

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
at xx
I, or we, Michael T. Whittaker, 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 1802.3C.1 to permit a lot width of fifty feet (50') instead of the required seventy feet (70') and to permit a minimum side yard of 6 feet instead of the required 10 feet.

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

Dwelling exists on lot. The variance would allow us to develop the adjacent lot which would conform to the present Regulations.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense 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: Michael T. Whittaker, Margorie L. Whittaker Owners
Address: 4108 Cliffvale Road
Baltimore, Md. 21236

Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of August, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of October, 1972 at 11:30 o'clock

10:58 - 72 PM



73-98-A
#25
10/11/72
10/11/72

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 11, 1972

Mr. Michael T. Whittaker
4108 Cliffvale Road
Baltimore, Maryland 21236

RE: Variance Petition
Item 23
Michael T. Whittaker, et ux - Petitioner

Dear Sir:

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 located on the northeast side of Cliffvale Road, 1100 feet northwest of Belair Road, in the 11th District of Baltimore County. This 0.35 lot is currently improved with a small one-story masonry dwelling and a detached garage. The lot itself is 125 feet wide by 170 feet deep, on the average. It is the understanding of this Committee that the petitioner wishes to split this lot into two lots; one 50' x 163', and the other 75' x 166'. The property immediately to the southeast is improved with an old trailer which has apparently existed at this location for many years. The property on the northwest side is unimproved. There are existing dwellings on the southwest side of Cliffvale Road. The north corner of this property is traversed by two sets of power lines which are indicated on the site plan. On the north side of the power lines and immediately at the rear of this property is the Perry Hall Swim Club. There is no curb and gutter existing at this location.

The day of this inspection we met Mr. Whittaker at the site. He was advised that an additional variance should be requested for the existing dwelling of 6 feet instead of the required 10 feet, since he agreed this has been added to his petition.

This petition is accepted for filing, however, a revised site plan should be submitted that reflects the comments of the Bureau of Engineering. Also the revised site plan should indicate the approximate location of the Perry Hall Swim Club and the dimensions of the existing dwelling and garage.

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

Mr. Michael T. Whittaker
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September 11, 1972

Filing certificate, will be forwarded to you in the near future.

Very truly yours,

John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

JJD:JD

Enclosure

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21284

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Director
Wm. T. MELSER Deputy Traffic Engineer

August 23, 1971

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

Re: Item 23 - ZAC - August 8, 1972
Property Owner: Michael T. Whittaker, et ux
Cliffvale Road NW of Belair Road
Variance from Section 1802.3C.1 to permit a lot width of 50' instead of req. 70' - Dist. 11

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to this site.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nr

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
EUGENE J. CLIFFORD, P.E. Chief

August 11, 1972

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

Re: Item #23 (1972-1973)
Property Owner: Michael T. Whittaker, et ux
N/2 of Cliffvale Rd., 1100' N/W of Belair Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit a lot width of 50' instead of required 70'
District: 11th No. Acres: 50' x 163'

Dear Mr. DiNenna:

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.

General:

It appears that a subdivision plat may be required in connection with this property, or the overall lot of which the westernmost portion of this site may be a part.

The plan should be revised to indicate adjacent property ownerships, particularly the Perry Hall Swimming Club, Inc., and the status of the electrical transmission rights-of-way, i.e. fee-simple or easement.

Highways:

Cliffvale Road, an existing County road, is proposed to be improved in the future as a 30-foot classed-type roadway cross-section on a 50-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, based upon the centerline of the existing right-of-way, will be required in connection with any grading or building permit application. The plan must be revised to indicate the proposed highway right-of-way widening.

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 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.

Item #23 (1972-1973)
Property Owner: Michael T. Whittaker, et ux
Page 2
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Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available and serving this property.

