

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ALLEN E. SILVER  
I, or we, CAROLE R. SILVER, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made in part hereof, hereby petition for a Variance from Section 1802.3C.1.1. To permit a rear yard setback of 22 feet instead of the required (50) feet. Section 1802.3C.1.1. To permit a 15 foot setback for a rear yard open porch instead of the required 37 1/2'.

Topographical configuration of the lot would not permit situation of the house elsewhere without severe excavation which would be costly and would destroy the natural beauty of the land, even though the front and back yard setbacks are reduced, the land is completely wooded and would provide adequate privacy for the house.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations 1, 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: Allen E. Silver and Carole R. Silver  
Address: 727 East Lake Ave. Towson, Md.  
Petitioner's Attorney: \_\_\_\_\_  
Protector'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 held 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 11:00 a'clock

Zoning Commissioner of Baltimore County.  
(over)

MAP  
SECTION  
PLANNING  
BY

# 74-130-9 #69

ALLEN E. SILVER  
CAROLE R. SILVER  
727 EAST LAKE AVE.  
TOWSON, MD. 21286

# 74-130-9

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**



**PETITION AND SITE PLAN EVALUATION COMMENTS**

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 7, 1973

Mr. Allen E. Silver  
727 East Lake Avenue  
Baltimore, Maryland 21212

RE: Variance Petition  
Item 69  
Allen E. and Carole R. Silver -  
Petitioners

Dear Mr. Silver:

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 600 feet east of Malvern Avenue on a private road which services several pretentious homes in Ruxton.

The petitioner is requesting a rear yard setback for a proposed split level dwelling of 22 feet, and a 15 foot setback for an open porch in a DR 1 zone.

This property contains 1.12 acres of land and is situated on the north side of this private road.

Curb and gutter does not exist at this location.

- 2 -

Mr. Allen E. Silver  
Re: Item 69  
November 7, 1973

Revised site plans must be submitted prior to the hearing that indicate the items requested by the Project Planning office and the Health Department.

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

JJDjr.:JD

Enclosure

cc: Huskins Associates, Inc.  
200 E. Joppa Road  
Towson, Md. 21204

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

C-NE Key Sheet  
37 NW L. Top. Sheet  
NW 1/4, Twp.  
69 Tax Map

Baltimore County Fire Department



J. Austin Deitz  
Chief

Towson, Maryland 21204  
825-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Allen E. & Carole R. Silver

Location: Intersection of the centerline of Malvern Avenue with the centerline of 30 ft. right of way, 600 ft. N of Ruxton Rd.  
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.

- ( ) 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 \_\_\_\_\_ EXCEEDED 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.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *John J. Dillon* Noted and Approved: \_\_\_\_\_  
Planning Group Deputy Chief  
Special Inspection Division Fire Prevention Bureau

nls  
4/16/73

BALTIMORE COUNTY, MARYLAND  
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING  
EUGENE J. CLIFFORD, P.E.  
DIRECTOR  
WOL. T. MILLER  
DEPUTY TRAFFIC ENGINEER

October 18, 1973

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

Re: Item 69 - ZAC - October 16, 1973  
Property Owner: Allen E. and Carole R. Silver  
Intersection of the centerline of Malvern Avenue with the centerline of 30 foot right of way, 600 feet N of Ruxton Road  
Variance to permit a front yard setback of 40 feet and a rear yard setback of 22 feet instead of the required 50 feet  
District 9

Dear Mr. DiNenna:  
I was unable to review this site in the field due to the illegible plan submitted.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate

MSF/pk

**BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH**



JEFFERSON BUILDING  
TOWSON, MARYLAND 21204

October 29, 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 69, Zoning Advisory Committee Meeting October 16, 1973, are as follows:

Property Owner: Allen E. & Carole R. Silver  
Location: Intersection of C/L of Malvern Ave. with C/L of 30' right of way, 600' N of Ruxton Rd.  
Present Zoning: D.R.1  
Proposed Zoning: Variance to permit a front yard setback of 40' and a rear yard setback of 22' instead of required 50'  
No. Acres: 1.12  
District: 9

Revised plat must be submitted showing water supply.

