PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF PALTIMORE COUNTY:

Ralph Moseley

I, or we and Debbie Nesbitt ...legal owner s.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 1B02, 3C, 1 to permit a lot width of

8 ft. in lieu of the required 10 ft. for the proposed house (Lots 98 & 09) and

50 ft. in lieu of the required 55' (Lots 98 & 99) and to permit side setbacks of

the existing house (Lots 95, 96, 97).

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

This is an old recorded subdivision dated May 13, 1918 having lot widths of 25 feet, we only are in ownership of two lots having a total width of 50 feet, for this reason it is impossible to comply with the present zoning regulations of a lot width of 55 feet and we respectively request the above variance.

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 and further agree to and are to be bound by the zoning regulations and restrictions of Balimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser

Denne S Nestutt 630 Delaware Avenue

Essel, Maryland 21221

Petitioner's Attorney Protestant's Attorney

EDERED Py The Zoning Commissioner of Baltimore County, this 16th day January 1972, that the subject matter of this perition 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 2nd day of April

FILING

FOR

ORDE

RE: PETITION FOR VARIANCES SE/S of Howard Ave., 1030'

: BEFORE THE ZONING COMMISSIONER

NE of Back River Neck Rd. 15th District

OF BALTIMORE COUNTY

RALPH MOSELEY, et al, Petitioners

: Case No. 79-222-A

:::::::

ORDER TO ENTER APPEAPANCE

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.

Keter Max Framewood Peter Max Zimmerman Deputy People's Counsel

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

I HEREBY CERTIFY that a copy of the aforegoing Order was mailed this 20th day of March, 1979 to Mr. Ralph Mareley and Ms. Debbie S. Nesbitt, 630 Delaware Avenue, Essex, Maryland 21221, Petitioners.

John W. Hessian, III

office of planning and zening TOWSON, MARYLAND 21204 (301) 494-3353

S. ERIC DINENNA ZONING COMMISSIONER

April 3, 1979

Ms. Debbie S. Nesbitt Mr. Ralph Moseley 630 Delaware Avenue Essex, Maryland 2122!

> RE: Petition for Variances SE/S of Howard Avenue, 1030' NE of Back River Neck Road 15th Election District Ralph Moseley, et al -Petitioners NO. 79-222-A (Item No. 155)

Dear Ms. Nesbitt and Mr. Moseley:

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

> Very troly yours, S. ERIC DI NENNA Zoning Commissioner

SED:nr

Attachment

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

PHILIP F. CHOSE JOHN F. ETT. WILLIAM G. DUNICH

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204

DELATION PAUL A. DOLLENOTHS

January 2, 1979

Zoning Description

823-4470

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the south side of Howard Avenue distant north 29 degrees 39 minutes east 1030 feet measured along the south side of Howard Avenue from the center line of Back River Neck Road and being known as lots 95, 96, 97, 98, 8 99 Section B as shown on the plat of Frenchs Park and recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 6 Folio 130.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Di Nenna Zoning Commissioner

TO Leslie H. Graef, Director March 21, 1979 Office of Planning and Zoning

SUBJECT Petition 79-222A. Item 155. Petition for Variance for lot width and side yard setback Southeast side of Howard Avenue, 1030 feet Northeast of Book River Neck Road Petitioner - Raiph Moseley and Debbie Nesbitt

15th District

Monday, April 2, 1979 (10:45 A.M.)

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

Leslie & Grasper Dottowell

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 16th day of January

S. ERIC DINENNA Zoning Commissioner

Petitioner Moseley and Nesbitt Petitioner's Attorney

Mr. Ralph Mosele; & Ms. Debbie Nesbitt 630 Delaware Avenue Essex, Mary and 21221

Reviewed by ichola B. Commoday Chairman, Zoning Plans Advisory Committee cc: Gerhold, Cross & Etzel

412 Delaware Avenue Towson Maryland 21204

Mr. Ralph Moseley and Ms. Debbie Nesbitt

630 Delaware Avenue Essex, Maryland 21221

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 20, 1979

COUNTY OFFICE BLDG. 111 M. Chengeake Ave. Towson, Maryland 21204

Nicholas B. Commodari

HENRERS bureau of Engineering Department of Traffic Engineering State Boads Commission Bureau of Fire Prevention Health Department Project Clanning **Building Department**

Board of Education

Industrial

Ioning Administration

RE: Item No. 155 Petitioner - Moseley & Nesbitt Variance Petition

Dear Mr. Moseley & Ms. Nesbitt:

The Zoning Plans Advisor; 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 soning.