Very truly yours,

Samuel S. Diver
WELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:FWH:res

Q-54 Key Sheet
45 ME 29 Position Sheet
ME 11 & 12 H Topo
63 Tax Map

cc: John Somers

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

872-7310

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

Attention: Mr. Jack Dillon
Chairman
Zoning Advisory Committee

Re: Property Owner: Michael T. Whittaker, et ux

Location: N/E side of Cliffvale Road, 1100' N/W of Belair Road

Item No. 23 Zoning Agenda Tuesday, August 8, 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 reference 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 structure 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: _____ Noted and Approved: _____
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 9, 1972

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

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

Dear Mr. DiNenna:

Comments on Item 23, Zoning Advisor, Committee Meeting, August 8, 1972, are as follows:

Property Owner: Michael T. Whittaker, et ux
Location: N/E side of Cliffvale Road, 1100' N/W of Belair Road
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit a lot width of 50' instead of required 70'.
District: 11
No. Acres: 50' x 163'

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:ann

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 practical difficulty, majority of the lots in the area are improved with fifty (50) foot lots, as such, the granting of the Variance would not be unreasonable and

the above Variance should be had; and it further appearing that by reason of the health, safety, and general welfare of the neighborhood not being adversely affected,

a Variance to permit a side yard of six (6) feet instead of the required ten (10) feet, and to permit a lot width of fifty (50) feet instead of the required seventy (70) feet for the total containing of the Petitioner's two (2) adjoining lots, is hereby granted by the Zoning Commissioner of Baltimore County this 19th day of October, 1967, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

James S. D. 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, on this 19th day of October, 1967, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby Acting Director

S. ERIC DINENNA Zoning Commissioner

Mr. S. Eric DiNenna, Zoning Commissioner

September 21, 1972

Dear Mr. DiNenna:

Comments on Item #23, Zoning Advisory Committee Meeting, August 8, 1972, are as follows:

Property Owner: Michael T. Whittaker, et ux Location: N/E side of Cliffvale Road, 1100' N/W of Belair Road Present Zoning: D.R.3.5 Proposed Zoning: Variance from Section 1802.3C1 to permit a lot width of 50' instead of required 70' District: 11 No. Acres: 50' X 163'

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

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 2, 1972

Mr. S. Eric DiNenna Zoning Commissioner

Re: Item #23 ZAC meeting of August 1, 1972 Property Owner: Michael T. Whittaker, et ux Location: N/E side of Cliffvale Rd., 1100' N/W of Belair Rd. Present Zoning: D.R. 3-5 Proposed Zoning: Variance from Section 1802.3C1 to permit a lot width of 50' instead of required 70'

District: 11 No. Acres: 50' X 163'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Mick Petrovich Field Representative

WMP:ld

T. BA AND WILLIAMS, JR. PRESIDENT EUGENE W. MOSS V. WHITE, COUNTY CLERK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: October 12, 1972

FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition #73-92-A, Northeast side of Cliffvale Road 1100 feet Northwest of Belair Road. Petition for Variance for Lot Width and Side Yard. Michael T. Whittaker and Marjorie L. Whittaker - Petitioner 11th District

HEARING: Thursday, October 19, 1972 (1:30 P.M.)

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

COPIES RECEIVED FOR FILING DATE 10/23/72 BY

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1972, Legislative Day No. 16

RESOLUTION NO. 20-72

Mr. Barrett, Councilman

By the County Council October 2, 1972

WHEREAS, Michael T. Whittaker, an employee of the Baltimore County Fire Department, and his wife, are joint owners of real property known as 4108 Cliffvale Road, Election District No. 14 of Baltimore County; and

WHEREAS, the owners of said property are about to petition the Zoning Department for variances for front and side yard widths on said property; and

WHEREAS, pursuant to Section 1001 (a) and (b) of the Baltimore County Charter, Michael T. Whittaker, has by this resolution, made a full public disclosure of all pertinent facts to the members of the County Council of Baltimore County, Maryland.

BE IT RESOLVED by the County Council of Baltimore County, Maryland that the interest of Michael T. Whittaker in the aforesaid property does not contravene the public welfare pursuant to Baltimore County Charter Section 1001 (a) and (b).

APPROVED BY BALTIMORE COUNTY COUNCIL

November 9, 1972

Mr. S. Eric DiNenna Zoning Commissioner of Baltimore County

RE: Petition for Variance NO. 73-92-A

Dear Mr. DiNenna:

I am hereby requesting that you please issue a building permit for 4106 Cliffvale Road, in the Eleventh District of Baltimore County.

I agree to assume all of the responsibility and withhold the costs of any appeal for the above mentioned Petition for a Variance. I request that this permit be issued as it would create an undue hardship upon myself and family to wait until next spring to obtain this permit.

