

PETITION FOR ZONING VARIANCE 83-270-A
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 set-back
Variance from Section 1802.3.C.1 TO PERMIT A REAR YARD OF 0 FEET INSTEAD OF THE REQUIRED 30 FEET ON LOT 2 AND A SIDE YARD OF 0 FEET INSTEAD OF THE REQUIRED 10 FEET ON LOT 2, SECTION 400.1 TO PERMIT AN EXISTING ACCESSORY STRUCTURE IN FRONT YARD IN LIEU OF THE REQUIRED REAR YARD ON LOT 2.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

HARDSHIP AND PRACTICAL DIFFICULTY IN SO FAR AS POSITIONING THE PROPOSED DWELLING TO KEEP THE FIRST FLOOR ONE FOOT ABOVE ELEVATION, 10.0 AS PER BUILDING REGULATIONS AND TO KEEP AS MUCH FRONT YARD AS POSSIBLE, AND TO PROVIDE ACCESS FROM DRIVEWAY AND OFF-STREET PARKING. BLOCK SHED IS FOR EASY ACCESS TO WATER FOR MAINTENANCE OF BOATS. EXISTING DWELLING IS PRESENTLY OCCUPIED BY A FAMILY WHO WOULD LIKE TO STAY.

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of April, 1983, 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 2nd day of June, 1983, at 10:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 23, 1983

Mr. & Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Pennsylvania 17405

RE: Item No. 170 - Case No. 83-270-A
Petitioner - N. Eugene Shoemaker, et ux
Variance Petition

Dear Mr. & Mrs. Shoemaker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

The subject property is presently improved with a dwelling and shed in the rear yard. In view of your proposal to subdivide this property and construct a dwelling on the new lot, the variances for setbacks are required. An additional request to legalize the location of the existing shed, which will be in the front yard of the new lot, is also included.

For further information on the comments from the Department of Permits and Licenses, you should contact Mr. Charles Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari, Jr.
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures
cc: George William Stephens, Jr.
303 Allegheny Avenue
Towson, Md. 21204

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of E. Kingston Park Lane,
11' SE from the Centerline of
South Lane, 15th District : OF BALTIMORE COUNTY
N. EUGENE SHOEMAKER, et ux, : Case No. 83-270-A
Petitioners

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel
John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of May, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. N. Eugene Shoemaker, 2471 S. Queen Street, York, Pennsylvania 17405, Petitioners.

John W. Hessian, III

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 13, 1983

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #170 (1982-1983)
Property Owner: N. Eugene & Mary Ellen Shoemaker
E/S East Kingston Park Lane, 23.5' S. from
centerline of South Lane
Acres: 0.37 District: 15th

Dear Mr. Hammond:

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:

East Kingston Park Lane, an existing public road, is improved as a 20-foot cross-section roadway on a future 26-foot right-of-way in this vicinity. (See Drawings #72-0545, 0547 and 0549, File 5)

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 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 tidewater. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements of residential and commercial development.

IN THE MATTER : BEFORE
OF THE APPLICATION OF : COUNTY BOARD OF APPEALS
N. EUGENE SHOEMAKER, ET UX :
FOR VARIANCE FROM SECTION : OF
1802.3.C.1 and SECTION 400.1 : BALTIMORE COUNTY
OF THE BALTIMORE COUNTY :
ZONING REGULATIONS : No. 83-270-A
E/S E Kingston Park Lane 11' :
SE from c/l of South Lane :
15th District :

ORDER OF DISMISSAL

Petition of N. Eugene Shoemaker, et ux for variances from Sections 1802.3.C.1 and 400.1 of the Baltimore County Zoning Regulations on property located on the east side of E Kingston Park Lane 11 feet southeast from the center line of South Lane in the Fifteenth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal of Appeal filed August 9, 1983 (a copy of which is attached hereto and made a part hereof) from the Petitioner-Appellant in the above entitled matter.

WHEREAS, said Petitioner-Appellant requests that the appeal filed on behalf of said Petitioner-Appellant be dismissed and withdrawn as of August 9, 1983.

IT IS HEREBY ORDERED this 16th day of August, 1983, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William R. Evans, Acting Chairman

LeRoy B. Spunk

Joanne L. Suder

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

April 11, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Orvidari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: N. Eugene and Mary Ellen Shoemaker

Location: E/S East Kingston Park Lane 23.5' S. from centerline of South Lane

Item No.: 170

Zoning Agenda: Meeting of March 15, 1983

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.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Panhandle roadway shall have a minimum width of 16 feet.

(X) 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.

() 6. Site plans are approved, as drawn.

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

REVIEWED: [Signature] May 4, 1983
Noted and Approved: [Signature]
Planning/Grading Division
Special Inspection Division
Fire Prevention Bureau

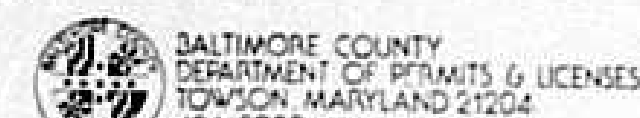
JK/mb/cm

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations ~~which~~ would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will ~~not~~ adversely affect the health, safety, and general welfare of the community, the variance(s) ~~should~~ should not be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 27th day of June, 1983, that the herein Petition for Variance(s) to permit a rear

yard setback of zero feet in lieu of the required 30 feet, a side yard setback of zero feet in lieu of the required 10 feet, and to permit an existing accessory structure in the front yard in lieu of the required rear yard all for Lot 2, is hereby DENIED.

