

66-57 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Ralph DeChiara, Inc., legal owner, 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 211.3. (side street setbacks)

to permit a side yard of 22 feet instead of required 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
The original plans called for a 30' house with a side yard setback of 15' and 25' from the side street. A change was made in the field to a 40' house. The foundation was put in and the location survey by Metz, Childs & Co. disclosed a violation of the side street setback. The error was made because the field superintendent failed to check with the office before making the change. See attached description

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.

Contract purchaser
Address: 700 Fairmount Avenue
Towson, Md. 21204
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day

of July, 1965, 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 9th day of September, 1965, at 11:00 o'clock

By: [Signature] Zoning Commissioner of Baltimore County.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts of unreasonable hardship

the above Variance should be had; and it further appearing that by reason of

a Variance to permit a side yard of 22 feet instead of the 25 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of September, 1965, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order to permit a side yard of 22 feet instead of the required 25 feet.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of September, 1965, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Metz, P.E.
G. Childs, L.S.
Associates
George W. Bailey, L.S.
John W. Childs, P.E.
Donald M. Glass, P.E.
Norman F. Harmons, L.S.
Paul Lee, P.E.
Paul S. Sauter

CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
1020 Greenhill Ridge Rd., Baltimore, Maryland 21204
823 - 0900

DESCRIPTION

NO. 2519 SMITH AVENUE, THIRD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Present Zoning: R-6
Proposed Zoning: R-6 with Side Yard Variance

Beginning for this same at the northwest end of the gusset line which connects the southwest side of Smith Avenue, 70 feet wide, and the northwest side of Coppersmith Road, 50 feet wide, as shown on a plat entitled "Resubdivision of lots 20, 21, & 22 - Block E - Plat 1 - Pickwick" and recorded among the Land Records of Baltimore County in Plat Book PRG 29, page 140, running thence and binding on said south-west side of Smith Avenue, N 70° 21' 40" W - 60.00 feet to the dividing line between lots 21 and 22 as shown on said plat, thence binding thereon, S 19° 38' 20" W - 115.00 feet, thence S 70° 21' 40" E - 70.00 feet to said northwest side of Coppersmith Road, thence binding thereon, N 19° 38' 20" E - 105.00 feet to the southeast end of said gusset line, thence binding thereon, N 25° 21' 40" W - 141.4 feet to the place of beginning.

Containing 0.184 of an acre of land.

J.O. 62277
RS/nib
7-15-65



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

August 2, 1965

George E. Gavrielis
John G. Rose
Zoning Commissioners

Ralph DeChiara Enterprises, Inc.
700 Fairmount Avenue
Towson, Maryland 21204

Re: Side Yard Variance for Ralph DeChiara Enterprises, Inc.
Located 2519 Smith Avenue and Coppersmith Road, 3rd District
(Filed July 27, 1965)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and has no comment to offer with regard to the proposed development plan.

The above 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 policies that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

Very truly yours,

[Signature]
John G. Rose
Petition and Permit Processing

Very truly yours,

PETITION FOR A VARIANCE
AND DISTRICT
ZONING: Petition for Variance for a side yard.
LOCATION: Southwest corner of Smith Avenue and Coppersmith Road.
DATE & TIME: Thursday, September 9, 1965 at 11:00 A.M.
PLACE: Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County by authority of the Zoning Law and Regulations of Baltimore County, do hereby certify that the following petition for a Variance to the Zoning Regulations of Baltimore County to permit a side yard of 22 feet instead of the required 25 feet, as shown on a plat entitled "Resubdivision of lots 20, 21, & 22 - Block E - Plat 1 - Pickwick" and recorded among the Land Records of Baltimore County in Plat Book PRG 29, page 140, running thence and binding on said south-west side of Smith Avenue, N 70° 21' 40" W - 60.00 feet to the dividing line between lots 21 and 22 as shown on said plat, thence binding thereon, S 19° 38' 20" W - 115.00 feet, thence S 70° 21' 40" E - 70.00 feet to said northwest side of Coppersmith Road, thence binding thereon, N 19° 38' 20" E - 105.00 feet to the southeast end of said gusset line, thence binding thereon, N 25° 21' 40" W - 141.4 feet to the place of beginning. Containing 0.184 of an acre of land.

Being the property of Ralph DeChiara Enterprises, Inc., as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, September 9, 1965 at 11:00 A.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
By order of
JOHN G. ROSE
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 16, 1965

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of the following dates: 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 1965.

THE JEFFERSONIAN
[Signature]
Manager.

Cost of Advertisement, \$

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3RD Date of Posting: Aug 21, 1965
Posted for: Variance
Petitioner: Ralph DeChiara Enterprises, Inc.
Location of property: 2519 Smith Ave. & Coppersmith Rd.
Location of Signs: 2519 Smith Ave. & Coppersmith Rd.
Remarks: [Signature]
Posted by: [Signature] Date of return: Aug 26, 1965

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		No. 32045 DATE 8/12/65
To: Ralph DeChiara Enterprises, Inc. 700 Fairmount Ave. Towson, Md. 21204		BILLED: Zoning Dept. of Balto. Co.
DEPOSIT TO ACCOUNT NO. 62-623	QUANTITY	TOTAL AMOUNT \$25.00
Petition for Variance #66-65-A		25.00
8-1365 5-9 32045 TJP-		25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		No. 32078 DATE 8/30/65
To: Ralph DeChiara Enterprises, Inc. 700 Fairmount Ave. Towson, Md. 21204		BILLED: Zoning Dept. of Balto. Co.
DEPOSIT TO ACCOUNT NO. 62-623	QUANTITY	TOTAL AMOUNT \$43.04
Advertising and posting of property #66-65-A		43.04
8-3045 1-9-6 32078 TJP-		3.88

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 20, 1965
FROM: George E. Gavrielis
SUBJECT: #66-65-A, "Variance to permit side yard of 22 feet instead of the required 25 feet. Southwest corner of Smith and Coppersmith Road. Being the property of Ralph DeChiara Enterprises, Inc."