Thanking you in advance for your cooperation in this matter, I remain,

Very truly yours, Michael T. Whittaker

DESCRIPTION FOR VARIANCE

Beginning on the northeast side of Cliffvale Road, approximately 1100 feet northwest of Belair Road and thence running the four (4) following courses and distances:

- 1.) N 41° 12' W 50'; 2.) N 48° 43' E 166.33'; 3.) S 37° 45' E 50'; 4.) S 48° 48' W 163' to the place of beginning.

FOR ZONING PURPOSES ONLY, NOT FOR TRANSFER OF LAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 28, 1972

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 one day of October, 1972, the last publication appearing on the 28th day of September, 1972.

THE JEFFERSONIAN, Manager

Cost of Advertisement, \$

PERMISSION FOR PUBLICATION IN THE JEFFERSONIAN... I, Norman E. Gerber, Manager of the Baltimore County Office of Planning and Zoning, do hereby certify that the above mentioned advertisement was published in the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one day of October, 1972, the last publication appearing on the 28th day of September, 1972.

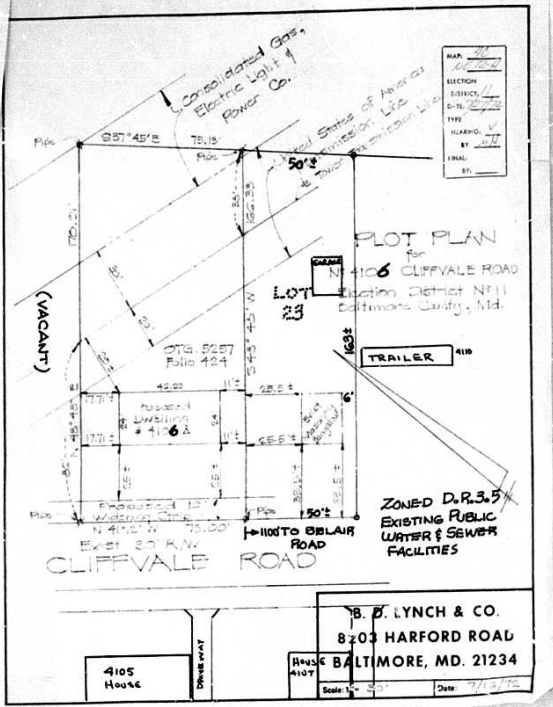
OFFICE OF THE ESSEX TIMES

ESSEX, MD. 21221 October 2 - 1972

THIS IS TO CERTIFY that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 2nd day of October 1972 that is to say, the same was inserted in the issue of September 28, 1972.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan



PETITION MAPPING PROGRESS SHEET

FUNCTION	Wal. Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>J.P.S.</i>	Revised Plans:		Change in outline or description		Yes		No			
Previous case:	Map #									

Item 23

Mr. Michael T. Whittaker
4108 Cliffvale Road
Baltimore, Maryland 21236

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 _____ 8th day of August 1972.

E. D. Thomas
ERIC D. THOMAS,
Zoning Commissioner

Petitioner: Michael T. Whittaker, et ux

Petitioner's Attorney: _____ Reviewed by: *John P. Miller*
Chairman, Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Town, Maryland

District: *117th* Date of Posting: *Apr. 28, 72*

Posted for: *Heavy Sign. Oct. 19, 1972. 5:13 P.M.*

Petitioner: *Michael T. Whittaker*

Location of property: *N.E. 1/4 of Cliffvale Rd. 1100' N.W. of Blair Rd.*

Location of Sign: *1 Sign. Post. at approx. 1100' N.W. of Blair Rd. on N.E. 1/4 of Cliffvale Rd.*

Remarks: _____

Posted by: *Michael Thomas* Signature Date of return: *Oct. 5, 72*

BALTIMORE COUNTY, MARYLAND No. 5072

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: *Oct. 11, 1972* ACCOUNT: *01-662*

AMOUNT: *\$12.50*

WHITE - CASHIER
Michael T. Whittaker
1108 Cliffvale Rd.
Baltimore, Md. 21236
Advertising and posting of property
#73-92-A

DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

4 250 CMC

BALTIMORE COUNTY, MARYLAND No. 5038

OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: *Sept. 26, 1972* ACCOUNT: *01-662*

