

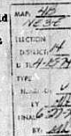
74-262-A (Order No. 166) **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. Joseph Russo & Joseph Russo 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 1802.3(1) to permit lot widths of... 50 feet, instead of the required 55 feet. (Lots #117-118), to permit existing side yard setback of 7'4" instead of required 10 feet. (Lot #117) and to permit front setback of 40' from center line of... of Baltimore County, for the following reasons (Indicate hardship or practical difficulty)

The entire area in Rosedale Farms, are all 50 Foot Lots, and would cause me undue hardship, by leaving me with one 45 Foot lot, that I could not build on.

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.

Contract purchaser

Joseph Russo
Legal Owner

Address: 7912 E. 32nd Street
Baltimore, Maryland 21237

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... 15th... day

of April 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 20th day of May 1974, at 10:00 o'clock

William D. Fromm
Zoning Commissioner of Baltimore County

(over)

10:00A
5/20/74

May 23, 1974

Mr. Joseph Russo and M's. Eva Biggerman
7912 East 32nd Street
Baltimore, Maryland 21237

RE: Petition for Variance
N/S of 32nd Street, 250' E of Hamilton Avenue - 14th District
Eva Biggerman and Joseph Russo - Petitioners
NO. 74-262-A (Item No. 168)

Dear Mr. Russo and M's. Biggerman:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

/s/
S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Attachment

Description of Property

Beginning at a point on the North Side of 32nd Street, 250 feet East of Hamilton Avenue, and being Lot 118 and 117 of Rosedale Farms, Section A as recorded in the Land Records Office of Baltimore County in Plat Book 5 Folio 61

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 17, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #74-262-A. North side of 32nd Street 250 feet East of Hamilton Ave. Petition for Variance for Lot Widths, Front and Side Yards. Petitioner - Eva Biggerman and Joseph Russo

14th District

HEARING: Monday, May 20, 1974 (10:00 A.M.)

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

The granting of this request would not be inconsistent with the 1980 Guideplan: Baltimore County's official master plan.

WDF:NEG:rw

William D. Fromm
Director of Planning



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 29, 1974

M's Eva Biggerman
7912 E. 32nd Street
Baltimore, Maryland 21237

RE: Variance Petition
Item 168
Eva Biggerman & Joseph Russo - Petitioners

Dear M's. Biggerman:

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 32nd Street, approximately 250 feet east of Hamilton Avenue, in the 14th Election District of Baltimore County. It is presently improved by a one-story frame dwelling. Various residences exist on 50 foot lots surrounding the property.

The petitioner is requesting a Variance to permit lot width of 50 feet instead of the required 55 feet, to permit a side yard for the existing dwelling of 7 feet instead of the required 10 feet, and to permit a front yard setback for the proposed structure of 40 feet from the center line of the street instead of the required 50 feet.

M's. Eva Biggerman
Item 168
April 29, 1974

April 29, 1974

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 Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
833-7210

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Eva Biggerman, etal

Location: N/S 32nd St. 250' E. of Hamilton Avenue

Item No. 168 Zoning Agenda April 9, 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 _____ 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. 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. Site plans are approved as drawn.
- (xxx) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *Paul B. B...*
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Ranche*
Deputy Chief
Fire Prevention Bureau

nlb
4/16/73

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. DIRECTOR
Wm. T. MELLEN DEPUTY TRAFFIC ENGINEER

April 11, 1974

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

Re: Item 168 - ZAC - April 9, 1974
Property Owner: Eva Biggerman, etal
N/S 32nd Street, 250 feet E of Hamilton Avenue
Variance from Section 1802.3c.1 to permit lot widths of 50 feet instead of the required 55 feet
District 14

Dear Mr. DiNenna:

The subject variance should have no effect on traffic.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/pk

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 Variance should be granted 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 lot widths of fifty (50) feet in lieu of the required fifty-five (55) feet for Lot Nos. 117 and 118, to permit an existing side yard setback of seven (7) feet, four (4) inches in lieu of the required ten (10) feet for Lot No. 117, and to permit a front setback of forty (40) feet from the center line of the street in lieu of the required fifty (50) feet for Lot No. 118 should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of May, 1974, that the herein Petition for Variances to permit lot widths of fifty (50) feet in lieu of the required fifty-five (55) feet for Lot Nos. 117 and 118, to permit an existing side yard setback of seven (7) feet, four (4) inches in lieu of the required ten (10) feet for Lot No. 117, and to permit a front setback of forty (40) feet from the center line of the street in lieu of the required fifty (50) feet for Lot No. 118 should be granted. The Zoning Commissioner of Baltimore County hereby certifies that the above Variance 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.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of May, 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 16, 1974

