

PETITION FOR ZONING VARIANCE 87-223A 156

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Ellwood A. Sinsky

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 1.102, 3B (V.A.5b.) To permit a building setback of 21 feet to the tract boundary in lieu of the required 30 feet and to amend the second amended final development plan of "Lynne Woods", Lot 18.

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

Desired house will not fit on Lot with existing setbacks.

At the Hearing for Item No. 44 - Case No. 87-136-A protestants (adjoining owners) prefer and would support this 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 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:	Legal Owner(s):	MAAP SW 2H
(Type or Print Name)	Ellwood Sinsky	2B
Signature	Signature	DATE: 5/15/87
Address	(Type or Print Name)	200
City and State	Signature	1000
Attorney for Petitioner:	Address	DP
(Type or Print Name)	City and State	S 4.575
Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	N. 44 625
Address	Ellwood A. Sinsky	87-136 A
City and State	Name	
Attorney's Telephone No.:	2416 Velvet Valley Way	
	Owings Mills, MD 21117	362-2644
	Address	Phone No.

87-223A 156
Ellwood A. Sinsky
SW/S of Westchester Ave.,
125' SE of the c/l of
(1813 Westchester Ave.)

ORDER RECEIVED FOR FILING
Date 5/15/87
By Phyllis Cole Friedman

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of October, 1986, 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 108, County Office Building in Towson, Baltimore County, on the 3rd day of December, 1986, at 11:45 o'clock a.m.

Carl John
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
Date 5/15/87
By Phyllis Cole Friedman

IN RE: PETITION FOR ZONING VARIANCE
SW/S of Westchester Avenue,
125' SE of the c/l of
Bathurst Road
(1813 Westchester Avenue)
1st Election District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-223-A

The Petitioner herein requests a zoning variance to permit a building setback of 21 feet to the tract boundary in lieu of the required 30 feet and to amend the second amended final development plan of "Lynne Woods", Lot 18.

Testimony by the Petitioner indicates that his original petition, Case No. 87-136-A, requested a variance to permit a window setback of 33 feet to the tract boundary in lieu of the required 35 feet and had proposed that the dwelling face west towards the rear yard of the adjacent neighbor on Bathurst Road. Two neighbors protested that orientation for the dwelling. Subsequent discussions among the Petitioner, the neighbors, and the Improvement Association led to the instant Petition. Two neighbors, one also representing the Westchester Improvement Association, appeared and supported the instant petition. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of December 1986, that a zoning variance to permit a building setback of 21 feet to the tract boundary, and to amend the second amended final development plan of "Lynne Woods", Lot 18, in accordance with the plan submitted, be and is hereby GRANTED, from and after the date of this Order.

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

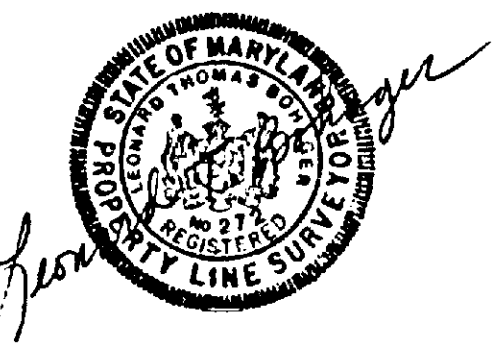
W. DUVALL & ASSOCIATES, INC.
Engineers • Surveyors • Land Planners

July 24, 1986
ZONING DESCRIPTION

Beginning for the same at a point, said point being located on the southwest side of Westchester Avenue, said point also being located 125 feet plus or minus southeast of center line intersection of Westchester Avenue and Bathurst Road, thence binding on the said Westchester Avenue for lines of division, more particularly described as follows:

By a curve to the left having a radius of 410.00 feet for a length of 71.32 feet, thence, South 18 degrees 47 minutes 32 seconds West 123.59 feet thence, North 71 degrees 00 minutes 59 seconds West 71.00 feet thence, North 18 degrees 47 minutes 32 seconds East 121.96 feet to the place of beginning, containing 0.204 acres of land, more or less.

