

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

we, James A. & Marilyn Dale, legal owners 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 1802.3C.1 to permit a sideyard setback for an open carport of 5' instead of the required 7.5'.

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

Extend roof of carport 4' to left side lot line ---- hard to get car in.

See attached description

NAME	73-12-A
FILE NO.	44283
ELECTION	
PAYMENT	
DATE	7/17/72
BY	
RECEIVED	
DATE	7/17/72
BY	

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 A. Dale, Marilyn J. Dale, Legal Owner
Address: 14 Highbury Court, Randallstown, Maryland 21133
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of July, 1972.

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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of July, 1972, at 1:00 P.M.

Eric D. Nenna
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION

Being located on the east side of Highbury Court, approximately 440' south of Tiverton Road and being known as Lot No. 64, Block D of the Plat of "Woodlands" and being recorded amongst the Land Records of Baltimore County in Plat Book O.T.G. 33, Folio 75.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: July 14, 1972

FROM: Norman E. Gerber, Office of Planning

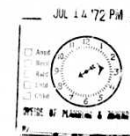
SUBJECT: Petition #73-12-A. East side of Highbury Court 440 feet south of Tiverton Road. Petition for variance for a side yard, James A. and Marilyn J. Dale - Petitioners

2nd District

HEARING: Monday, July 17, 1972 (1:00 P.M.)

The Office of Planning and Zoning will offer no comment on this petition at this time.

NEG:cm



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 28, 1972

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

Mr. James A. Dale
14 Highbury Court
Randallstown, Maryland 21133

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

RE: Variance Petition
Item 203
James A. & Marilyn Dale - Petitioners

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 attached comments are a result of this review and inspection.

The subject property is located on the east side of Highbury Court about 440 feet south of Tiverton Road, in the 2nd District of Baltimore County. This property is improved with an attractive two-story dwelling and is adjacent to similarly developed properties. Curb and gutters exist at this location.

The subject petition is accepted for filing, however, revised plans must be submitted prior to the hearing that indicate all existing structures within 200 feet of the property, the subdivision name and the existing driveway from Highbury Court.

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
John J. Dillon, Jr.
John J. Dillon, Jr.,
Planning/Technical/II

ULM:JDD:JD

Enclosure

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Property Owner James A. & Marilyn Dale

District 2

Present Zoning DR 3.5

Proposed Zoning VAR

No. Acres 115' x 116'

NO BEARING ON STUDENT POPULATION

ITEM # 203
JUNE 6, 1972

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 20, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 203, Zoning Advisory Committee Meeting June 6, 1972, are as follows:

Property Owner: James A. and Marilyn Dale
Location: E/S Highbury Court, 440' S of Tiverton Road
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit a sideyard setback for an open carport of 5' instead of required 7.5'.
District: 2
No. Acres: 115' x 116'

Metropolitan water and sewer are available. Since this variance is for a setback, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna Date: June 28, 1972

ATTN: Oliver L. Myers

FROM: Ellsworth S. Myers, P.E.

SUBJECT: Item #203 (1972-1972)
Property Owner: James A. and Marilyn Dale
E/S Highbury Court, 440' S. of Tiverton Road
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit a side yard setback for an open carport of 5' instead of required 7.5'.
District: 2nd
No. Acres: 115' x 116'

General:

Baltimore County utilities and highway improvements do not appear to be involved. This office has no further comment in regard to the plan submitted for review by the Zoning Advisory Committee in connection with the subject item except that the plan should be revised to include the basic information as required per Check List.

Ellsworth S. Myers
Ellsworth S. Myers, P.E.
Bureau of Engineering

END:RAN:PM:ms

cc: Matti A. Kessler

PLM New Sheet
31 W JB Position Sheet
56 9 1 Topo
66 Tax Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR
Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

June 9, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 203 - ZAC - June 6, 1972
Property Owner: James & Marilyn Dale
Highbury Court S. of Tiverton Road
Variance from Sec. 1802.3C.1 to permit a side yard setback for an open carport of 5' instead of req. 7.5
District 2

Dear Mr. DiNenna:

No traffic problems are anticipated from the requested variance.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:mf

AUG 29 1972

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 due to the lot line adjacent to the proposed addition being located at an angle to the said addition, strict compliance to the Baltimore County Zoning Regulations would result in a practical difficulty, therefore,

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community.

