RE: PETITION FOR VARIANCES from Section 208.3 and Section 208.4 of the Zoning Regulations SW corner of Rider and Dennis Avenues, 8th District

Kenneth W. Fowler

BEFORE COUNTY BOARD OF APPEALS OF

1

BALTIMORE COUNTY No 68-59-A

# 

### OPINION

The petitioner in this case seeks a variance from Section 208,3 and Section 208.4 of the Zoning Regulations to permit a lesser setback than is required under the Regulations. Section 208.3 requires a 30 foot side yard setback, while Section 208.4 requires a 30 foot rear yard setback. The petitioner is the owner of a house and lot on the corner of Denuis and Rider Avenues in a subdivision known as Soring Valley in the Eighth Election District of Baltimore County.

The petitioner proposes two fifteen foot additions to the house in order to accommodate his family which has grown since his purchase of the property in 1959. He contends that he will be unable to economically expand his house on its present lot without seeking some variance from the Zoning Regulations. 
The property is presently zoned R-10, however, the Spring Valley subdivision is Ir id out with R-20 lots. Subsequent to the filing of the record plat on the Spring Valley subdivision the County, by the adoption of the zoning map, zoned the entire tract R-10. However, all of the lots in the Spring Valley development are one-half acre lots.

The petitioner purchased his lat, lat \*11, in 1959 and then subdivided the lot creating lot #11-A which he sold to a Dr. Sinton who constructed a house on that portion of the lot. In the entire subdivision of Spring Valley the lot in question and lot #11-A are the only lats which are not R-20 lats.

Various peighbors gonegreg in protest and generally felt that the proposed addition would be out of character with the rest of the neighborhood and would depreciate their properties

The Board finds that the petitioner himself has created his own dile by subdividing his lot in such a way that he requires a variance from the Zoning Regulations to enlarge his present home. The Board also finds that the petitioner has not proven any practical difficulty or unreascnable hardship that would warrant the granting of the variances requested, and jurther finds that the granting of the requested variances to allow the construction of the house as proposed would not be in harmony with the rest



## BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

GEORGE E. GAVREL

Mr. Kenneth W. Fowler 810h Fider Avenue Baltimore, Maryland 2120h

RR: Side and Rear yard variances for Kenneth W. Fowler, located on the SW Corner of Rider Avenue and Dennis Avenue 8th District (Item 11, August 22, 1967)

August 29, 1967

Dear Sir:

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

The above comments are not intended to indicate the appropriateness of the soning action requested, but to assure that all parties are made sure of plans or problems that may have a bearing on this case. The Director or for the Deputy Director of the Office of Planning and Zoning vill subsit recommendation on the appropriateness of the requested soning 10 days before the Zoning Consistences's hearty of the Deputy Director of the Deputy Director of the Soning Consistences's hearty of the Zoning Consistences of the Zoning Consistence of the Zoning Consistences of the Zoning Consistence of the Z

Very truly yours.

JAMES E. DEER, Principal Zoning Technician

JED: jd

Kenneth W. Fowler - 68-59-A

### ORDER

-2-

For the reasons set forth in the aforegoing Opinion, it is this 1974 day of March, 1968 by the County Board of Appeals, ORDERED that the variances potitioned for, be and the same are hereby CENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Property is to be posted and advertised as prescribed by Zoning Regulations.

Il or we, agree to pay expenses of above Variance adversining posting, etc., upon filing of this petitjoh, and further agree to and are to be bound by the zoning regulations and restrictions of Ballingree County adopted pursuant to the Zoning Law For Ballingree County.

PETITION FOR ZONING VARIANCE

FROM AREA AND HEIGHT REGULATIONS

1, or we. Enunctin W. \*Corlor 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 398.3 Side Yard. Request a 251 side yard

from FL and SO' from CL of street instead of the required 30' and 55' from CL

of street. Section 200.h to permit a rearyard setback of 278 instead of the

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

No sufficient room toadd another bedroom required by growth of fimily; and to add to living and dining room space for the same reason.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1, or we. Eenneth W. Yowler

