

# 69-206-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JAMES W. HOPKES, 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 202.3 side yards, REQUIRE 8.5 SIDE YARD OF 10' INSTEAD OF REQUIRED 20', AND THE SUM OF 15' INSTEAD OF REQUIRED 50' FOR BOTH YARDS. REQUEST A REAR YARD OF 5' INSTEAD OF THE REQUIRED 50'.

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

These lots were originally zoned R<sub>1</sub>, when they were sub-divided. House is too small to house expanded family - need variances to expand house.

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: James W. Hopkes Legal Owner  
Address: Box 495, Holly Tree Lane, Baltimore, Maryland 21220  
Petitioner's Attorney: \_\_\_\_\_  
Protestant's Attorney: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of January, 1969, 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 100, County Office Building in Towson, Baltimore County on the 7th day of April, 1969, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over) 10:00A  
4/7/69  
1 sign

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 that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, and the Variance requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved.

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

to permit a side yard of 10 feet instead of the required 20 feet, and the sum of 15 feet instead of the required 50 feet for both yards;  
a Variance and to permit a rear yard of 5 feet instead of the required 50 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 23 day of JUNE, 1969, 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 10 feet instead of the required 20 feet; and the sum of 15 feet instead of the required 50 feet for both yards; and to permit a rear yard of 5 feet instead of the required 50 feet, subject to approval of the DEPUTY Zoning Commissioner of Baltimore County site plan by the Bureau of Public Services and 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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1969, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

## **BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

TO: Mr. John C. Zoning Commissioner Date: March 28, 1969  
FROM: George E. Gavalliti, Director of Planning

SUBJECT: Petition 69-206-A. Variance to permit a side yard of 10 feet instead of the required 20 feet and the sum of 15 feet instead of the required 50 feet for both yards; and to permit a rear yard of 5 feet instead of the required 50 feet. West side of Holly Tree Road, 400 feet south of Burke Road. James W. Hopkes, Petitioner.

15th District

HEARING: Monday, April 7, 1969 (10:00 A.M.)

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

|                                                                                                                                                |  |                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------|
| INVOICE<br>BALTIMORE COUNTY, MARYLAND<br>OFFICE OF FINANCE<br>Division of Collection and Receipts<br>COURT HOUSE<br>TOWSON, MARYLAND 21204     |  | No. 60892<br>DATE: March 17, 1969 |
| Zoning Dept. of Baltimore County                                                                                                               |  |                                   |
| REPORT TO ACCOUNT NO. 01-422                                                                                                                   |  | TOTAL AMOUNT \$21.00              |
| QUANTITY: 1                                                                                                                                    |  | COST: 25.00                       |
| Petition for Variance<br>69-206-A                                                                                                              |  |                                   |
| IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND<br>MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204 |  |                                   |

|                                                                                                                                                |  |                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------|
| INVOICE<br>BALTIMORE COUNTY, MARYLAND<br>OFFICE OF FINANCE<br>Division of Collection and Receipts<br>COURT HOUSE<br>TOWSON, MARYLAND 21204     |  | No. 62288<br>DATE: May 20, 1969 |
| Zoning Dept. of Baltimore County                                                                                                               |  |                                 |
| REPORT TO ACCOUNT NO. 01-422                                                                                                                   |  | TOTAL AMOUNT \$30.00            |
| QUANTITY: 1                                                                                                                                    |  | COST: 39.50                     |
| Advertising and posting of property<br>69-206-A                                                                                                |  |                                 |
| IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND<br>MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204 |  |                                 |

Mr. James W. Hopkes  
Box 495, Holly Tree Lane  
Baltimore, Maryland 21220

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 28th day of March, 1969

John C. Rose  
Zoning Commissioner

Petitioner: \_\_\_\_\_  
Petitioner's Attorney: \_\_\_\_\_ Reviewed by: Oliver L. Myers  
Chairman of Advisory Committee

PETITION FOR A VARIANCE FROM THE ZONING REGULATIONS OF BALTIMORE COUNTY, MARYLAND. LOCATION: West side of Holly Tree Road, 400 feet south of Burke Road. James W. Hopkes, Petitioner. DATE: March 17, 1969. PUBLIC HEARING: Monday, April 7, 1969 (10:00 A.M.).