Very truly yours,

*Thomas H. Devlin*  
Thomas H. Devlin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mg

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

October 31, 1973

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

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

In event the indicated 50-foot right-of-way (assumed to be private) would ultimately be improved as a public road, it would be as a 30-foot closed-type roadway cross-section. The presently paved lane appears to be inadequate in width.

Storm Drains

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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

Public water supply can be made available to serve this property by construction of a public water main extension approximately 650 feet in length from the existing 12-inch water main in Malvern Avenue.

It appears that additional fire hydrant protection may be required in the vicinity.

Sanitary Sewer

Public sanitary sewerage is not available to serve this property.

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

EDM:EM:RMB  
cc: G. Biefer

JAN 50 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.

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 rear yard setback of 22 feet instead of the required 50 feet, and to permit a 15 foot setback for a rear yard on parcel instead of the required 37 feet one-half inch should be granted.

Deputy  
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th 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 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

WILLIAM D. FROMM  
DIRECTOR  
S. ERIC DINENNO  
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 #69, Zoning Advisory Committee Meeting, October 16, 1973, are as follows:

Property Owner: Allen E. & Carole R. Silver  
Location: Intersection of the centerline of Malvern Avenue with the centerline of fifty (50) foot right of way, 600 feet N of Ruxton Road  
Existing Zoning: D.R.1  
Proposed Zoning: Variance to permit a front yard setback of forty (40) feet and a rear yard setback of twenty-two (22) feet instead of the required fifty (50) feet  
No. of Acres: 1.12  
District: 9

The site plan must be revised to show all existing and proposed structures both on site and adjacent to the site.

The petitioner must also comply with the Baltimore County Subdivision regulations

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 484-3311 ZONING 484-3331

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 69

Property Owner: Allen E. & Carole R. Silver  
Location: Intersection of the centerline of Malvern Ave with the centerline of D.R. 1 at 600 feet N of Ruxton Rd.  
Present Zoning: D.R.1  
Proposed Zoning: Variance to permit a front yard setback of forty (40) ft. and a rear yard setback of twenty-two (22) ft. instead of the required fifty (50) ft.

District: 9th  
No. Acres: 1.12

Dear Mr. DiNenna:

No bearing on student population.

WDP/ml

Very truly yours,  
W. Nick Petrovich  
Field Representative

4. EMILIE PARKS, MARRIAGE  
EUGENE C. HESS, MARRIAGE  
MRS. ROBERT L. DENNEY

MARCELO W. HOFFMANN  
JOSEPH M. MORGAN  
ALVIN LORBERG  
JOSHUA W. WHEELER, SUPERVISOR

4. JAMES J. ...  
WILLIAM D. ...  
MRS. ...

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 #74-130-A, South side of Malvern Avenue 600 Feet East of Ruxton Road.  
Petition for Variance for a Rear Yard  
Petitioner - Allen E. and Carole R. Silver

9th District

HEARING: Monday, December 3, 1973 (11:00 A.M.)

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

William D. Fromm  
Director  
Office of Planning and Zoning

WDF:NEG:rw



COLUMBIA OFFICE  
7361A PARK  
Registered Surveyor  
PHONE 730-9060

TOWSON OFFICE  
HUDKINS ASSOCIATES, INC.  
Engineers, Surveyors and  
Landscape Architects  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
PHONE: 828-9060