Kenneth W. Jawler Fanneth & Fooler Legal Owner Contract purchaser Address 010h Elder Evenue satianro, Maryland 2120h Protestant's Attorney Petitioner's Attorney Toyala old Taxon he Address ORDERED By The Zoning Commissioner of Paltimore County, this 15th

County, on the 18th day of September 1967 at 10 30 o'clock A. M

MG 15 '67 AM

6 30 A

68-59-A

BALTIMORE COUNTY, MARYLAND

TO Mr. John G. Rose, Zoning Commissioner Date September 8, 1967

FROM George E. Gavrelis, Director

SCHEET. Petition \*68-59-A. Variance to permit a side yard of 25 feet from property line and 50 feet from the center line of the street instead of the required 30 feet and 55 feet; and to permit a rose yard of 27 feet instead of the required 30 feer. Southwest corner of Rider and Dennis Avenues. Being the property of Kenneth W. Fowler.

8th District HEARING:

Monday, September 18, 1967 (10:30 A.M.)

The planning staff of the Office of Planning and Zoning will offer no

September 26, 1967

Mr. Kenneth W. Fowler 8104 Rider Avenue Baltimore, Maryland 21204

> RE: Petition for Variance SW/corner of Rider and Dennis Avanues - 8th Dist. Keuneth W. Fowler, Pettioner NO. 68-59-A

Dear Mr. Fowler:

I have this date passed my Order granting the above Variance to permit a side yard of 25 feet from property line and 50 feet from center line of the street instead of the required 30 feet and 55 feet; to permit a rear yard of 27 feet instead of the required 30 feet, subject to approval of the site plan by the Burcau of Public Services and the Office of Planning and Zoning.

Very truly yours.

Eduard D. Hardesty EDWARD D. HARDESTY

cc: R. C. Murray, Esquire Loyola Federal Building Towson, Maryland 2120

se, the unforminged residents of Spring Valley, wish to register are opposition to the suplication of hr. Jerneth Modes for universe of soning restrictions applicable to his property at all distance reserves.

It is our comment belief that the exceptions sought will, if grant d, endanger the excety of residents of the neighborhood, particularly shildren, and will otherwise adversely affect the immediate and long range of fare of the community.

we therefore respectfully urgo that the exceptions seacht bor. Yesler

Lorda III Let 8111 Ender de Ma 3 de 3 de mare No Comparison - Hoty same are into sea with the was from the Swand & Filler - 1615 Lenne Sine Elmin This was from our

Mar Share have a summerly par no 2/200 . Hactur 8 " River

Evelyn Stevens 8113 Rider are Frank Macoh 8115 Rider Col. Teoft. Winimiller 8117 Mide ave. Evelyn Ulinemiller 8117 Rider Toe. Thomas D. Huslin 8118 Mides Mol Marie S. Hasler 8118 Title are. Africa Chein 103 Essey Tarm Rd

Elythe & Chain 1603 Early farm Re Virginia W Howard \$123 Reded Ave Francis & fail h 1609 Dennis Nove

the above Variance should be had; and its further appearing that by to permit a side yard of 25' from property line & 50' from centerline of street a Variance instead of the required 30' and 55'; to permit a rear, should be gented yard of 27' instead of the required 30'. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 26 day of September 196 7, 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 25' from property line & 50' from centerline of steet instead of the required 30' and 55'; to perroval of the rite pian to approved of the rite pian to approved of the rite pian to approve t Sand the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of ORDE DATE the above Variance should NOT BE GRANTED IT IS O'RDERED by the Zoning Commissioner of Raltimore County, this 

Zoning Commissioner of Baltimore County

and it appearing that by reason of the following finding of facts ... bardship shown

We, the undersigned residents of Spring Valley, wish to register our opposition to the application of Er. Henneth Fooler for wivers of soning restrictions applicable to his property at ELG, Mider Avenue.

