

9 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Samuel A. Birchfield, 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 1802.3.C.1. to permit a front yard of 16' instead of the required 25'; a rear yard of 10' instead of the required 30'; and a front setback of 31' instead of the required 50'.

From the centerline of the street instead of 70'. The proposed variance is from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Existing lot is too small to facilitate a house of any desirable size for an average family. The setback requested will put the proposed dwelling

in line with the existing dwellings on North Dakota Avenue.

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 of Baltimore County.

Robert C. Ball
Samuel A. Birchfield
Ann L. Birchfield
Contract purchaser Legal Owner

Address: 1400 Rockwood Drive
Baltimore, Maryland 21222
Address: 410 Cedar Avenue
Baltimore, Maryland 21221

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of January, 1973, that this 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 21st day of February, 1973, at 10:00 o'clock.

S. Eric DiMenna
Zoning Commissioner of Baltimore County.

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

January 31, 1973

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

Re: Item #130 (1972-1973)
Property Owner: Samuel and Anna Birchfield
N/E cor. of North Dakota Avenue and Alma Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1 to permit a front yard of 16' instead of required 25'; a rear yard of 10' instead of required 30'; and a front setback of 31' instead of required 50' 1802.3C.2 (504 v.b.8)
District: 15th h.h. Acres: 5,000 sq. ft.

Dear Mr. DiMenna:

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:

Alma and North Dakota Avenues, existing public roads, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on 40-foot rights-of-way. Highway improvements are not required at this time. However, highway right-of-way widenings, based upon the centerlines of the present right-of-way, together with a sight distance filllet area at the intersection and reversible easements for slopes, will be required in connection with any grading or building permit application.

The plan should be revised to indicate the proposed highway right-of-way widenings.

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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Item #130 (1972-1973)
Property Owner: Samuel and Anna Birchfield
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January 31, 1973

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

William M. Ryan, P.E.
Chief, Bureau of Engineering

END:ENR:PW:RS

cc: John Somers
A-E Key Sheet
28 SE 31 Position Sheet
SE 7 H Topo
111 Tax Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLAFFORD, P.E. Wm. T. HALL

January 17, 1973

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

Re: Item 130 - ZAC - January 9, 1973
Property Owner: Samuel & Anna Birchfield
North Dakota Avenue & Alma Avenue
Variance from Section 1802.3.C.1 to permit a front yard of 16' instead of required 25'; a rear yard of 10' instead of required 30'; and a front setback of 31' instead of req. 50' 1802.3C.2 (504 v.b.8) - District 15

Dear Mr. DiMenna:

No major traffic problems are anticipated by the requested variances.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:NC

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 2, 1973

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

JOHN J. DILLON, JR.
Chairman

MEMBERS:

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF PUBLIC UTILITIES
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. Samuel A. Birchfield
410 Cedar Avenue
Baltimore, Maryland 21221

Re: Variance Petition
Item 130
Samuel & Anna Birchfield - Petitioners

Dear Mr. Birchfield:

The Zoning Advisory Committee has reviewed the plan 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations on the appropriateness of the requested zoning.

The subject property is located on the northeast corner of North Dakota Avenue and Alma Avenue, in the 15th District of Baltimore County. This residential (D.R. 5.5) zone property is currently unimproved. The adjoining properties are all improved with residential dwellings. No curb and gutter exists along either street and Alma Avenue dead ends just north of the subject property.

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,

John J. Dillon, Jr.
John J. Dillon, Jr.,
Chairman,
Zoning Advisory Committee

JJD:GAE:JD
(Enclosure)

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

January 10, 1973

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

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

Dear Mr. DiMenna:

Comments on Item 130, Zoning Advisory Committee Meeting January 9, 1973, are as follows:

Property Owner: Samuel and Anna Birchfield
Location: N/E corner North Dakota and Alma Avenues
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1 to permit a front yard of 16' instead of req 25'; a rear yard of 10' instead of req 30' and a front setback of 31' instead of req 50' 1802.3C.2 (504 v.b.8)
District: 15
No. Acres: 5,000 sq. ft.

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

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVS:nan