REL. AIR  
L. GERALD WOLFE  
Landscape Architect  
PHONE 838-0059

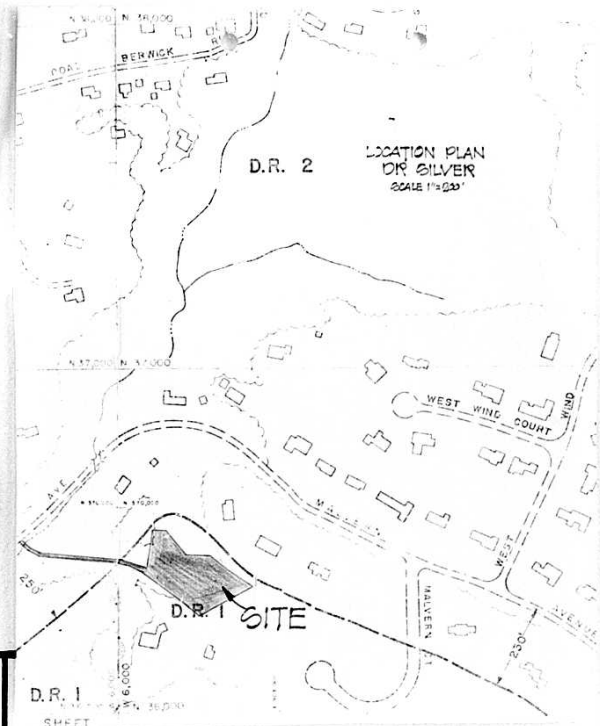
October 2, 1973

DESCRIPTION FOR REAR YARD VARIANCE:

Beginning for the same at the intersection of the centerline of Malvern Avenue with the centerline of a fifty foot right of way said intersection being distant northerly measured along the centerline of Malvern Avenue 600 feet more or less from the centerline of Ruxton Road thence binding on the centerline of the said 50 foot right of way the eleven following courses and distances viz: (1) South 39° 14' East 46.20 feet (2) South 59° 35' 40" East 40.00 feet (3) South 82° 34' 20" East 50.00 feet (4) North 81° 03' 40" East 70.00 feet (5) North 86° 56' 10" East 50.00 feet (6) South 79° 22' 30" East 13.80 feet (7) South 79° 22' 30" East 36.20 feet (8) South 69° 17' 30" East 70.00 feet (9) South 61° 10' 30" East 105.00 feet (10) South 59° 06' 30" East 100.00 feet (11) South 48° 35' 00" East 30.04 feet thence leaving the centerline of said 50 foot right of way for lines of division the seven following courses and distances viz: (1) North 61° 16' 50" East 180.57 feet (2) North 58° 11' 00" West 93.95 feet (3) North 51° 40' 00" West 63.14 feet (4) South 89° 00' 00" West 65.00 feet (5) North 37° 59' 00" West 100.21 feet (6) North 88° 19' 00" West 86.20 feet (7) South 08° 50' 00" West 116.34 feet to a point distant 10 feet northerly and parallel to the centerline of the said 50 foot right of way to intersect the centerline of said Malvern Avenue thence southerly binding on the said centerline 10 feet to the place of beginning.

Page 2

Containing 1.12 Acres of land more or less.



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: <i>J.P.M.</i>					Revised Plans:		Change in outline or description: Yes			
Previous case:					Map #		No			

PETITION FOR A VARIANCE FROM ZONING  
ZONING: Medium Density Residential  
LOCATION: South side of Baltimore Avenue 600 Feet East of  
DATE OF PUBLIC HEARING: Monday, December 11, 1973 at 11:00 A.M.  
COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

OFFICE OF THE TOWSON TIMES

TOWSON, MD. 21204 November 19 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Diersma, 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 week before the 19 day of November 1973 that is to say, the same was inserted in the issue of November 15, 1973.

STROMBERG PUBLICATIONS, INC.

By: Ruth Morgan

ORIGINAL

PETITION FOR A VARIANCE FROM ZONING  
ZONING: Medium Density Residential  
LOCATION: South side of Baltimore Avenue 600 Feet East of  
DATE OF PUBLIC HEARING: Monday, December 11, 1973 at 11:00 A.M.  
COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 15, 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 for one time successive weeks before the 19 day of November 1973, the first publication appearing on the 15th day of November 1973.

THE JEFFERSONIAN, S. Frank Johnston, Manager.

