

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
MELVIN H. AND GRACE M.

I, or we, ARNOLD, legal owner(s) 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 1801.2C.1 and 1802.3C.2 (504.V.B.8) to permit a side yard setback from the centerline of a street of thirty (30) feet instead of the required fifty (50) feet, and Section 1802.3C.1 to permit a side yard setback of 5' instead of required 10' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Existing lots were recorded in 1944 and all existing houses were built under Regulations that would permit the proposed setback. Present setback requirements prevent utilization of these lots for any building purposes whatsoever.

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.

Donald Thomas Busick
Contract purchaser
Address: 19 Edgemoor Road
Baltimore, Md. 21224
Petitioner's Attorney

Grace M. Arnold
Legal Owners
Address: 19 Edgemoor Road
Timonium, Maryland 21093
Protestant's Attorney

By The Zoning Commissioner of Baltimore County, this 25th day

1973, 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 28th day of February, 1973, at 10:00 o'clock.

(over)

DESCRIPTION FOR VARIANCE 8TH ELECTION DISTRICT

Being located on the southwest corner of Northwood Drive and Vista Lane and known as Lot Nos. 5 and 23 of Section F as shown on Plat No. 1 of Addition to Yorkshire, recorded amongst the Land Records of Baltimore County in Plat Book C.W.B., Jr. No. 13, folio 90.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 20, 1973

FROM: William D. Fromm, Director
Office of Planning and Zoning

SUBJECT: Petition #73-193-A, Southwest corner of Northwood Drive and Vista Lane, Petition for Variance for Side Yards.
Petitioners - Melvin H. Arnold and Grace M. Arnold

8th District
HEARING: Wednesday, February 28, 1973 (10:00 A.M.)

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

William D. Fromm
William D. Fromm
Director

WDF:NEGav

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesaapeake Ave.
Towson, Md. 21204
464-3311

January 29, 1973

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 #134, Zoning Advisory Committee Meeting, January 23, 1973, are as follows:

Property Owner: Melvin and Grace Arnold
Location: S/W corner of Northwood Drive and Vista Lane
Present Zoning: 8
Proposed Zoning: Variance from Section 1801.2C.3 and 1802.3C.2 (504.V.B.8) to permit a side yard setback from centerline of the street of 30' instead of required 50' and Section 1802.3C.1 to permit a sideyard setback of 5' instead of required 10'

District: 8
No. Acres: Lot #5 - 50' X 150' and Lot #23 - 50' X 150'

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 7, 1973

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

JOHN J. DILLON, JR.
Chairman

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

Mr. Melvin H. Arnold
19 Edgemoor Road
Timonium, Maryland 21093

RE: Variance Petition
Item 134
Melvin H. and Grace M. Arnold - Petitioners

Dear Mr. Arnolds:

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.

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 southwest corner of Northwood Drive and Vista Lane, and on the northwest corner of Belfast Road and Vista Lane. These two properties, which are back to back and parallel Vista Lane, are unimproved wooded lots that measure 50 feet by 150 feet. There is an existing dwelling adjacent to one of these lots on one side and across the street from both roads in this vicinity. Curb and gutter does not exist on the west side of Vista Lane, nor does it exist on the north and south sides of Northwood Drive or on the north and south side of Belfast Road. This property is zoned DR 5.5, and the petitioner is requesting a variance of 5 feet on the street side for both dwellings and a setback of 30 feet from the center line of Vista Lane, instead of the required fifty (50) feet.

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

Mr. Melvin H. Arnold
Re: Melvin H. and Grace M. Arnold -
Petitioners

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February 7, 1973

to you in the near future.

Very truly yours,

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

JJDjr:JU

(Enclosure)

cc: Mr. Donald Thomas Busick
8001 Hillendale Road
Baltimore, Maryland 21234

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

Branch of Engineering
ELLSWORTH H. DYER, P.E. CHIEF

February 7, 1973

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

Re: Item #134 (1972-1973)
Property Owner: Melvin and Grace Arnold
S/W corner of Northwood Drive and Vista Lane
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1801.2C.3 and 1802.3C.2 (504.V.B.8) to permit a side yard setback from centerline of the street of 30' instead of required 50' and Section 1802.3C.1 to permit a side-yard setback of 5' instead of required 10'
District: 8th No. Acres: Lot #5 50'x150' - Lot #23 50'x150'

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.

Highways:

Northwood Drive, Belfast Road and Vista Lane, existing public roads, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on 50-foot right-of-way. Highway improvements, including highway right-of-way and widening, and fillet areas for sight distance at the intersections and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

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.