The subject property is presently improved with a dwelling situated on six lots, each having a width of 25 feet. Because of your proposal to construct a dwelling on two of these lots (Nos. 98 and 99). and locate the new side property line, 8 feet from the existing and proposed dwellings, this Variance is required.

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 on 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 Chairman

Zoning Plans Advisory Committee

412 Delaware Avenue Towson, Maryland 21204

cc: Gerhold, Cross & Et. 1

NBC/sf

enclosures

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) should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore Count; , this _____ April , 1979, that the herein Petition for Variances to permit width of 50 feet in lieu of the required 55 feet, for Lot Nos. 98 and 99, and And setbacks of 8 feet in lieu of the required 10 feet, for both the proposed house in Lot Nos. 98 and 99 and the existing house on Lot Nos. 95, 96, and 97, 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.

> ning Commissioner of Baltimore County

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, the Variance(s) should not be granted.

DAT

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19___, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

March 12, 1979

Mr. S. Eric Dillenna Eoning Commissioner County Office Building Towson, Maryland 71204

RE: 2AC - January 16, 1979

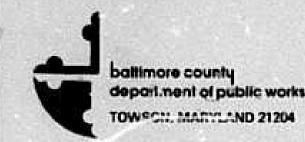
Dear Mr. Dillennas

The Department of Traffic Engineering has no comments on the following items: 149, 150, 152, 153, and 155.

Michael S. Flanigan

Engineer Associate II

KSP/had



I-SE Key Sheet 6 NE 33 Pos. Sheet ME 2 I Topo 97 Tax Map

THORNTON M. MOURING, P.E.

Pebruary 22, 1979

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

> Re: Item #155 (1978-1979) Property Owner: Ralph Moseley & Deboie Nesbitt S/ES Howard Ave. 1030' N/E Back River Neck Rd. Existing Zoning: DR 5.5 Proposed Zoning: Variance to permit a lot width of 10' in lieu of the required 55' (lots 98, 99) and to perait a side setback of 8' in linu of the required 10' for the proposed house (lots 93, 99) and the existing house (lots 95, 96, 97). Acres: 0,5739 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.

General:

This property comprises Lots 95 through 99, anclusive, Block B of Prench's Park, recorded W.P.C. No. 6, Polio 138.

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging privace and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Futitioner 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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #155 (1978-1979).

> Very truly yours, ELLSWERTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: PWR: SS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

January 25, 1979 Nick Commodari Ted Burnham

SUBJECT Zening Advisory Meeting - January 16, 1979

#148 Comments attached

FRCM

#149 Standard comments only

#150 Standard comment only

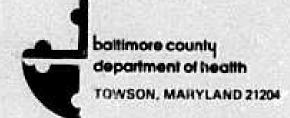
#151 Standard commercial comments only

#152 Standard comment only

#153 See comments attached

#154 See comments attached V #155 Standard comments only

> Shorts & Sumbon Ted Burnham, Chief Plans Review



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

February 5, 1979

Mr. S. Eric Dillenra, Zoning Commissioner Office of Planning and Zoning County Office Bullding Towson, Maryland 21204

Dear Mr. DiNennat

Comments on Item #155, Zoning Advisory Committee Meeting of January 16, 1979, are as follows:

> Property Owner: Location: Existing Zoning: D.R. 5.5 Proposed Zoning:

Acres:

District:

Ralph Moseley & Debbie Nesbitt SE/S Howard Ave. 1030' ME Back River Neck Rd. Variance to permit a lot width of 50' in lieu of the required 55' (lots 98, 99) and to permit a side setback of 8' in lieu of the required

10' for the proposed house (lots 98, 99) and

the existing house (lots 95, 96, 97). 0.5739

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Property Owner: Woodco, Inc. Location: NW/S Gwynn Oak Ave. 250 NE Maple Ave.

