

85-268-A
PETITION FOR ZONING VARIANCE
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 Variance from Section 1 B01.2.C.2.a. To permit setbacks of 15' in lieu of the required 35' window to tract boundary and 20' in lieu of the 40' required window to window and 1 B01.2.C.6 to permit a setback of 10' window to property line instead of the required 15'. Sec. 1 B01.2.C.6 (V.B.6.a) to permit a front of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. to permit the future owners of lots #2 and #3 to build houses of their choice in the approximate center of each lot. The present zoning of 35' window to tract boundary would not permit this.
2. Although the density of the lot is DR5.5, the balance of the lot cannot be built upon because it drops off steeply at the back of the proposed lots into a flood plain area.

*yard setback of 20' in lieu of the required 25' (window to street right-of-way)
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
City and State
Legal Owner(s):
Frederick Leiss II
(Type or Print Name)
Signature
Joan C. Leiss
(Type or Print Name)
Signature
1413 Spring Ave 686-4119
Address
Baltimore, Md. 21237
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
MURKIN-HERRMANN
City and State
1522 BOWLEYS QUARTERS 235-4440
Address
Baltimore, Md. 21204
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February, 1985, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of March, 1985, at 10:15 o'clock A.M.

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

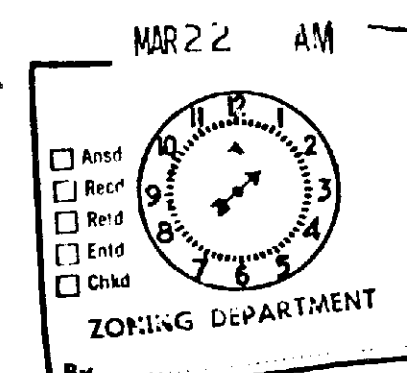
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: March 21, 1985
Norman Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-268-A

Assuming compliance with the comments of the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject request.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JCH:slm



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 14, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas S. Commodari
Chairman

Mr. Mike Leighton Herrmann
1522 Bowleys Quarters Road
Baltimore, Md. 21220

RE: Item No. 218 - Case No. 85-268-A
Petitioner: Frederick Leiss, II, et ux
Variance Petition

Dear Mr. Herrmann:

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 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 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 S. Commodari, Jr.
NICHOLAS S. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEG:bsc

Enclosures

cc: The Shenk Corp.
43 East Lee Street
Belair, Maryland 21014

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 19, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #218 (1984-1985)
Property Owner: Frederick Leiss, II, et ux
S/S Spring Ave. 1310' W. from centerline
Philadelphia Rd.
Acre: 2.619
District: 15th

Dear Mr. Jablon:

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 Comments:

As no public facilities are involved, this office has no comment.

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.

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.

This property may be affected by the flood plain of the streams in this area.

Very truly yours,

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:EAM:RSC:iss

cc: File

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-5211
Norman E. Gerber
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 4/5/85
Item #218
Property Owner: Frederick Leiss, II, et ux
Location: S/S Spring Ave.
W. of Philadelphia Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Area are re-evaluated annually by the County Council.

Additional comments:
Plan should show a layout for future development on lot #2, including streets, design of drainage system, and other improvements and setbacks.

cc: James Roswell

Eugene A. Bober
Chief, Current Planning and Development

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

February 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Frederick Leiss, II, et ux

Location: S/S Spring Avenue 1310' W. from c/l Philadelphia Road

Item No.: 218 Zoning Agenda: Meeting of 2/5/85

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 end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (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.

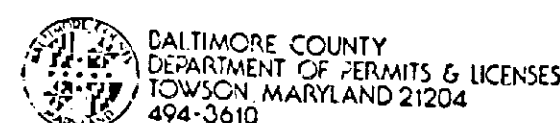
- () 6. Site plans are approved, as drawn.

