## PETITION FOR ZONING VALANCE FROM AREA AND HEIGHT REGULATIONS 73-23 P. A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

National Birchwood Homes, legal owner, of the property situate in Baltis

a Variance from Section 208, 5 and 1B02, 3(B) to permit a side yard

etback of 8.9' instead of the required 10' (A Variance of 1.1').

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 5.5) 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".

## mee attached description

Property is to be pasted and advertised as prescribe.

I, or we, agree to pay expenses of above Variance advetions, and further spree to and are to be bound by the "or

No. American densited various to the Zoaling Law For as prescribed by Zening Regulations.

Variance advertising, posting, etc., up n filing of this 5673

multiple standard regulations and restrictions of multiple law for Baltimore County.

National Birchwood Corp. 3726 Live Oak Road Randalistown, Maryland 21133

Legal Owner

County. 1.00 419173

day of April



BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING

Acril 10, 1973

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

Re: Item 149 - ZAC - February 20, 1523 Property Owner: National Birchmood Homes 9941 Hoyt Circle Varianca from Section 208,3 and 1802,3(8) to permit a side yard setback of 8,91 instead of required 101 - District 2

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

michael S. Flow Michael S. Flanigan Traffic Engineer Associate

STOP LIVE ON BOOK BOOK OF BALTINGE COUNTY OFFICE OF PLANKING AND ZONING

County Office Building 111 W. Chesepeake Avenu Torson, Hervland 21206

Your Petit'on has been received and accepted for filing

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 9, 1973

JOHN J. DILLON, JR. Matienal Birchwood Corp.

MEMPERS BUREAU OF ENGINEERING DEPARTMENT OF

COUNTY OFFICE BLDG. 111 W. Chrisapeste Avr. Towson, Maryland 21204

STATE BOADS COMMESS BUREAU OF FIRE PREVENTION HEALTH DEPARTMENT

PROJECT PLANNING AT THE OF EDITE STORY INDISTRIAL DESIGNATION

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

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of alms 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 at to the appropriateness of the requested zoning.

The subject property is located on the southeast side of Myx Circle 31 feet boundheast of Gonston Soud, in the 2nd District of Soltinore County, This residential (2.8, 3.5) zoned property is currently increased with a partially constructed house. The adjacent properties surrounding this site have recently been improved with residential challings.

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 : feer the date on the filing certificate, will be forwarded to you in the near future.

Wery truly yours,

Gerald Elburn for

Unit J. 0111011, JR.,

Chairmen, Zoning Advisory Committee JJOJr.:JO (Enclosure) cu: Matz, Childs & Associates, Inc. 1020 Crrwell Bridge Rd. (21204)

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

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

Dear Mr. DiMenna:

Comments on Item 149, Zoning Advisory Committee Meeting February 20, 1973, are as follows:

Property Owner: Martonal Birchwood Homes Location: 9941 days (Sizela Freesat Zoning: D.E. 3.5 Proposed Zoning: Variance from Section 208.3 and 1802.3(8) to permit a side yard setback of 8.9' instead of required 10'.

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

Very truly yours, Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB: mn

**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

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

Res Item 149

Property Owner: Location: Present Zoning:

National Birchwood Homes 9941 Hoyt Circle D.R. 3.5 ariance from Section 208.3 and 1802.3 (B) to permit side yard setback of 8.9' instead of required 10'

District 0.25 acres

No effect on student population

Very truly yours, W. Nick Fetrovich Field Representati

LNP/ml

Baltimore County, Margiand Bepartment Of Bublic Works COUNTY OFFICE BUILDING

February 26, 3973

Mr. S. Eric DiMenna Zoning Commissioner County Office Building Towson, Maryland 2120h

Re: Item #189 (1972-1973)
Property Owner: National Sirchword Homer
9981 Hopt Circle
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 208,3 and 1802.3(8)
to permit a side yard setback of 8.09 instead of required
10: District: 2nd No. Acres: 0.25 scres

Baltimore County utilities and highway improvements, although not involved, are as secured by Public Works Agreement \$20116 executed in conjunction with the development of "Mings Felt" - Resuldivision of Section 3".

