

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edward Everett, 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... 211.1 TO PERMIT A LOT WIDTH OF 50' INSTEAD OF THE REQUIRED 55'.

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

SHORT LOTS IN AREA ARE 50' OR LESS.

See attached description

PROPERTY DESCRIPTION
7813 OAKLEIGH ROAD

The subject site is situated on the east side of Oakleigh Road, 730' south of Taylor Avenue, 9th Election District, Baltimore County, having a frontage of 50' and a depth of 180', being further known as Lots 309 and 310 of Westmoreland Fruit Farms, being recorded in Plat Book WFC 7 Folio 352.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hendry, Zoning Commissioner Date: February 26, 1970

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

SUBJECT: Petition #70-165-A, Variance to permit a lot width of 50 feet instead of the required 55 feet. East side of Oakleigh Road 730 feet south of Taylor Ave. Edward Everett, Petitioner.

9th District

HEARING: Monday, March 2, 1970 (10:45 A.M.)

The planning staff's files somehow are mixed up through some error in assigning item numbers. Therefore, the writer does not have a plot to accompany this petition for lot width variance. If this petition seeks to establish a 50 foot lot in conformity with an established neighborhood character, we offer no objection to the Variance.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 2, 1970

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

MEMBERS

CLYDE L. WYKES
Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

Edward Everett
7510 Old Harford Road
Baltimore, Maryland 21234

RE: Type of Hearing: Variance from area and height regulations
Location: 2/5 Oakleigh Road, 730' S of Taylor Avenue
Petitioner: Edward Everett
Committee Meeting: January 28, 1970
9th District
Item 111

Dear Sir:

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

The subject property is presently undeveloped with two surrounding properties on the north, east, south and west improved with dwellings 10 to 30 years of age, in excellent repair. The property to the west is also improved with a cemetery. Oakleigh Road at this location is not improved as far as concrete curb and gutter are concerned.

REVIEW OF PETITION:

Highways:

Oakleigh Road, an existing road, will be improved in the future as a 10-foot closed section, with flexible paving on a 60-foot right-of-way. Highway right-of-way widening and slope easement will be required in connection with any subsequent grading or building permit application. The adjoining property owners will be surveyed for highway improvements at such time as the actual highway improvements (Job Order 5-10-61) are accomplished under County contract, in accordance with County policy then prevailing.

Subsistent Control:

Development of this property through striping, grading, and stabilization could result in a sediment collection problem, dumping private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Grading studies and subsistent control drawings will be necessary to

property is to be posted and advertised as prescribed by Zoning Regulations. If 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: 7510 OLD HARFORD ROAD
BALTIMORE, MARYLAND 21234
Petitioner's Attorney _____ Protestor's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 20th _____ day

of _____ January _____, 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 106, County Office Building in Towson, Baltimore County, on the _____ 2nd _____ day of _____ March _____, 1967, at 10:45 o'clock

Edward D. Hendry
Zoning Commissioner of Baltimore County

Edward Everett
7510 Old Harford Road
Baltimore, Maryland 21234
Item 111 Page 2

February 2, 1970

Edward Everett
7510 Old Harford Road
Baltimore, Maryland 21234
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February 2, 1970

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,

Oliver L. Evans
Oliver L. Evans,
Chairman

CL:me
Enclosure

be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drainage:

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 full responsibility of the Applicant.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage is available to serve this property.

PROJECT PLANNING DIVISION:

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

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject variance should have no major effect on traffic.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

Since public water and sewers are available no health hazards are anticipated.

FIRE DEPARTMENT:

Fire Department has no comment at this time.

BUILDING DEPARTMENT:

Petitioner to meet Baltimore County Building Code and set back requirements.

TELEPHONE 823-3000 EXT. 387		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		No. 69274 DATE Feb. 2, 1970	
To: <i>Edward Everett</i> 7510 Old Harford Rd. Baltimore, Md. 21234		Billed To: <i>Edward Everett</i> 7510 Old Harford Rd. Baltimore, Md. 21234		Billed By: _____	
REPORT TO ACCOUNT NO. 01-002		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT \$50.00	
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST		TOTAL AMOUNT \$50.00	
4	Advertising for Variance for Edward Everett 70-165-A	25.00		25.00	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

TELEPHONE 823-3000 EXT. 387		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		No. 69316 DATE Mar. 2, 1970	
To: <i>Edward Everett</i> 7510 Old Harford Rd. Baltimore, Md. 21234		Billed To: <i>Edward Everett</i> 7510 Old Harford Rd. Baltimore, Md. 21234		Billed By: _____	
REPORT TO ACCOUNT NO. 01-002		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT \$50.00	
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST		TOTAL AMOUNT \$50.00	
4	Advertising and posting of property 70-165-A	25.00		25.00	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204			