Jean M. H. Jones
Deputy Zoning Commissioner of
Baltimore County



710 ZALESKI JR.
DIRECTOR

March 21, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 170 Zoning Advisory Committee Meeting March 15, 1983
are as follows:

Property Owners: N. Eugene & Mary Ellen Shoemaker
Location: E/S East Kingston Park Lane 23.5' S. from centerline of South Lane
Existing Zoning: D.R. - 2-1
Proposed Zoning Variance to permit a rear yard setback of 26' in lieu of the required 30' on Lot #1, to permit a rear yard setback of 3' in lieu of the required 30' & a side yard setback of 3' in lieu of the required 10' on Lot #2.

District: 15th

The items checked below are applicable:

- X A. All structure shall conform to the Baltimore County Building Code 1961/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building and other miscellaneous permits shall be required before beginning construction.
- X C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- X E. As erected wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fire wall is required if construction is on the lot line. See Table 101, line 3, Section 1107 and Table 1102. Also see Sect. R-203 of the One & Two Family Code & Sect. 211 for windows used for egress.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- X I. Comments: All floor elevations including basement shall be 1'-0" above flood tide (approx. Elev. 10'-0"). Also there appears to be a potential water drainage problem of water from lot #1 draining over lot #2.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj
PCRM 01-82

SECTION 519.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

519.1 AREAS SUBJECT TO INUNDATION BY TIDE WATERS:

1. WHENEVER BUILDING OR ADDITIONS ARE CONSTRUCTED IN AREAS SUBJECT TO INUNDATION BY TIDEWATERS, THE BUILDING'S LOWEST FLOOR (INCLUDING BASEMENT) SHALL BE NOT LOWER THAN ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION, AS ESTABLISHED BY THE U.S. ARMY CORPS OF ENGINEERS OR THE FEDERAL FLOOD INSURANCE STUDY, WHICHEVER IS MORE RESTRICTIVE. THESE BUILDINGS OR ADDITIONS SHALL BE DESIGNED AND ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE WITH MATERIALS RESISTANT TO FLOOD DAMAGE.

2. CRAWL SPACES UNDER BUILDINGS CONSTRUCTED IN THE TIDAL PLAIN, AS DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS OR THE FEDERAL FLOOD INSURANCE STUDY, WHICHEVER IS THE MORE RESTRICTIVE, SHALL BE CONSTRUCTED SO THAT WATER WILL PASS THROUGH WITHOUT RESULTING DEBRIS CAUSING DAMAGE TO THE IMPROVEMENTS OF ANY PROPERTY.

3. NEW OR REPLACEMENT UTILITY SYSTEMS, INCLUDING BUT NOT LIMITED TO WATER SUPPLY, SANITARY SEWAGE, ELECTRIC GAS AND OIL, MUST BE DESIGNED TO MINIMIZE OR ELIMINATE INFILTRATION OF FLOOD WATERS INTO THE SYSTEMS AND DISCHARGES FROM THE SYSTEMS INTO FLOOD WATERS, AND REQUIRE ON-SITE WASTE DISPOSAL SYSTEMS TO BE LOCATED SO AS TO AVOID IMPAIRMENT OF THEM OR CONTAMINATION FROM THEM DURING FLOODING.

519.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100-YEAR FLOODPLAIN:

1. NO STRUCTURES OR ADDITIONS SHALL BE WITHIN THE 100-YEAR FLOODPLAIN OF ANY WATERCOURSE. THE 100-YEAR FLOODPLAIN SHALL BE BASED UPON THE FEDERAL FLOOD INSURANCE STUDY OR THE DEPARTMENT OF PUBLIC WORKS, WHICHEVER IS THE MORE RESTRICTIVE. THIS DETERMINATION SHALL INCLUDE PLANNED FUTURE DEVELOPMENT OF THE WATERSHED AREA.

2. RECONSTRUCTION OF RESIDENTIAL DWELLING UNITS SHALL BE GOVERNED BY SECTIONS 106.0 or 123.0 AS APPLICABLE. EXCEPT THAT REBUILDING OF RESIDENTIAL DWELLING UNITS DAMAGED IN EXCESS OF 50 PERCENT OF PHYSICAL VALUE SHALL ALSO BE GOVERNED BY THE PROVISIONS OF SUBSECTION 444.4 519.1 OF THIS SECTION.

3. RECONSTRUCTION OF OTHER THAN RESIDENTIAL BUILDINGS OR STRUCTURES IN THE RIVERINE AREAS SHALL BE MADE TO CONFORM TO 444.4 519.1 WHEN DAMAGE EXCEEDS 50 PERCENT OF PHYSICAL VALUE.

SECTION 520.0 ADDITIONAL REQUIREMENTS PERTAINING TO EXCAVATING AND EXCAVATIONS



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)

Towson, Maryland 21204

(301) 494-3180

July 21, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #52-79

CASE NO. 83-270-A

IN: EUGENE SHOEMAKER, ET UX

E/S of E Kingston Pk. La., 11' SE from center line of South Lane

15th District

Variance-Rear yd. setback of 0' in lieu of 30'; Side yd. of 0' in lieu of 10' to permit an accessory structure.

6/7/83 - D.Z.C.'s Order - DENIED

WEDNESDAY, AUG. 10, 1983, at 10 a.m.

