#74-139-A

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

74-139-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bruce Hill / Ethel K. Hill 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 1A07.2B3 to permit a side yard setback of 30' instead of the required 50'.

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

(1) House was constructed 25 yrs. ago. We had planned on enclosing side porch as sitting room or sun solar in our latter years.

(2) Zoning reg. prior to 1/71 would permit this to be done, however new regulations prohibit this without variance.

(3) Adoption of new regulations place undue hardship on property owners not previously applying to this property.

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.

Bruce Hill
Ethel K. Hill
Contract purchaser — Legal Owner

Address: Armacost Rd. Rt 1 Box 295
Baldwin, Maryland 21120

Richard A. McAllister
Petitioner's Attorney

Address: 601 Mercantile Towson Bldg.
Towson, Md. 21204

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 29th 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 3rd day of December, 1973, at 10:45 o'clock A. M.

Zoning Commissioner of Baltimore County.

(over)

10.45 AM 12/3/73

ORDER RECEIVED FOR FILING
DATE: October 5, 1973
BY: Jack Dillon

#74-139-A
#68

BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE

PETITION AND SITE PLAN
EVALUATION COMMENTS

NW 31E Tone
16 Tax Map

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 7, 1973

Richard A. McAllister, Esq.
601 Mercantile Towson Building
Towson, Maryland 21204

RE: Variance Petition
Item 68
Bruce and Ethel K. Hill -
Petitioners

Dear Mr. McAllister:

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 as to the appropriateness of the requested zoning.

The subject property is located on the southeast side of Armacost Road, 240 feet northeast of Spook Hill Road, in the 7th District of Baltimore County. This property is zoned RDP and contains 0.881 acres of land. It is improved with a 1-1/2 story dwelling which is currently being remodeled. The petitioners are requesting a side yard Variance to allow a 30 foot side yard instead of the required 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 forwrded to you in the near future.

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

JJDJr.:JD
Enclosure
cc: C. A. Myers
Emory Rd., Upperco, Md. 21155

cc: J. Somers
NW-SW Key Sheet
123 NW 17 Pos. Sheet

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

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

October 25, 1973

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

Re: Item #68 (1973-1974)
Property Owner: Bruce and Ethel K. Hill
S/E of the centerline of Armacost Rd., 240' N/E of the centerline of Spook Hill Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit a side yard setback of 30' instead of the required 50'
No. of Acres: 0.881 District: 7th

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:

Armacost Road, an existing public road, is proposed to be improved in the future on a 50-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening including any necessary revertible easements for slopes will be required in connection with any grading or building permit application.

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which is utilizing private onsite facilities and is located beyond the Baltimore County Metropolitan District and the limits of the Baltimore County Comprehensive Water and Sewage Plan for 1970-1980, Amended 1971.

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

END:EAM:FWR:ss

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E., DIRECTOR — WM. T. MELZER, DEPUTY TRAFFIC ENGINEER

October 18, 1973

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

Re: Item 68 - ZAC - October 16, 1973
Property Owner: Bruce and Ethel Hill
SE of the centerline of Armacost Road, 240 feet NE of the centerline of Spook Hill Road
Variance to permit a side yard setback of thirty feet instead of the required fifty feet
District 7

Dear Mr. DiNenna:

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

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204
828-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Bruce & Ethel K. Hill

Location: SE of the centerline of Armacost Rd., 240 ft NE of the centerline of Spook Hill 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 "x" are applicable and required to be corrected or incorporated into the final plans for the property.

(xx) 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 _____ EXCEEDS the maximum allowed by the Fire Department.
( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
( ) 6. Site plans are approved as drawn.
( ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: [signature] Noted and Approved: _____
Planning Group — Special Inspection Division
Deputy Chief — Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

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 68, Zoning Advisory Committee Meeting October 16, 1973, are as follows:

Property Owner: Bruce & Ethel K. Hill
Location: SE of C/L Armacost Rd.,240' NE of C/L Spook Hill Road
Present Zoning: R.D.P.
Proposed Zoning: Variance to permit a side yard setback of 30' instead of required 50'
No. Acres: 0.881
District: 7

Private water supply. Septic system not failing at time of inspection.

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

HVB:mn

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

Property Owner, Bruce & Ethel K. Hill
Location: S/E of the centerline of Armacost Road, 240 feet N/E of the centerline of Spook Hill Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit a side yard setback of thirty (30) feet instead of the required fifty (50) feet
No. of Acres: 0.881
District: 7

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 494-3211 — ZONING 494-3351

JAN 28 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

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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

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a Variance to permit a side yard setback of 30' instead of the required 50' should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of December, 197 3., 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.

Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

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the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this .....day of ..... 197 .., that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Rec'd Dec. 3, 1973 Petitioner's Attorney

C. A. Myers

State Registered Surveyor No. 2783

EMORY ROAD • UPPERCO, MARYLAND 21155 • GArfield 9-5079

ALL that lot or parcel of land situate, lying and being in the Seventh Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same 16 feet Southeast of the centerline of the road-bed of Armacost Road and 240 feet Northeasterly from the centerline of Spook Hill Road, said beginning point also being the beginning point described in a Deed from Marvin R. Heckler and wife to Bruce Hill and wife, dated April 25, 1951, recorded among the Land Records of Baltimore County in Liber G.L.B. No. 1962 folio 162 etc., thence binding on that Deed and along the Southeast side of Armacost Road, North 75 degrees 32 minutes East 115.00 feet, thence still binding on the aforementioned Deed the three following lines, South 25 degrees 30 minutes East 320.50 feet, South 62 degrees 31 minutes West 115.00 feet and North 25 degrees 16 minutes West 346.00 feet to the place of beginning, containing eight hundred eighty-one thousandths of an acre (0.881) of land more or less.

BEING all of the same land described in the above mentioned Deed from Marvin R. Heckler and wife to Bruce Hill and Ethel K. Hill, his wife, dated April 25, 1951, recorded in Liber G.L.B. No. 1962 folio 162 etc.

AS prepared September 5, 1973.

C. A. Myers

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 68
Property Owner: Bruce & Ethel K. Hill
Location: S.E. of the centerline of Armacost Rd. 240 Ft. N.E. of the center-line of Spook Hill Road
Present Zoning: R.D.P.
Proposed Zoning: Variance to permit a side yard setback of thirty (30) ft. instead of the required fifty (50) ft.

District: 7th
No. Acres: 0.881

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,
W. Nick Petrovich
Field Representative

WNP/ml

H. EMSLIE PARKS, PRESIDENT
EUGENE E. HESS, VICE-PRESIDENT
MRS. ROBERT L. BENNEY
MARCUS M. BOTSARIS
JOSEPH N. McGINNIS
ALVIN LOVECE
JOSHUA R. WHEELER, VICE-PRESIDENT
T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD F. HUGHES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 28, 1973

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #74-129-A. South side of Armacost Road 240 feet Northeast of Spook Hill Road
Petition for Variance for a Side Yard.
Petitioners - Bruce and Ethel Hill

7th District

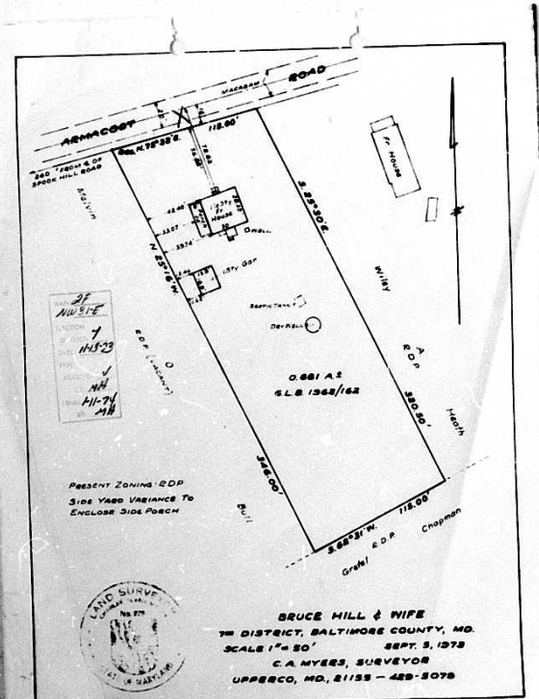
HEARING: Monday, December 3, 1973 (10:45 A.M.)

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

NOV 29 '73 PM
ZONING DEPARTMENT



PETITION FOR A VARIANCE
7TH DISTRICT

ZONING: Petition for Variance.
LOCATION: South side of Armacost Road, 240' feet Northeast of Spook Hill Road.
DATE & TIME: Monday, December 3, 1973 at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 30 feet instead of the required 50 feet.

The Zoning Regulation to be excepted as follows:

Section 1A04.3B.1 — The minimum distance between any building to be erected in a R.D.P. zone — 50 feet.

All that parcel of land in the Seventh District of Baltimore County

BEGINNING for the same 16 feet Southeast of the centerline of the road-bed of Armacost Road and 240 feet Northeasterly from the centerline of Spook Hill Road, said beginning point also being the beginning point described in a Deed from Marvin R. Heckler and wife to Bruce Hill and wife, dated April 25, 1951, recorded among the Land Records of Baltimore County in Liber G.L.B. No. 1962 folio 162 etc., thence binding on that Deed, and along the Southeast side of Armacost Road, North 75 degrees 32 minutes East 115.00 feet, thence still binding on the aforementioned Deed the three following lines, South 25 degrees 30 minutes East 320.50 feet, South 62 degrees 31 minutes West 115.00 feet and North 25 degrees 16 minutes West 346.00 feet to the place of beginning, containing eight hundred eighty-one thousandths of an acre (0.881) of land more or less.

