

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard A. & Marjorie A. Yates, 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 1302.20 (205.3) A side yard setback of 4' in lieu of the required 15'

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

- (1) Existing requirement for 15' side yard setback prohibits construction of standard width garage (20').
- (2) Requirement for additional off street parking.
- (3) Valley Wood covenants prohibit "utility buildings" for storage of items such as lawn mowers, garbage cans, etc.
- (4) Capital improvement of 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 of Baltimore County.

Contract purchaser: Richard A. Yates Legal Owner  
 Address: 342 Presway Road  
 Timonium, Md. 21093

Petitioner's Attorney: \_\_\_\_\_  
 Address: \_\_\_\_\_

Protestant's Attorney: \_\_\_\_\_  
 Address: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of May 1974

1974, 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 1st day of May 1974 at 10:30 o'clock

Zoning Commissioner of Baltimore County

(over)

74-243-A  
#155

MAP 30  
NO. 155  
DATE 5/1/74  
BY [Signature]

May 1, 1974

Mr. and Mrs. Richard A. Yates  
342 Presway Road  
Timonium, Maryland 21093

RE: Petition for Variance  
N/S of Presway Road, 205' E of  
Forest Ridge Road - 8th District  
Richard A. Yates - Petitioner  
NO. 74-243-A (Item No. 155)

Dear Mr. and Mrs. Yates:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,  
 [Signature]  
 JAMES E. DYER  
 Deputy Zoning Commissioner

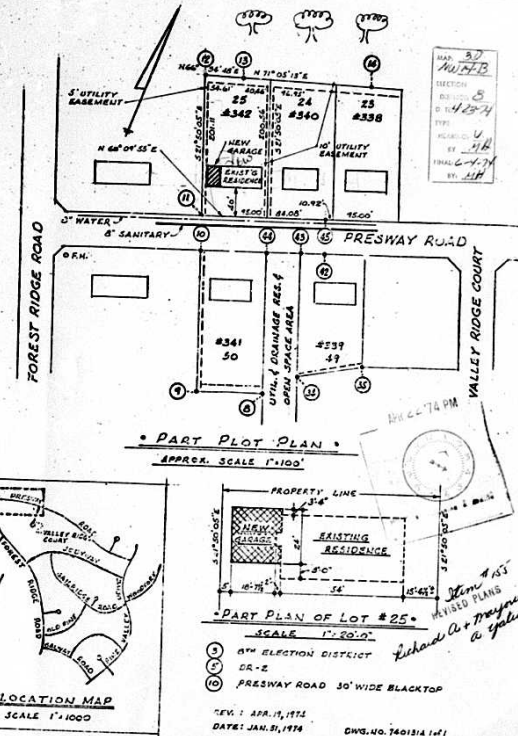
JED/me

Attachments

**DESCRIPTION**

Beginning at a point on the north side of Presway Road said point being 205' east of Forest Ridge Road and being Lot. No. 25 of Section 6B Valley Wood. (Liber O.T.G. #31 Folio 50)

Also known as 342 Presway Road



Mr. Richard A. Yates  
Re: Item 155  
April 5, 1974  
Page 2

possibility that the proposed addition would not be approved by the Bureau of Public Services.

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,  
 [Signature]  
 JAMES B. BYRNES, III  
 Chairman,  
 Zoning Advisory Committee

JBB:JD

Enclosure

Mr. Richard A. Yates  
342 Presway Road  
Timonium, Maryland 21093

RE: Variance Petition  
Item 155  
Richard A. & Marjorie A. Yates -  
Petitioners

Dear Mr. Yates:

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 north side of Presway Road, approximately 205 feet east of Forest Ridge Road, in the 8th Election District of Baltimore County. It is improved by a two-story residence. The surrounding properties are similarly improved, and the dwelling adjacent to the subject side yard is approximately 75 feet from the joint property line. Curb and gutter exists throughout the entire subdivision.

The petitioner is requesting a Variance to permit a side yard setback of 4 feet instead of the required 15 feet. The proposed 20 foot addition for a garage will encroach approximately one foot into an existing utility easement along the westerly property line. For this reason, there is the

**Baltimore County Fire Department**

J. Austin Deitz  
Chief



Towson, Maryland 21204  
875-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Richard A. & Marjorie A. Yates

Location: N/S of Presway Road, 205' East of Forest Ridge Road

Item No. 155 Zoning Agenda March 19, 1974

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 100 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 [Location] EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- ( ) 4. 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.
- ( ) 5. Site plans are approved as drawn.
- (X) 6. The Fire Prevention Bureau has no comments at this time.

