

74-122-4  
#71

**PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, DAVID SAPERSTEIN, 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 1.A.00.38.3 (301.11) to permit a side yard setback 10 feet for an open carport in lieu of the required 15 feet.

Due to the original topography, it required a considerable terrace in the rear for the construction of the existing house. To construct a detached garage in the rear yard, it would be extremely difficult due to grades.

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.

Contract purchaser: Raylin Saperstein  
Legal Owner  
Address: 6717 Park Heights Ave  
Baltimore, Md. 21208  
Petitioner's Attorney  
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of October, 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 26th day of November, 1973 at 10:30 o'clock A. M.

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

October 31, 1973

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

Re: Item #71 (1973-1974)  
Property Owner: David Saperstein  
Location: W/S of Cavesdale Rd., 155' from Harbrook Rd.  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance to permit a 10' sideyard setback instead of the required 15'  
No. of Acres: 1.107 District: 3rd

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:**  
Baltimore County utilities and highway improvements are secured by Public Works Agreement #4601 executed in conjunction with "Plat No. 1 - Section 3 - Caves Park".

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #71 (1973-1974)

Very truly yours,  
Ellsworth N. Diver, P.E.  
Chief, Bureau of Engineering

cc: C. Warfield

T-MS Key Sheet  
51 & 52 NW 21 Pos. Sheets  
54 13 P Topo  
59 Tax Map

**BALTIMORE COUNTY  
ZONING ADVISORY COMMITTEE**



**PETITION AND SITE PLAN  
EVALUATION COMMENTS**

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

November 6, 1973

Mr. David Saperstein  
4717 Park Heights Avenue  
Baltimore, Maryland 21208  
RE: Variance Petition  
Item 71  
David Saperstein

Dear Mr. Saperstein:  
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 subject property is located on the west side of Cavesdale Road, 155 feet from Harbrook Road, in the 3rd District of Baltimore County.

This property is zoned RDP and contains 1.107 acres of land. The property is currently being developed with a one story ranch house and the petitioner is requesting a side yard Variance of 10 feet instead of the required 15 feet for a carport. There are existing dwellings on either side 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,

Mr. David Saperstein  
Re: Item 71  
November 6, 1973

will be forwarded to you in the near future.

Very truly yours,  
John J. Dillon, Jr.  
Chairman,  
Zoning Advisory Committee

JJDjr.:JD  
Enclosure

cc: E. F. Raphael & Associates  
201 Courtland Avenue  
Towson, Maryland 21204

**Baltimore County Fire Department**



J. Austin Deitz  
Chief  
Towson, Maryland 21204  
812-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: David Saperstein  
Location: W/S of Cavesdale Rd., one hundred fifty-five feet from Harbrook Road  
Item No. Zoning Agenda Tuesday, October 16, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "M" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced 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 \_\_\_\_\_
- ( ) 4. \_\_\_\_\_
- ( ) 5. \_\_\_\_\_
- ( ) 6. \_\_\_\_\_
- (xx) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: H. Shuman Kelly Planning Group  
Approved: \_\_\_\_\_ Deputy Chief  
Special Inspection Division Fire Prevention Bureau

nls  
4/16/73

**BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF HEALTH**



October 29, 1973

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

Dear Mr. DiNenna:  
Comments on Item 71, Zoning Advisory Committee Meeting October 16, 1973, are as follows:

Property Owner: David Saperstein  
Location: W/S Cavesdale Rd., 155' from Harbrook Rd.  
Present Zoning: R.D.P.  
Proposed Zoning: Variance to permit a 10' sideyard setback instead of required 15'  
No. Acres: 1.107  
District: 3

Private water supply and sewage disposal system operating satisfactorily.