BEING all of the same land described in the above mentioned Deed from Marvin R. Heckler and wife to Bruce Hill and Ethel K. Hill, his wife, dated April 25, 1951, recorded in Liber G.L.B. No. 1962 folio 162 etc.

being the property of Bruce and Ethel Hill, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, December 3, 1973 at 10:45 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County

Nov. 15.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 15, 19 73

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 in each one time successive weeks before the 3rd day of December, 19 73., the first publication appearing on the 15th day of November, 19 73.

THE JEFFERSONIAN,
L. Frank Manuel
Manager.

Cost of Advertisement, $.....

PETITION FOR A VARIANCE
7TH DISTRICT

ZONING: Petition for Variance.
LOCATION: South side of Armacost Road, 240' feet Northeast of Spook Hill Road.
DATE & TIME: MONDAY, DECEMBER 3, 1973 at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 30 feet instead of the required 50 feet.

The Zoning Regulation to be excepted as follows:

Section 1A04.3B.1 - The minimum distance between any building to be erected in a R.D.P. zone - 50 feet.

All that parcel of land in the Seventh District of Baltimore County

BEGINNING for the same 16 feet Southeast of the centerline of the road-bed of Armacost Road and 240 feet Northeasterly from the centerline of Spook Hill Road, said beginning point also being the beginning point described in a Deed from Marvin R. Heckler and wife to Bruce Hill and wife, dated April 25, 1951, recorded among the Land Records of Baltimore County in Liber G.L.B. No. 1962 folio 162 etc., thence binding on that Deed and along the Southeast side of Armacost Road, North 75 degrees 32 minutes East 115.00 feet, thence still binding on the aforementioned Deed the three following lines, South 25 degrees 30 minutes East 320.50 feet, South 62 degrees 31 minutes West 115.00 feet and North 25 degrees 16 minutes West 346.00 feet to the place of beginning, containing eight hundred eighty-one thousandths of an acre (0.881) of land more or less.

BEING all of the same land described in the above mentioned Deed from Marvin R. Heckler and wife to Bruce Hill and Ethel K. Hill, his wife, dated April 25, 1951, recorded in Liber G.L.B. No. 1962 folio 162 etc.

being the property of Bruce and Ethel Hill, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, December 3, 1973 at 10:45 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order Of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County

ORIGINAL

OFFICE OF
THE TOWSON TIMES

TOWSON, MD. 21204 November 19 - 19 73

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 successive weeks before the 19 day of November 19 73 that is to say, the same was inserted in the issues of November 15, 1973.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

1-Sign 74-129-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 7th Date of Posting Nov. 17, 1973
Posted for: PETITION FOR VARIANCE
Petitioner: BRUCE HILL
Location of property: S/S OF ARMACOST RD. 240' NE OF SPOOK HILL RD.
Location of Signs: S/S OF ARMACOST RD. 225' +or- NE OF Spooks Hill Rd
Remarks:
Posted by Thomas G. Boland Signature Date of return: Nov. 23, 1973

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 ZC, BA, CC, CA										

Reviewed by: PTH

Revised Plans:
Change in outline or description ___Yes ___No

Previous case: _____

Map # _____

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 68

Richard A. McAllister, Esq.
601 Mercantile Towson Bldg.
Towson, Md. 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 29th day of October 1973.

S. ERIC DiNENNA,
Zoning Commissioner

Petitioner Bruce and Ethel E. Hill

Petitioner's Attorney Richard A. McAllister Reviewed by: [signature]
Chairman
Zoning Advisory Committee

cc: C. A. Myers, Emory Rd., Upperco, Md. 21155

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received * this 3rd day of Oct 1973. Item # _____.

S. Eric DiNenna
Zoning Commissioner

Petitioner Hill Submitted by McAllister

Petitioner's Attorney McAllister Reviewed by PTH

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

BALTIMORE COUNTY, MARYLAND No. 12799
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Dec. 3, 1973 ACCOUNT 01-662

AMOUNT $56.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Bruce Hill
Armacost Rd.
Parkton, Md. 21120
Advertising and posting of property
#74-129-A 3 56.00

BALTIMORE COUNTY, MARYLAND No. 12726
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 13, 1973 ACCOUNT 01-662

AMOUNT $25.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Bruce Hill
Armacost Road, Parkton, Md. 21120
#74-129-A-Petition for Variance
25.00