Storm Drains:

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

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 #134 (1972-1973)
Property Owner: Melvin and Grace Arnold
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February 7, 1973

Water and Sanitary Sewers:

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

Very truly yours,

Ellsworth H. Dyer
Ellsworth H. Dyer, P.E.
Chief, Bureau of Engineering

END:ENR:PHS

S-WE Key Sheet
51 & 52 SW 1 Position Sheet
20 13 A Type
40 Tax Map

cc: John Tremmer
John Somers

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 Petitioner

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, Variances to permit a side yard setback from the centerline of a street of 30 feet instead of the required 50 feet; and to permit a side yard setback of 5 feet instead of the required 10 feet

should be granted

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of March, 1973, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, subject to the approval of a site plan by 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 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING TOWSON, MARYLAND 21204

January 18, 1973

DONALD J. 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 134, Zoning Advisory Committee Meeting
January 16, 1973, are as follows:

Property Owner: Melvin and Grace Arnold
Location: S/W cor. Northwood Drive and Vista Lane
Present Zoning:
Proposed Zoning: Variance from Section 1801.2C.3 and 1802.3C.2(504.V.B.8) to permit a side yard setback from centerline of the street of 30' instead of required 50' and Section 1802.3C.1 to permit a side yard setback of 5' instead of required 10'.
District: 8
Re-Acres: Lot #5=50'x150' and Lot#23= 50'x150'

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVS:mnd

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

JEFFERSON BUILDING TOWSON, MARYLAND 21204

February 28, 1973

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

Re: Item 134 - ZAC - January 23, 1973
Property Owner: Melvin & Grace Arnold
5M Corner Northwood Drive & Vista Lane
Variance from Section 1801.2C.3 and 1802.3C.2 (504.V.B.8) to permit a side yard setback from centerline of the street of 30' instead of req. 50' and Section 1802.3C.1 to permit a side yard setback of 5' instead of req. 10' - District 8

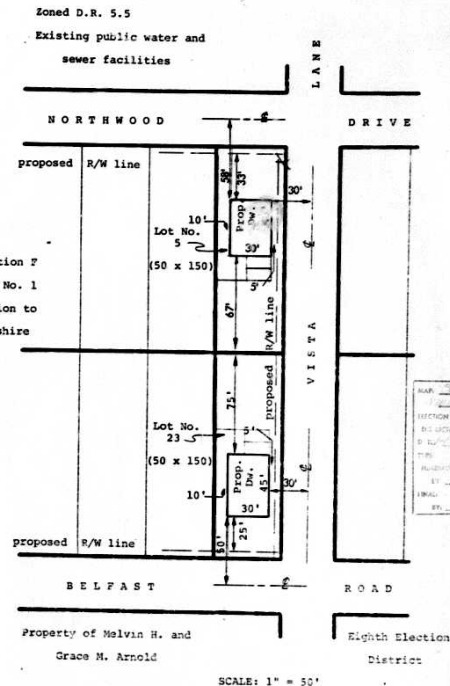
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the side yard setback.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc



THE TOWSON TIMES

TOWSON, MD. 21204 February 12 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 12 day of February 1973 that is to say, the same was inserted in the issue of February 8, 1973.

STROMBERG PUBLICATIONS, INC.

By: Rich Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published and published in Towson, Baltimore County, Md., on the 8th day of February 1973, the first publication appearing on the 8th day of February 1973.

THE JEFFERSONIAN
Antonia J. Shultz
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

JEFFERSONIAN DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 8 Date of Posting: 2-8-73
Posted for: Hearing Held Feb. 28, 1973 at 10:00 A.M.
Petitioner: Melvin H. Arnold
Location of property: S.W. cor. of Northwood Dr. & Vista Lane
Location of signs: Signs posted on S.W. cor. of Northwood Dr. & Vista Lane
Remarks: Fred H. Hens
Posted by: Fred H. Hens Date of return: 2-15-73

PETITION MAPPING PROGRESS SHEET

FUNCTION	W-1 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: JBB					
Previous copy:					
Revised Plans: Change in outline or description					
Yes					
No					
Map #					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 134
Mr. Melvin H. Arnold
5M Corner Northwood Drive
Towson, Maryland 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 28th day of February 1973.
S. Eric DiNenna
Zoning Commissioner
Petitioner Melvin H. and Grace H. Arnold
Petitioner's Attorney Reviewed by: J. B. Hens
on Mr. Gerald Thomas Smith
2000 Wilshire Road
Baltimore, Maryland 21204
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 7061
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Feb. 28, 1973 ACCOUNT 03-663
AMOUNT \$ 10.00
DISTRIBUTION
WHITE - CASHIER
YELLOW - CUSTOMER
Melvin H. Arnold
19 Magnolia Road
Towson, Md. 21204
Advertising and mapping of property - 773-193-1100