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

REVIEWED BY: [Signature]
Planning Bureau
Special Inspection Division

Noted and Approved: Roy W. Kemmer
Fire Prevention Bureau

/nb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3550

February 26, 1985

TO: JALSON JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #218 Zoning Advisory Committee Meeting are as follows:

Property Owner: Frederick Leiss, II, et ux
Location: 8/8 Spring Avenue 1310' W. from c/l Philadelphia Road
Existing Zoning: R-1, 5.5
Proposed Zoning: Variance to permit setbacks of 15' in lieu of the required 35' window to tract boundary and 20' in lieu of the required 40' window to window and to permit a setback of 10' window to property line in lieu of the required 15'.
Address: 15th.
District: 15th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 and other applicable codes, and other applicable codes.

(B) A building/ & other miscellaneous permit shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1407 and Table 1402, also Section 503.1.

(F) Requested variance appears to conflict 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.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office. 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 W. Chesapeake Ave., Towson.

Very truly yours,

MICROFILMED

Charles E. Burdman, Chief
Plans Review

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
S/S Spring Ave., 1,310' : OF BALTIMORE COUNTY
NW from Philadelphia Rd. :
(1413 Spring Ave.), : Case No. 85-268-A
14th District :
FREDERICK LEISS, II, et ux, :
Petitioners :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 6th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Frederick Leiss, II, 1413 Spring Ave., Baltimore, MD 21237, Petitioners; and Mr. Mike Leighton-Herrmann, 1522 Bowleys Quarter Rd., Baltimore, MD 21220, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

MICROFILMED



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

February 28, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 210, 212, 213, 214, 215, 216, 217, 218, and 219 ZAC-Meeting of February 5, 1985
Location:
Existing Zoning:
Proposed Zoning:

Address:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 210, 212, 213, 214, 215, 216, 217, 218, and 219.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cem

MICROFILMED

31-5-268-A

February 28, 1985

Mr. & Mrs. Frederick Leiss II
1413 Spring Avenue
Baltimore, Maryland 21237

NOTICE OF HEARING

RE: Petition for Variances
8/8 Spring Ave., 1310' NW from Philadelphia Road (1413 Spring Avenue)
Frederick Leiss II, et ux - Petitioners
Case No. 85-268-A

TIME: 10:15 a.m.

DATE: Wednesday, March 27, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Mike Leighton-Herrmann
1522 Bowleys Quarter Road
Baltimore, Maryland 21220

Charles E. Burdman
Charles E. Burdman
Zoning Commissioner
of Baltimore County

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

No. 004907

DATE: 3/27/85 ACCOUNT: 100-100-100

AMOUNT: \$ 20.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 3/1/85
Posted for: Variance to permit setbacks
Petitioner: Frederick Leiss II, et ux
Location of property: 8/8 Spring Ave., 1310' NW from Philadelphia Rd.
Location of Signs: Spring Ave., 1310' NW from Philadelphia Rd.
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 4
Date of return: 3/1/85
MICROFILMED

ORIGINAL
CERTIFICATE OF PUBLICATION

Dundalk, MD., 3/1, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE BALTIMORE COUNTY JOURNAL, a weekly newspaper, published in Dundalk, Baltimore County, Maryland, appearing on 3/7, 1985

The Baltimore County Journal,
A. Jones
Publisher

LEGAL
NOTICE

PETITION FOR VARIANCES
14th District
LOCATION: South side Spring Avenue
1310' W. from Philadelphia Road
(1413 Spring Avenue)
DATE: 2/27/85
PUBLIC HEARING: 11th County Office Building, 111 West 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 on the petition for variance to permit setbacks of 15' in lieu of the required 35' window to tract boundary and 20' in lieu of the required 40' window to window and to permit a setback of 10' window to property line in lieu of the required 15'.
Being the property of Frederick Leiss II, et ux, as shown on the plat filed with the Zoning Office.
In the event that this petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
Arnold Jablon
Zoning Commissioner
of Baltimore County