## **CERTIFICATE OF PUBLICATION**

TOWSON, MD. MAR 20 1969

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_ week before the \_\_\_\_\_ day of \_\_\_\_\_, 1969, the first publication appearing on the \_\_\_\_\_ day of \_\_\_\_\_, 1969.

THE JEFFERSONIAN  
Ed. Frank Smith  
Manager

Cost of Advertisement \$ \_\_\_\_\_

## **BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

February 6, 1969

COUNTY OFFICE BUILDING  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Oliver L. Myers  
MEMBER

MEMBERS

BUREAU OF ENGINEERING

BUREAU OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

PLANNING DIVISION

HEALTH DEPARTMENT

PROJECT PLANNING

EDUCATION DEPARTMENT

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. James W. Hopkes  
Box 495, Holly Tree Lane  
Baltimore, Maryland 21220

RE: Type of Hearings: Side and rear yard Variance  
Locations: 111/5 Holly Tree Rd., 400' S. of Burke Rd.  
District: 15th  
Petitioner: James W. Hopkes  
Committee Meeting of January 28, 1969  
Item 172

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The property is presently improved with a two story dwelling which is presently undergoing extensive renovation. It is bounded on the southwest by a backyard on the northeast by dwellings, to the southeast by a tavern and restaurant; to the northwest by the Middle River. Holly Tree Road at the present time is not improved with curb and gutter.

BUREAU OF ENGINEERING:

Highways: No road improvements will be required at this time.

The Applicant shall dedicate the widening for a 50' right-of-way for Holly Tree Road.

Storm Drains: The Applicant must provide necessary drainage facilities (temporary or otherwise) 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 other drainage facilities, would be the full responsibility of the Applicant.

Mr. James W. Hopkes  
Box 495, Holly Tree Lane  
Baltimore, Maryland 21220  
Item 172

February 7, 1969

BUREAU OF ENGINEERING (Continued)

Water: There is an existing water main in Holly Tree Road.

Sanitary Sewers: There is no existing sanitary sewer in Holly Tree Road; therefore, private sewage systems must be provided. Soil tests must be conducted on the property prior to approval in accordance with Department of Health requirements.

PROJECT PLANNING DIVISION:

This property is presently improved with a substantial two-story house of 1400 sq. ft. and they propose an addition of 606 sq. ft. of living area per floor. We suspect that this is for an additional family end, in light of the lack of sewer and the poor condition of septic systems in the area, this would constitute from a site-planning viewpoint an overbuilding of this lot.

BUREAU OF TRAFFIC ENGINEERING:

The plan as shown does not appear to create any major traffic problems.

HEALTH DEPARTMENT:

Public water is available but the existing house is connected to a private sewage disposal system. This office will approve the addition private sewage disposal system. This office will approve the addition to the dwelling providing that no additional building is installed and no other facilities move into the building.

BOARD OF EDUCATION:

No effect on student population.

FIRE DEPARTMENT:

This office has no comment.

INDUSTRIAL DEVELOPMENT:

This office has no comment.

BUILDING ENGINEER'S OFFICE:

If variance is granted, there would not be any comments from Building Engineer's Office.

ZONING ADMINISTRATION DIVISION:

In view of the comments by the Bureau of Engineering, this office is withholding a hearing date until such time as the widening of Holly Tree Road is indicated on revised plans, and these revised plans received by this office.

Very truly yours,

Oliver L. Myers, Chairman

C:1133

Enc.

## **OFFICE OF**

THE ESSEX TIMES

ESSEX, MD. 21221 March 27, 1969

THIS IS TO CERTIFY, that the annexed advertisement of John W. Rose, Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 27th day of March, 1969 that is to say, the same was inserted in the issue of March 20, 1969.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

## **CERTIFICATE OF POSTING** ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#69-206-A

District: 15th Date of Posting: 3-28-69  
Posted for: James W. Hopkes  
Petitioner: James W. Hopkes  
Location of property: 111/5 Holly Tree Road, West side of Burke Rd.  
Location of sign: 1 sign located on front of No. 495 Holly Tree Road  
Remarks: \_\_\_\_\_  
Posted by: Oliver L. Myers Date of return: 3-28-69  
Signature: \_\_\_\_\_