Being the lot number 18 as shown on the plat "First Amended Plat Lynne Woods" as recorded in the Land Records of Baltimore County, Maryland, in the First Election District, E.H.K., Jr. 52/91 said lot also being known as #1813 Westchester Avenue.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

RE: PETITION FOR VARIANCE
SW/S of Westchester Ave., 125'
SE of C/L of Bathurst Rd.
(1813 Westchester Ave.)
1st District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-223-A

ENTRY OF APPEARANCE

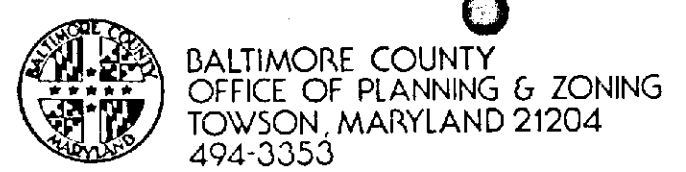
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 12th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Ellwood A. Sinsky, 2416 Velvet Valley Way, Owings Mills, MD 21117, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 11, 1986

Mr. Ellwood A. Sinsky
2416 Velvet Valley Way
Owings Mills, Maryland 21117

RE: Petition for Zoning Variance
SW/S of Westchester Avenue
125' SE of the c/l of
Bathurst Road
1st Election District
Case No. 87-223-A

Dear Mr. Sinsky:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your Petition for Zoning Variance has been granted in accordance with the attached Order.

If you have any further questions on the subject matter, please do not hesitate to contact this office.

Very truly yours,

Jean M.H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMJW:bjs
Enclosures

cc: Mr. Charles J. Schuler
519 Bathurst Road, Catonsville, Md. 21228
People's Counsel

PETITION FOR ZONING VARIANCE

1st Election District
Case No. 87-223-A

LOCATION: Southwest Side of Westchester Avenue, 125 feet Southeast of the Centerline of Bathurst Road (1813 Westchester Avenue)

DATE AND TIME: Wednesday, December 3, 1986, at 11:45 a.m.

PUBLIC HEARING: Room 301, 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 Zoning Variance to permit a building setback to the tract boundary of 21 feet in lieu of the required 30 feet and to amend the Second Amended Final Development Plan of "Lynne Woods", Lot 18

Being the property of Ellwood A. Sinsky, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 this 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

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 13, 1986

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

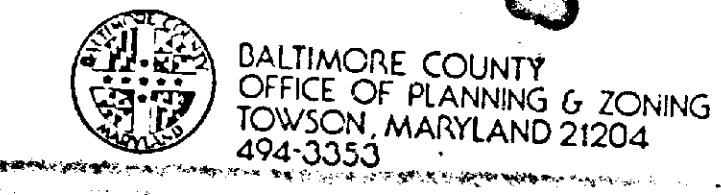
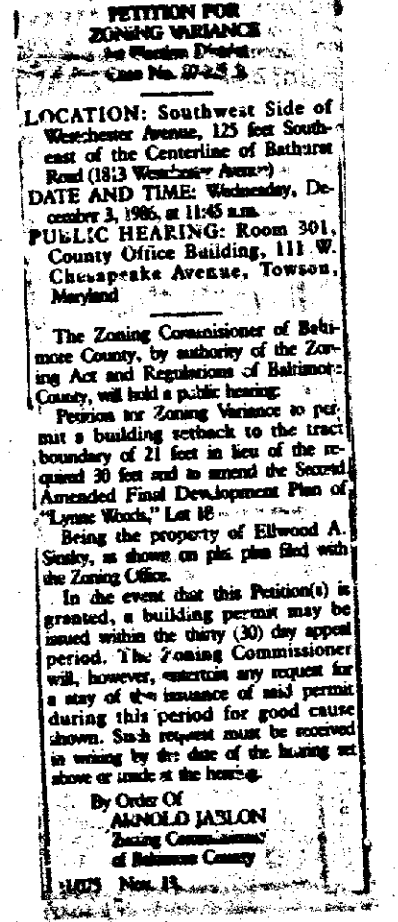
November 13, 1986

THE JEFFERSONIAN,

Susan Studer Obvelt
Publisher

Cost of Advertising

24.75



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 26, 1986

Mr. Ellwood A. Sinsky
2416 Velvet Valley Way
Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE
SW/S of Westchester Ave., 125' SE of the
c/l of Bathurst Rd.
(1813 Westchester Ave.)
1st Election District
Ellwood A. Sinsky - Petitioner
Case No. 87-223-A

Dear Mr. Sinsky:

This is to advise you that \$61.65 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

