hereby petition for a Variance from Section 1802.3.0-1 (to permit lot widths of 50' for lots 1, 2 and 3 instead of the required

70's A sum-of-side yards of "0-in lieu of the required-rum of 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

> Lots previously recorded with 50' width are now in a DR 3.5 zone requiring a 70 foot width for building purposes.

Legal Owner

Protestant's Attorney

Baltimore, Md. 21237

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 Balimere County adopted pursuant to the Zoring Law For Baltimore County

Bugene J. Maier lano Homes. Inc. Contract purchaser Address 6014 Kenwood Avenue 8620 David Avenue

Baltimore, Md. 21374

Richard Lattanzi Petitioner's Attorney Address 9105 Belair Road Baltimore, Md. 21236

ORDERED By The Zoning Commissioner of Baltimore County, this..... 1979 that the subject matter of this attion be advertised, as . CoPebruary

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 Poom 106, County Office Building in Towson, Baltimore

RE: PETITION FOR VARIANCES NW/S of Snady Spring Ave., 580' NE of Kenwood Ave., 14th District : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 79-215-A EUGENE J. MAIER, Petitioner

:::::::

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.

Peter Mox Zimmerman Deputy People's Counsel

Johnte Hessian H John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 5th day of March, 1979, a copy of the aforegoing Order was mailed to Richard Lattanzi, Esquire, 9105 Belair Road, Baltimore, Maryland 21236, Attorney for Petitioner.

who descente

TOWSON, MARYLAND 21204

S. ERIC DINENNA ZONING COMMISSIONER

Merch 28, 1979

Richard Lattenzi, Esquire 9105 Belair Road Baltimore, Maryland 21236

> RF: Petition for Variances NW/S of Shady Spring Avenue, 580' NE of Kenwood Avenue -14th Election District Eugene J. Maier - Petitioner 79-215-A (Item No. 144)

Dear Mr. Lattanzi:

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

> Very traly yours, Zoning Commissioner

SED:nr

Attachments

cc: Mr. John Strucko 1902 Weyburn Road Baltimore, Maryland 21237

> Aquilano Homes, Inc. 8620 David Avenue Baltimore, Maryland 21234

John W. Hessian, III, Esquire People's Counsel

MCKEE, DUVAL & ASSOCIATES, INC. Engineering - Surveying - Real Estate Development

LUTHERVILLE, MARYLAND 21093

Telephone: (301) 252-5820

October 26, 1978

Description of 1.08 Acres of Land, More or Less 14th Election District Baltimore County, Maryland

IZIZ YORK RD.

Beginning for the same at a point 580 feet distant in a northeasterly direction from the intersection of the right-of way lines of Kenwood Avenue and Shady Spring Avenue said point being on the northwesterly right-of-way line of Shady Spring Avenue and running thence in a northwesterly direction 312 feet thence in a southeasterly direction 111 feet intersecting the easternmost right-of-way line of Kenwood Avenue, thence running with said easternmost right-of-way line of Kenwood Avenue in a southerly direction 43 feet, thence running southeasterly 297 feet to intersect the northwestern right-of-way of Shady Spring Avenue, thence running with said northwestern right-of-way of Shady Spring Avenue 150 feet to the point of beginning. Containing approximately 1.08 acres of land, more or less.

Being Lots 1, 2 and 3 Block L of a plat dated February 29, 1924 and recorded among the Land Records of Baltimore County in Plat Book H.M.F. 7 Folio 112-1/2 and known as East Kenwood Park.



BALTMORE COUNTY, MARYL IND

INTER-OFFICE CORRESPONDENCE

S. Erta Di Nenna TO Zoning Commissioner Leslie H. Groof, Director PROM Office of Planning and Zoning

March 9, 1979

Petition 79-215-A. Item 144

Petition for Variance Northwest side of Shad, Spring Avenue, 580 feet Northeast of Kenwood Ave. Petitioner - Eugene J. Maier

14th District

HEARING: Monday, March 26, 1979 (10:15 A.M.)