ASSIGNED FOR:

cc: Dr. & Mrs. N. Eugene Shoemaker
James O'C. Gentry, Esq.
Lawrence Ament

Petitioners
Counsel for Protestants
Protestant

Wilburn Westley

"

Kathleen Roberts

"

J. W. Hession, Esq.

People's Counsel

J. Jung

W. Hammond

J. Dyer

N. Gerber

J. Hoswell

Jane Holmen, Secretary

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 15, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 15, 1983

RE: Item No: 169, 170, 171, 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

August 8, 1983

County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room 218)
Towson, MD 21204

RE: Petition for Variances
E/S of E Kingston Park Lane, 11'
SE from the center line of South Lane - 15th Election District
N. Eugene Shoemaker, et ux -
Petitioners
NO. 83-270-A (Item No. 170)

Dear Sirs:

Please withdraw my request for appeal for the variance requested on the above property, scheduled for Wednesday, August 10, 1983, at 10:00 a.m.

Very truly yours,

N. Eugene Shoemaker
N. Eugene Shoemaker, M.D.

NES/cs

*Rec'd 8-9-83
11 am*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner

TO: Office of Planning and Zoning

Date: April 27, 1983

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #119 - Honolulu Limited
- Item #150 - James R. Peak
- Item #151 - Melvin & Ruth Kabik
- Item #162 - Jonathan & Teresa Marshall
- Item #163 - Gilbert & Joyce Goetz
- Item #164 - Edwin S. Crawford, et ux
- Item #165 - The Vestry of the Church of the Good Shepherd
- Item #168 - Thomas F. Barly
- Item #169 - Joseph E. & Sarah Catherine Poklis
- Item #170 - N. Eugene & Mary Ellen Shoemaker - 412-83-270-A
- Item #173 - Thomas E. & Florabelle Grooms
- Item #183 - Norbert L. & Regina T. Griffin
- Item #186 - Metropolitan Management Co.
- Item #187 - Raymond T. & Alice A. Andrews
- Item #196 - Harvey P. & Carolyn W. Hoggie
- Item #197 - Guerdon L. French
- Item #200 - Mark S. & Karen A. Bartlett
- Item #201 - James P. & Jeanne F. Freeman
- Item #202 - Shell Oil Company
- Item #206 - Donald E. & Wanda G. Riggs
- Item #214 - Thomas A. Keller, et ux
- Item #215 - Ambler M. Blick, et al
- Item #216 - Grant Owings, et al
- Item #218 - Paul Hobbs, et ux
- Item #220 - Philip E. Klein, et al
- Item #221 - Leonard Stoler

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/eth

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

August 16, 1983

Dr. and Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Penna. 17405

Re: Case No. 83-270-A
N. Eugene Shoemaker, et ux

Dear Dr. and Mrs. Shoemaker:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Mr. Lawrence Ament
Mr. Wilburn Westley
Kathleen Roberts
James O'C. Gentry
John W. Hession, III, Esq.
Jean M. H. Jung
Norman E. Gerber
James E. Dyer
James Harwell
Arnold Jablon

7/21/83 - Following were notified of hearing set for Wed. Aug. 10, 1983, at 10 a.m.:

Dr. and Mrs. E. Shoemaker
Lawrence Amen
William Westley
Kathleen Roberts
J. Hession
J. Jung
Wm. Hammond
J. Dyer
N. Gerber
J. Howell

JAMES D'C. GENTRY
ATTORNEY AT LAW
MONUMENTAL LIFE BLDG.
CHARLES & CHASE BKS.
BALTIMORE, MD. 21202
685-2900

July 29, 1983

County Board of Appeals
of Baltimore County
Room 200 Court House
Towson, Maryland 21204

Re: Case No. 83-270-A

Dear Sir:

Please enter my appearance as attorney for the protestants in the above case, an appeal from the finding of Deputy Zoning Commissioner J. Jung. We will present testimony and argument in support of Board's denial of variances.

Very truly yours,

James D.C. Gentry

JOCG:csa

cc: J.W. Hession, Esq.

*Rec'd 8-1-83
Ham*

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

Description to Accompany
Zoning Petition for Variance

February 25, 1983

Beginning for the same at a point formerly in the center of a 15 foot wide road known as East Kingston Park Lane as now widened 8.5 feet on the southwest side for a total width of 23.5 feet distant 11.0 feet S 29°20' E from the center line of South Lane 24 feet wide as shown on a Plat of Resub-division of Part of Section Six Hawthorne filed among the Plat Records of Baltimore County in Plat Book O.T.G. 34 folio 110, thence binding on the former center of said East Kingston Park Lane.

1. S 29°20' E 78.02 feet thence
2. N 49°30' E 240 feet ± to the waters of Dark Head Creek thence
3. Westerly P4 feet ± thence
4. S 48°23' W 177 feet ± to the place of beginning.

Containing 0.37 acres of land more or less.



OFFICE COPY

PETITION FOR VARIANCES
15th Election District

ZONING: Petition for Variances
LOCATION: East side of East Kingston Park Lane, 11 ft. Southeast from the centerline of South Lane
DATE & TIME: Thursday, June 2, 1983 at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a rear yard setback of 0 ft. instead of the required 30 ft. on Lot 2, a side yard setback of 0 ft. instead of the required 10 ft. on Lot 2 and to permit an existing accessory structure in front yard in lieu of the required rear yard on Lot 2

The Zoning Regulation to be excepted as follows:
Section 1B02.3.C.1 - rear and side yard setbacks in D.R. 5.5 zone
Section 400.1 - location of accessory structure

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of N. Eugene Shoemaker, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, June 2, 1983 at 10:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

N. Eugene Shoemaker, M.D.
2471 SOUTH QUEEN STREET
YORK, PENNSYLVANIA 17402

June 28, 1983

Mr. William T. Hackett
Chairman, County Board of Appeals
Room 200 Court House
Towson, MD 21204

RE: Variance Appeal
E/S of E. Kingston Park Lane,
11' SE from the center line of
South Lane - 15th Election District
N. Eugene Shoemaker, et ux-Petitioners
NO. 83-270-A (Item No. 170)

Dear Mr. Hackett:

I have entered an appeal to the finding of the Deputy Zoning Commissioner in the matter listed above.

