

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph Messenger & Thelma Messenger, 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 205.3 To permit a sideyard setback of 10' 6" and 13' instead of the required 15 feet

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

as to allow for a one family, no garage residential dwelling of 24' wide and 28'6" long two story house, because due to a previous sub-division there remains a 50 foot lot with homes on each side and it is impossible to acquire more land.

See attached description

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

I, or we, agree to pay expense 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.

Address 14 D Cedar Dr Contract purchaser Joseph Messenger
Address 14 D Cedar Dr Legal Owner Thelma Messenger
Address 14 D Cedar Dr Protestants Attorney Barbara A. Burner

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day

of September 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 had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of September, 1969, at 10:30 o'clock

Zoning Commissioner of Baltimore County.

Messrs. Brennan & Brennan
825 Eastern Avenue
Baltimore, Maryland 21202
Item 31 Page 3

August 27, 1969

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JO
Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: October 10, 1969

FROM: Mr. George E. Gavrelis, Director of Planning

SUBJECT: Petition #70-75-A. Variance to permit a side yard setback of 10 feet 6 inches and 13 feet instead of the required 15 feet. South side of Bird River Road 400 feet East of Reunes Road. Joseph Messenger and Thelma Messenger Petitioners.

15th District

HEARING: Thursday, October 16, 1969 (10:30 A.M.)

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

10-11-69

DESCRIPTION FOR MESSENGER-WILSON PROPERTY

BEGINNING on the Southside of Bird River Road, being located at a point 400 feet East of Reunes Road in the 15th district of Baltimore County as recorded among the land records of Baltimore County in Liber 1692 Folio 233 and being known as the Messenger property.

Containing 0.834 acres more or less

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 27, 1969

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

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Messrs. -
Brennan & Brennan
825 Eastern Avenue
Baltimore, Maryland 21202

Re: Type of Hearing: Variance for Side Yard Setback
Location: 5/8 of Bird River Rd., 400' E. of Reunes Rd.
Petitioners: Joseph Messenger, et ux
Committee Meeting of August 19, 1969
Item 31 15th District

Gentlemen:

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 subject property is presently unimproved, with the properties to the north, southeast, and west improved with dwellings 10 to 20 years of age, in excellent repair. Bird River Road in this location is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways:

Bird River Road is an existing County road which will be improved in the future as a 48-foot closed section with flexible type pavement on a 70-foot right-of-way. Highway widening will be required along the frontage of this property in the future; however, no further highway improvements are required at this time.

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.

INVOICE		No. 64726	
BALTIMORE COUNTY, MARYLAND		DATE: <u>Sept. 22, 1969</u>	
OFFICE OF FINANCE			
Division of Collection and Receipts			
COURT HOUSE			
TOWSON, MARYLAND 21204			
TO: <u>Messrs. Brennan & Brennan</u>		BILLED BY: <u>STROMBERG PUBLICATIONS, INC.</u>	
10 & Cedar Drive		TOTAL AMOUNT: <u>\$25.00</u>	
Baltimore, Md. 21202			
REPORT TO ACCOUNT NO. <u>64-622</u>		DETACH ALONG PERFORATION AND KEEP IN FILE FOR YOUR RECORDS	
SUBJECT: <u>Petition for Variance for Joseph Messenger</u>		COST: <u>25.00</u>	
<u>70-75-A</u>			
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND			
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

INVOICE		No. 67011	
BALTIMORE COUNTY, MARYLAND		DATE: <u>Oct. 14, 1969</u>	
OFFICE OF FINANCE			
Division of Collection and Receipts			
COURT HOUSE			
TOWSON, MARYLAND 21204			
TO: <u>Cash</u>		BILLED BY: <u>STROMBERG PUBLICATIONS, INC.</u>	
REPORT TO ACCOUNT NO. <u>64-622</u>		DETACH ALONG PERFORATION AND KEEP IN FILE FOR YOUR RECORDS	
SUBJECT: <u>Advertising and posting of property for Joseph A. Messenger</u>		COST: <u>37.25</u>	
<u>70-75-A</u>			
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND			
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

Messrs. Brennan & Brennan
825 Eastern Avenue
Baltimore, Maryland 21202
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August 27, 1969

BUREAU OF ENGINEERING:

Water:

Public water supply is available to serve this property.

