

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JAMES R. GARDINER AND ANN M. GARDINER, 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 102.28 (205.21) to permit a front yard setback for another principal building (stable) of 67' from the property line and 77' from the centerline of the street instead of the required 70' and 90' respectively.

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

1. Convenience to driveway for unloading hay and straw and disposal of manure.
2. Only cleared area of fully wooded acreage easily visible from house for protection of horse and readily accessible water, not drained of all surface water.

Building 75' complete impractical to rowe.

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 James R. Gardiner
Legal Owner Ann M. Gardiner

Address 5014 Forge Road
Perry Hall, Md. 21128

Petitioner's Attorney _____
Protestant's Attorney _____

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 19th _____ day _____ 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 _____ 29th _____ day of November, 1971 at _____ o'clock _____ P. M.

Oliver L. Myers
Zoning Commissioner of Baltimore County.

(over)

LOCATION OF LOT IN THE NAME OF JAMES R. GARDINER AND ANN M. GARDINER, 11th DISTRICT, BALTIMORE CO., MARYLAND

Beginning at a point of 215 feet south-west of Hinkler Road on Forge Road, south 51° 17' 20" west 251.3 feet and south 59° 24' 20" west 129.75 feet, leaving the road north 25° 24' 33" west 624.95 feet to southerly most line of 50 foot right of way, thence N 34° 45' 03" E 461.47 feet, thence leaving the right of way north 13° 32' 35" west 442.34 feet to beginning point.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 11, 1971

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

MEMBERS
BUREAU OF ENGINEERING
EXPERIMENTAL
STATE ROADS COMMISSION
BUREAU OF PUBLIC UTILITIES
HEALTH DEPARTMENT
PUBLIC PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ANNUAL ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. James R. Gardiner
5214 Forge Road
Perry Hall, Maryland 21128

Re: Type of Hearing: Variance
Location: IM/S Forge Rd., 215' SW of Hinkler Rd.
Present Zoning: O.R. 1
Proposed Zoning: Variance from 1902.38 (205.21) front yard
Committee Meeting of Oct. 19, 1971
District: 11th
Item 60

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted by 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 on the north side of Forge Road just west of Hinkler Road. The property is currently improved with an attractive, two story frame dwelling and an existing stable in the front yard of the subject property, which is the subject of this petition. There is existing residential on either side of the subject site, as well as to the south of the subject site. There is no curb and gutter existing at this location.

BUREAU OF ENGINEERING:

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.

Highways:

Forge Road, an existing public road, is proposed to ultimately be improved with a 36 foot closed type roadway cross section on a 60 foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way and widening together with necessary reversible slope easements will be required in connection with any grading or building permit application.

Mr. James R. Gardiner
Page 2
Item 60
November 11, 1971

The plan should be revised to incorporate the proposed highway right-of-way widening requirements.

Storm Drains:

Provision for accommodating storm water or drainage have not been indicated on the submitted plan.

The southwest portion of this site is traversed by a swale, wet weather course downstream of an existing culvert.

The petitioner must provide necessary drainage facilities (temporary or permanent) 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 improper installation of drainage facilities, would be the full responsibility of the petitioner.

Sediment Control:

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

Water:

Public water supply is available and serving this property.

Sanitary Sewers:

Public sanitary sewerage is not available to serve this property which is utilizing private on site sewerage.

DEPT. OF TRAFFIC ENGINEERING:

The requested variance to a front yard has no bearing on traffic.

PROJECT PLANNING DIVISION:

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

BOARD OF EDUCATION:

No bearing on student population.

BALTIMORE COUNTY, MARYLAND No. 1458
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Sept. 22, 1971 ACCOUNT 01-662

AMOUNT \$42.50

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James R. Gardiner
Rt. 2 Box 175 B
Perry Hall, Md. 21128
Advertising and posting of property
#72-133-A 1845 RECD 22 4250 CMC

BALTIMORE COUNTY, MARYLAND No. 281
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 3, 1971 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James R. Gardiner
Rt. 2 Box 175 B
Perry Hall, Md. 21128
Petition for Variance #72-133-A 2500 CMC

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland #72-133-A

District 11th Date of Posting 11-11-71

Posted for Heating, Venting, Air 29.4 1971 B. 1.32 P.M.

Petitioner James R. Gardiner

Location of property N/S of Forge Road 215' SW of Hinkler Rd.

Location of Sign On Road on Forge Rd. Signel. and from
Grating Stable

Remarks _____

Posted by Paul H. Hoon Date of return 11-18-71

Mr. James R. Gardiner
Page 3
Item 60
November 11, 1971

FIRE DEPARTMENT:

This office has no comment on the proposed site.

HEALTH DEPARTMENT:

Metropolitan water and private sewers are available to the site, therefore, no health hazards are anticipated.

ZONING ADMINISTRATION DIVISION:

The existing stable that is located on the front of this property, which was apparently begun without a building permit and later picked up by the Building Engineer's Office referred the petitioner to this office to seek a variance. There are existing trees that completely surround the existing stable and it is quite difficult to see the stable as you travel along Forge Road. This office has no further comment pertaining to this petition.

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

OLIVER L. MYERS, Chairman

OLM:JD
Enc.

Mr. James R. Gardiner
5214 Forge Road
Perry Hall, Maryland 21128 Item 60

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 19th day of October 1971

Oliver L. Myers
Chairman of
Advisory Committee

Petitioner: James R. and Ann M. Gardiner
Petitioner's Attorney _____ Reviewed by Oliver L. Myers
Chairman of
Advisory Committee