3rd District
HEARING: Thursday, September 9, 1965 (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and will offer no comment.

August 5, 1965

Ralph DeChiara Enterprises, Inc.
700 Fairmount Ave.
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this

27th day of July, 1965

JOHN G. ROSE
Zoning Commissioner
Owens Name: Ralph DeChiara Enterprises, Inc.
Reviewed by: [Signature]

CERTIFICATE OF PUBLICATION

STATE OF MARYLAND
CITY OF BALTIMORE

On August 10, 1965

personally appeared before me, the undersigned, a Notary Public within and for said city and State, G. Schnackenberg, Chief Accountant of the News American newspaper published in the City of Baltimore, State of Maryland, who, being duly sworn, states on oath that the advertisement of

Baltimore County,
Office of Central Service

a true copy of which is hereto attached, was published in said newspaper in its issue dated

August 16, 1965

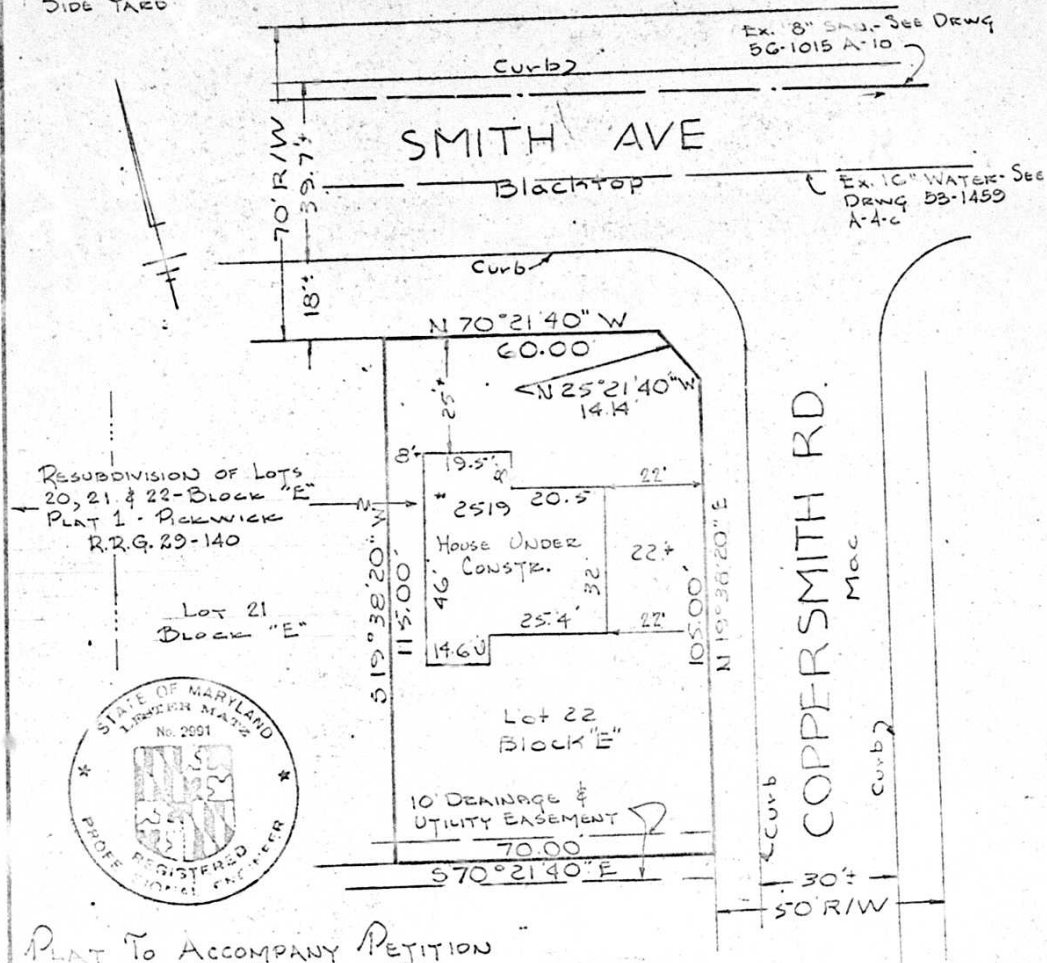
Subscribed and sworn to before me on

Aug 16, 1965
[Signature]
Notary Public.

NO. A-4

GENERAL NOTES

1. AREA OF LOT EQUALS 0.184 ACRES
2. EXISTING ZONING OF LOT - "R-G"
3. EXISTING USE OF LOT - "HOME UNDER CONSTR."
4. PROPOSED ZONING OF LOT - "R-G WITH SIDE YARD VARIANCE"
5. PROPOSED USE OF LOT - "RESIDENTIAL"
6. PETITIONER IS REQUESTING A VARIANCE TO SECTION 211.3 OF THE ZONING REGULATIONS FROM 25' TO 22' SIDE YARD



PARAGON 30 3224

K-E

HEFFEL & EBER CO

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