PETITION FOR ZONING VALIANCE FROM AREA AND HEIGHT REGULATIONS 70 205 -A

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TO THE ZONING COMMISSIONER OF RALTIMORE COUNTY:
Betty J. Burns, his wife,
1, or we.F., Killiam. Burns. and L. Legal owner and 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 400.1 to Permit accessory building to be located in front yard instead of the required rear yard

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County: for the following reasons: (indicate bardship or practical difficulty). Residence sets back far enough to preclude building stable in rear of property. In addition, deed restrictions (contamination of springs) preclude building in rear of property would endanger well weight a set of a contamination of springs) preclude building in weight facilities. Other residential properties located on Glen Arm Road and in close proximity to our property have same arrangement with paddock and stable as we are proposing. Such buildings were built subsequent to 1960. Proposed stable will set back from front property line 175-200 feet.

See attached description

	riance advertising, posting etc., upon filing of this by the zening regulations and restrictions of
	F. William Burns
Contract purchaser	Betty J. Burns Legal Owner
Address	Address Rte 1, Box 379-20 Glen Arm Road
	Glen Arm, Md. 21057
Petitioner's Attorney	Protestant's Attorney
Address	



and D. Hardes ty

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, Zoning Commissioner Date

FROM Mr. George E. Gavrelis, Director of Planning

Petition #70-228-A. Southeast side of Glen Arm Road 2640 feet Northeast of Manor Road.
Retition for Variance to permit an accessory building to be located in front yard instead of the required rear yard.
F. William Burns - Petitioner

11th District

HEARING: Wednesday, June 3, 1970 (1:30 P.M.)

The Staff of the Office of Planning and Zoning has reviewed the subject peti-

Description

Beginning for the same in the center of Glen Arm Road. This point being 2640 feet northeasterly from the intersection of Manor and Gler Arm Roads, running thence northeasterly 45 degrees 18 minutes 160 feet to the center of Glan Arm Road. thence Southeasterly 44 degrees 42 minutes 580 feet to an iron pipe, thence Southwesterly 45 degrees 18 minutes 160 feet to an iron pipe, thence reversely North 44 degrees 42 minutes West 580 feet to the place of beginning. Containing 2.13 acres of land, more or less, on the/east side of Glen Arm Road.

Being the same property described in a deed dated August 27, 1969 from Dudley K. Chism and wife to F. William Burns and Betty J. Burns, his wife, recorded among the Land Records of Baltimore County in Liber 5030, folio 52,

RI: PETITION FOR VARIANCE SE/S of Olem. Arm Road, 26h0' ME of Manor Road lith District F. Milian Burns, et ux -Fauttoners NO. 70-228-A (!ten 209)

- JUN 23'70"

Edward D. Hardesty, Zoning Commissioner Baltimore County Office of Planning & Zoning County Office Building 111 West Chesapeeke Avenue Towson, Maryland 21204

Reference is made to the order passed by Deputy Zoning Commissioner, DF. Enna, relative to my Petition for Variance No. 70-228-A.

Recognizing that a decision must be made, I cannot take issue due to the fact the decision was not in my favor. I can, and do, take issue with the points made as the basis for teaching that decision.

The order indicates that I purchased the borse in face of the fact that I couldn't build a stable in the rear of the property (my own decision) and knew I couldn't build as as in front of the house. I did not know I couldn't build in front, nor did the contractor who produced the stable of the s

The reference to timing on the purchase of the horse is irrelevant, innocuous and has no valid bearing on the issue, and certainly does not indicate any intent to circument any law or regulation. Trying the concentration of the control of the con

It was not established (not has it been wince), that such construction would result in <u>substantial</u> (or any) injury to public Health, Safety and General Welfate. Before such construction was started, representative of the Departness of Health surveyed the topography and other faces of the proposal to determine if any danger to Fublic Health existed. There was more. To endanger the neighbor's well, which is

BEFORE THE DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTRY

The Petitioner seeks a Variance from Section 400.1 to permit an accessory building to be located in the front yard instead of the required rear yard, located on the 3/E side of Glen Arm Hond, 2640' N/E of Hanor Road. The property is residentially zoned.

Testimory by the Petitioner revealed that he wanted to build a stable to house his horse in the front yard because he could not locate such a structure in the rear yard. He stated that there is a convenant in his deed that prohibts the construction of such a building in the rear yard. A spring runs along the rear of his property and neighboring reservice. Er. Sures testified that he purchased the property for 150, and unchanged the horse approximately three .3) wonths from to the date of the hearing. By his own adminutes, he stated that when he purchased the property re knew that he could no: construct a stable in the rear.

Frederick Underwood, a next door neighbor, testified that his well was near the property line of the subject property.

Before the Deputy Zening Commissioner of Baltimore County can grant a Variance from the Baltimore County Zoning Rogalations, the Petitioner sust show that strict compliance with the Zoming Regulations would result in practical difficulty or unreasonable hardship. Furthermore, such Variances shall be granted only is such a manner as to grant relief without substantial injury to the public houith, safety and general welfare.

Firstly, the Petitioner failed to show that strict compliance with the Zoning Regulations would result in a practical difficulty or an unreasonable hardship. In fact, the Petitioner created his own hardship and has knowledge thereof because of the convenant in his deed prohibiting the construction of such a structure in the rear yard. The horse was not purchased until approximately four (h) months after he purchased the property.

R. R. 1, Box 379-20 Glen Arm Road

Glen Ara, Maryland 21057 June 22, 1970

Secondly, there is a strong possibility that if this Variance would be ranted, it could be detrimental to the public health, safety, and general welfare in that Mr. Underwood's well might become contaminated with the housing

For the aforegoing reason, it is Okubikan by the Deputy Zoning Commissioner of Baltimore County this ______ day of ______, 1979, that the Petition for a Variance from Section 400.1 of the Zoning organition. Baltimore County to permit an accessory building to be located in the out yard instead of the rear yard, be and the same is hereby D

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Edward D. Hardesty, Zoning Commissioner

in proximity to mine, would have required water to run up hill, which I doubt exists, even in Glen Arm. Consequently, there is no danger to Public Health, Safety and General Welfare (whatever that might be).

It is readily evident that the besis of the decision is ill conceived, unfounded, discriminatory and apparently brought about by other factors of which the writer is unawars. About all it does is establish a level of intelligence and competence of (ounty overnment.

Just Burne

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FWB/mb

BALTIMORE COUNTY, MARYLAND

Date April 29, 1970

TO Edward Hardesty ATTN: Oliver L. Myers

FROM Ellsworth N. Diver, P.E.

Item 209 (1969-1970)
Property Owner: F. Williams Burns
S/NS Glears Rd. M/Z of Manor Rd.
Present Zening: RdPreposed Zening: Variance to permit accessory Bldg.
In front yard instead of req. rear yard

No. Acres: 2.13 acres

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Glenara Road is an existing road which will ultimately be improved on a 60-foot right-of-way. No improvements will be required at this time.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary are persament) to prevent creating any muisances or desapes to adjacent or any problems within any result of the proper practice of any problems within any result, due to the proper practice of the provider of drainage facilities, would be the full responsibility of the pattioner.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, demaring private and public holdings demartemen of the property. A grading certait is, therefore, necessary for all grading, including the stripping of top sois.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Public water and sanitary sewer services are not available at this time. Private water and sewer disposal systems will be required in accordance with the Health Department standards.

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