MARCH 4, 1979
 Posted for: PETITION FOR VARIANCE
 Petitioner: DELIGHT, INC.
 Location of property: NE 1/4 OF DEWITT MARSH CREEK, 2153.93 SE
OF THE W/2 OF DELIGHT MEADOWS TR.
 Location of Sign: F. BOAT # 325 DEWITT MARSH CREEK
 Remarks: _____
 Posted by: Thomas F. Roman Date of return: MARCH 9, 1979

1-S-6N

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 15 day of
APR 1979. Filing Fee \$ 2.00 Received ☒ Check
☒ Cash
☐ Other

W. T. Madlase
 W. T. Madlase, Inc.
 Zoning Commissioner

Petitioner: DELIGHT, INC. Submitted by W. T. Madlase
 Petitioner's Attorney: _____ Reviewed by W. T. Madlase

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Silver	
	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: <u>CC</u>										
Reviewed by: <u>CC</u>										
Previous case:										

Revised Plans:
 Change in outline or description: Yes
 Map # 40-12-3

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 1, 1979.
 THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time successive days before the 21st day of February, 1979, the 50th publication appearing on the 1st day of February, 1979.

THE JEFFERSONIAN

H. Land
 Manager

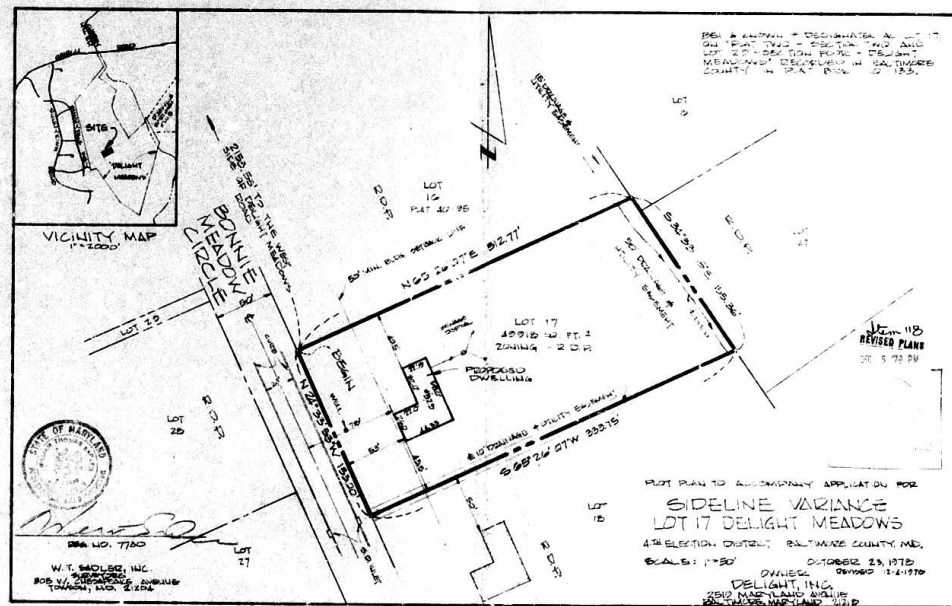
Cost of Advertisement: \$ _____

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

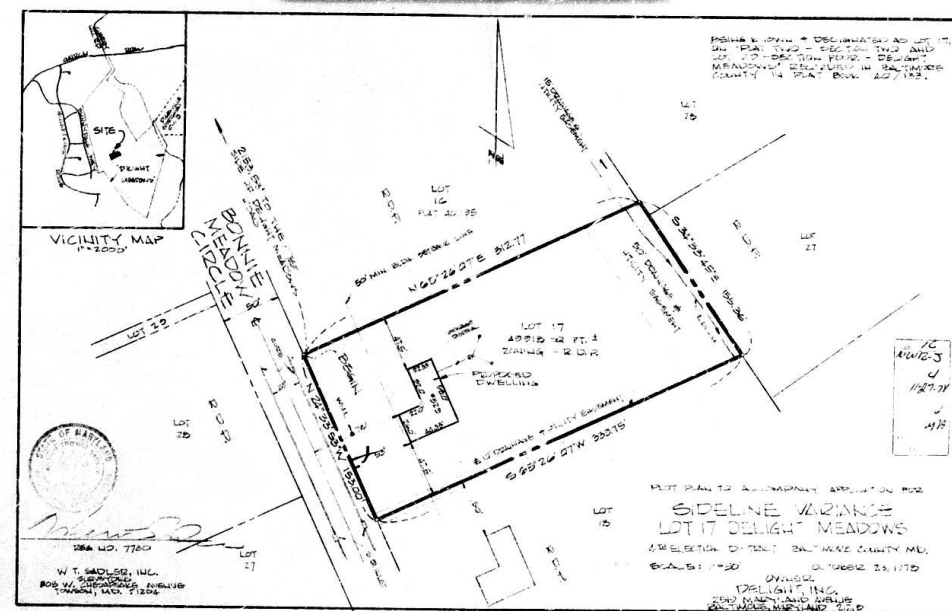
No. 76143
 DATE: 4/1/79 ACCOUNT: 01-662
 AMOUNT: 75.00
 RECEIVED FROM: DELIGHT, INC.
 FOR: Cost of Advertising and Posting Case No. 79-177-A
 VALIDATION OR SIGNATURE OF CASHIER: W. T. Madlase

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

No. 76298
 DATE: February 23, 1979 ACCOUNT: 01-662
 AMOUNT: \$25.00
 RECEIVED FROM: DELIGHT, INC.
 FOR: Cost of Advertising and Posting Case No. 79-177-A
 VALIDATION OR SIGNATURE OF CASHIER: W. T. Madlase



052 lot 17



052 lot 17