This letter is to request the earliest possible date for my appeal hearing, since further delay in reaching a final decision will create considerable hardship on a number of the concerned parties.

Very truly yours,

N. Eugene Shoemaker
N. Eugene Shoemaker, M.D.

NES/ps

*Rec'd 7-1-83
10:30 AM*



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 19, 1983

Mr. & Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Pennsylvania 17405

Re: Petition for Variances
E/S of Kingston Park La., 11' SE
from c/l of South Lane
N. Eugene Shoemaker, et ux - Petitioners
Case No. 83-270-A

Dear Mr. & Mrs. Shoemaker:

This is to advise you that \$54.77 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

No. 117631

DATE 5/27/83 ACCOUNT R-31-615-000

AMOUNT \$54.77

RECEIVED FROM N. Eugene Shoemaker
FOR Advertising & Posting Case No. 83-270-A

104*****347710 8310A

VALIDATION OR SIGNATURE OF CASHIER

N. Eugene Shoemaker, M.D.
2471 SOUTH QUEEN STREET
YORK, PENNSYLVANIA 17402

June 17, 1983

William E. Hammond
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

RE: Petition for Variances
E/S of E. Kingston Park Lane,
11' SE from the center line of
South Lane - 15th Election District
N. Eugene Shoemaker, et ux-Petitioners
NO. 83-270-A (Item No. 170)

Dear Mr. Hammond:

Please consider this letter my official request for an appeal to the Zoning Board of the decision of the Deputy Zoning Commissioner in the above mentioned case.

My check in the amount of eighty dollars (\$80.00), seventy-five dollars of which is filing fee and five dollars of which is the posting fee, is enclosed herewith.

I would also like to request the earliest possible hearing in this case, as the delay in final decision will itself create undue hardship to all concerned.

Very truly yours,

N. Eugene Shoemaker
N. Eugene Shoemaker, M.D.

NES/psm

Enclosure



May 4, 1983

Mr. & Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Pennsylvania 17405

NOTICE OF HEARING

Re: Petition for Variances
E/S of East Kingston Park Lane, 11 ft.
Southeast from the c/l of South Lane
N. Eugene Shoemaker, et ux - Petitioners
Case No. 83-270-A

TIME: 10:45 A.M.

DATE: Thursday, June 2, 1983

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

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

No. 115086

DATE 2/28/83 ACCOUNT 01-615-000

AMOUNT \$35.00

RECEIVED FROM File, Re Pen 24a #170
FOR George W. Stephens

104*****350010 8310A

VALIDATION OR SIGNATURE OF CASHIER

N. EUGENE SHOEMAKER, M.D.

April 21, 1983

Nicholas B. Commodari, Chairman
Baltimore County Zoning Plans Advisory Committee
111 W Chesapeake Ave.
Towson, MD 21204

Dear Mr. Commodari:

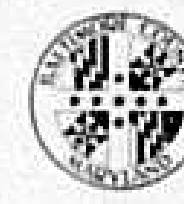
Please use this letter as authority to accept changes made in my variance petition by my engineer, George W. Stephens, Jr. & Associate, Inc. or Mr. Charles Stark.

Thank you for your kind consideration.

Very truly yours,

N. Eugene Shoemaker
N. Eugene Shoemaker, M.D.

NES/pem



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 7, 1983

Mr. and Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Pennsylvania 17405

RE: Petition for Variances
E/S of E Kingston Park Lane, 11'
SE from the center line of South
Lane - 15th Election District
N. Eugene Shoemaker, et ux -
Petitioners
NO. 83-270-A (Item No. 170)

Dear Mr. and Mrs. Shoemaker:

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

Very truly yours,

John M.H. Jung
JOHN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Lawrence Ament
144 East Kingston Park Lane
Baltimore, Maryland 21220

Mr. Wilburn Westley
148 East Kingston Park Lane
Baltimore, Maryland 21220

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

2471 SOUTH QUEEN STREET YORK, PENNSYLVANIA 17402 TELEPHONE 717/741-3624

N. Eugene Shoemaker, M.D.

2471 SOUTH QUEEN STREET
YORK, PENNSYLVANIA 17402

June 17, 1983

William E. Hammond
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

RE: Petition for Variances
E/S of E. Kingston Park Lane,
11' SE from the center line of
South Lane - 15th Election District
N. Eugene Shoemaker, et ux-Petitioners
NO. 83-270-A (Item No. 170)

Dear Mr. Hammond:

Please consider this letter my official request for an appeal to the Zoning Board of the decision of the Deputy Zoning Commissioner in the above mentioned case.

My check in the amount of eighty dollars (\$80.00), seventy-five dollars of which is filing fee and five dollars of which is the posting fee, is enclosed herewith.

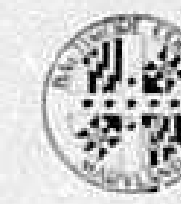
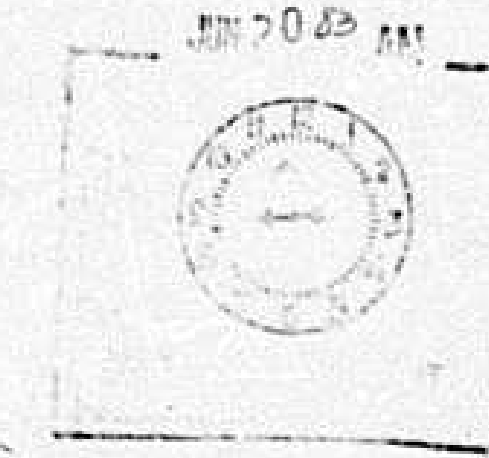
I would also like to request the earliest possible hearing in this case, as the delay in final decision will itself create undue hardship to all concerned.