Edward Everett 7510 Old Harford Rd. Baltimore, Maryland 21234		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 _____ day of _____ 1968 TO		By: <i>Edward D. Hendry</i> Zoning Commissioner	
Petitioner: <i>Edward Everett</i>	Petitioner's Attorney: <i>Edward Everett</i>	Reviewed by: <i>Oliver L. Evans</i>	Chairman of Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland		#70-165-A	
1 Sign. _____		Date of Posting: Feb. 11th 1970	
District: 5th		Posted for: Hearing Room, Mar. 2, 1970, 10:45 A.M.	
Petitioner: <i>E/E Edward Everett</i>		Location of property: 2/5 of Oakleigh Road 710' S. of Taylor Ave.	
Location of Sign: 1 Sign posted at 7813 Oakleigh Rd.		Remarks: _____	
Posted by: <i>Martha Hess</i>		Date of return: Feb. 11, 1970	

11-2-70

ORDER RECEIVED FOR FILING

DATE 3/2/70 - 10:45 a.m. call

BY

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 it further appearing that by reason of

a Variance to permit a lot width of fifty (50) feet instead of the required fifty-five (55) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2 day of

March, 1970, 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 lot width of fifty (50) feet instead of the required fifty-five (55) feet, subject to approval of the site by the Bureau of Public Services and the Office of Planning and Zoning.

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

MICROFILMED

EDWARD EVERETT
E/S of Oakleigh Road 730 S of 9th

70-165-A

PETITION FOR A VARIANCE
NO DISTRICT
ZONING: Petition for a Variance for
Lot Width.
LOCATION: East side of Oakleigh
Road 730 feet South of Taylor
Avenue.
DATE & TIME: Monday, March 2,
1970 at 10:45 A.M.
PUBLIC HEARING: Room 104 Coun-
ty 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 a Variance from the
Zoning Regulations of Baltimore
County to permit a Lot Width of
50 feet instead of the required 55
feet.
The Zoning Regulation to be ex-
ceeded as follows:
1. 30 feet of the front building
line.
All that parcel of land in the
North District of Baltimore County.
The subject site is situated on the
east side of Oakleigh Road, 730
feet south of Taylor Avenue, 9th Elec-
tion District, Baltimore County, hav-
ing a frontage of 150' and a depth
of 100', being further known as
Lots 5-8 and 11 of Westmeadow
Fruit Farms, being recorded in Plat
Book WP 7-1, Folio 1-2.
Being the property of Edward
Everett, as shown on plat plan filed
with the Zoning Department.
Hearing Date: Monday, March 2,
1970 at 10:45 A.M.
Public Hearing: Room 104, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Md.
By order of
EDWARD D. HARDESTY,
Zoning Commissioner of
Baltimore County
Feb. 12.

Further known as Lots 5-8 and 11 of
Westmeadow Fruit Farms, being recorded
in Plat Book WP 7-1, Folio 1-2.
Being the property of Edward
Everett, as shown on plat plan filed
with the Zoning Department.
Hearing Date: Monday, March 2,
1970 at 10:45 A.M.
Public Hearing: Room 104, County
Office Building, 111 W.
Chesapeake Avenue, Towson, Md.
By order of
EDWARD D. HARDESTY,
Zoning Commissioner of
Baltimore County
Feb. 12, 1970

PETITION FOR
A VARIANCE
ZONING: Petition for a Variance
from the Zoning Regulations of
Baltimore County to permit a
Lot Width of 50 feet instead of
the required 55 feet.
LOCATION: East side of Oakleigh
Road 730 feet South of Taylor
Avenue.
DATE & TIME: MONDAY,
MARCH 2, 1970 at 10:45 A.M.
PUBLIC HEARING: Room 104,
County Office Building, Towson, Md.

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 12, 1970.

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 two (2) consecutive weeks before the 2nd day of March, 1970, the first publication appearing on the 12th day of February 1970.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$

ORIGINAL
OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204 February 18, 1970

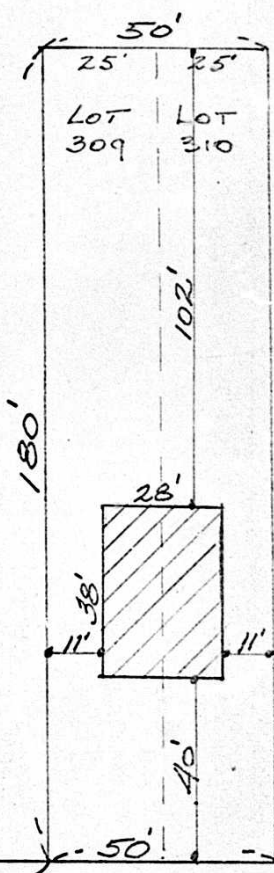
THIS IS TO CERTIFY, that the annexed advertisement of

Edward D. Hardesty
Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one consecutive week before the 18th day of Feb., 1970, that is to say, the same was inserted in the issue of February 12, 1970.

STROMBERG PUBLICATIONS, Inc.

By *Earl Morgan*



✓
 7813 OAKLEIGH RD.
 LOTS 309 & 310
 WESTMORELAND FRUIT
 FARMS W.P. 7 FOLIO 102
 1" = 30'

130' TO TAYLOR AVE

OAKLEIGH RD.

10'