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

11-10 1 1211 Office of Planning and Zoring

LHG:JGH:rw

quarted 3 28.19

MCKEE, DUVAL & ASSOCIATES INChes 7914 Engineering - Surveying Reci Estate Development

1717 YORK RU.

Telephone: (301) 257-5820 March 27, 1979

Mr. S. Eric Dinenna Zoning Commissioner Baltimore County Office of Planning & Zoning County Office Building 111 W. Jheraperke Avenue Towson, Marvland 21204

Petitioner, Bugene J. Maier Variance Petition 79-215-A

Re: ITAM 144

Dear Mr. Dinenna

Since I was unable to attend the Zoning Hearing for the above mentioned variance I am writing this representing Sara Ann Ruhl, Contract Purchaser of the property. It was brought to my attention that there was a question concerning storm drainage in the vicinity of the proposed building sites. After having performed topographic surveys for this property, we have found that the maximum slope anywhere on the site to be less than four percent. Also since the property is at the top of a ridge, there would be no large amounts of run-off from the proposed building sites. As mentioned in the Eureau of Engineering's comments regarding storm drains and sediment control, it is stated that the petitioner will be responsible for implementing the proper sediment control facility and proper grading the site is of flat, this will best be accomplished on an individual lot

In closing I do not feel that there will be any adverse drainage problems created by allowing this variance as long as the proper grading is conducted with the construction of the proposed homes.

Thank you for your attention to this letter, and should you have any questions, do not hesitate to contact me.

> Very truly yours, MCKEE, DUVAL & ASSOCIATES, INC.

Jimidtk cc: Richard Lattanzi, Esquire Ms. Sara Ann Ruhl

James W. McKee, L.S., President



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Cranty Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204

Your Petition has been received and accepted for filing this 8th day of February 1979

Richard Lattenzi, Esquire

Baltimore, Maryland 21236

9105 Belair Road

S. ERIC DINENNA Zoning Commissioner

Petitioner Eugene J. Maier Petitioner's Attorney Lattanzi

Chairman, Zoning Plans Advisory Committee

cc: McKee, DuVal, & Assuc , Inc. 1717 York Road, Lan Lea Bldg.

Lutterville, Maryland 21093

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chusapeake Ave. Townon, Maryland 21204 March 5, 1979

Micholas B. Cormodari Chairman

Dur mu of

Engineering

Bureau of Fire Prevention

Realth Department

Project Planning

building Department

Board of Education

Industrial Development

Zoning Administratio

Department of Traffic Engineering

State Roads Commission

Richard Lattanzi, Esquire 9105 Belair Road Baltimore, Maryland 21235

> RE: Item No. 144 Petitioner - Eugene J. Maier Variance Petition

Dear Mr. Lattanzi:

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 intender 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.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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.

NICHOLAS B. COMMODARI

Chairman Zoning Plans Advisory Committee

Very truly yours,

Enclosures cc: McKee, DaVal, & Assoc., Inc. 1717 York Road, Lan Lea Bldg.

Lutherville, Maryland 21093

NBC/sf

department of public works TOWSON, MARYLAND 21204

THORNYON M. MOURING, P.E.

Pubruat 9 8, 1979

Mr. S. Sric DiNenna Zoning Commissioner County Office Puilding Towson, Maryland 21204

> Re: Itam #144 (1978-1979) Property Owner: Engere J. Maier N/WS Shady Spring Ave. 580' N/E Kenwood Ave. Existing Zoning: DR 3.5 Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 70' and a sum of the wide yards of 20' in lieu of the required 25'. Acres: 1.08 District: 14th

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 Fabject item.

This property comprises Lots 1, 2 and 3 Block "L" of the plat "East Ken cod Park", recorded W. ?. C. 7, Polio 112.

Comments were supplied for an overall larger track of land which included a portion of this property in connection with the Zoning Advisory Committee review for Zoning Cycle VI Item #7 (October 1973-April 1974).

Comments were also supplied for the Petitioner's 1 ... acre property which is contiguous to the south of this site for IDCA Project 78-319.

The above comments are referred to for your consideration,

Highways:

Kenwood Avenue (Md. 588) is a State Road; therefore, all impro ements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimoru County.

Shady Spring Avenue, 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. Highway right-of-way widening, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application or any further development of this property.

Item #144 (1978-1979) Property Owner: Eugene J. Maier February 8, 1979

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 Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nu sances or damages to adjacent properties, especially by the concentration of surface vaters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Patitioner.

Water and Sanitary Sewer:

There are public 12 and 10-inch water mains and 8-inch sanitary sewerage in Kenwood and Shady Spring Avenues at this location.

The Petitioner is responsible for the cost of capping and plugging any existing water main or sanitary sewer service connections, due to the razing of any present dwelling on this property, not used to serve the proposed residences.

