

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Reginald Leroy Boyd, 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 400.1 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Due to the location of my dwelling on the property it is impossible to locate a garage in the rear of the property.

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 Reginald L. Boyd Legal Owner
Address 423 Riverview Road
Petitioner's Attorney James E. Boyd Protestants Attorney
Address 423 Riverview Road

ORDERED BY The Zoning Commissioner of Baltimore County, this 5th day of September, 1967, 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 109, County Office Building in Towson, Baltimore County, on the 7th day of October, 1967, at 10:00 o'clock A.M.

John G. Rose
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 practical difficulty

the above Variance should be had; and it further appearing that the reasons are:

to permit an accessory building to be located in the side yard 5' 1" from the SW Variance side of Riverview Rd and 5' from the SE property line, should be granted instead of the required rear yard.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10 day of October, 1967, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order, to permit an accessory building to be located in the side yard 5' 1" from the SW side of Riverview Rd and 5' from the SE property line instead of the required rear yard, subject to the approval of the site plan by the Bureau of Public Services and the DEPUTY Zoning Commissioner of Baltimore County 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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of October, 1967, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Re: Petition for Variance
S/S Riverview Road 65'
S/W Riverview Road,
15th Dist.
Reginald L. Boyd
Petitioner - #68-78-A



Mr. John G. Rose,
Zoning Commissioner
County Office Building
Towson, Maryland

Mr. Commissioner:

Please enter an appeal to the County Board of Appeals from the decision rendered in the above matter by the Deputy Zoning Commissioner and transmit all records to said Board.

Reginald Boyd
Reginald Boyd,
Box 423, Riverview Road,
Baltimore, Maryland 21221

Nov. 7, 1967



Being Lot #6 as recorded on the Plat of Holly Farm Beach in Plat Book 10 Folio 2 among the Land Records of Baltimore County. Said property also being located on the south side of Riverview Road 658 feet southwest of Riverview Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 28, 1967
FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition #68-78-A, South side of Riverview Road 65 feet Southwest of Riverview Road. Petition for Variance to permit an accessory building to be located in the side yard 5 feet 1 inch from the southwest side and 31 inches from the southeast side of the required rear yard instead of the rear yard. Reginald Leroy Boyd - Petitioner

15th District

HEARING: Monday, October 9, 1967 (10:00 A.M.)

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
VA. 8-2000

GEORGE E. GAVRELIS
DIRECTOR
JOHN G. ROSE
JAMES G. THOMPSON

September 6, 1967

Mr. Reginald Le Roy Boyd
Box 423, Riverview Road
Baltimore, Maryland 21221

RE: Variance to permit an accessory building, to be located in the side yard, for Reginald Le Roy Boyd, located on the S/S of Riverview Road, S/W of Riverview Rd. 15th District (Item 6, September 5, 1967)

Dear Mr. Boyd:

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 problems 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,

James E. Boyd
JAMES E. BOYD, Principal
Zoning Technician

JEB:jd

RE: PETITION FOR VARIANCE : BEFORE
from Section 400.1 of the : COUNTY BOARD OF APPEALS
Zoning Regulations :
for Accessory Building : OF
S/S Riverview Road 65' SW : BALTIMORE COUNTY
of Riverview Road, :
15th District :
Reginald LeRoy Boyd, :
Petitioner : No. 68-78-A

OPINION

This case comes before the Board on an appeal by the petitioner from a decision of the Deputy Zoning Commissioner, dated October 10, 1967, amending the original petition and granting a variance differing from that requested.

The Deputy Zoning Commissioner granted variances from Section 400.1 of the Zoning Regulations "to permit an accessory building to be located in the side yard, 5 feet 1 inch from the southwest side of Riverview Road and 5 feet from the southeast property line, instead of the required rear yard". The distances requested in the original petition were for a variance of 5 feet 1 inch from the southwest side of Riverview Road, and 31 inches from the southeast property line.

The subject property is located in the Wildwood Beach development, on the southside of Riverview Road in the Fifteenth Election District of Baltimore County, and is shown as lot #6 on the plat entered as petitioner's exhibit #1. The present zoning is R-40 as shown on the official zoning map of the Eastern Area, Section 4-A, adopted September 6, 1966.

The subject property is in a waterfront development, and the rear yards of the shorefront lots abut the street. The petitioner's house is located on the northwest corner of the rear portion of his lot, practically at the edge of the street. The subject lot is 50 feet wide; the house takes up 22 feet 4 inches of this width, and is so located on the lot as to leave a 15 foot 7 inch east side yard. Entrance steps to the house protrude 3 feet into this area, leaving 12 feet 7 inches where the petitioner proposes to erect a 10 foot wide garage. Beyond this, the remaining distance to the east boundary line then would be 2 feet 7 inches; this being the 31 inch side yard variance sought. The requested variance for a 5 foot rear yard setback would simply locate the garage that distance from the edge of the street.