63099

MICROFILMED

CERTIFICATE OF PUBLICATION

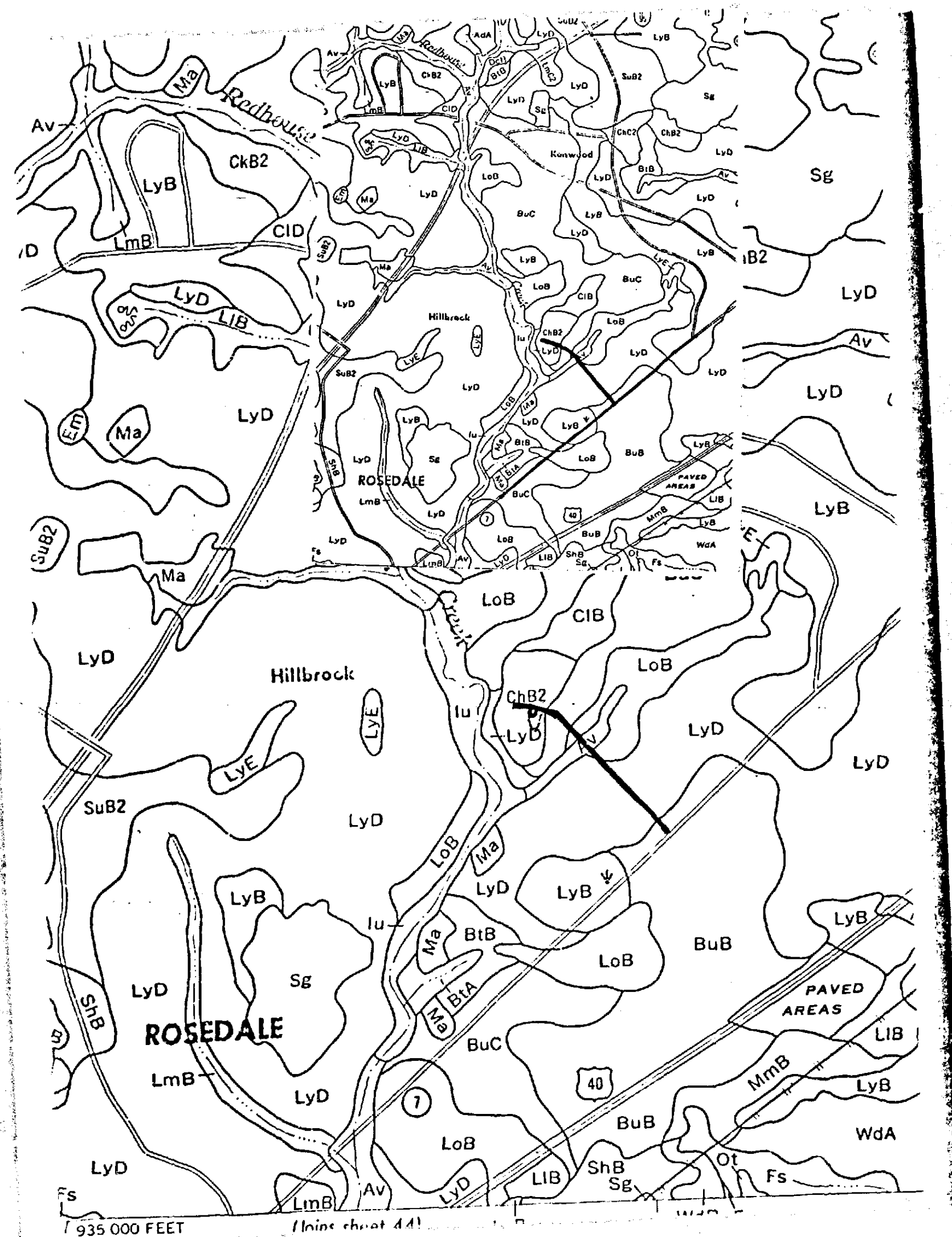
TOWSON, MD., March 7, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 7, 1985