It is our enrest belief that the exceptions sought will, if granted, endanger the safety of residents of the neighborhood, particularly children, and will otherwise adversely affect the immediate and long range welfare of the community.

e therefore respectfully urge that the exceptions sought by Mr. Fowler be

in C. Shelove 1601 Lemma are Ann W. Munks 1605 Cons Aus Jane Bugan Lee 7100 Rider are 5112 Rules Chare 8112 Mider dec Paul & James dr. and and 804 Peles are Mari Elystett Bety 9115 Beder Desc Janeine County ever Faler and Co Esser TAKE 19 & Juschus 606 Lemmi Inc Thomas Goods 107 Tenni Que Truth, Canele " ha " Limmes items 15-1-17 1-18-18 or drawing to First Teles to 3 The winder 13 Comes The Janes Sin 7 3 Queno 1.1. The second House

PETITION FOR VARIANCE CERTIFICATE OF PUBLICATION

TOWSON MD Aurust 31st 19.67

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published ir Towson Baltimere County, Md., once in each day of feptember 19.57 the first publication appearing on the 31st day of August

THE JEFFERSONIAN.

Cost of Advertisement \$......

BALTIMORE COUNTY OFFICE OF PLANNING AN ZONING

u. Forler

County Office Building

Your petition has been received and accepted for filing this 150 day of August

" \_ Disselb V. Porler

BEFORE THE ZONING

\* COMMISSIONER FOR BALTIMORE COUNTY

Petition for Variance S/W Corner of Rider and Dennis Avenues--Kenneth W. Fowler, Petitioner

File No. 68-59-A

ORDER FOR APPEAL

MR. COMMISSIONER-

Please enter an appeal from the Order of the Peputy Zoning

Commissioner dated September 26, 1967, in the above case to the County Board of Appeals on behalf of the following persons:

Mr. and Mrs. G. Robert Davidson 8105 Rider Avenue Baltimore County, Maryland 21204

Mr. and Mrs. W. Chester Fox 1603 Lennis Avenue Baltimore County, Maryland 21204

I HEREBY CERTIFY that on this 2 day of October, 1967, a copy of the aforegoing Order for Appeal was mailed to Mr. Kenneth W.

Fowler, 8104 Rider Avenue, Towson, Maryland 21204.

TELEPHONE B23-3000 EXT. 367

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE DATE 10/23/67

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

BILLED Office of Planning & Zoring
11) County Office Bldg.
Towson, Md. 21204

No. 49642

QUANTITY	ACCOUNT NO. 01-622	\$35. 00
- 1	DETACH ALONG PERFORATION AND REEP THIS POSTION FOR YOUR RECORDS	COST
	Cost of appeal Kenneth W. Fowler	\$35.00
	No. 68-59-A	
	Ph seeman comment of the	
	BBC	35.00
	\$ 1823 of 1	as no
	4	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL :0 DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 822-3000 EXT. 387	BALTIMORE COUNTY, MARYLAND	No. 49690
	OFFICE OF FINANCE  Division of Collection and Receipts  COURT HOUSE  BLEED	DATE 11/15/67
	TOWSON, MARYLAND 21204 Coffice of Plan	ning & Zoning
4 Le	chard C. Marrey, Ecc., 119 Ceraly CE yela Federal Building Towen, Md. woon, Md. 21204	
OC POSIT TO	ACCOUNT NO. 01622 RETURN THIS PORTION WITH YO	K.SP vmonn
OMANTITY	DETACH ALONG PERFORATION AND KEEP : PORTION FOR Y	
-	cost of apparison posting property of Remath W. Fowler	15.00
W March		
5.00 ==		

MAIL TO DIVISION CF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING Tourson, Maryland

District. 9 # Date of Posting Mars 4 1967 Posted for APREAL Petitioner Kenneth W. Fewler Location of property: 5W corner of River & Terrois Ave Location of Signs 8104 Rider Ave Posted by Alle book Date of return 10219, 1967

68-59-A

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Date of Posting Ayel 2, 1967 Posted for Variance Petitioner Kinneth W. Fasster Location of property Sw Cor of Reder and Alennes and Location of Signs Sw Cor of Rider and Henrice ares Posted by Signature Date of return \_ Syft 7, 1967

TELEPHONE 823-3000 EXT. 387 BALLAND OFFICE OF FINANCE Dirition of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204 200100 Books of Bales, On 25.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTMORE COUNTY, MARCLAND No. 48491 OFFICE OF FINANCE Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204 TOTAL ABO 4.0 1-26-07 4 - 4 - 107-07 17P-4700 9-240 1-\* +25 mg 194 mg -PORTART: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND EARL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND DIRECT

THE BALTIMORE COUNTIAN

No. I Newburg Avenue

instead of the required 30 feet.
The Zoning Regulation to be expected as follows:
Section 208,3-30 feet from side lot line and not less 55 feet from the center line of the street.
Section 208,4-Rear Yard-30 feet.