to permit a side yard setback for an open carport of five feet (5') instead of the required 7.5 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of July, 1972, 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 for an open carport of five feet (5') instead of the required 7.5 feet subject to the approval of a 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 July, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRELS
Director
Jefferson Building
Suite 201
Towson, Md. 21204
(410) 321-1111

S. ERIC DINENNO
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
(410) 321-1111

June 12, 1972

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 203, Zoning Advisory Committee Meeting, June 6, 1972, are as follows:

Property Owner: James A. and Marilyn Dale
Location: E/S Highbury Court, 440' S of Tiverton Road
Present Zoning: D.R.3.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit a sideyard setback for an open carport of 5' instead of req. 7.5
District: 2
No. Acres: 115' X 116'

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

Very truly yours,

Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNO
Zoning Commissioner
JAMES E. DYER
Deputy, Zoning Commissioner



410 - 321-1111
410 - 321-1111

July 6, 1972

Mr. James A. Dale
11 Highbury Court
Randallstown, Md. 21133

Re: Petition for Variance
PZ-12-A

Dear Sir:

This is to advise you that \$10.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 121, County Office Building, before the hearing.

Very truly yours,

S. ERIC DINENNO
ZONING COMMISSIONER

SED/ta

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

878-7518

June 1, 1972

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. J. L. Myers, Chairman
Zoning Advisory Committee

Re: Property Owner: James A. and Marilyn Dale

Location: E/S Highbury Court, 440' S. of Tiverton Road

Item No. 203 Zoning Agenda June 6, 1972

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *[Signature]* Noted and Approved:
Special Inspection Division Deputy Chief, Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRELS
Director
Jefferson Building
Suite 201
Towson, Md. 21204
(410) 321-1111

June 29, 1972

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

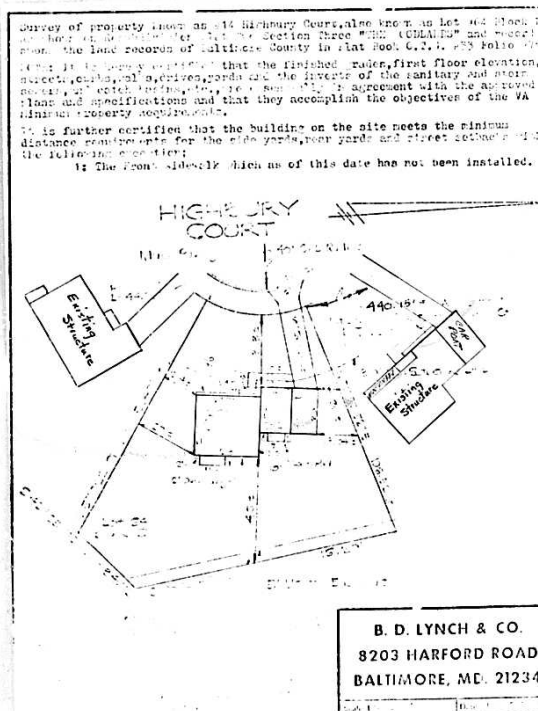
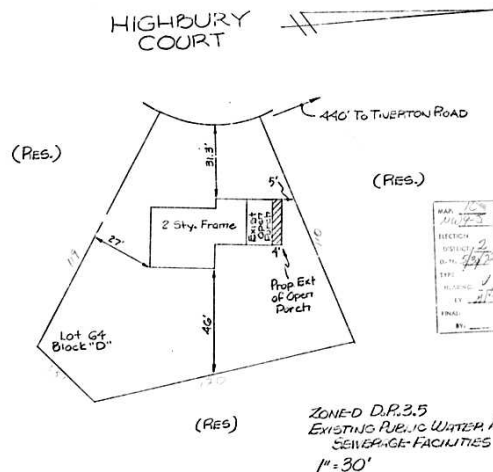
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District: 2
No. Acres: 115' X 116'

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

Very truly yours,

Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 204 Date of Posting: July 1, 1972
Posted for: VARIANCE
Petitioner: JAMES A. DALE
Location of property: E/S OF HIGBURY COURT, 440' S. OF TIVERTON RD.
Location of Sign: 114 - HIGBURY COURT
Remarks: *[Signature]* Date of return: July 14, 1972
Posted by: *[Signature]* Signature

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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 the~~ ~~one~~ ~~time~~ ~~annexed~~ ~~weeks~~ before the 17th day of JULY, 1972, the ~~last~~ publication appearing on the 22th day of JUNE, 1972.

L. Lesak Smith
Manager.

Cost of Advertisement, \$.....