Public sanitary sewerage is not available to serve this property; therefore, a private sewage disposal system must be provided in accordance with Department of Health rules and regulations.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

The subject variance should have no major effect on traffic.

FIRE DEPARTMENT:

This office has no comment to offer.

HEALTH DEPARTMENT:

Public water is available, but no sewer. Therefore, prior to approval of a building application, soil tests must be conducted.

BUILDING ENGINEER'S OFFICE:

Petitioner must conform to Baltimore County Building Code.

BOARD OF EDUCATION:

No bearing on student population.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are submitted to this office, drawn to scale. It is recommended that the petitioner use either scale 1" = 20'; 1" = 50'; 1" = 100'.

OFFICE OF

THE ESSEX TIMES

ESSEX, MD. 21221 Sept. 29, 1969

THIS IS TO CERTIFY, that the annexed advertisement of John G. 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 29th day of Sept., 1969 that is to say, the same was inserted in the issue of Sept. 22, 1969.

STROMBERG PUBLICATIONS, INC.

Barth Mayner

Messrs. Brennan & Brennan
825 Eastern Avenue
Baltimore, Md. 21202

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

Your Petition has been received and accepted for filing this

day of September, 1969

John G. Rose
John G. Rose,
Zoning Commissioner

Petitioner: Joseph Messenger, et ux

Petitioner's Attorney: Messrs. Brennan & Brennan advised by Barth Mayner
Chairman of Advisory Committee

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 Petitioners and the Variances 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 it further appearing that because of

a Variance to permit side yard setbacks of ten feet, six inches and should be granted thirteen feet instead of the required fifteen feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16

day of October, 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 side yard setbacks of ten feet, six inches and thirteen feet instead of the required fifteen feet, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning. Edward D. Hardisty DEPUTY 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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day

of _____, 196____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

**PETITION FOR VARIANCE
15th DISTRICT**

ZONING: Pet on for Variance for a Side Yard.

LOCATION: South side of Bird River Road 400 feet East of Reames Road.

DATE & TIME: Thursday, October 16, 1969 at 10:30 A.M.

PUBLIC HEARING: Room 108, 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 Variance from the Zoning Regulations of Baltimore County to permit a side yard set back of 10 feet 6 inches and 13 feet instead of the required 15 feet. The Zoning Regulations to be accepted as follows:

Section 205.3-Side Yards - 15 feet.

All that parcel of land in the Fifteenth District of Baltimore County.

BEGINNING on the Southside of Bird River Road, being located at a point 400 feet East of Reames Road in the 15th district of Baltimore County as recorded among the land records of Baltimore County in Liber 1632 Folio 233 and being known as the Messinger property. Containing 0.834 acres more or less.

Being the property of Joseph Messinger and Thelma Messinger, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, October 16, 1969 at 10:30 A.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
JOHN G. ROSE
Zoning Commissioner of Baltimore County
Sept. 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 25, 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 one time ~~successive weeks~~ before the 16th day of October, 1969, the first publication appearing on the 25th day of September, 1969.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$_____

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#70-75-A

District 15th

Date of Posting Sept 24-69

Posted for: Henry Thurn Oct 16 1969 at 10:50 A.M.

Petitioner: Joseph Messinger

Location of property: Sp. Bird River Rd 400' East Reames Rd

Location of Sign: 1 Sign Post at 137 Sumner Rd

Remarks:

Posted by Marl H. Huns
Signature

Date of return: Oct 1-69

KENNEDY RD

400'

BIRD RIVER RD



James Bechard
Box 136 Lt 16

Jack Miller & Sons
Box 138

Box 137

1" = 100' Scale

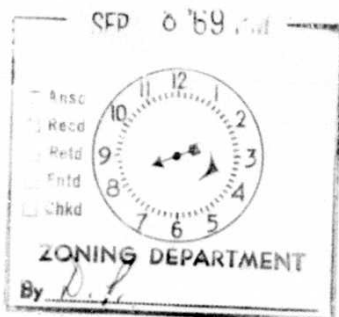
15th election district

Zoning of property R-40

Water available

Roh's
Property

Residential
City Plat
of Kent Wilson
15th District



#31

Joseph Messenger, et al.

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