No. 025734

County, Maryland, and remit
Towson, Maryland

DATE 12/3/86 ACCOUNT R-01-615-000

SIGN & POST RETURNED
AMOUNT \$ 61.65
Pinewood Development Corp., c/o Ellwood Bldg.
Corp., 2416 Velvet Valley Hwy, Owings Mills,
MD 21117

RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE 87-223-A

FOR B 8055*****1561 8014F

VALIDATION OR SIGNATURE OF CASHIER

87-223-A

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
15th day of October, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Ellwood A. Sinsky
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 10, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 156 Zoning Advisory Committee Meeting are as follows:

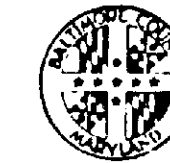
Property Owner: Ellwood A. Sinsky
Location: S/W side Westchester Avenue, 125 ft. SE of c/1 Bathurst Road
District: 1st.

APPLICABLE ITEMS ARE CIRCLED:

- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments:
- K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review

L/22/85



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon: ¹⁵⁶ REVISED

Comments on Item # 156 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ellwood A. Sinsky
Location: SW/S Westchester Avenue 125' SE Bathurst Road
District: 1st.

APPLICABLE ITEMS ARE CIRCLED:

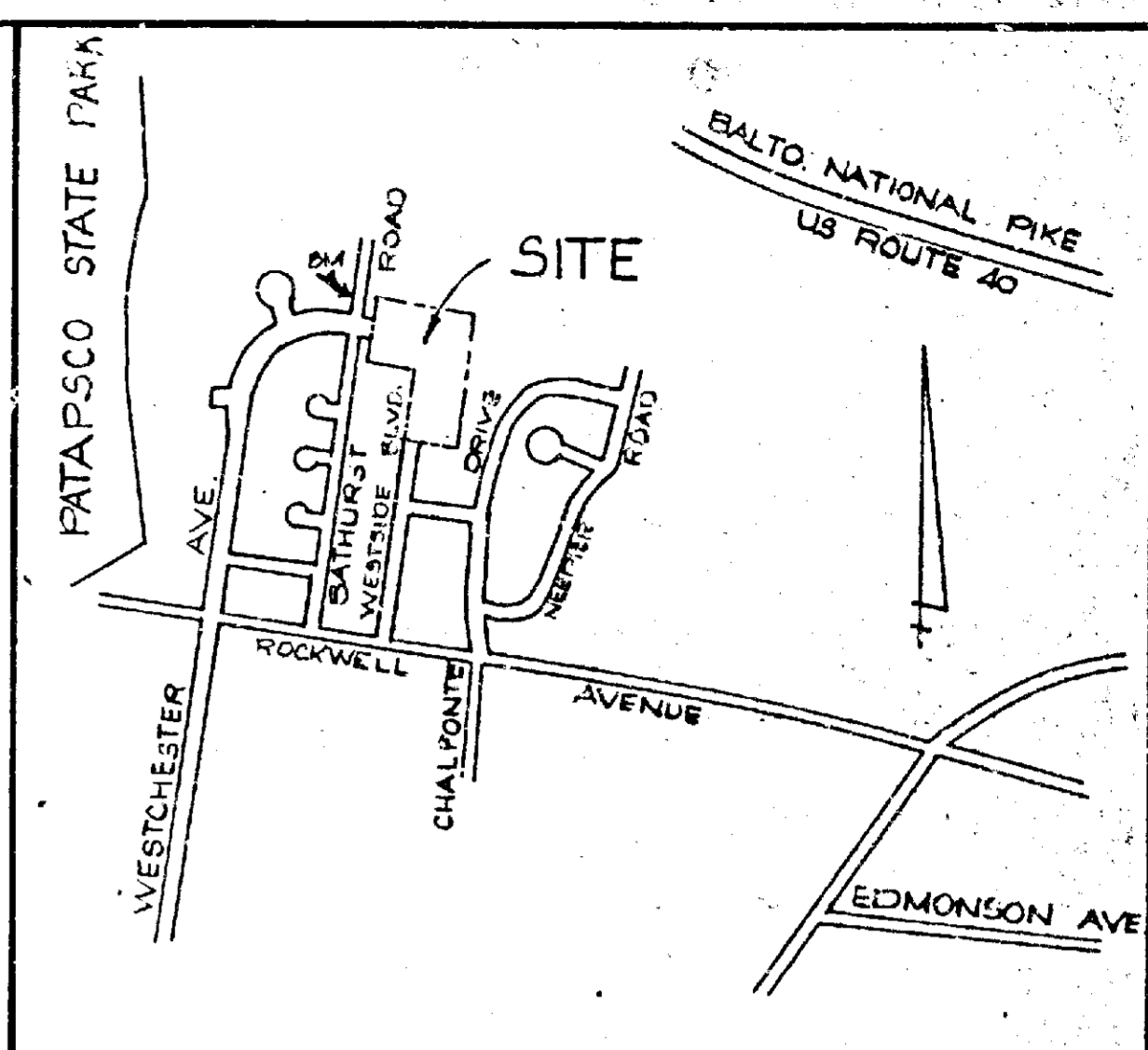
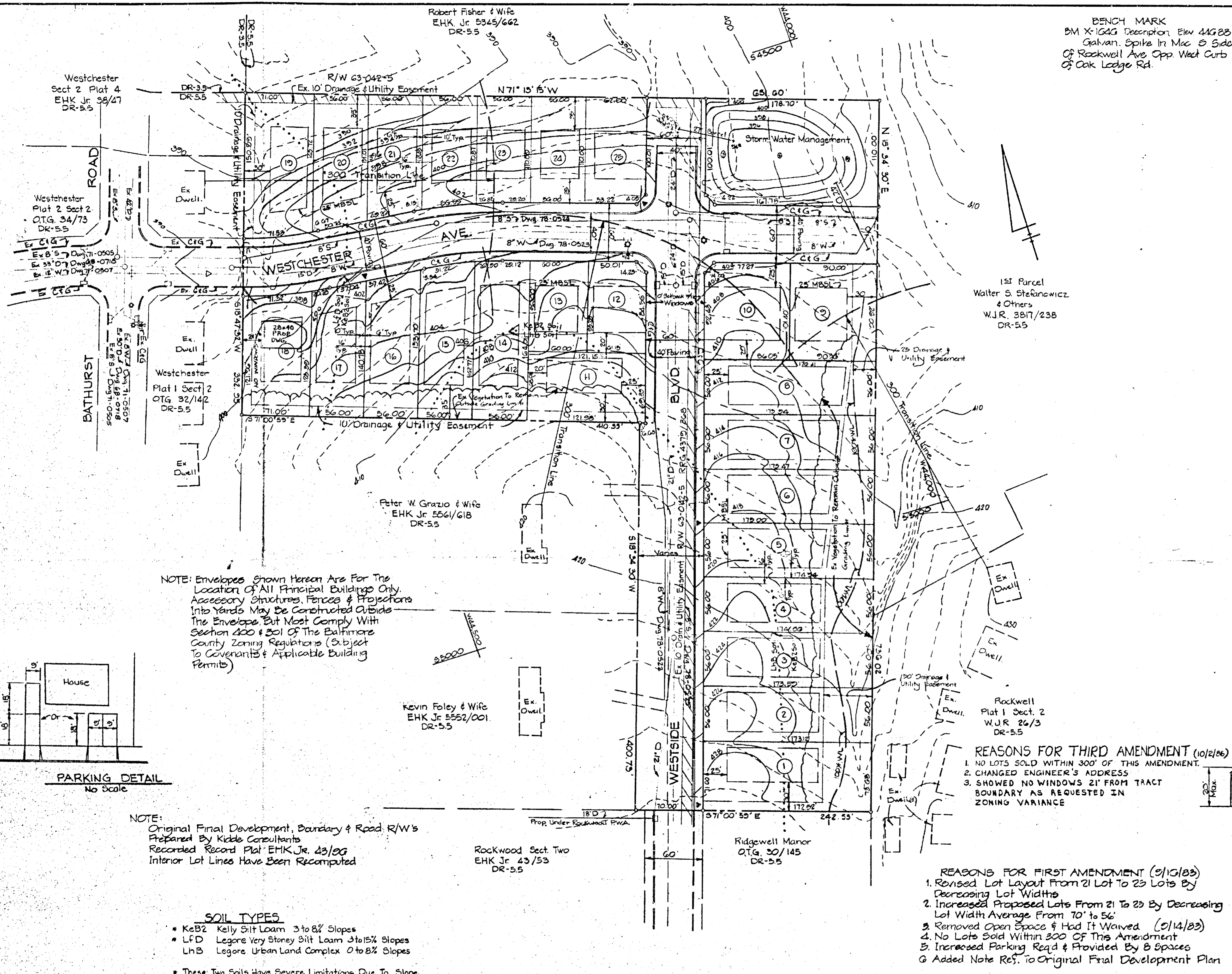
- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. Setbacks and fire ratings apply to accessory structures as well as the main structure.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance ~~possibly may~~ conflict with Section(s) 809.4, _____, of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments: See Section 809.4 for emergency escape windows required for all sleeping rooms.