Reviewed by: [Signature] Noted and Approved: [Signature]  
 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

March 20, 1974

DONALD J. ROOP, M.D., M.P.H.  
HEALTH OFFICE 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 155, Zoning Advisory Committee Meeting March 19, 1974, are as follows:

Property Owner: Richard A. & Marjorie A. Yates  
 Location: N/S of Presway Road, 205' E of Forest Ridge Rd.  
 Present Zoning: D.R.2  
 Proposed Zoning: Variance to permit a side yard setback of 4' instead of the required 15'  
 No. of Acres: 95 feet x 200.56 feet  
 District: 8th

Metropolitan water and sewer are available.

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

HVB:jlb

ORDER RECEIVED FOR FV 11MS

DATE: July 1, 1974  
BY: [Signature]

COPY OF DEED & DEED  
LIES IN BALTIMORE COUNTY  
XXXXXXXXXXXXXXXXXXXX

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE  
 April 5, 1974  
 Mr. Richard A. Yates  
 342 Presway Road  
 Timonium, Maryland 21093  
 RE: Variance Petition  
 Item 155  
 Richard A. & Marjorie A. Yates -  
 Petitioners  
 Dear Mr. Yates:  
 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 north side of Presway Road, approximately 205 feet east of Forest Ridge Road, in the 8th Election District of Baltimore County. It is improved by a two-story residence. The surrounding properties are similarly improved, and the dwelling adjacent to the subject side yard is approximately 75 feet from the joint property line. Curb and gutter exists throughout the entire subdivision.  
 The petitioner is requesting a Variance to permit a side yard setback of 4 feet instead of the required 15 feet. The proposed 20 foot addition for a garage will encroach approximately one foot into an existing utility easement along the westerly property line. For this reason, there is the

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 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 STANDARDS of the Variance requested not adversely affecting the health, safety and general welfare of the community

to permit a side yard setback of four feet instead of the required 15 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 13<sup>th</sup> day of May, 1974, that the herein Petition for a Variance should be read the same is granted, from and after the date of this order, subject to the approval of a site plan by the 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 \_\_\_\_\_, 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

WILLIAM D. FROMM  
DIRECTOR



S. ERIC DINENNA  
ZONING COMMISSIONER

April 5, 1974

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 #155, Zoning Advisory Committee Meeting, March 19, 1974, are as follows:

Property Owner: Richard A. and Marjorie A. Yates  
Location: N/S of Presway Road, 205 feet E of Forest Ridge Road  
Existing Zoning: D.R. 2  
Proposed Zoning: Variance to permit a side yard setback of 4 feet instead of the required 15 feet  
No. of Acres: .95 feet X 200.56 feet  
District: 8

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

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 484-3211 ZONING 484-3231

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 10, 1974

Mr. Richard A. Yates  
342 Presway Road  
Timonium, Maryland 21093

RE: Variance Petition  
Item 155  
Richard A. & Marjorie A.  
Yates - Petitioners

JAMES B. BYRNES, III  
Chairman

Dear Mr. Yates:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(s) of the Zoning Advisory Committee.

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,  
*James B. Byrnes, III*  
JAMES B. BYRNES, III  
Chairman,  
Zoning Advisory Committee

JBB:JD  
Enclosure

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

Chief of Engineering  
ELLSWORTH W. DIVER, P.E. CHIEF

April 8, 1974

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

Re: Item #155 (1973-1974)  
Property Owner: Richard A. & Marjorie A. Yates  
N/S of Presway Rd., 205' E. of Forest Ridge Rd.  
Existing Zoning: D.R. 2  
Proposed Zoning: Variance to permit a side yard setback of 4' instead of the required 15'  
No. of Acres: .95' x 200.56' District: 8th

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 highway and utility improvements are not directly involved. However, this property is Lot 25, Block "D", Valley Wood Section Six "B" (O.T.G. 31 Folio 50), subject to Baltimore County utility easements as indicated on the submitted plan. No encroachment by construction of any structure, including footings will be permitted within County utility easements and rights-of-way. The submitted plan should be revised accordingly.

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

END:RAM:PW:ss  
S-NE Key Sheet  
58 NW 7 Pos. Sheet  
NW 1/4 B Topo  
60 Tax Map

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 20, 1974

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

Z.A.C. Meeting of: March 19, 1974

Re: Item 155  
Property Owner: Richard A. & Marjorie A. Yates  
Location: N/S of Presway Rd, 205 feet E. of Forest Ridge Rd.  
Present Zoning: D.R. 2  
Proposed Zoning: Variance to permit a side yard setback of 4 ft. instead of the required 15 ft.

District: 8th  
No. Acres: .95 ft. x 200.56 ft.

Dear Mr. DiNenna:  
No bearing on student population.