[illegible]

Pikesville, Md. June 29, 1972

THIS IS TO CERTIFY, that the annexed advertise-
ment was published in THE NORTHWEST STAR, a
weekly newspaper printed and published in Pikes-
ville, Baltimore County, Maryland, once in each
of one time before the 17th
day of July, 1972
the first publication appearing on the 29th
day of June, 1972

Arnold Landa *Arnold Landa*
Manager

Cost of Advertisement, \$ 19.25

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Description checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, EA, CC, CA										
Reviewed by:										
Previous case: _____										

Revised Plans:
Change to outline or description. ____ Yes
____ No

Map # _____

Item 203

County Office Building
111 W. Chesapeake Avenue
Tooele, Maryland 21204

our Petition has been received and accepted for filing
this 14th day of June 1972

S. ERIC DINENIA,
Zoning Commissioner

Petitioner's Attorney _____ Reviewed by Steve J. Nigro Jr.
Chairman,
Advisory Committee

Item 203

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 4th day of June 1972

S. ERIC OINENMA,
Zoning Commissioner

Petitioner's Attorney _____ Reviewed by Charles F. Nye, Jr.
Chairman,
Advisory Committee

No. 3720

DATE June 26, 1972 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER
Tolson 1 2-3-
PINK - AGENCY
YELLOW - CUSTOMER

WHITE - CASHIER
James A. Dale
14 Highbury Court

14 Highbury Court
Randallstown, Md. 21133

Petition for Variance
#73-12-A

25.0 C H₂O

No. 3750

DATE July 13, 1978 ACCOUNT 01-662

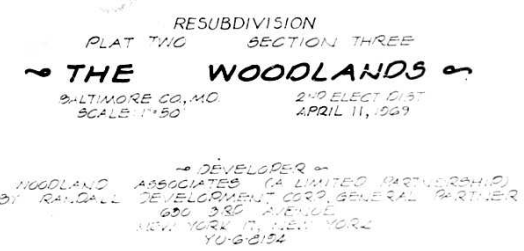
AMOUNT \$12.25

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

The Ryland Group, Inc.
Ridewood Building
Suite 300
1107 Kemilworth Dr.
Baltimore, Md. 21204
Advertising and printing

4225
#73-12-A
erty for James Dale

CURVE DATA							
From	To	Radius	Length	Tangent	Central Angle	Chord Bearing	Distance
16	17	175.00	100.65	93.41	27 13.02'	N 63° 21' 41" W	100.35'
17	18	150.00	83.53	23.53	27 13.02'	N 63° 21' 41" W	83.53'
18	19	1050.00	104.05	50.05	25° 41' 13"	N 75° 50' 23" W	100.39'
19	20	1650.00	168.35	61.51	45° 43' 32"	N 45° 01' 26" W	168.02'
20	21	775.00	172.62	63.71	12° 46' 35"	N 04° 35' 15" E	172.46
21	22	225.00	30.55	15.85	34 30.43'	N 04° 15' 49" W	30.40'
22	23	30.00	2.90	1.56	26 59.33'	S 05° 59' 13" E	2.91'
23	24	50.00	2.50		244.0 3.91'		
24	25	121.01	137.01'	76.76	64° 56' 25"	S 31° 24' 36" E	120.81'
25	26	220.00	100.55	39.31	15° 15' 42"	S 04° 25' 41" E	100.35'
26	27	1076.00	387.15	129.65	20° 42' 41"	N 67° 36' 15" W	386.99'
27	28	1225.00	276.65	166.65	2° 56' 06"	N 07° 01' 39" W	275.61'
28	29	50.00	50.65	21.74	5° 00' 04"	S 00° 41' 02" E	49.55'
29	30	50.00	211.15		245° 00' 20"		
30	31	1175.00	346.36	174.45	16° 55' 25"	S 05° 05' 25" W	345.11'
31	32	1070.00	5.65	3.03	16° 55' 25"	S 05° 05' 25" W	5.66'
32	33	1675.00	205.5	105.55	14° 55' 00"	N 74° 55' 00" W	205.59'
33	34	50.00	21.97	4.61	25° 36' 33"	S 6° 41' 11" E	21.98'
34	35	50.00	225.95		262° 44' 31"		
35	36	50.00	31.05	9.51	43° 25' 00"	N 77° 34' 20" E	36.50'
36	37	975.00	150.55	55.56	14° 11' 51"	N 75° 07' 02" E	150.24'

[illegible]