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 168, Zoning Advisory Committee Meeting
April 9, 1974, are as follows:

Property Owner: Eva Biggeman, et al
Location: N/S 32nd St. 250' E. of Hamilton Ave.
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit lot widths of 50 feet instead of the required 55 feet
No. of Acres: 100 x 150
District: 14

Metropolitan utilities are available to the site.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/cag

WILLIAM J. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



April 17, 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 168, Zoning Advisory Committee Meeting, April 9, 1974, are as follows:

Property Owner: Eva Biggeman, et al
Location: N/S 32nd St. 250' E. of Hamilton Avenue
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit lot widths of 50 feet instead of the required 55 feet
No. of Acres: 100 X 150
District: 14th

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 and Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON AVENUE 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 454-3311 ZONING 454-3311

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND - 21204

Date: April 29, 1974

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

Z.A.C. Meeting of: April 9, 1974

Re: Item 168

Property Owner: Eva Biggeman, et al
Location: N/S 32nd St., 250' E. of Hamilton Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit lot widths of 50 ft. instead of the required 55 ft.

District: 14th
No. Acres: 100 x 150

Dear Mr. DiNenna:

No bearing on student population.

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

WNP/ml

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 2, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 1st day of May, 1974, the first publication appearing on the 2nd day of May, 1974.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

ROSEDALE, MD., May 3, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., on the 1st day of May, 1974, the publication appearing on the 2nd day of May, 1974.

THE OBSERVER.

Advertising Mgr.

Cost of Advertisement \$23.48

PETITION FOR A VARIANCE
14th DISTRICT

SENDER: Petitioner for Variance for Lot Width, Front and Side Yards.

LOCATION: North side of 32nd Street 250 feet East of Hamilton Avenue.

DATE & TIME: MONDAY, MAY 20, 1974 at 10:00 A.M.

PUBLIC HEARING: Room 105, 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.

Notice for Variance from the Zoning Regulations of Baltimore County to permit lot widths of 50 feet instead of the required 55 feet for Lot 117 and 118.

Notice for Variance from the Zoning Regulations of Baltimore County to permit lot widths of 50 feet instead of the required 55 feet for Lot 117 and 118.

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Notice for Variance from the Zoning Regulations of Baltimore County to permit lot widths of 50 feet instead of the required 55 feet for Lot 117 and 118.

600 1/2 x 1/2 262
JH

cc: J. Somers
J-NE Key Sheet
31 NE 18 Post. Sheet
NE 3 E Topo
89 Tax Map

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

May 17, 1974

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

Re: Item #168 (1973-1974)
Property Owner: Eva Biggeman, et al
N/S 32nd St., 250' E. of Hamilton Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C.1 to permit lot widths of 50' instead of the required 55'
No. of Acres: 150' x 150' District: 14th

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:

32nd Street, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 40-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening will be required in connection with any grading or building permit application. The plan should be revised to indicate the proposed highway right-of-way widening.

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

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 exist and are serving the present dwelling.

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

END:RAM:FCR:as

END:RAM:FCR:as

END:RAM:FCR:as

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#74-262-1A

District: 144 Date of Posting: May 2-74
Posted for: Harry Mandy May 20th 1974
Petitioner: Eric Biggeman
Location of property: NW 1/4 32nd St. & 250 E. of Hamilton Ave.
Location of Signs: 1 sign posted on NW 1/4 of 32nd St. & 250 E. of Hamilton Ave.
Remarks: _____
Posted by: Mark H. Shes Date of return: May 9-74

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well 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>NBC</u>										
Revised Plans: Change in outline or description										
Previous case: _____										
Map # _____										

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

No. 14777

DATE: April 29, 1974 ACCOUNT: 01-662

AMOUNT: \$25.00

WHITE - CASHIER
Harry Biggeman
7912 E. 32nd St.
Baltimore, Md. 21237
Petition for Vardagor
#74-262-A

25.00

Mrs. Eva Biggeman
7912 E. 32nd Street
Baltimore, Md. 21237

Item 168

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 15th day of April, 1974.

S. Eric Dinenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner: Eva Biggeman & Joseph Mingo

Petitioner's Attorney: _____

Reviewed by: James B. Bynum
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 5th day of

April, 1974. Item # _____

S. Eric Dinenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner: E. BIGGEMAN & J. MINGO Submitted by: NBC

Petitioner's Attorney: _____ Reviewed by: NBC

* 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. 15012

DATE: May 14, 1974 ACCOUNT: 01-662

AMOUNT: \$49.48

WHITE - CASHIER
Eva Biggeman
7912 E. 32nd St.
Baltimore, Md. 21237
Advertising and posting of property
#74-262-A

49.48