> Very truly yours, Elloworth M. Neiver L. Chief, Bureau of Engineering

END: EAM: FWR: SS

cc: J. Somers A. Kakiel

I-NW Key Sheet 17 NE 21 & 22 Pos. Sheets NE 5 F Topo 89 Tax Map



March 5, 1979

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Buliding Towson, Maryland 21204

Dear Air. DiNenna:

Comments on Item *144, Zoning Advisory Committee Meeting, December 28, 1978, are as follows:

Property Cwner: Eugene J. Maier Location: N.V/S Shady Spring Ave. 580' NE Kenwood Ave Existing Zoning: D.R.3.5 Proposed Zoning Variance to permit lot widths of 50' in lieu of the required 70' and a sum of the side yards of 20' in lieu of the required 25'. Acres: 1,08 District: 14th

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 o. 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

John L. Wimbley Current Planning and De Jopment

deportment of traffic engineering TOWSON, MARYLAND 21704

Itephen E. Collins

January 18, 1979

Mr. S. Eric DiNenna Zoring Cossissioner County Office Building Towson, Maryland 21204

> Property Owner: Location: Fristing Zoning: Proposed Zoning:

ZAC - December 26, 1978 Eugene U. Taier NW/S Shady Spring Ave. 580' NE Kenwood Ave. D.R. 3.5

Variance to permit lot widths of 50' in lieu of the required 70' and a sum of the side yards of 20' in lieu of the required 25'.

Acres District:

Frar Mr. DiMerna:

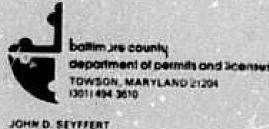
lot width.

No traf ic problems

anticipated by the requested variance to the

Very truly yours, Ofthe Ewder Stephen E. Weber Engineer I

MSF/SEW/hmci



Jamary 23, 1979

Mr. S. Eric DiNerna, Zoning Commissioner Office of Planning and Zoning County Office Building Towsor, Haryland 21206

Comments on Ites # 1844 Zoning Advisory Committee Meeting, December 26, 1978

Property Owner: Engone J. Maier Location: NWS Shady Spring Ave. - 580' NE Kenwood Ave.

Existing Boning: D.R. 3.5
Proposed Boning: Variance to permit widths of 50' in lieu of the required 70' and a sum of the side yards of 20' in lime of the required 25'.

Acres: Districts

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (3.C.C.A.) 1970 Edition and the 1971 Supplement.

X B. A building permit shall >> required before construction can begin. C. Additions. razing Permits shall be required.

D. Building shall be upgrested to new use - requires alteration yemit. X E. Three sets of construction drawings will be required to file an application for a building permit.

P. Three orts of construction drawings with a legistered Waryland an application for a building permit.

G. Wood frees walls are not permitted within 3'0" of a property line.

Contact luilding Department if distance is between 3'0" and 6'0"

of projecty line.

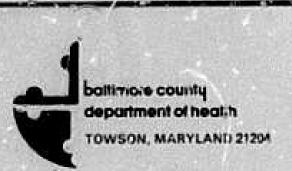
H. Requested setback variance comilicts with the Baltimore County

Building Code. See Seution

I. No Company

J. Comments

CHRISTI



DONALD J. ROOP, M.D., M.P.H.

DEPUTY STATE AND COUNTY HEALTH OFFICER

February 1, 1979

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

Dear Mr. DiNenna:

Comments on Item #Ild. Zoning Advisory Committee Meeting of December 26, 1978, are as follows:

> Property Owner: Eugene J. Maier HW/S Shady Spring Ave. 580' NE Kenwood Ave. Locations

Pristing Zoning: Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 70' and a sum of the side yerds of 20' in lieu of the required 25'. Acres

District:

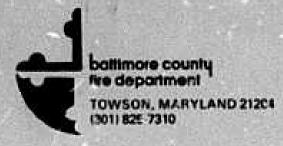
Metropolitan water and sever are available.

The existing septic system for the dwelling (to be razed) must be backfilled.

> Clank Jenes Jar J. Forrest, Adving Director BUREAU OF ENVIRONMENTAL SERVICES

Very truly yours,

IJE/JEP/fthe



Paul H. Reincke

January 18, 1979

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

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Omer: Eugene J. Maier

Location: NW/S Shady Sprin; Ave. 580' NE Kenwood Ave.

Itom No. 144

Zoning Agenda Meeting of 12/26/78

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 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 and condition shown at _____

ECCESS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Propention 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", 1976 Edition prior to occupancy.
- () 5. Site plans are approved as drawn.
- (c) 7. The Pire Provention Dureau has no comments fat this times

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 2, 1979

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

Z.A.C. Meeting of: December 26, 1978

RE: Item No: 144 Property Owner: Eugene J. Maier Location: NW/S Shady Spring Ave. 580' NE Kenwood Ave. Present Zoning: D.R. 3.5

Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 70' and a sum of the side yards of 20' in lieu of the required 25'.

District: 14th No. Acres: 1.98

Dear Mr. DiNenna

No bearing on student population.