NOTE:

K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review

L/22/85

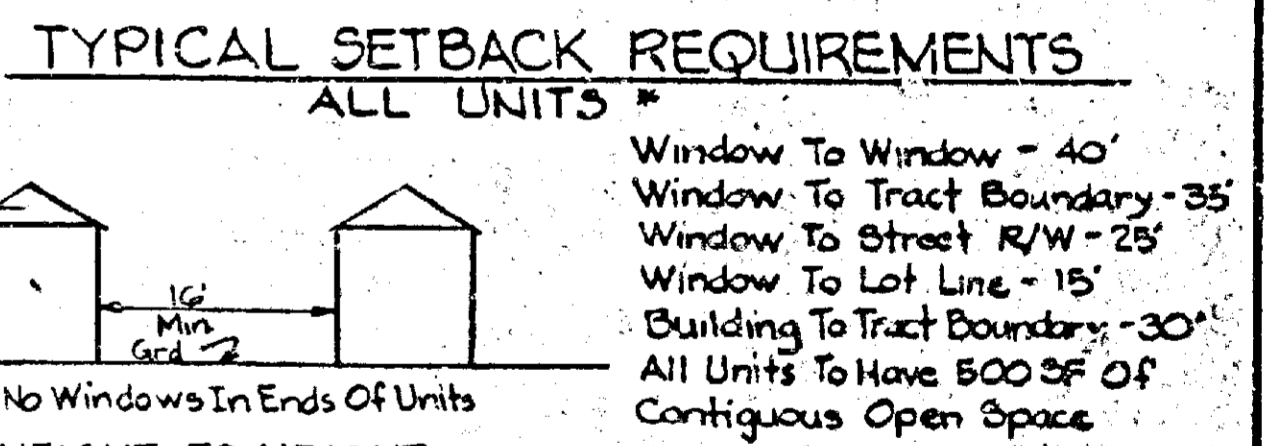
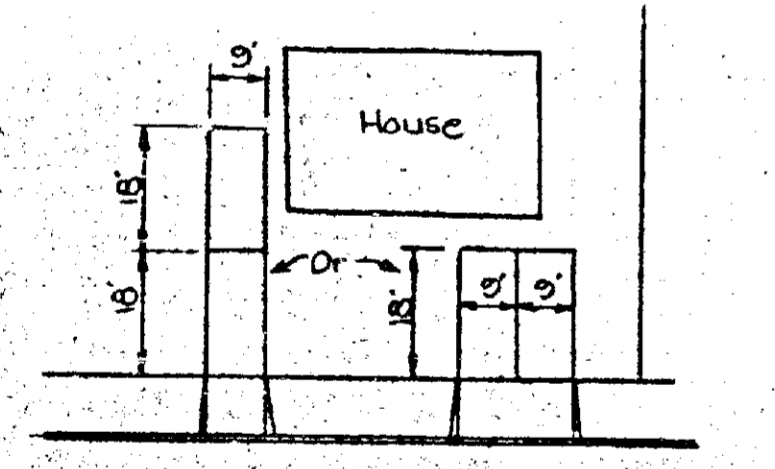


LOCATION MAP
SCALE 1"=1000'