Very truly yours,

N. Eugene Shoemaker
N. Eugene Shoemaker, M.D.

NES/pem

Enclosure



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 29, 1983

Mr. Lawrence Ament
144 East Kingston Park Lane
Baltimore, Maryland 21220

Re: Petition for Variances
E/S of E Kingston Park Lane, 11' SE
from the c/l of South Lane
N. Eugene Shoemaker, et ux - Petitioners
Case No. 83-270-A

Dear Mr. Ament:

Please be advised that an appeal has been filed by the petitioners from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

William E. Hammond
William E. Hammond
Zoning Commissioner

WEH:aj

cc: Mr. Wilburn Westley
148 East Kingston Park Lane
Baltimore, Maryland 21220

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 83-270-A
SUBJECT: N. Eugene Shoemaker, et ux

Date: May 9, 1983

The subject property has not been processed or recorded into 2 lots.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JG:hc

cc: Arlene January
Shirley Hess

Referrals to Development of Property Areas
By Eugene Shoemaker.

Rose Frank
146 E Kingston PK LA.
Batho 21220

Kathleen Roberts
130 E Kingston PK LA

Richard S. Hubert (LIFE ESTATE IN)
330 GROVETHORN RD 130 E. KINGSTON PK

Tony L. Hubert
136 E. KINGSTON PARK RD.

Linda L. Hubert
118 E. Kingston PK LA.

Nancy L. Simmons
120 E. Kingston Park Lane

Frank M. Baryng
140 E. Kingston Park Lane

Mr. & Mrs. N. Eugene Shoemaker
2471 South Queen Street
York, Pa. 17405

G. W. Stephens, Jr. & Assoc.
P.O. Box 5828
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 27th day of April, 1983.

N. Eugene Shoemaker, et ux

Petitioner's Attorney

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Date of Posting: 7/14/83
Posted for: Board of Appeals
Petitioner: N. Eugene Shoemaker, et ux
Location of property: E/S of Kingston Park Lane, 11' SE from the c/l of South Lane
Location of Sign: rear of property (facing E. Kingston Park Lane)
Remarks: *John W. Hessian*
Posted by: *John W. Hessian* Date of return: 7/15/83
Number of Signs: 1

The Times

Middle River, Md., May 19 83

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of 10 successive weeks before the 12th day of May, 1983.
Ann W. H. H. Publisher.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Date of Posting: 5/15/83
Posted for: Petition for Variances
Petitioner: N. Eugene Shoemaker, et ux
Location of property: E/S of Kingston Park Lane, 11' SE from the c/l of South Lane
Location of Sign: rear of property (facing E. Kingston Park Lane)
Remarks: *John W. Hessian*
Posted by: *John W. Hessian* Date of return: 5/16/83
Number of Signs: 1

LAWRENCE J. AMENI
144 E. KINGSTON PK LA
BALTO. MD 21220

William Westley
144 E. Kingston Park Rd.
Baltimore, Md 21220



PETITION FOR VARIANCES
15th Election District

83-270-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 12, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~5500-00-0000~~ ~~one time~~ ~~times~~ before the 2nd day of June, 1983, the 1st publication appearing on the 12th day of May 1983.

THE JEFFERSONIAN
L. Frank Smith
Manager.

Cost of Advertisement, \$ 26.25

LOCATION: East side of East Kingston Park Lane, 15 ft. South of the centerline of South Lane
DATE & TIME: Thursday, June 2, 1983 at 10:45 A.M.
PUBLIC HEARING: Room 14, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 0 ft. instead of the required 20 ft. on Lot 2; a side yard setback of 0 ft. instead of the required 10 ft. on Lot 2 and to permit an existing accessory structure in front yard in lieu of the required rear yard on Lot 2.

The Zoning Regulation to be excepted as follows:
Section 1802.2.C.1 - rear and side yard setbacks in D.R. 5.5 zone.
Section 40.1 - location of accessory structure.

All that parcel of land in the Fifteenth District of Baltimore County beginning for the same at a point formerly in the center of a 15 foot wide road known as East Kingston Park Lane as now widened 8.3 feet on the southwest side for a total width of 23.3 feet distant 110 feet S 29°29' E from the center line of South Lane 21 feet wide as shown on a Plat of Reconsolidation of Part of Section Six Hawthorne filed among the Plat Records of Baltimore County in Plat Book O.T.G. 4 Folio 116, these being on the former center of said East Kingston Park Lane.

1. S 29°29' E 15.0 feet thence
2. N 89°29' W 20 feet = to the waters of Dark Head Creek thence

3. W 89°29' E 20 feet = to the waters of Dark Head Creek thence
4. S 89°29' W 177 feet = to the place of beginning.

Containing 0.37 acres of land more or less.

Being the property of N. Eugene Shoemaker, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, June 2, 1983 at 10:45 A.M.

Public Hearing: Room 14, County Office Building, 111 W. Chesapeake Avenue Towson, Maryland.