85-268-A
THE JEFFERSONIAN,
W. Ventak
Publisher

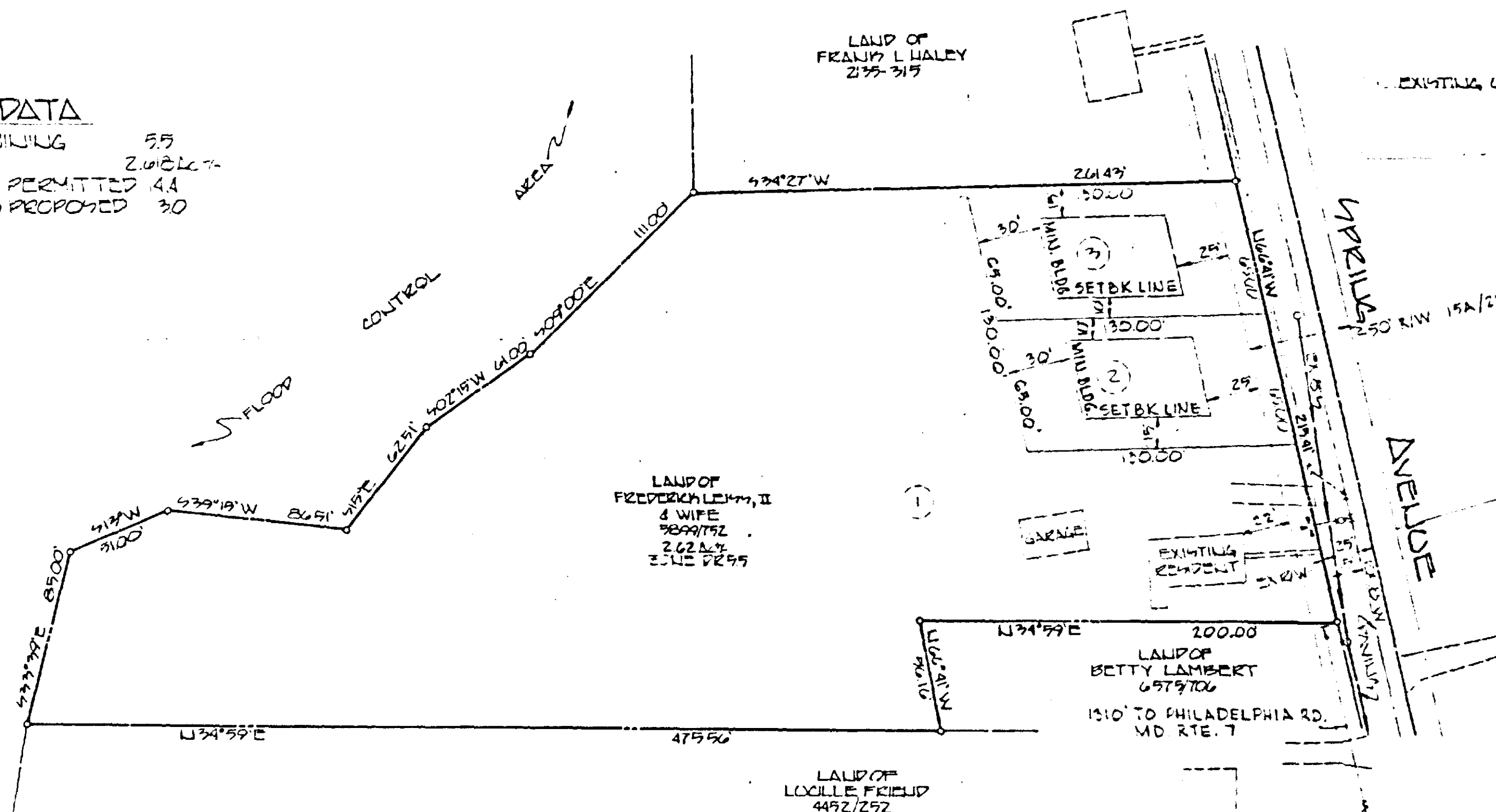
Cost of Advertising

\$22.00

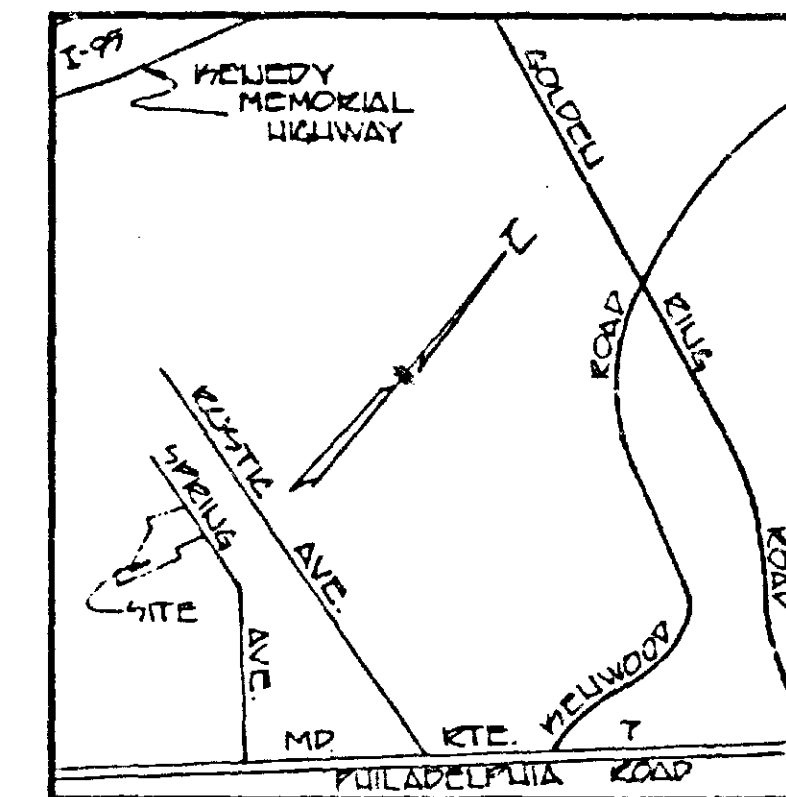
PETITION FOR VARIANCES
14th District
LOCATION: South side Spring Avenue
1310' W. from Philadelphia Road
(1413 Spring Avenue)
DATE: 2/27/85
PUBLIC HEARING: 11th County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit setbacks of 15' in lieu of the required 35' window to tract boundary and 20' in lieu of the required 40' window to window and to permit a setback of 10' window to property line in lieu of the required 15'.
Being the property of Frederick Leiss II, et ux, as shown on the plat filed with the Zoning Office.
In the event that this petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
Arnold Jablon
Zoning Commissioner
of Baltimore County



SITE DATA
 EXISTING ZONING 55
 TOTAL AREA 2.016 AC.
 TOTAL LOTS PERMITTED 44
 TOTAL LOTS PROPOSED 30



VARIANCE FROM SECTION 301.2 C.G. (304 V.B. 9A) TO PERMIT SETBACKS OF 2' IN LIEU OF THE REQUIRED 5' WINDOW TO TRACT BOUNDARY AND 10' IN LIEU OF THE 15' REQUIRED TO LINES



VICINITY MAP
 SCALE: 1"=1200'