Cost of Advertisement, \$

1-SIGN 74-130-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Distict: 9th Date of Posting: Nov. 17, 1973  
Petitioner: ALLEN SILVER  
Location of property: S/S of MARAVONA AVE. 600' E. of RUXTON RD.  
Location of Signs: S/S of MARAVONA AVE. 600' E. of RUXTON RD.  
Remarks: Thomas E. Dyer & Co. Inc. Secretary  
Date of return: Nov. 23, 1973

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Form 69

Mr. Allen E. Silver 727 East Lake Avenue Baltimore, Maryland 21212

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

Your Petition has been received and accepted for filing

this 28th day of September 1973.

S. Eric Diersma, Zoning Commissioner

Petitioner Allen E. and Corale B. Silver

Petitioner's Attorney 200 E. Joppa Road Towson, Md. 21204

Reviewed by Chairman Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this 27th day of November 1973.

Item #

S. Eric Diersma, Zoning Commissioner

Petitioner SILVER Submitted by SILVER

Petitioner's Attorney Reviewed by

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

BALTIMORE COUNTY, MARYLAND No. 12727 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE Nov. 13, 1973 ACCOUNT 01-662 AMOUNT \$25.00 DISTRIBUTION WHITE - CASHIER 25.00 YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND No. 13003 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE Dec. 4, 1973 ACCOUNT 01-662 AMOUNT \$63.75 DISTRIBUTION WHITE - CASHIER 63.75 YELLOW - CUSTOMER



VICINITY MAP  
SCALE 1" = 1000'

