

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Elmer E. Austin, 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,

do hereby petition for a variance from Section 211.1 to permit two lots with frontage, respectively, of 66.29 feet and 43.80 feet instead of required

55.1 the area being about 9800 sq. feet and 8900 sq. feet, respectively, which is more than required

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty) at the time when the lots in this locality were laid out the average frontage was 50' and zoning regulations did not apply. The present improvements have separate water meters and separate septic systems. To grant this variance will not affect public health, safety or general welfare of the neighborhood; on the other hand, the present situation imposes great hardship on the petitioners.

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., on 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.

BY Elmer E. Austin
Contract purchaser
Address 8102 Shore Road
Dundalk, Maryland (21222)

BY Nelson B. Kerr
Petitioner's Attorney
Address 210 W. Pennsylvania Ave.
Towson, Maryland (21204)

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1971, 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 12th day of April, 1971, at 11:00 o'clock

County on the 12th day of April, 1971, at 11:00 o'clock

By Edward D. Hordt
Zoning Commissioner of Baltimore County.

(over)

INVOICE NUMBER
433-2382

William G. Ulrich, Jr.
Registered Land Surveyor

18 FULLERTON HEIGHTS AVE. BALTIMORE, MD. 21236

FOR THE PURPOSE OF ZONING ONLY

Beginning for the same on the northernmost side of Shore Road (30.00 feet wide) at the beginning of that parcel of land which by a deed dated September 30, 1963, and recorded among the land records of Baltimore County in Liber R.R.G. No. 4213 folio 116 etc. was granted and conveyed by Verona H. Stratsmann to Elmer E. Austin and Catherine H. Austin his wife said point of beginning also being 2088.00 feet more or less southeasterly along the north side of Shore Road from its intersection with the centerline of Stratsmann Road, running thence and binding on the north side of Shore Road north 22 degrees 42 minutes west 50.00 feet thence leaving the north side of Shore Road and running south 62 degrees 40 minutes west 185.17 feet to the existing shore line of Bear Creek, thence binding on Bear Creek south 38 degrees 24 minutes east 50.78 feet, thence leaving Bear Creek and running north 62 degrees 40 minutes east 171.38 feet to place of beginning.

Containing 0.205 of an acre more or less.



William G. Ulrich, Jr.

RESIDENCE PHONE
443-8847

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 11, 1971

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

PERKINS 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

Nelson B. Kerr, Esq.,
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Variance
Location: W/S Shore Road, 2008' So.
of Stratsmann Road
Petitioners: Elmer Austin, et ux
Committee Meeting of February 23, 1971
12th District
Item 177

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 improved with two dwellings which are the subject of this application. They will be separated and sold. The surrounding property is all residential in character and fronts on the water. Shore Road in this location is not improved insofar as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

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

Highways:

Shore Road, an existing road, is proposed to be improved in the future, as a 30-foot section on a 40-foot minimum right-of-way. Highway improvements are not required at this time. However, highway right-of-way widening, together with any necessary subsequent grading or building permit application.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration

Nelson B. Kerr, Esq.
Item 127
Page 2

March 11, 1971

of surface waters. Correction of any problem which may result due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property.

HEALTH DEPARTMENT:

Public Water and Sewer is available to this site.

The sewage disposal system appeared to be functioning properly at the time of inspection.

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject front yard variance should have no effect on traffic.

BUILDINGS ENGINEER'S OFFICE:

No comment from this office at this time.

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. Myers
OLM:JD
Enc.

Nelson B. Kerr, Esq.,
210 W. Pennsylvania Avenue
Towson, Md. 21204

Item 127

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

21st day of February, 1971

Edward D. Hordt
Zoning Commissioner

Petitioner Elmer Austin, et ux

Petitioner's Attorney Nelson B. Kerr

Reviewed by Oliver L. Myers
Chairman of the
Advisory Committee

INVOICE		NO 78606	
BALTIMORE COUNTY, MARYLAND		DATE April 12, 1971	
OFFICE OF FINANCE			
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		MAILED	
Being Dept. of Baltimore County			
TO: <u>Elmer E. Austin</u> 8102 Shore Road Dundalk, Md. 21222		TOTAL AMOUNT \$25.00	
DEBIT TO ACCOUNT NO. 01-602		CREDIT	
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS			
QUANTITY	1	UNIT PRICE	\$25.00
Petition for Variance 871-349-A			

INVOICE		NO 78608	
BALTIMORE COUNTY, MARYLAND		DATE April 12, 1971	
OFFICE OF FINANCE			
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		MAILED	
Being Dept. of Baltimore County			
TO: <u>Elmer E. Austin</u> 8102 Shore Road Dundalk, Md. 21222		TOTAL AMOUNT \$49.70	
DEBIT TO ACCOUNT NO. 01-602		CREDIT	
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS			
QUANTITY	1	UNIT PRICE	\$49.70
Advertising and posting of property 71-349-A			

PETITION FOR VARIANCE
121 DISTRICT

ZONING: Petition for Variance for Lot 121.

