

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, JIMMIE D. HARVEY, 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 211.3, to permit a sideyard setback of 10 feet from the street right-of-way line and 30 feet from the centerline of the street instead of the required 25 feet and 50 feet respectively.

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

Size of lot and location of proposed undeveloped road makes it impossible to comply with the regulations of Section 211.3.

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 Jimmie D. Harvey Legal Owner
Address: 2017 Paulista Road
Baltimore, Maryland 21222

Norman R. Stone, Jr., Esq. Protestants Attorney
Address: 6905 Dunmanway
Dundalk, Maryland 21222
Telephone: 558-8170
ORDERED BY The Zoning Commissioner of Baltimore County, this 7th day

of October, 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 17th day of November, 1969, at 10:00 o'clock a.m.

DEPUTY 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 so further appearing, that by reason of

to permit a side yard setback of ten (10) feet from the street right-of-way and thirty (30) feet from the centerline of the street instead of the required twenty-five (25) feet and fifty (50) feet respectively

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20

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 side yard setback of ten (10) feet from the street right-of-way and thirty (30) feet from the centerline of the street instead of the required twenty-five (25) feet and fifty (50) feet respectively, 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 day of November, 1969, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

DESCRIPTION

BEGINNING for the same on the Northerly side of Armistead Road and the Westerly side of Delmar Avenue. Thence running and binding on the West side of Delmar Avenue 30' to the division line between lots numbers 27 and 26 as shown on Second Revised Plat of Cedarcrest recorded among the Land Records of Baltimore County in Plat 12/31 thence running and binding on said division line Northwesterly 193.34' to the end thereof. Thence running Southwesterly 56' ± to Armistead Road. Thence running and binding on said road and along Southeast lot line of lot No. 28 on said Plat 198.82' to the place of beginning.

BEING known and designated as lots no. 27 and 28 in Block 1 as shown on Plat entitled Second Revised Plat of Cedarcrest which Plat is recorded among the Land Records of Baltimore County in Plat Book 12/31.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardy, Deputy Zoning Commissioner
FROM: George E. Gamins, Director of Planning
SUBJECT: Petition 770-97-A. Northwest corner of Armistead Road and Delmar Ave. Petition for Variance to permit a side yard of 10 feet from the street right of way line and 30 feet from the centerline of the street instead of the required 25 feet and 50 feet.
Jimmie D. Harvey - Petitioner

15th District

HEARING: Monday, November 17, 1969 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for side yard variances and will offer no comment.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 21, 1969

Norman R. Stone, Jr., Esq.
6905 Dunmanway
Dundalk, Maryland 21222

RE: Type of Hearing: Variance from Section 211.3, to permit a side yard setback
Location: NE Cor. of Armistead Rd. & Delmar Avenue
Petitioner: Jimmie D. Harvey
Committee Meeting of October 7, 1969
15th District
Item 68

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 presently an unimproved property with Armistead Street being a paper street. It is adjoined on the east, west, north and south by dwellings, 10 to 20 years of age, in excellent repair. Delmar Avenue is not improved as far as concrete curb and gutter are concerned; however, it is macadamized.

Highways:

Delmar Avenue is an existing road which will be improved in the future as a 30-foot closed section with flexible type pavement on a 42-foot minimum right-of-way. Armistead Road is an unimproved road which has been laid out on the old recorded plat of Cedar Crest, and due to the construction of the Sparrows Point Boulevard and the future proposed Fort Howard Expressway, there does not appear to be a need for a public road adjacent to the subject property. It also appears that a portion of this property would be acquired as part of the right-of-way for the Fort Howard Expressway, which will be a State road. Therefore, no further highway improvements are required at this time for Delmar Avenue.

Storm Drains:

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

Norman R. Stone, Jr., Esq.
6905 Dunmanway
Dundalk, Maryland 21222
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October 21, 1969

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 is available to serve this property.

Water:

Public water supply is available to serve this property.

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 major effect on trip density.

BOARD OF EDUCATION:

No bearing on student population.

PLANS REVIEW DIVISION:

Petitioner shall comply with Baltimore County Building Codes Rules and Regulations.

HEALTH DEPARTMENT:

Public water and sewers are available to the site, therefore, no health problems are anticipated.

STATE ROADS COMMISSION:

The subject site is affected in its entirety by the State Roads Commission's tentative preliminary proposed highway improvement plans.

This section of the project is not in the current construction program, however, it is in the Twenty-Year Roads Study.