Very truly yours W. Nick Petrovich, Field Representative

MARCUS M. BOTSARIS

Reviewed by: 9085

Previous case:

ROBERT Y. DUBEL SUPERINTENDE

Revised Plans:

PETITION	MAPPING	PROGRESS	CHEE
		. WAAVE33	SHEC
300世纪2000	Wall Man L Ori	oland a trans	

FUNCTION	Wall Map		Original		Ouplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	Ьу
Descriptions checked and outline plotted on map										
Petition number added to outline		`					<i>(</i> -)			
Denied								<i>)</i>		7
Granted by ZC, BA, CC, CA										

No. 78555

Petitioner Corene). March Submitted by Day Dank Petitioner's Attorney Lichard Latter Reviewed by Pots

Your Petition has been received * this 18 day of

_1978. Filing Fee \$ 25 . Received _Check

Zoning Commissioner

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

BALTIMORE COUNTY, MARYLAND

No. 78599

DATE Haroh 26, 1979 ACCOUNT 01-662

DIFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH NECEIPT

DATE March 1, 1979 ACCOUNT 01-662

AMDUNT \$25,00

HEET VED Mckee, DaVal & associates, Inc. wet for bearing 2/26/79 at 10:15 2.M.

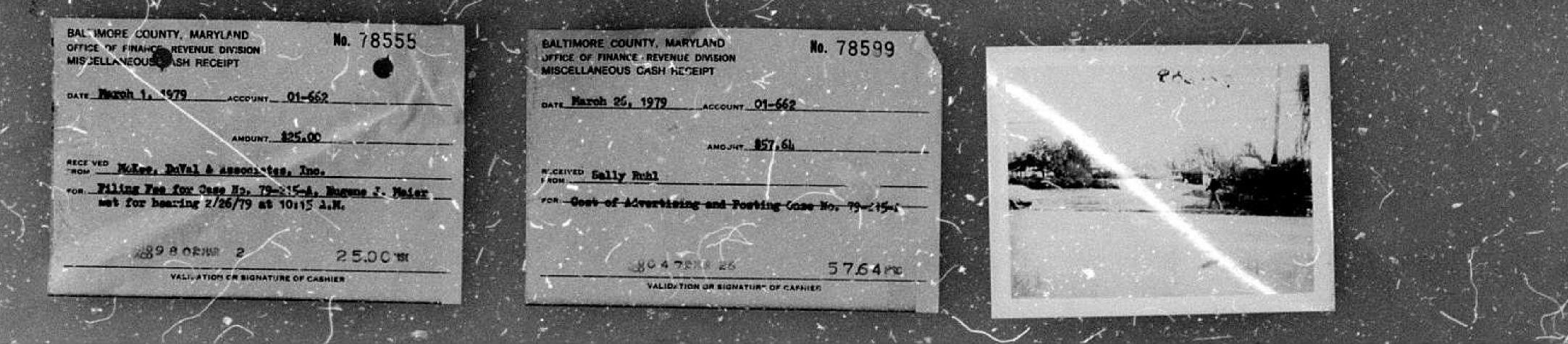
BAL IMORE COUNTY, MARYLAND

OFFICE OF FINANCE REVENUE DIVISION MIS JELLANEOUS ASH RECEIPT

1298 ORNE : 25.00 tst VALIS ATION OR BIGNATURE OF CASHIER

ANOJHT \$57,64 W.CEIVED Bally Ruhl ron Cost of Advertising and Posting Cose No. 79-215-1

> NG 4 可是深度 26 57.64 mc VALIDATION OR SIGNATURE OF CAPHIER



Change in outline or description___Yes

TOWSON, MD. 21204 March 9.

1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARANCE- Eugen J. Maier

was inserted in the following:

☐ Catonsville Times □ Dundalk Times

Towson Times ☐ Arbutus Times

Q Essex Times ☐ Suburban Times East

☐ Community Times ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 9 day of March 19 29, that is to say, the same was inserted in the issues of March 8, 1979.

STROMBERG PUBLICATIONS, INC.

BYDausa V Yannebecker

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in Th. JEFFERSONIA's, a weel,ly newspaper printed and published in Towson, Baltimore County Md., oncextagesch ofr one time specessorous before the 26th day of _____ March_____, 19.72, the fifts publication appearing on the ____Stb._day of _____March____

Cost of Advertisement, \$_____

CERTIFICATE OF POSTEM

District_1.7	3/0
Posted for Petition for Va	rune Date of Posting 3/9
Petitioner: Landon 1. Then	
Location of property: 11/14/15 8h	(8
NE of Henwood a	C.C.
ocation of Signs: 95 Learner	21 41 /
spring as	John John John John John John John John
emarks: sign located advers	41 P. + 1
osted by Sun Coleman	De de la
Strature	LARGE OF POLICE: 1/0/29

ZONING DEPARTMENT OF BALTIMORE COUNTY

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