FREDERICK'S EXHIBIT

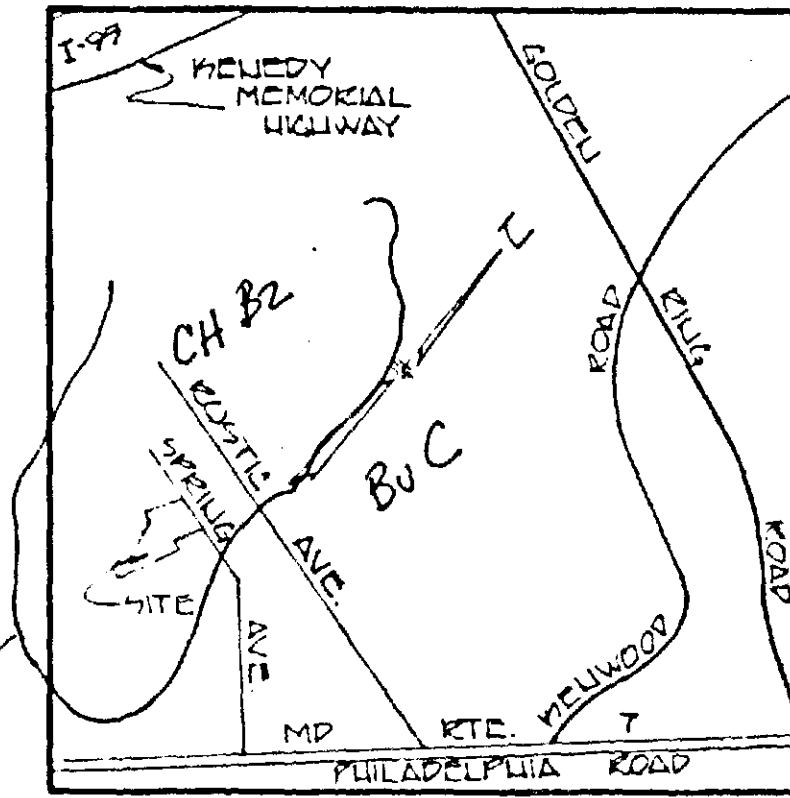
Item 218
 Revised 2/27/55

VARIANCE PLAT
 LAND OF
FREDERICK L. HALE, II & WIFE
 1413 SPRING AVENUE
 15TH ELECTION DISTRICT
 BALTIMORE CO., MD

THE SHELK CORP.
 ENGINEERS & SURVEYORS

43 EAST LEE ST.
 BEL AIR, MARYLAND 21034

DATE	SCALE	FILE NO.
2/27/55	1"=50'	2117

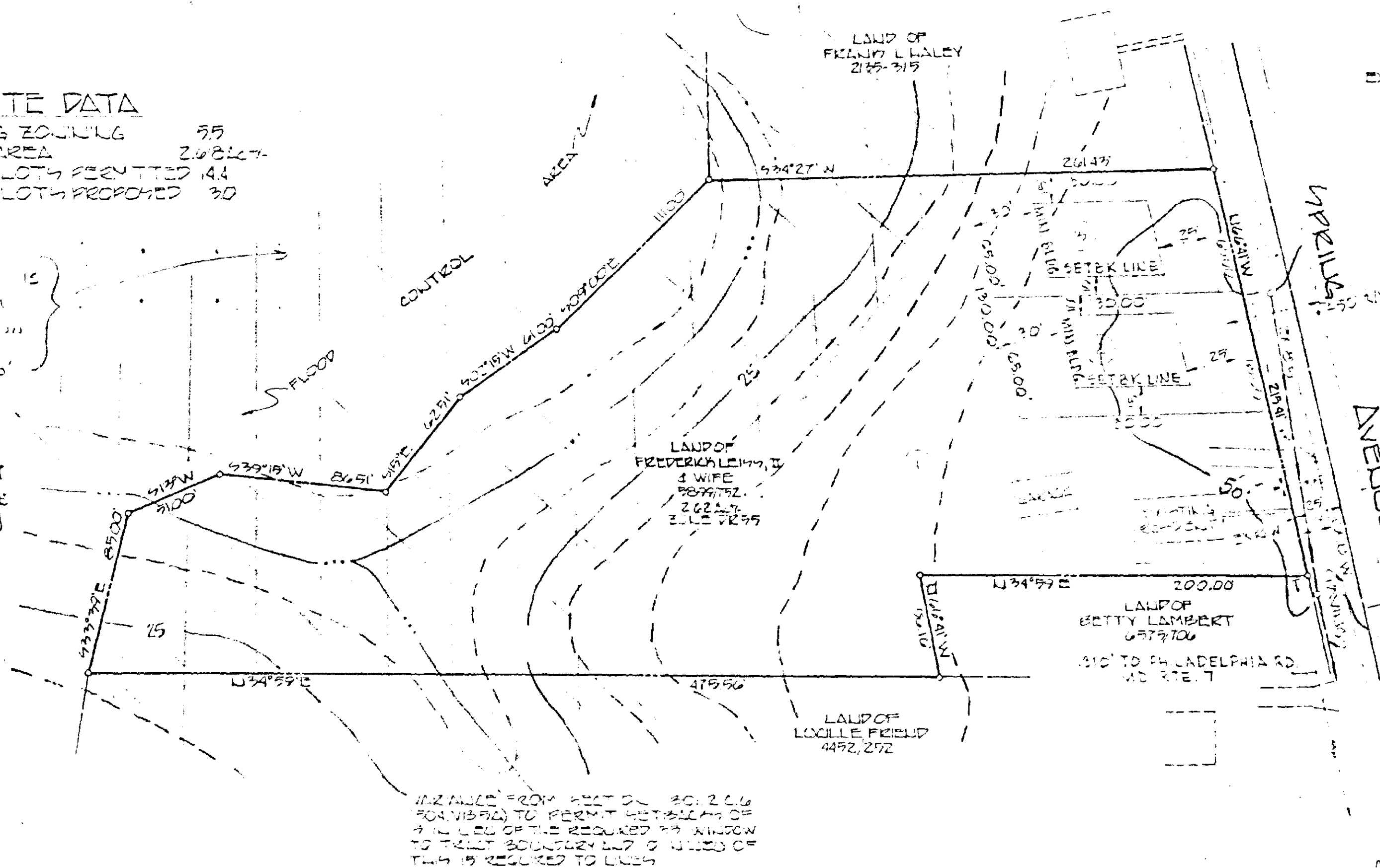


VICINITY MAP
SCALE 1"=200'

SITE DATA
 EXISTING ZONING 55
 TOTAL AREA 2.6824
 TOTAL LOTS SUBMITTED 144
 TOTAL LOTS PROPOSED 30

CROSS HATCHED AREA IS
 NO YR FLOODPLAIN FROM
 BALTO CO. 192 HOUSE 600
 SHEET 116 S of 12
 EXTENDS TO CLEV + 32.0'

NO FUTURE DEVELOPMENT
 ANTICIPATED - DUE TO SIZE
 & LOCATION OF FLOOD PLAIN



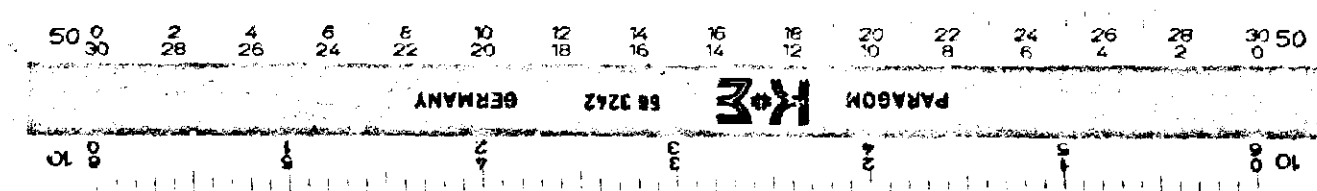
GRANTEE PLAT
 LAND OF
FREDERICK LEIGH, II
 & WIFE
 113 SPRING AVENUE
 15TH ELECTION DISTRICT
 BALTIMORE CO., MD

THE SHENK CORP.
 ENGINEERS & SURVEYORS

43 EAST LEE ST.
 BEL AIR, MARYLAND 21014

DATE	SCALE	FILE NO.
11/10/85	1"=50'	4417

*Revised plans
 11/10/85*



Baltimore County, Maryland

Date 4/19/85

To: Arnold Tabla

From: Susan Carroll

- | | |
|--|---|
| ☐ Please Note & File | ☐ To be Signed |
| ☒ For Your Information | ☐ Please Comment |
| ☐ Please Note & Return | ☐ Please See Me |
| ☐ Please Handle | ☐ Investigate & Report |
| ☐ Please answer, Sending me Copy of your letter | |
| ☐ Please Prepare reply for my Signature | |

Remarks:

Arnold -
 This revision plan
 is o.k.
 S.C. file

Recycled Paper

85-268-A
 218