Very truly yours,  
*W. Nick Petrovich*  
W. Nick Petrovich  
Field Representative

WNP/al

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 1, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #74-243-A. North side of Presway Road 205 feet East of Forest Ridge Road.  
Petition for Variance for a Side Yard.  
Petitioner - Richard A. and Marjorie A. Yates

8th District

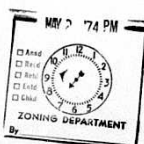
Hearing: Wednesday, May 1, 1974 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The granting of this request would not adversely affect the policies of the 1960 Ordinance, the County's official master plan.

*William D. Fromm*  
William D. Fromm  
Director of Planning

WDF:NEG:rv



BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director  
Wm. T. NELSON Deputy Traffic Engineer

April 11, 1974

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

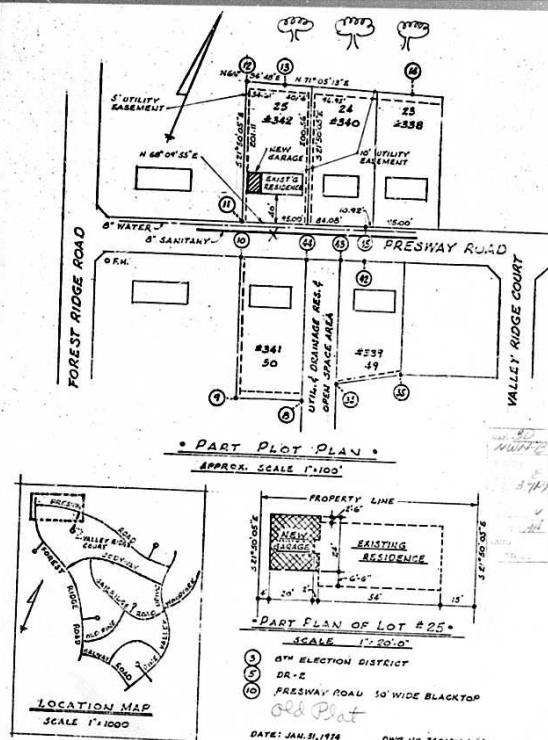
Re: Item 155 - ZAC - March 15, 1974  
Property Owner: Richard and Marjorie Yates  
N/S Presway Road, 205 feet E of Forest Ridge Road  
Variance to permit a side yard setback of 4 feet instead of the required 15 feet  
District 8

Dear Mr. DiNenna:

The subject petition should have no effect on traffic.

Very truly yours,  
*C. Richard Moore*  
C. Richard Moore  
Assistant Traffic Engineer

CRN/pk



OFFICE OF



TOWSON, MD. 21204 April 15 - 19 74

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 consecutive week before the 15 day of April 19 74 that is to say, the same was inserted in the issue of April 11 - 1974.

STROMBERG PUBLICATIONS, Inc.

By: Beck Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 11 19 74 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., one time one week before the 15th day of May 19 74, the first publication appearing on the 11th day of April 19 74.

THE JEFFERSONIAN

H. Leach Struthers Manager

Cost of Advertisement, \$.....

PETITION FOR A VARIANCE ON ZONING... The Board of Commissioners of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the above-captioned petition for a variance from the zoning regulations of Baltimore County to permit a side yard setback of 4 feet instead of the required 10 feet... Hearing Date: Wednesday, May 1, 1974 at 10:30 A.M. Public Hearing Room 100 County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this 17th day of March 1974 from #.....

S. Eric DiNenna Zoning Commissioner

Petitioner Richard A. Yates Submitted by SAYC Petitioner's Attorney STH Reviewed by STH

\* 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. 14783

DATE April 30, 1974 ACCOUNT 01-662

AMOUNT \$39.75

Richard A. Yates 362 Presney Rd. Timonium, Md. 21093 Advertising and posting of property - #74-243-A

Richard A. Yates 362 Presney Road Timonium, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing this 1st day of April 1974.

S. Eric DiNenna S. ERIC DINENNA, Zoning Commissioner

Petitioner Richard A. Yates Petitioner's Attorney James S. Polansky Reviewed by James S. Polansky Chairman, Zoning Advisory Committee

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: <u>STH</u>	Revised Plans: Change in outline or description		Yes		No					
Previous case:	Map #									

i-SIGN 74-243-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 8th Date of Posting: APRIL 13, 1974

Posted for: PETITION FOR VARIANCE

Petitioner: RICHARD A. YATES

Location of property: N/S. OF CRESWAY RD. 205' E. OF FOREST RIDGE RD.

Location of Sign: FRONT 342. Presney Rd.

Remarks: Thomas G. Polansky

Posted by: Thomas G. Polansky Signature Date of return: APRIL 19, 1974

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 13194

DATE April 8, 1974 ACCOUNT 01-662

AMOUNT \$25.00

Richard A. Yates 362 Presney Road Timonium, Md. 21093 Petition for Variance #74-243-A 250.00