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

HVB:and

WILLIAM D. FROMM  
DIRECTOR  
S. ERIC DINENNA  
ZONING COMMISSIONER



October 23, 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 #71, Zoning Advisory Committee Meeting, October 16, 1973, are as follows:

Property Owner: David Saperstein  
Location: W/S Cavesdale Road, one hundred fifty-five (155) feet from Harbrook Road  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance to permit a ten (10) feet sideyard setback instead of the required fifteen (15) feet  
No. of Acres: 1.107  
District: 3

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

Very truly yours,  
John L. Wimbley  
John L. Wimbley  
Planning Specialist II  
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204  
AREA CODE 301 PLANNING 464811 ZONING 464821

JAN 31 1974

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 as the lot in question is located within a development approved by the Planning Board as set forth in Section 103.1 which would require a setback for an open carport of 15 feet

the above Variance should be had; and it further appearing that by reason of the Petitioner's request for a five-foot Variance based on topography which requires considerable grading at the rear will permit a reasonable use of the property and alleviate hardship without being detrimental to the health, safety and general welfare of the community, a Variance to permit a side yard setback of ten feet instead of the required 15 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of December 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 Department of Public Works 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 following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner as the lot in question is located within a development approved by the Planning Board as set forth in Section 103.1 which would require a setback for an open carport of 15 feet

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of December 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 25, 1973

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

Z.A.C. Meeting of: October 16, 1973

Re: Item 71. Property Owner: David Saperstein. Location: W/S of Cavesdale Rd, one hundred fifty-five (155) ft. from Marbrook Rd. Present Zoning: R.B.P. Proposed Zoning: Variance to permit a ten (10) ft. sideyard setback instead of the required fifteen (15) ft.

District: 3rd. No. Acres: 1.107

Dear Mr. DiNenna: No board on student population.

Very truly yours, W. Nick Petrovich, Field Representative

EMSLIE PARKS, RANDALLSTOWN, MD. MARGUS M. BISHOP, JOSHUA W. WHEELER

RICHARD W. TRACY, VMD. RICHARD K. WIERTEL

E. F. RAPHEL & ASSOCIATES, Registered Professional Land Surveyors, 201 COURTLAND AVENUE, TOWSON, MARYLAND 21204

OFFICE: 828-3900

RESIDENCE: 771-4800

September 20, 1973

DESCRIPTION TO ACCOMPANY VARIANCE FOR DAVID SAPERSTEIN PROPERTY - CAVEDALE ROAD

BEGINNING for the same at a point on the westernmost side of Cavesdale Road at a distance of 155 feet from the intersection formed by the westernmost side of Cavesdale Road and the westernmost side of Marbrook Road, said point being the division line between lots 19 and 20 as shown on Plat 4, Section 3, CAVES PARK, and recorded among the Land Records of Baltimore County in Plat Book O.T.G. 33, folio 46, running thence and binding on the westernmost side of Cavesdale Road, 50 feet wide, with a curve to the left with a radius of 1100 feet for a distance of 145.00 feet, thence leaving the westernmost side of Cavesdale Road and binding on the outline of Lot 20 as shown on the aforesaid plat, the four following courses and distances: 1) N63°55'35" W 289.14 feet; 2) N22°09'00" E 100.03 feet; 3) N43°54'35" E 85.94 feet; and 4) thence on the division line between Lots 19 and 20 as shown on the aforesaid plat, S56°22'25" E 281.65 feet to the place of beginning.

CONTAINING 1.107 acres of land, more or less. BEING all of Lot 20 as shown on Plat 4, Section 3 of CAVES PARK, and recorded among the Land Records of Baltimore County in Plat Book O.T.G. 33, folio 46.

BEING also the property of David Saperstein and wife.



Eugene F. Raphael & Assoc., Registered Land Surveyor #2246

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner. Date: November 23, 1973. FROM: William D. Fromm, Director of Planning. SUBJECT: Petition #74-122-A, West side of Cavesdale Road 155 feet West of Marbrook Road. Petitioner for Variance for an Open Carport. Petitioner - David Saperstein.

3rd District

HEARING: Monday, November 26, 1973 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comments to offer at this time.

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

WDF:NEG:rw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING, EUGENE J. CLIFFORD, P.E., Wm. T. NEIDER

October 18, 1973

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

Re: Item 71 - ZAC - October 16, 1973. Property Owner: David Saperstein. Location: W/S of Cavesdale Road, 155 feet from Marbrook Road. Variance to permit a 10 foot sideyard setback instead of the required 15 feet. District 3

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

NSF/pk

PETITION FOR VARIANCE... THE BALTIMORE COUNTY ZONING COMMISSIONER... BY: Michael S. Flanigan

THE COMMUNITY TIMES, RANDALLSTOWN, MD. 21133, November 12 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 12th day of Nov. 1973 that is to say, the same was inserted in the issue of November 5, 1973.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

