

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, National Birchwood Homes, Inc., 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 208.3 and 1802.3(B) to permit a side yard setback of 8.9' instead of the required 10' (A Variance of 1.1').

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

The Surveyor inadvertently staked the house wrong thinking he was in an "R-5" (DR 5.5) Area which required an 8' sideyard instead of the actual requirement of 10', which was required for an "R-10" (DR 3.5) area. The error was not realized until the house was well under construction and a mortgage certification was requested. Undo hardship and practical difficulty arise from the fact that the house is almost completed and cannot economically be moved the 1.1'.

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., up to a 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
Legal Owner
Address: National Birchwood Corp.
3726 Live Oak Road
Randallstown, Maryland 21133

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day

February 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 through-

out Baltimore County, that property be posted, and that the public hearing be held before the Zoning

Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore

County, on the 9th day of April, 1973, at 10 o'clock

P. M.

Eric D. DiNenna
Zoning Commissioner of Baltimore County.

(over)

108P
4/19/73

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 9, 1973

COUNTY OFFICE BLDG.
111 E. Frederick Ave.
Towson, Maryland 21204

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

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BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

National Birchwood Corp.
3726 Live Oak Road
Randallstown, Maryland

RE: Variance Petition
Item 149
National Birchwood Homes, Inc. - Petitioner

Gentlemen:

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 ensure 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 as to the appropriateness of the requested zoning.

The subject property is located on the southeast side of Hoyt Circle, 431 feet southwest of Gunstock Road, in the 2nd District of Baltimore County. This residential (D.R. 3.5) zoned property is currently improved with a partially constructed house. The adjacent properties surrounding this site have recently been improved with residential dwellings.

This petition is accepted for filing, however, the site plan must be revised to reflect any changes that are indicated in the attached comments.

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:JJD
(Enclosure)
c/o: Metz, Childs & Associates, Inc.
1020 Crumwell Bridge Rd. (21204)

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

February 23, 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 149, Zoning Advisory Committee Meeting
February 20, 1973, are as follows:

Property Owner: National Birchwood Homes
Location: 9941 Hoyt Circle
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 208.3 and 1802.3(B) to permit a side yard setback of 8.9' instead of required 10'.
District: 2
No. Acres: 0.25

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

HVB:mn

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR
WM. T. MELEN
DEPUTY TRAFFIC ENGINEER

April 10, 1973

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

Re: Item 149 - ZAC - February 20, 1973
Property Owner: National Birchwood Homes
9941 Hoyt Circle
Variance from Section 208.3 and 1802.3(B)
to permit a side yard setback of 8.9' instead
of required 10' - District 2

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 22, 1973

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

Re: Item 149
Property Owner: National Birchwood Homes
Location: 9941 Hoyt Circle
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 208.3 and 1802.3(B) to permit a side yard setback of 8.9' instead of required 10'

Z.A.C. Meeting of: February 20, 1973

District: 2
No. Acres: 0.25 acres

Dear Mr. DiNenna:

No effect on student population

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/ml

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

Division of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF

February 26, 1973

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

Re: Item 149 (1972-1973)
Property Owner: National Birchwood Homes
9941 Hoyt Circle
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 208.3 and 1802.3(B)
to permit a side yard setback of 8.9' instead of required 10'
District: 2nd No. Acres: 0.25 acres

Dear Mr. DiNenna:

Baltimore County utilities and highway improvements, although not involved, are as secured by Public Works Agreement #26115 executed in conjunction with the development of "Kings Point - Resubdivision of Section 3".

The plan should be revised to indicate the name of the subdivision and the recording reference of its Record Plat, and Paxton Road opposite the frontage of this lot.

Very truly yours,

Ellsworth N. Diver
Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:RAM:FOR:res

cc: Paul N. Koch

FD-35 Key Sheet
27 & 28 NW 1/4 Position Sheet
NW 7 E Topo
76 Tax Map

W. ENGLISH PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MR. ROBERT J. DENNEY

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RICHARD W. TRACEY, JMD
MR. RICHARD J. FLETCHER

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