By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County

May 12

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

No 117661

DATE 6/20/83 ACCOUNT R-01-613-000

AMOUNT \$80.00

RECEIVED FROM N. Eugene Shoemaker
FOR Appeal fee for Case #83-270-A

\$ 103*****800010 8272A

VALIDATION OR SIGNATURE OF CASHIER

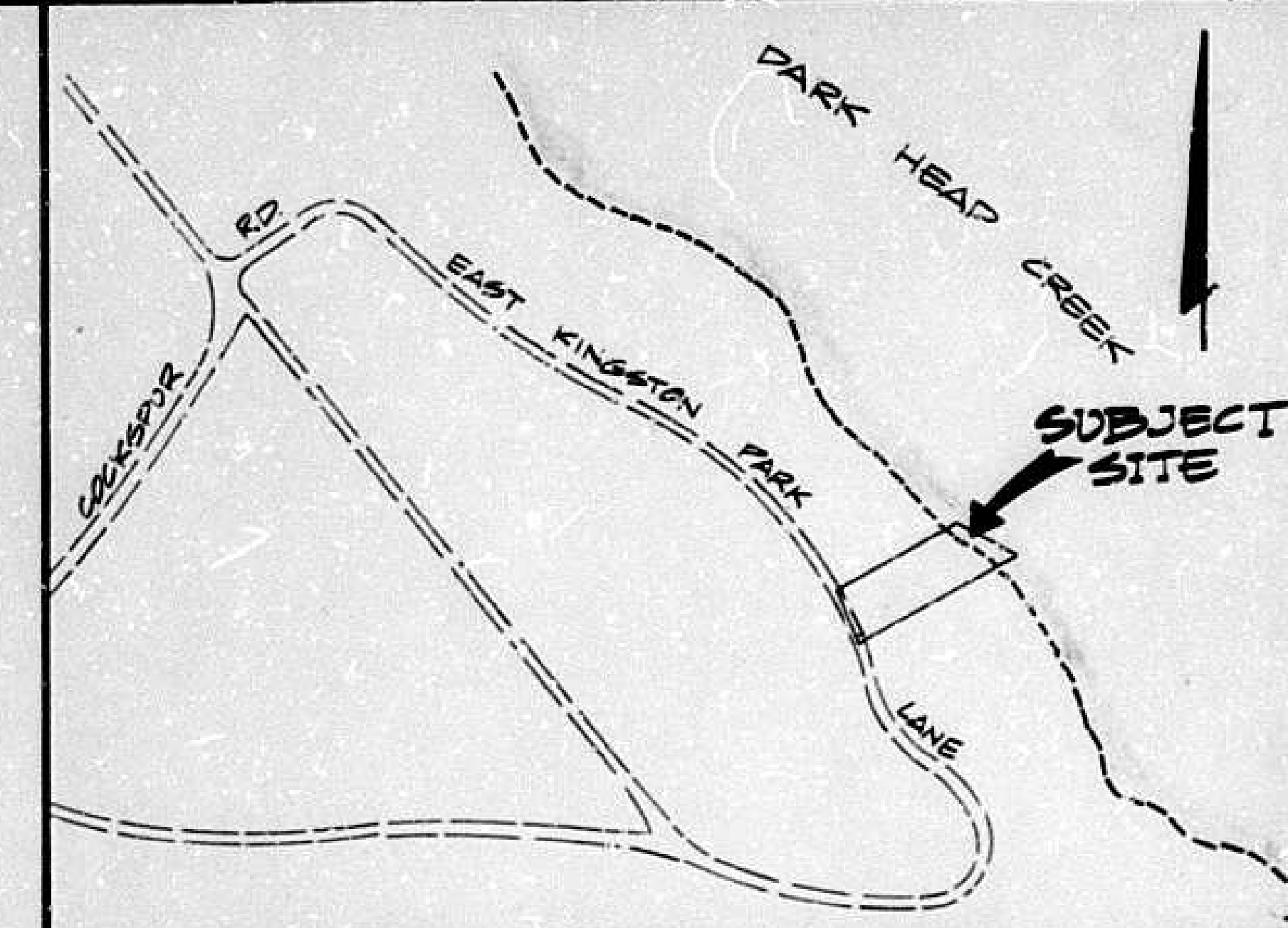
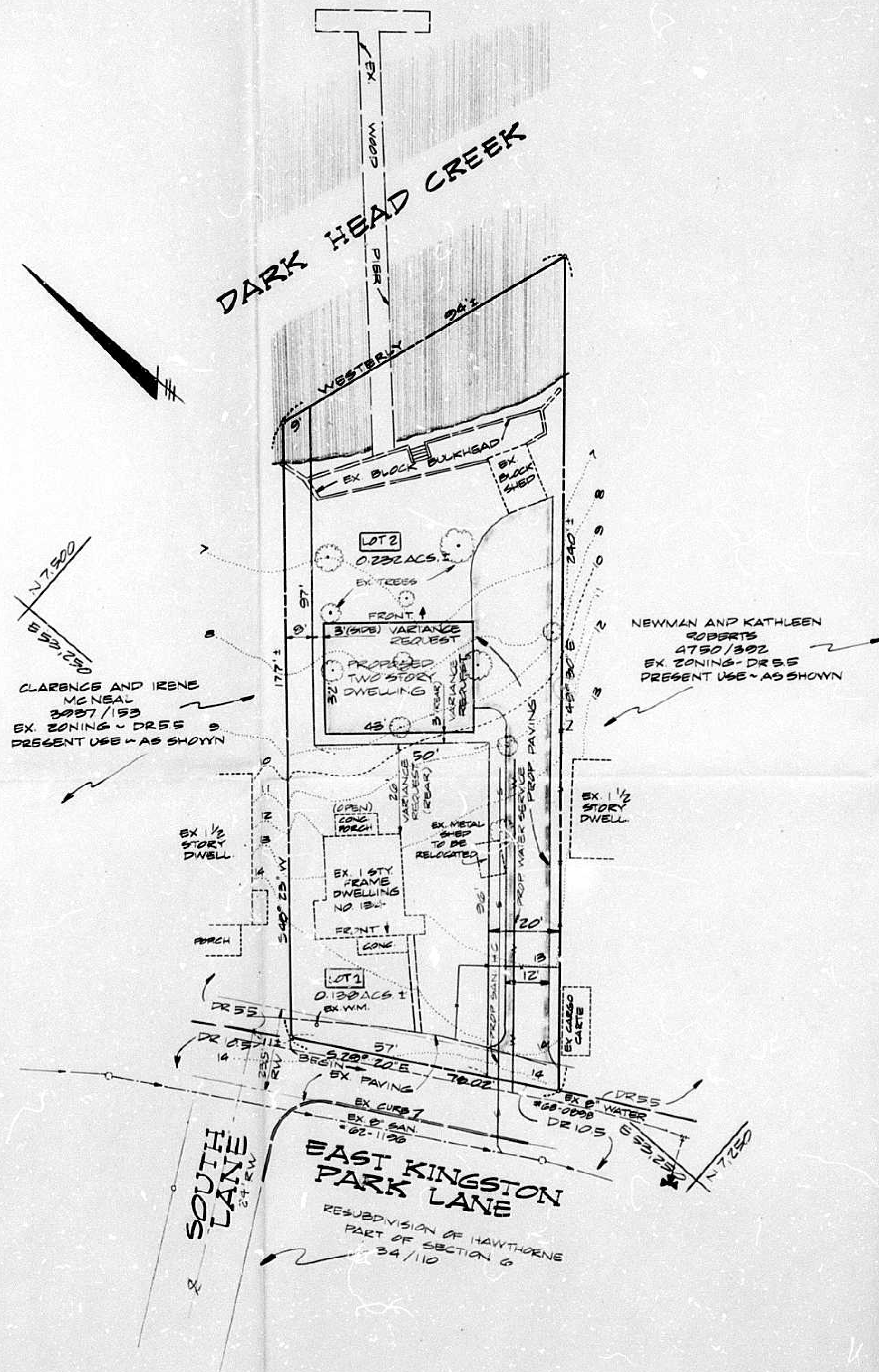
83-270-A