Location: NW/C Northwood Dr. & Sweetbriar La.

Property Owner: Gregory 2. Garrison Location: S/S Edwards Ave. 275' E Harford Fd.

Protecty Owner: James V. & Helen T. Geslois

Location: W/S Loganview Dr. 25' N Yardley Rd.

Property Owner: Ralph Moseley & Debbie Nesbitt Location: SE/S Howard Ave. 1030' NE Back River Neck Rd.

SUBJECT Zoning Advisory Committed Meeting of January 16, 1979

Property Owner: Lillian E. Hewitt

Property Owner: Teresa Zannino

Location: NW/C Gough St. & 52nd St.

The existing house (lots 95, 96, 97) is presently served by metropolitan water and sewer. Both metropolitar water and sewer are available for the proposed house (lots 98, 99).

> Very truly yours, Ian J. Forkest, Acting Director BUREAU OF ENVIRONMENTAL SERVICES

Date January 24, 1979

IJF/JRP/fth

To Nick Commodari, Chairman Zoning Plans Advisory Committee

No Comments

No Comments

No Coppents

No Comments

No Comments

No Comments

Fire Prevention Bureau

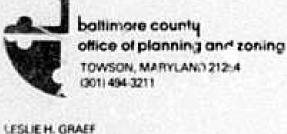
ITEM # 148

ITEM # 149

ITEM # 150

ITEM # 152

V ITEM # 155



March 14, 1979

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

Dear Mr. DiNenna:

Comments on Item #155, Zoning Advisory Committee Meeting, January 16, 1977, are as follows:

Property Owner: Ralph Moseley and Debbie Nesbitt Location: SE/S Howard Ave. 1030' NE Back River 'Neck Rd.

Existing Zoning: D.R.5.5 Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' (lots 98, 99) and to permit a side setback of 8' in lieu of the required 10' for the proposed house (lots 98, 99) and the existing house (lots 95, 96 97).

Acres: 0.5739 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,

Planner III Current Planning and Development

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: January 18, 1979

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

Z.A.C. Meeting cf: January 16, 1979

RE: Item No: 155 Property Owner: Ralph Mosely & Debbie Nesbitt Location: SE/S Howard Ave. 1030' NE Back River Neck Rd. Present Zoning: D.R. 5.5

. Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55' (Lots 98, 99) and to permit a side setback of 8' in lieu of the required 10' for the purposed house (Lots 98,99) and the existing house (Lots 95, 96, 97)

District: 15th No. Acres: 0.5739

Dear Mr. Disenna:

Very truly yours, W. Nick Petrovich.

Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT T. CAYARD WILLIAMS, JR. VICE-PRESIDENT