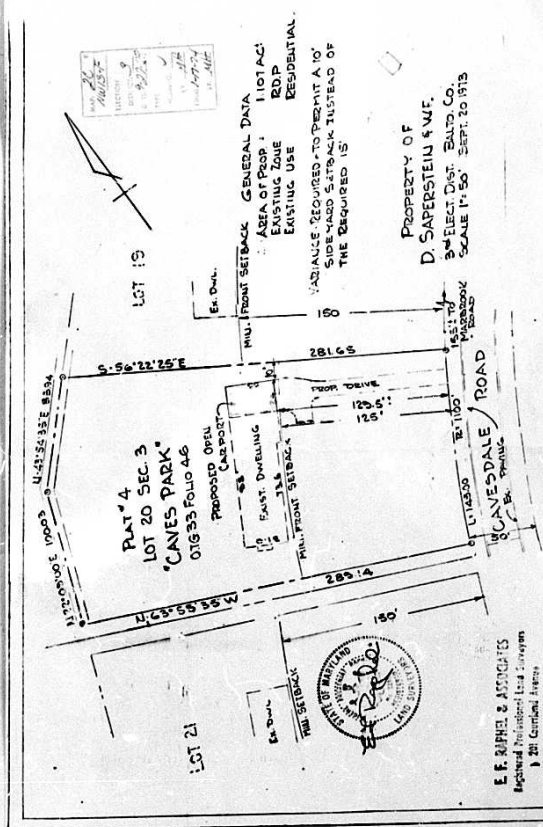
PETITION FOR VARIANCE... THE BALTIMORE COUNTY ZONING COMMISSIONER... BY: Eugene F. Raphael

CERTIFICATE OF PUBLICATION

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

Cost of Advertisement, \$

THE JEFFERSONIAN, Manager



E. F. RAPHEL & ASSOCIATES, Registered Professional Land Surveyors, 201 Courtland Avenue, Towson, Maryland 21204

1-SIGN

74-122-A

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: Nov. 10, 1973  
 Posted for: PETITION FOR VARIANCES  
 Petitioner: DAVID SACERSTEIN  
 Location of property: W.S. OF CAVERSOLE RD. 155' W.O.F.  
MARLBROOK RD.  
 Location of Sign: W.S. OF CAVERSOLE RD. 185' TO W.O.F. MARLBROOK RD.  
 Remarks: \_\_\_\_\_  
 Posted by: Thomas E. Boland Date of return: Nov. 16, 1973  
Signature

**PETITION MAPPING PROGRESS SHEET**

| FUNCTION   | Wall 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<br>ZC, BA, CC, CA   |          |    |          |    |           |    |         |    |           |    |
| Reviewed by: <u>JCB</u> Revised Plans:<br>Change in outline or description _____ Yes<br>_____ No |          |    |          |    |           |    |         |    |           |    |
| Previous case: _____ Map # _____   |          |    |          |    |           |    |         |    |           |    |

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 12745

DATE Nov. 26, 1973 ACCOUNT 01-662AMOUNT \$63.25WHITE - CASHIER      DISTRIBUTION  
PINK - AGENCY      YELLOW - CUSTOMER

Phyllis Saperstein  
6717 Park Heights Ave.  
Baltimore, Md. 21208  
Advertisement and posting of property 63.25 MC  
#74-122-1

Mr. David Saperstein  
6717 Park Heights Avenue  
Baltimore, Md. 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Your Petition has been received and accepted for filing

this 29th day of October 1973

H. P. Boland  
Zoning Commissioner

Petitioner: David Saperstein

Petitioner's Attorney:  
6717 Park Heights Avenue 21208

H. P. Boland  
Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Your Petition has been received this 26th day of

Sept 1973      1973      Item # \_\_\_\_\_

H. P. Boland  
Zoning Commissioner

Petitioner: Saperstein Submitted by \_\_\_\_\_

Petitioner's Attorney: \_\_\_\_\_ Received by JCB

\* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 12714

DATE Nov. 2, 1973 ACCOUNT 01-662AMOUNT \$25.00WHITE - CASHIER      DISTRIBUTION  
PINK - AGENCY      YELLOW - CUSTOMER

Phyllis Saperstein  
6717 Park Heights Ave.  
Baltimore, Md. 21208  
Petition for #74-122-1 25.00 MC