15th District

E/S of E Kingston Park La., 11' SE from
c/1 of South Lane

N. Eugene Shoemaker, et ux

151GN



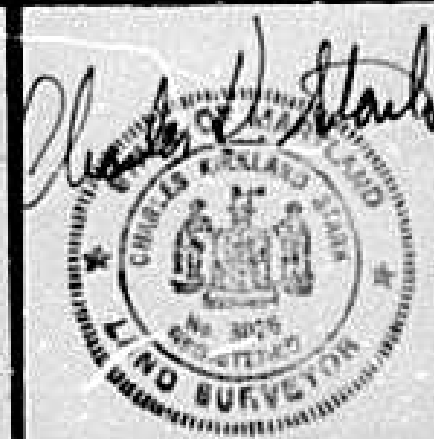
GENERAL NOTES

- (1) AREA OF SITE ~ 0.37 AC ±
- (2) DEED REFERENCE ~ 0315/714
- (3) EXISTING ZONING ~ DR 55
- (4) PRESENT USE ~ EXISTING RESIDENCE
- (5) PROPOSED USE ~ SUBDIVIDE INTO 2 LOTS AND CONSTRUCT TWO STORY DWELLING AS SHOWN
- (6) WATER AND SEWER EXIST
- (7) DENSITY CALCULATIONS
0.37 AC ± X 5.5 = 2.04 LOTS PERMITTED
- (8) MINIMUM LOT SIZE = 6200 SF ±

OLD
PLAN
TIM 4/70

ENGINEER

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES INCORPORATED
303 ALLEGHENY AVENUE
TOWSON, MARYLAND
301-825-8120



OWNER/PETITIONER:

N. EUGENE SHOEMAKER, M.D.
CRESTLYN CLINIC
2471 SOUTH RUBEN STREET
YORK, PENNSYLVANIA
17405

VARIANCE REQUEST:

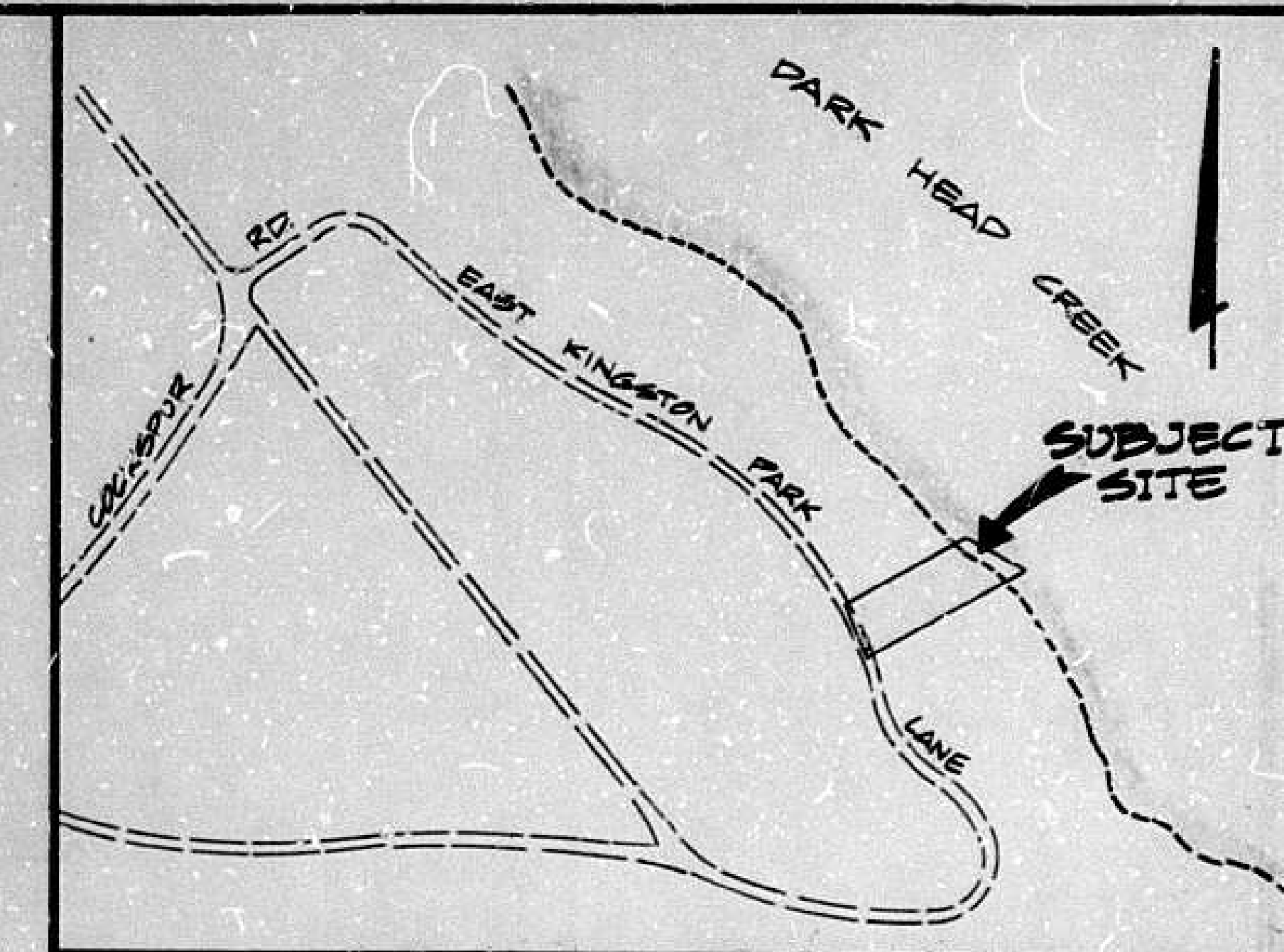
VARIANCE IS REQUESTED TO SECTION 1802.2.C.1. TO PERMIT A REAR YARD OF 20' IN LIEU OF THE REQ'D 30' (LOT 1), TO PERMIT A REAR YARD OF 3' IN LIEU OF THE REQ'D 20' (LOT 2), AND TO PERMIT A SIDE YARD OF 3' IN LIEU OF THE REQ'D 10' (LOT 2).

REVISIONS:

DRAWN:
DESIGN:
CHECK:
PN 04764

PLAT TO ACCOMPANY ZONING PETITION VARIANCE for SIDE AND REAR YARD SETBACKS IN EXISTING DR 55 ZONE

NO 134 EAST KINGSTON PARK LANE
BALTIMORE COUNTY, MD ELECTION DISTRICT NO 15
SCALE: 1"=20'



LOCATION MAP SCALE 1"=200

GENERAL NOTES

- (1) GROSS AREA OF SITE ~ 0.44 ACS ±
- (2) DEED REFERENCE ~ 0015/714
- (3) EXISTING ZONING ~ DR 55
- (4) PRESENT USE ~ EXISTING RESIDENCE
- (5) PROPOSED USE ~ SUBDIVIDE INTO 2 LOTS AND CONSTRUCT TWO STORY DWELLING AS SHOWN
- (6) WATER AND SEWER EXIST.
- (7) DENSITY CALCULATIONS
 $0.44 \text{ ACS} \div X \text{ S.F.} = 2.42 \text{ LOTS PERMITTED}$
- (8) MINIMUM LOT SIZE = 6000 SF ± (NET)
- (9) NET AREA LOT 1 ~ 6000 SF ± ~ 0.136 ACS ±
- (10) NET AREA LOT 2 ~ 7880 SF ± ~ 0.181 ACS ±

PETITIONER'S
EXHIBIT /

Hon #178
 Revised plans
 4/27/13

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES INCORPORATED
303 ALLEGHENY AVENUE
TOWSON, MARYLAND
301-825-8120**



#3026

N. EUGENE SHOEMAKER, M.D.
CRESTLYN CLINIC
2471 SOUTH RUBEN STREET
YORK, PENNSYLVANIA
17402
1-717-741-3888

VARIANCE IS REQUESTED TO SECTION 1802.3.C.1. TO PERMIT A REAR YARD OF 0' IN LIEU OF THE REQ'D 30' (LOT 2), TO PERMIT A SIDEYARD OF 0' IN LIEU OF THE REQ'D 10' (LOT 2).

TO PERMIT A BLOCK SHED IN
FRONT YARD OF LOT 2.

4-13-83. NET AREAS
4-18-83 - 0'-SIDEYARD
REAR YARD

DRAWN: JEM
DESIGN: JEM
CHECK: CKS
PN 04764

PLAT TO ACCOMPANY
ZONING PETITION/VARIANCE *for*
SIDE AND REAR YARD SETBACKS
IN EXISTING DR 55 ZONE

NO 134 EAST KINGSTON PARK LANE
BALTIMORE COUNTY, MD ELECTION DISTRICT NO 15
SCALE: 1"=20'