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

Norman R. Stone, Jr., Esq.
6905 Dunmanway
Dundalk, Maryland 21222
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October 20, 1969

ZONING ADMINISTRATION DIVISION: (Continued)

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,

OLIVER L. MYER, Chairman

OLM:JO
Enc.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 67027

DATE: Oct. 20, 1969

TO: Norman R. Stone & Stone
6905 Dunmanway
Dundalk, Md. 21222

Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 61-422	QUANTITY	UNIT PRICE	TOTAL AMOUNT
Petition for Variance for Jimmie D. Harvey	770-96-A		25.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 67059

DATE: Nov. 17, 1969

TO: Jimmie D. Harvey
2017 Paulista Road
Baltimore, Md. 21222

Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 61-422	QUANTITY	UNIT PRICE	TOTAL AMOUNT
Advertising and posting of property	690-97-A		53.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

1. Sign

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#70-97-A

Divided: 154 Date of Posting: Oct. 31-69
Posted for: Heavenly Monday Nov. 17, 1969 at 10:00 A.M.
Petitioner: James O. Harvey
Location of property: N Wolfe & Carver Rd. and Delmar Ave
Location of Sign: 1 Sign Post in Front Lot # 2900 Long Delmar Ave
Remarks:
Posted by: Mark W. Dean Signature Date of return: Nov. 6, 1969

John B. Starn, Jr. Sec.
400 Community
Baltimore, Maryland 21202

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

7th day of October, 1969

[Signature]
JOHN G. ROSE
Zoning Commissioner

Petitioner: James O. Harvey

Petitioner's Attorney: John B. Starn, Jr. Represented by Oliver L. Myers
Chairman of
Advisory Committee

PETITION FOR A VARIANCE
2ND DISTRICT

ZONING: Petition for Variance
Site: York
LOCATION: Northwest corner of
Armstrong Road and Delmar Avenue
DATE & TIME: Monday, November
17, 1969 at 10:00 A.M.
PUBLIC HEARING: Room 106,
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 on the following:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a sidewalk setback of 10 feet from the street right of way line and 20 feet from the center line of the street instead of the required 25 feet and 50 feet respectively.

The Zoning Regulations to be variances as follows:

Section 211.3-4 Side Yards - 5 feet wide for one side yard and not less than 20 feet for the sum of both, except that for a corner lot the building line along the side street shall be not less than 25 feet from the side lot line and not less than 10 feet from the center line of the side street.

All that portion of land in the Fifthteen District of Baltimore County.

BEGINNING for the same on the Northernly side of Armstrong Road and the Westernly side of Delmar Avenue, Thence running and bounding on the West side of Delmar Avenue 50' to the corner lot line between lots numbers 7 and 24 as shown on Second Revised Plat of Cedarhurst recorded among the Land Records of Baltimore County in Plat 12/21; Thence running and bounding on mid division line Northwesterly 153.15' to the end of the street; Thence running Southeasterly 50' to Armstrong Road; Thence running and bounding on mid road and along Southeasterly lot line 4' lot No. 24 on said Plat 12/21 to the place of beginning.

Being known and designated as lots No. 27 and 28 in Block 7 as shown on Plat entitled Second Revised Plat of Cedarhurst, which Plat is recorded among the Land Records of Baltimore County in Plat Book 12/21.

Being the property of James D. Harvey as shown on plat plan filed with the Zoning Department.

CERTIFICATE OF PUBLICATION

TOWSON, MD. OCT. 31, 1969, 19...

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 succeeding weeks before the 17th day of November, 1969, the first publication appearing on the 30th day of October, 1969.

THE JEFFERSONIAN

[Signature]
Manager

Cost of Advertisement \$.....

PETITION FOR A VARIANCE
2ND DISTRICT

ZONING: Petition for Variance
Site: York
LOCATION: Northwest corner of
Armstrong Road and Delmar Avenue
DATE & TIME: MONDAY,
NOVEMBER 17, 1969 at 10:00
A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Being the property of James D. Harvey as shown on plat plan filed with the Zoning Department.

ORIGINAL

OFFICE OF

THE ESSEX TIMES

ESSEX, MD. 21221 November 3, 1969

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty Deputy Zoning Commissioner of Baltimore County was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one succeeding weeks before the 3rd day of Nov. 1969, that is to say, the same was inserted in the issue of October 30, 1969.

STROMBERG PUBLICATIONS, Inc.

[Signature]

A. SCALE 1" = 50'
 F. NORTH ↑
 J. ELECTION DIST 15
 K. LOT 27-28 BK 2900 DELMAR
 SUBDIVISION CEDARCREST
 L. RODGERS - 2810 DELMAR AVE 21219
 WILEY - 2902 DELMAR AVE 21219
 M.
 N. CITY WATER - YES CITY SEWER - YES