THOMAS H. BOYER MRS. LORRAINE F. CHIRCUS

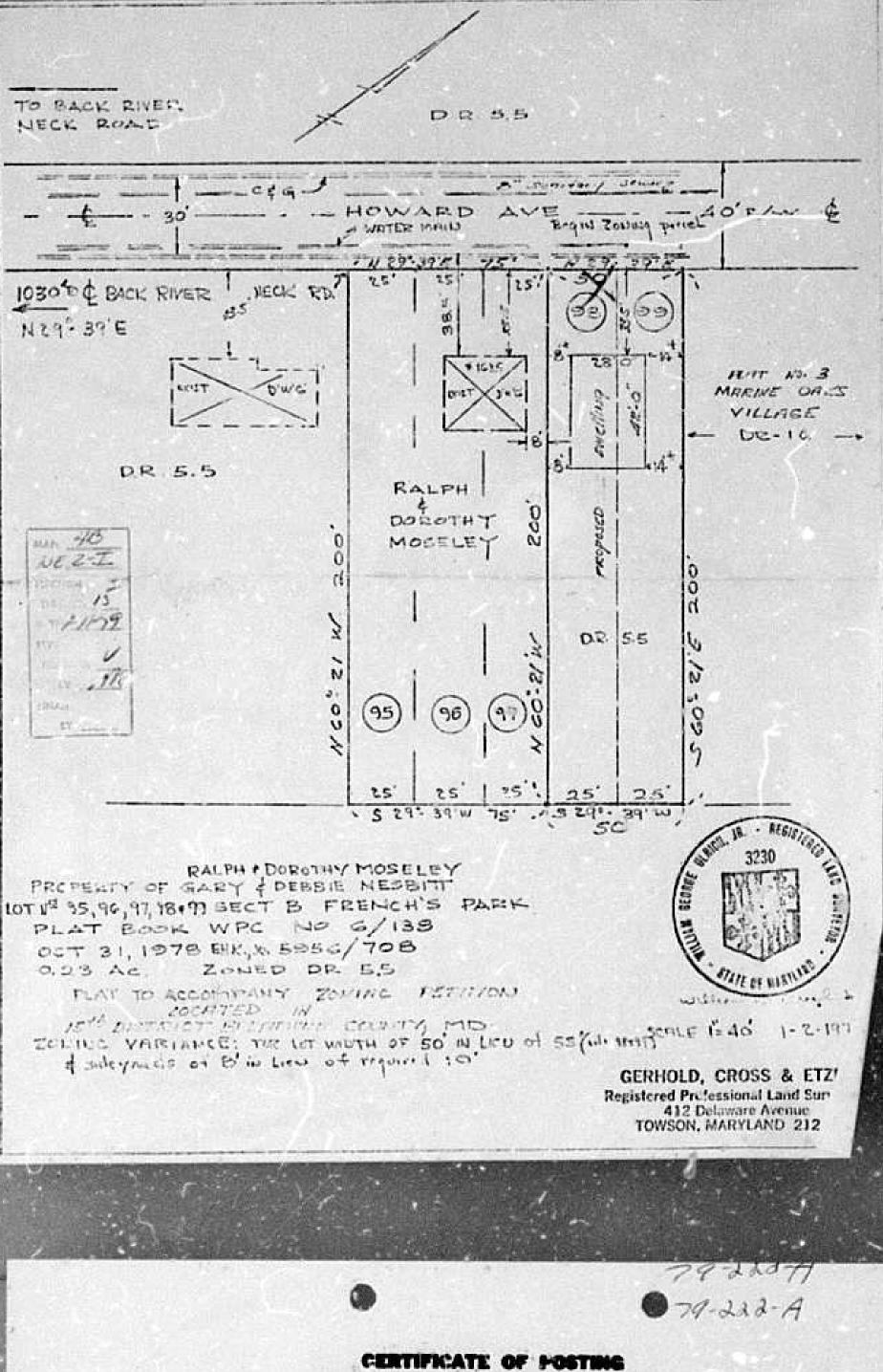
MRS. MILTON R. SMITH. JR. MICHARD W. TRACEY, L. J.M.

ALVIN LORECK

ROGER B. HAYDEN

MOBERT V. DUBEL. SUPERINTENDENT

MARCUL M. BOTSARIS



ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for: Peteters for Caregness.

ALTIMORE COUNTY, MARYLI FFICE OF FINANCE - REVENUE DI ISCELLANEOUS C*SH RECEI	IVISION	Ne. 78611
ATE April 2, 1979	ACCOUNT_07-662	
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OFFICE OF

TOWSON, MD. 21204 March 15

19 79

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Raiph Hosely and Debbie Nesbitt was inserted in the following:

- ☐ Catonsville Times ☐ Dundalk Times
- ☐ Towson Times
- Essex Times
- ☐ Arbutus Times ☐ Community Times
- ☐ Suburban Times East
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 16 thday of March 19 79, that is to say, the same was inserted in the issues of March 15, 1979

STROMBERG PUBLICATIONS, INC.

By Fother Burger

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oncerior such per one time surrention works before the 2nd day of __April _____, 19.79_, the first publication appearing on the 15th day of March 19.72...

Cost of Advertisement, \$_____

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING	
County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204	
Your Petition has been received * this 3	day of
Piling Fee 25 . Received	Check
	Cas
ff. 10.2/1	Other
S. Eric DiNenna, Zoning Commissioner	1
Petitioner Submitted by	
Petitioner's Attorney Reviewed by	
* This is not to be interpreted as acceptance of the Petitic	on for

PETITION	M	APPI	NG	PR	OGR	ESS	SHE	e 7		
FUNCTION	TTO	mar	Orig	inal		licate		STATE OF STREET		
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