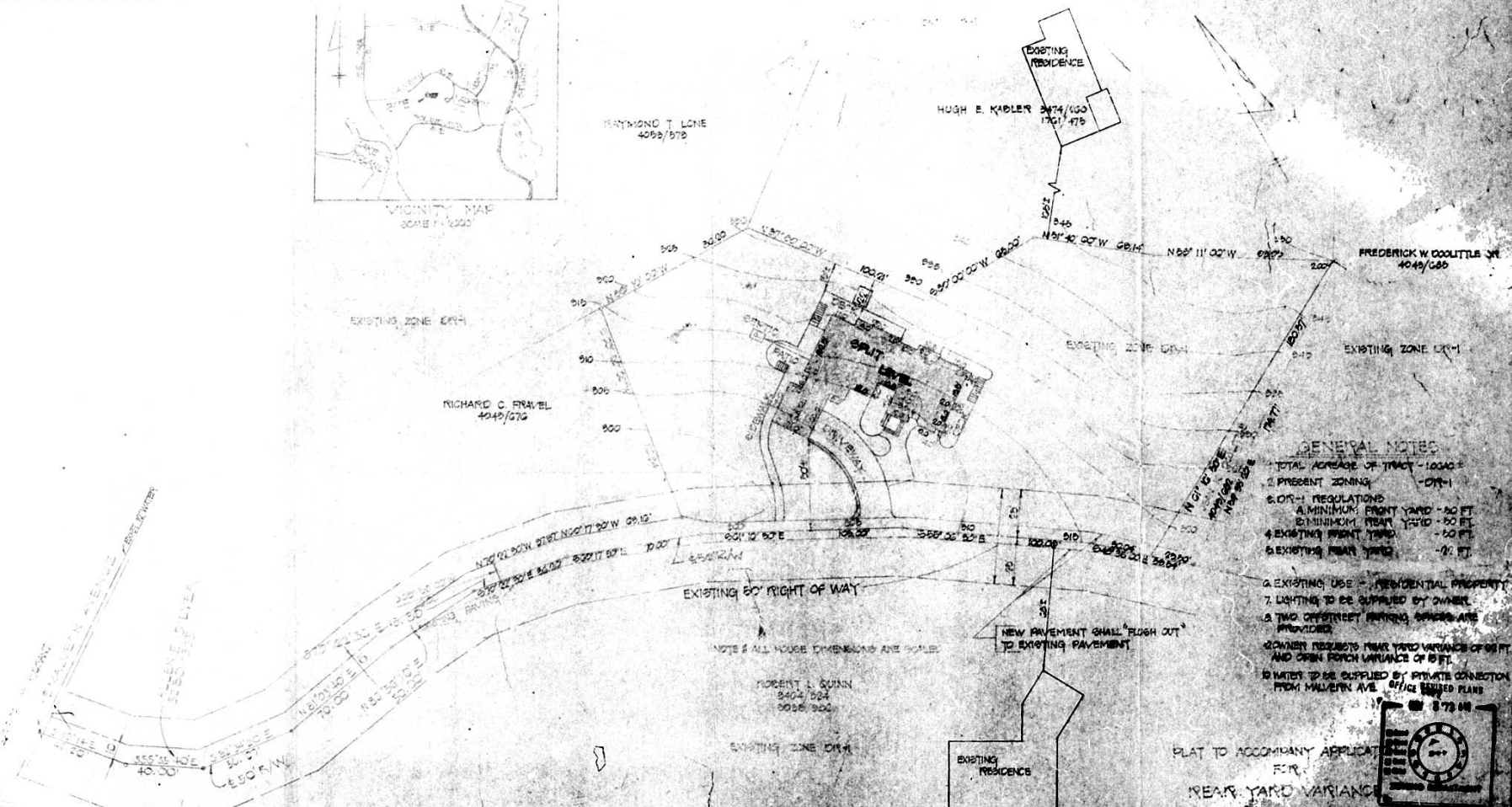
RAYMOND T. LONE  
4099/572

HUGH E. KADLER 4474/660  
1761/475

FREDERICK W. COOLITTLE JR.  
4049/680

RICHARD C. FRAVEL  
4040/676

FLORENCE L. SWANN  
2404/624  
2026/620



- GENERAL NOTES**
- TOTAL ACREAGE OF TRACT - 1.0040 ±
  - PRESENT ZONING - CM-1
  - COM-1 REGULATIONS:
    - A. MINIMUM FRONT YARD - 50 FT
    - B. MINIMUM REAR YARD - 50 FT
    - C. EXISTING FRONT YARD - 50 FT
    - D. EXISTING REAR YARD - 0 FT
  - EXISTING USE - RESIDENTIAL PROPERTY
  - LIGHTING TO BE SUPPLIED BY OWNER
  - ALL OTHER STREET LIGHTING CHARGES ARE PROVIDERS
  - OWNER REQUESTS REAR YARD VARIANCE OF 50 FT AND FRONT YARD VARIANCE OF 15 FT
  - WATER TO BE SUPPLIED BY PRIVATE CONNECTION FROM MULLENN AVE. SEE BASED PLANS