Mr. Paul Shaw, a summer resident of the adjacent lot #7 on the east side of Boyd, protested that granting the variances would place the side of the proposed garage less than five feet (actually 52 inches) from the side of his house, and it would shut off light and air to two of his windows.

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Reginald LeRoy Boyd - #68-78-A

The Board is of the opinion, from the testimony given, that the petitioner has failed to overcome the requirements of Section 307 of the Zoning Regulations to show that denial of the requested variances would result in practical difficulty or unreasonable hardship, and further, agrees that the general welfare of the protestant would be impaired by the shutting off of light and air.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of January, 1969 by the County Board of Appeals, ORDERED that the variances petitioned for, be and the same are hereby DENIED.

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

John A. Slowik
John A. Slowik, Acting Chairman

Walter A. Keiter, Jr.
Walter A. Keiter, Jr.

John A. Miller
John A. Miller

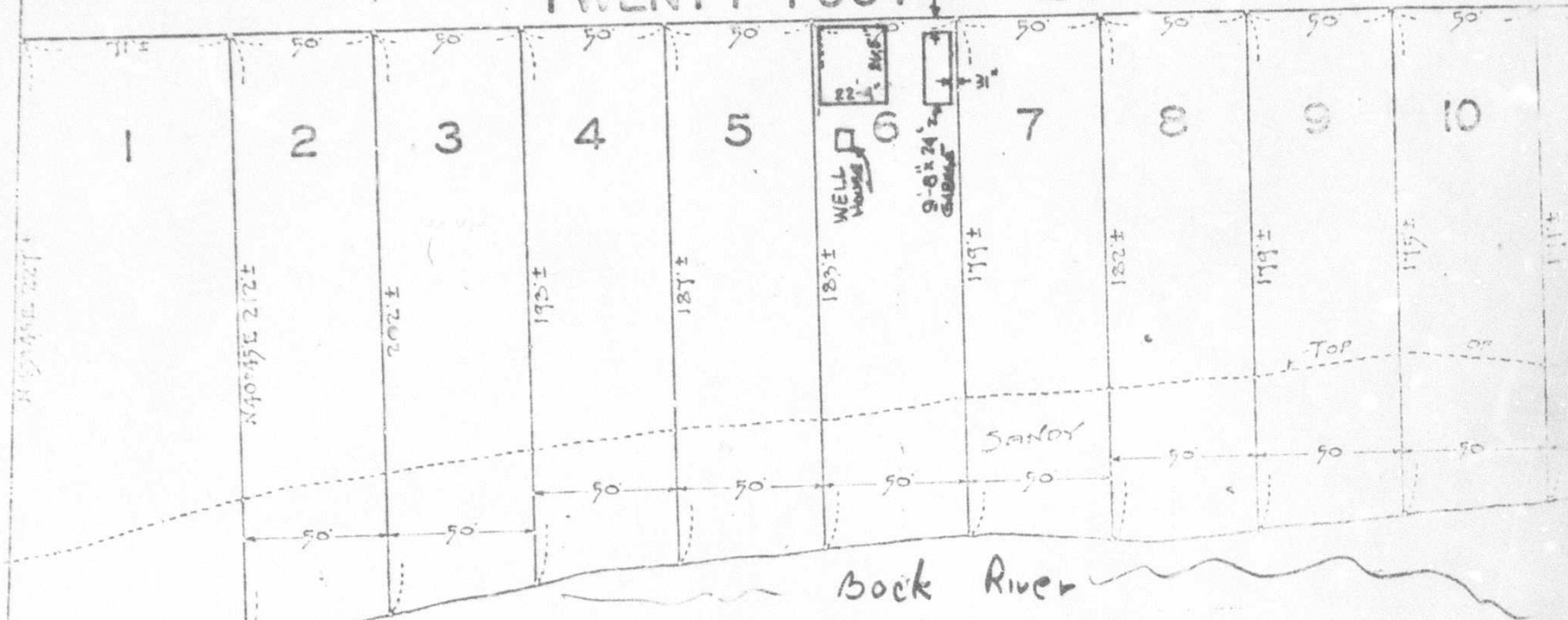
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John A. Miller
John A. Miller

[illegible]

TWENTY FOOT

RIVER VIEW ROAD



HOLLY FARM BEACH

BACK RIVER NECK - STEMMERS RUN.

DIST. N^o 15 - BALT^o CO.

SCALE 1"=50'

Rev. 24 #1

