

34 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, Emil A. Budnitz, Jr., 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 205.2 to permit a front yard setback of Twenty feet (20') for an open porch instead of the required Forty feet (40'). 205.4 to permit a rear yard setback of Fifteen feet (15') instead of the required forty feet (40').

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

Section 400.1 to permit an accessory building in the sideyard instead of the required rear yard.

The topography of the subject tract is such that the variance will be required to construct this home.

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 _____ Legal Owner _____
Address _____ Address _____
Petitioner's Attorney _____ Protester's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 16th 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of October, 1969, at 10:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

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 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 is further appearing that by reason of

to permit a front yard setback of twenty feet for an open Variance porch instead of the required forty feet, and to permit a rear yard setback of fifteen feet instead of the required forty feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of November, 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 front yard setback of twenty feet for an open porch instead of the required forty feet; and to permit a rear yard setback of fifteen feet instead of the required forty feet, subject to approval of the 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

the above Variance should NOT BE GRANTED.

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

of November, 1969, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RECORDED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Harkley, Deputy Zoning Commissioner Date: October 17, 1969
FROM: Mr. George E. Gavett, Director of Planning

SUBJECT: Petition #70-83-A, Variance to permit a front yard setback of 20 feet for an open porch instead of the required 40 feet; and to permit a rear yard setback of 15 feet instead of the required 40 feet. North side of Hollins Avenue 170' east of Lake Manor Drive. Emil A. Budnitz, Jr. Petitioner.

9th District

HEARING: Monday, October 27, 1969 (10:30 A.M.)

The Planning staff will offer no comment on the subject petition.

GEG:bm

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

September 25, 1969

Mr. Emil A. Budnitz, Jr.
808 Stoneleigh Road
Baltimore, Maryland 21212

Re: Type of Hearing: Front and Rear Yard Variance
Location: N/S Hollins Ave., 170' E. of Lake Manor Drive
Petitioner: Emil A. Budnitz, Jr.
Committee Meeting of Sept. 16, 1969
9th District
Item 53

Dear Sirs:

The enclosed departmental comments have been compiled at the direction of the County Administrative Office. Their purpose is to make the Zoning Commissioner aware of any development problems or conflicts resulting from the petitioner's proposed development plan.

These comments represent facts and data assembled by qualified County employees and subsequently approved by their department heads. These are materials for consideration by the Zoning Commissioner and can be expected to have a great bearing on his decisions.

Sincerely yours,

James E. Dyer
James E. Dyer,
Zoning Supervisor

JED:JD
Enc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 25, 1969

COUNTY OFFICE BUILDING
1113 Connecticut Ave.
Towson, Maryland 21204

Mr. Emil A. Budnitz, Jr.
808 Stoneleigh Road
Baltimore, Maryland 21212

Re: Type of Hearing: Front and Rear Yard Variance
Location: N/S Hollins Ave., 170' E. of Lake Manor Drive
Petitioner: Emil A. Budnitz, Jr.
Committee Meeting of Sept. 16, 1969
9th District
Item 53

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 subject property is located off a private drive which runs north from Hollins Avenue. It is a large wooded lot that is situated among other dwellings, which are in the \$20,000 price range. The house is currently under construction except those portions affected by the Variance.

BUREAU OF ENGINEERING

Highways:

Hollins Avenue is an existing County road which will be improved in the future as a 30 foot minimum closed section with flexible type pavement within the existing 50 foot right-of-way. No other highway improvements are required at this time.

Access to this property has been provided by means of a private road located in a right-of-way with use in common with others and is shown on the recorded plat of the Gay Property, R.A.C. 30, folio 13.

Storm Drains:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances

Mr. Emil A. Budnitz, Jr.
808 Stoneleigh Road
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Item 53 Page 2

September 25, 1969

Storm Drains (Continued)

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.

Sanitary Sewers

Public sanitary sewerage exists to serve this property and is located in a 20 foot easement which has been erroneously indicated as a 10 foot right-of-way on the subject plan.

Water

Public water supply is available to serve this property.

PLA-S REVIEW DIVISION

After on site inspection of this property, I would ask that a Structural Engineer's drawing, signed and sealed be submitted on the balcony dock and connecting walk, due to the height above grade, the amount of loose fill dirt, the length of supporting post, and the size of the dock area. I would suggest that the dock be designed as per Code for balconies (1000 Lbs.) and a plan submitted to this office, to be considered a part of the original plans. This is a new house under initial stages of construction and would not hinder the other portions of construction while drawings are being prepared.

FIRE DEPARTMENT

This office has no comment at this time.

BOARD OF EDUCATION

No bearing on student population.

HEALTH DEPARTMENT

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

Mr. Emil A. Budnitz, Jr.
808 Stoneleigh Road
Baltimore, Maryland 21212
Item 53 Page 3

September 25, 1969

PROJECT PLANNING DIVISION

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

BUREAU OF TRAFFIC ENGINEERING

The requested variance should have no effect on traffic.

ZONING ADMINISTRATION DIVISION

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

William L. Myers
William L. Myers, Chairman

ENC 3

By Luth Morgan