NOTE:
All Side Yard Setbacks Can Be Reversed

- SITE DATA**
- Existing Zoning Of Site DR-55
 - Gross Acreage Of Site = 7.23 Ac±
 - Total No Of Dwellings Allowed = 39
 - Total No Of Dwellings Proposed = 25 Single Family Detached
25 Total Dwellings
 - Required Open Space = 6% Of 7.23 Ac± = 0.43 Ac±
 - Proposed Open Space To Be Waived
 - Parking Required = 2 Spaces Per Unit = 50 Spaces
 - Parking Spaces Proposed = 50 Spaces
 - All Dwellings Will Be Sold
 - Refuse To Be Collected By Baltimore County
 - Street Lights Will Be 100 Watt Mercury Vapor Post Top Units On 14' Poles. Shown Thusly ▲
 - All Roadways & Parking Ways To Be Paved With Bit. Conc.
 - All Parking Spaces Will Be 9'x18' Min.
 - Landscaping To Be Performed By Individual Lot Owner
 - Entire Site Is Wooded
 - Max Slope In SWM Pond Is 2:1 Slopes
 - SWM Approved For 2+10 Year Management 7/20/83
 - Deed Reference EHK, Jr 6568/205
 - Census Tract No 4015.03
 - Councilmanic District #1
 - Watershed No 30 Subwatershed No 7747B
 - Property Act No: 01-19-640280
 - Entire Site Is Wooded
 - ADTs = 289
 - This Site Contains No Wetlands, Critical Areas, Archeological Sites, Endangered Species Habitat, Or Hazardous Materials.

NOTE: Envelopes Shown Herein Are For The Location Of All Principal Buildings Only. Accessory Structures, Fences & Projections Into Yards May Be Constructed Outside The Envelope But Must Comply With Section 400 & 301 Of The Baltimore County Zoning Regulations (Subject To Covenants & Applicable Building Permits)



- REASONS FOR THIRD AMENDMENT (10/2/86)**
- NO LOTS SOLD WITHIN 300' OF THIS AMENDMENT.
 - CHANGED ENGINEER'S ADDRESS
 - SHOWED NO WINDOWS 21' FROM TRACT BOUNDARY AS REQUESTED IN ZONING VARIANCE

- REASONS FOR FIRST AMENDMENT (9/10/83)**
- Revised Lot Layout From 21 Lot To 25 Lots By Decreasing Lot Widths
 - Increased Proposed Lots From 21 To 25 By Decreasing Lot Width Average From 70' To 56'
 - Removed Open Space & Had It Waived (9/14/83)
 - No Lots Sold Within 300' Of This Amendment
 - Increased Parking Req'd & Provided By 8 Spaces
 - Added Note Ref. to Original Final Development Plan

- REASONS FOR SECOND AMENDMENT (6/16/86)**
- NO LOTS SOLD WITHIN 300' OF THIS AMENDMENT.
 - REVISED SIDE SETBACKS:
LOT 1 REDUCED 10' SETBACK TO 6' SETBACK
LOT 2 THROUGH LOT 8 REVERSED 6'10' SETBACKS
LOT 9 REDUCED 8' SETBACK TO 6' SETBACK
LOT 10 INCREASED 8' SETBACK TO 10' SETBACK
LOT 11 REDUCED 8' SETBACK TO 6' SETBACK
LOT 12 THROUGH LOT 24 REVERSED 6'10' SETBACKS
LOT 25 INCREASED 6' TO 10' SETBACK

NOTE: Original Final Development, Boundary & Road R/W's Prepared By Kidd Consultants Recorded Record Plat EHK Jr. 43/86 Interior Lot Lines Have Been Recomputed

- SOIL TYPES**
- KeB2 Kelly Silt Loam 3 to 8% Slopes
 - LFD Legere Very Stony Silt Loam 3 to 15% Slopes
 - LhB Legere Urban Land Complex 0 to 8% Slopes

These Two Soils Have Severe Limitations Due To Slope, High Water Table, Poor Natural Drainage, Subsoil Shrinkage, And Instability. These Limitations To Be Addressed On An Individual Basis At Time Of Construction

ENGINEER
W. DUVALL & ASSOCIATES
530 E. JOPPA Rd.
TOWSON, MD. 21204
583-2571

OFFICE OF
PLANNING & ZONING
Approved By:

Director of Planning	Date
Zoning Commissioner	Date

Owner & Developer
Ellwood Sinsky
2416 Velvet Valley Way
Cwings Mills, Md. 21117
363-3644

THIRD AMENDED
FINAL DEVELOPMENT PLAN
LYNNE WOODS
ELECTION DIST. 101
SCALE 1"=50'
BALTO. COUNTY, MD.
SEPT. 10, 1986
REV. JUNE 16, 1986
REV. OCT. 2, 1986
PLAN APPROVAL DATE 9/7/83