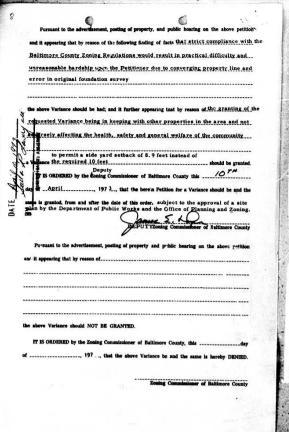
The plan should be revised to indicate: the name of the subdivision and the recording reference of its Record Flat, and Faxton Read opposite the frontage of this lot.

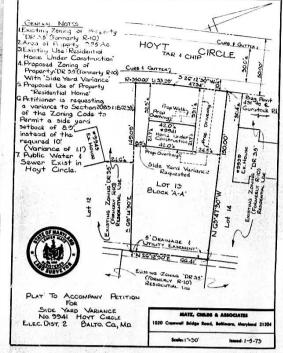
ELLSMORTH N. DIVER, P.E. Chief, Bureau of Engineering

END:RAM:FAR:SS

car Paul M. Koci

PP-SE Key Sheet 27 & 28 NW hl Position Sheet NW 7 K Topo 76 Tank Map







## DESCRIPTION

NO. 9941 HOYT CIRCLE, LOT 13 BLOCK "A-A", RESUBDIVISION OF SECTION 3 KINGS POINT, BALTIMORE COUNTY, MARYLAND.

## THIS DE WAPTION IS FOR SIDEYARD VARIANCE

Beginning for the same at a point on the southeast side of Hoyt Circle, 50 feet wide, at the division line between lots 13 and 14 block "A-A" as shown the Land Records of Baltimore County in Plat Book O. T. G. 34 page 76, said ing distant southwesterly 43! feet more or less from the center line of two courses (1) S 26° 12' 30" W 47.34 feet and (2) southwesterly by a curve to the left with a radius of 350.00 feet the distance of 33.29 feet to the division line between lots 12 and 13 of said block "A-A", thence binding thereon (3) S 69° 14' 30" E 149.09 feet, thence binding on the rear line of said lot 13, (4) N 26\* 12' 30" E 66.41 feet to said division line between lots 13 and 14, thence binding thereon (5) N 63° 47' 30" W 150.00 feet to the place of beginning.

Containing 0. 25 of an acre of land.

Being lot 13 block "A-A" as shown on the plat of the resubdivision of section 3, "Kings Point" recorded among the Lang Records alt in Plat Book O. T. G. 34 page 76.

Water Supply Being known as No. 9941 Hoyt Circle. RWB:ejq J.O.# 57110

PETITION	M	MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate data by		Tracing		200 Sheet		
Descriptions checked and outline plotted on map	1	67	date		-	-	date	5	date	by	
Petition number added to outline				501							
Dunied								•			
Granted by ZC, BA, GC, CA											
Reviewed by:			c	hange	d Plan in out	line o	r desc	riptio	 ';		

15	16N
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73 238 1

District 3 Md	Date of Posting Man Det 34. 73
Posted for VARIANCE	
POSSESSE NATIONAL BIREHWA	ond NOMES INC.
Landley of presents: SELS OF HE	ood Novies Tue. XI PARELE 431 FT SW OF AUDSTOCK Red.
1 the of Otens 99 41	HAYT PIROLE
Location of Signa: 99.41	HOYT PIRELE
Location of Signar. 99.41	HOXT EIREIE

	CERTIFICATE OF PUBLICATION
ON, MD. Nersh-St 1973	2684
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FFERSONIAN, a weakly imperparented	THIS IS TO CERTIFY, that the annexed advertise-
rece, Baltimore County, Bd., communication before the Sth.	ment was published in THE MORTHWEST STAR, a
1072	weekly newspaper printed and published in Pikes-
Red day of North State of the S	wille, Baltimore County, Haryland, once in each
	of one time before the 9th
THE JEFFERSONAN.	day of April , 19 73
9. Least Street	the first publication appearing on the 22ml
Manager State of the Control of the	day of <u>March</u> , 19 <u>73</u>
	THE MORTAVEST STAR
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	Cost of Advertisement, 3 29.75
Married Spirit and Sp. Steam St.	

CERTIFICATE OF PUBLICATION

19.73

SUBJECT\_Cetition\_#73-238-A. Sou Petition for Variance for Petitioner - National 8:

BALTIMORE

INTER-CI

District 2 HEARING:

TO S. Eric DiNenna, Zoning Co.mi

FROM Korman E. Gerber, Chief Land Use Haster Plans

The Office of Planning an at this time.