PLAT TO ACCOMPANY APPLICATION FOR REAR YARD VARIANCE

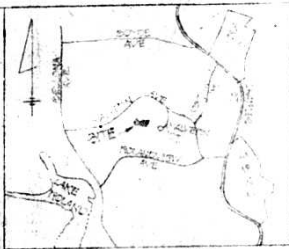
PROPERTY OF DR. ALLEN E. GILV

13<sup>TH</sup> ELECTION DISTRICT BALTIMORE COUNTY  
SCALE 1" = 20 FT

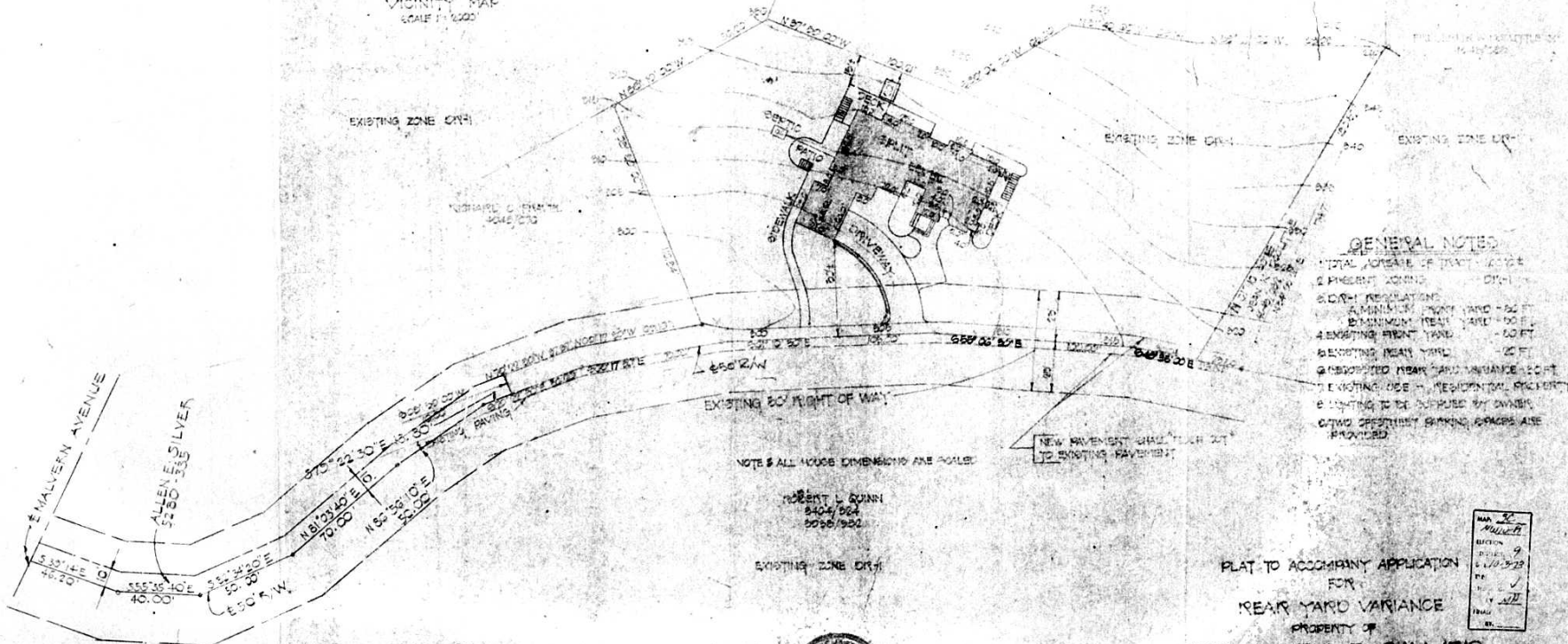
PREPARED BY:  
HOOKING ASSOCIATES INC.  
CIVIL ENGINEERS AND SURVEYORS  
200 EAST JOHNS ROAD  
TOWSON, MARYLAND 21284

*Robert E. Hooking*





VICINITY MAP  
SCALE 1" = 100'



**GENERAL NOTES**

- 1. TOTAL AREA OF TRACT - 1.0122 ACRES
- 2. PRESENT ZONING - OY-1
- 3. OY-1 REGULATIONS:
  - a. MINIMUM REAR YARD - 50 FT.
  - b. MINIMUM REAR YARD - 50 FT.
  - c. EXISTING REAR YARD - 50 FT.
  - d. PROPOSED REAR YARD - 50 FT.
  - e. PROPOSED REAR YARD VARIANCE - 50 FT.
- 4. EXISTING USE - RESIDENTIAL PROPERTY
- 5. VARIANCE TO BE GRANTED BY OWNER
- 6. TWO OFF-STREET PARKING SPACES ARE PROVIDED

NOTE: ALL HOUSE DIMENSIONS ARE FEET.

ROBERT L. QUINN  
8404/064  
0098/952

EXISTING ZONE OY-1

PLAT TO ACCOMPANY APPLICATION  
FOR  
REAR YARD VARIANCE  
PROPERTY OF

MR. ALLEN E. SILVER

CITY ELECTION DISTRICT BALTIMORE COUNTY MARYLAND  
SCALE 1" = 20 FT.

REV. OCT. 2, 1973

MAP NO.	111111
SECTION	9
DATE	10/2/73
BY	[Signature]
TITLE	REAR YARD VARIANCE
SCALE	1" = 20 FT.

PREPARED BY:  
HUDKINS ASSOCIATES, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
200 EAST SOPHIA ROAD  
TOWSON, MARYLAND 21284

*Robert L. Quinn*  
Robert L. Quinn

*Old Plat*