LOCATION: Northwestern side of Shore Road (30.00 feet wide) at the beginning of that parcel of land which by a deed dated September 30, 1963, and recorded among the land records of Baltimore County in Liber R.R.G. No. 4213 folio 116 etc. was granted and conveyed by Verona H. Stratsmann to Elmer E. Austin and Catherine H. Austin his wife said point of beginning also being 2088.00 feet more or less southeasterly along the north side of Shore Road from its intersection with the centerline of Stratsmann Road, running thence and binding on the north side of Shore Road north 22 degrees 42 minutes west 50.00 feet thence leaving the north side of Shore Road and running south 62 degrees 40 minutes west 185.17 feet to the existing shore line of Bear Creek, thence binding on Bear Creek south 38 degrees 24 minutes east 50.78 feet, thence leaving Bear Creek and running north 62 degrees 40 minutes east 171.38 feet to place of beginning.

Containing 0.205 of an acre more or less.

TO: Elmer E. Austin
8102 Shore Road
Dundalk, Md. 21222

DATE: April 12, 1971

BY: Edward D. Hordt
Zoning Commissioner

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 25, 1971.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on or about the 12th day of April, 1971, the said publication appearing on the 25th day of April, 1971.

THE JEFFERSONIAN
Richard L. Hordt
Manager.

Cost of Advertisement: \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1 Sign

District: 124

Posted for: Elmer Austin, et ux

Petitioner: Elmer Austin, et ux

Location of property: W/S of Shore Road, 2008' S.E. of Stratsmann Rd

Location of Sign: 1 Sign, posted on W/S of Shore Road

Remarks: None

Posted by: Mark H. Ryan

Date of return: Mar 25, 1971

ORDER RECEIVED FOR FILING

DATE FILED 1971 APR 11

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 is further appearing that by reason of

a Variance to permit two lots with frontage of 66.29 feet and 49.30 feet to be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 13

day of APRIL, 1971, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order, to permit two lots with frontage of 66.29 feet and 49.30 feet instead of the required fifty-five (55) feet, subject to the 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 1971, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

PETITION FOR VARIANCE

138 DISTRICT
ZONING: Petition for Variance for Lot Width.
LOCATION: Northeastern side of "C" Road 3800.00 feet north-west of Strawn Road.
DATE & TIME: MONDAY, APRIL 12, 1971 at 10:00 a.m.
PUBLIC HEARING: Room 100, County Office Building, 41 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold public hearings: Petition for Variance from the Zoning Regulations of Baltimore County to permit two lots with frontage of 66.29 feet and 49.30 feet instead of the required 55 feet.

The Zoning Regulations to be amended are as follows: Section 211 - Lot Area and Width - 55 feet. All that parcel of land in the 138th District of Baltimore County.

Beginning for the acre on the northeastern side of Shore Road (30.00 feet wide) at the beginning of that parcel of land which by a deed dated September 30, 1962, and recorded among the land records of Baltimore County in Liber R.R.O. No. 4195 into 161st Ave., was granted and covered by Vernon H. Strawnman, Jr., Elmer E. Austin and Catherine H. Austin his wife said point of beginning also being 2788.20 feet more or less westerly along the north side of Shore Road from its intersection with the centerline of Strawn Road, running thence and bounding on the north side of Shore Road north 22 degrees 42 minutes west 18.00 feet thence leaving the north side of Shore Road and running south 72 degrees 40 minutes west 18.27 feet to the existing shore line of Bear Creek, thence bounding on Bear Creek and running north 62 degrees 49 minutes east 17.38 feet to place of beginning.

Containing 4.205 of an acre more or less. Being the property of Elmer E. Austin and Catherine H. Austin, as shown on plat filed with the Zoning Department. Hearing Date: Monday, April 12, 1971 at 10:00 a.m. Public Hearing: Room 100, County Office Building, 41 W. Chesapeake Avenue, Towson, Md. BY ORDER OF: EDWARD G. HARDESTY, ZONING COMMISSIONER OF BALTIMORE COUNTY

THE DUNDALK EAGLE
18 NORTH DUNDALK AVENUE
DUNDALK, MD 21111

AT 8-600

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY that the annexed advertisement of EDWARD G. HARDESTY in the matter of the hearing for a Petition for Variance on the property of Elmer E. Austin and Catherine Austin was inserted in the Dundalk in the issue of March 25, 1971.

Ronald E. Oelke
Publisher

ELMER E. AUSTIN
N/S of Shore Rd. 2080 SE of
Strawn Road
12th

RT-300-A

71-248-A
#127



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION
BY	DATE		
		1" = 200'	DUNDALK
		DATE OF PHOTOGRAPHY DEC 1954	
Topography Compiled By Photogrammetric Methods ABRAMS AERIAL SURVEY CORP LANSING MICH			

SHEET
S. 7
4-F