Section 208,4-Rear Yard-30 feet, All that parcel of land in the Eighth District of Baltimore County, Beginning 2t the southwest corner of Rider and Dennis

corner of Rider and Dennis
Avea, known as Lot 11B as
shown on plat of Spring Valiey PB 17-6, property line running westward 54° along the
morth side of the lot, then turning southward 118,81° along the
west side. I review extends.

CATONSVILLE, MD.

September 4, 1967

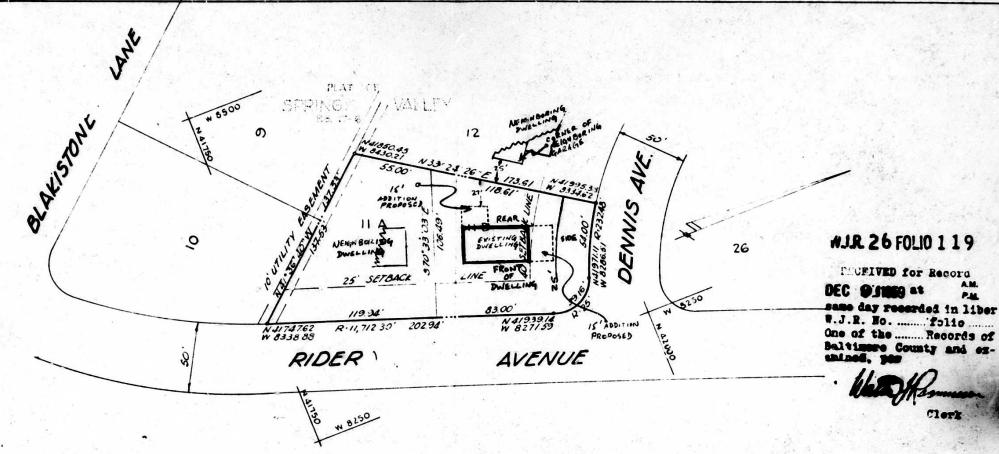
THIS IS TO CERT!FY, that the annexed advertisement of John G. Aose, Coming Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of weekly newsapers published in Baltimore County, Maryland, once a week for One securesize weeks before the 4th day of Sept., 1967 , that is to ay the same was inserted in the issues of

August 31, 1967.

THE BALTIMORE COUNTIAN

By Paul I Morgany



REVISED PLAT LOT NO.11

SPRING VALLEY

A DEVELOPMENT OF

KENNETH W. FOWLER & WIFE GOZ WALKER AVENUE BALTIMORE 12 MARYLAND

8THELECT. DIST Scale: 1"- 50

BALTIMORE CO. MD. October 26,1959

The streets and/or roads as shown hereon and the mention thereof in doeds are for the purpose of description only, and the same are not interved to be dedicate y to public use, the fee simple title thereof is expressly reserved in the granters of the sees to which this plat is attached, their heirs und assigns.

Coordinates shown hereor are bused on Baltimore County Metropolitan District Coordinate System. Tisverse Station 8964 - N 40625.83 W 8121.41

The requirements of Sections 11 to 14 of Article 17 of the Annotated Code of Ma, 1951 Edition (Title: Clerks of Court, Subtitle: Clerks of Circuit Courts) as for as they relate to the making of this plat and setting of markers have been complied with.

GISTERED PROFESSIONAL ENGINEER ÉLAND SURVEYOR APPROVED IR BALTIMORE COUNTY HEALTH DEPARTMENT HIGHWAYS DEPARTMENT OF BALTIMORE COUNTY APPROVED FOR BALTIMORE COUNTY PLANNING BOARD OF STREET AUGMMENT AND LOCATION BY WILLIAM HEALTH OFFICER DATE OFFICER DATE

Q. 15:

ce. 1" 1:51

THOMPSON & GRACE ENGINEERS & SURVEYORS
121 Alleghany Ave.
TOWSON 4, MD.

Che Stack US- word