AMOUNT: *\$25.00*

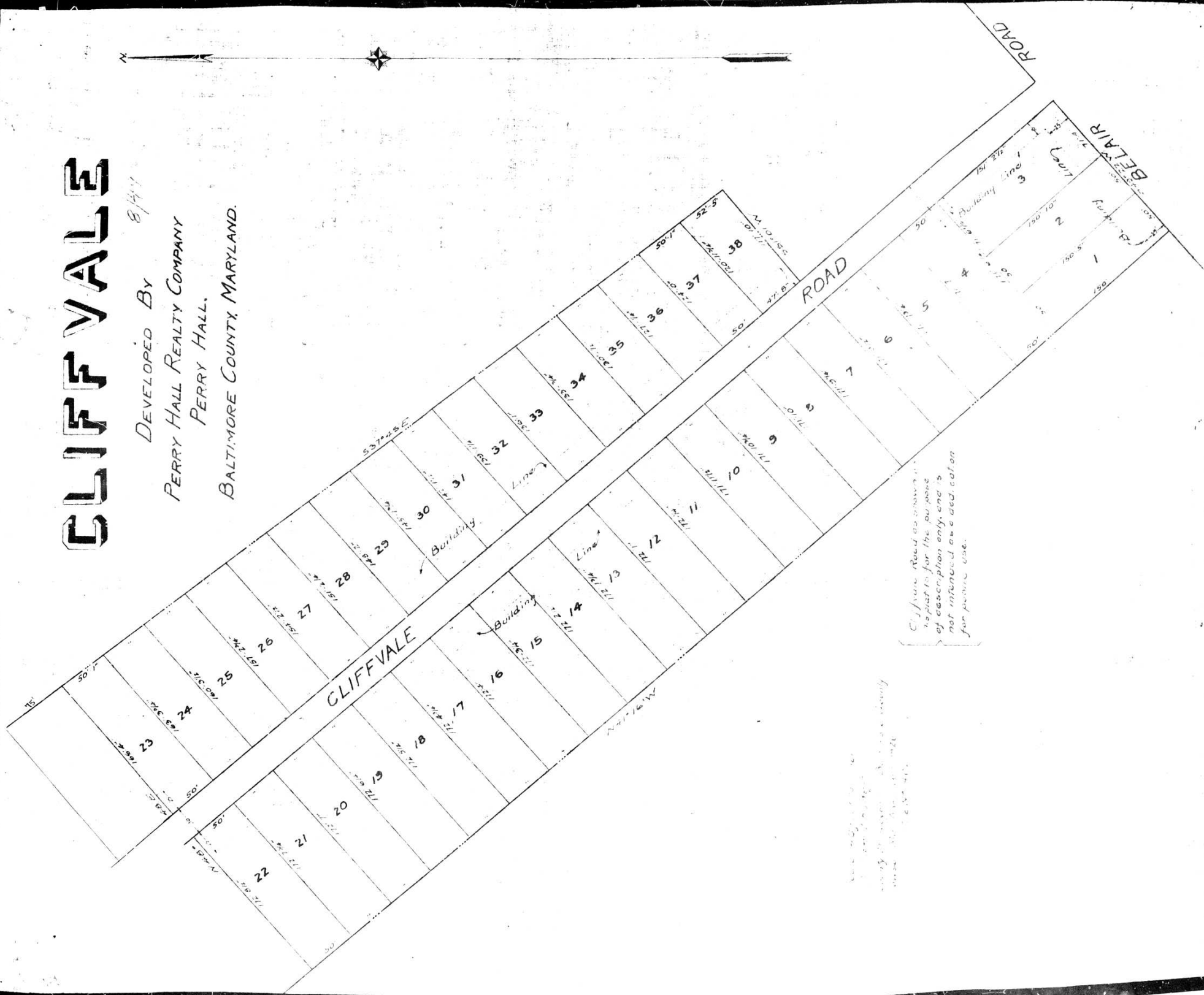
WHITE - CASHIER
Michael T. Whittaker
1108 Cliffvale Road
Baltimore, Md. 21236
Petition for Variance
#73-92-A

DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

2 500 CMC

CLIFFVALE

DEVELOPED BY
 PERRY HALL REALTY COMPANY
 PERRY HALL,
 BALTIMORE COUNTY, MARYLAND.



Cliffvale Road as shown is
 subject to the purpose
 of description only and is
 not intended as a dedication
 for public use.

Area of 100,000 sq. ft.
 100,000 sq. ft. = 2.28 acres
 100,000 sq. ft. = 2.28 acres

