

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Francis J. Breighner, 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 1802.3C.1 (301.1) to permit a side setback of 0' for an open carport in lieu of the required 7.5'

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

1. A setback of 7.5 feet would not allow a carport to be constructed.
2. No dwelling located adjacent to proposed site. Property is presently zoned Public.
3. Owners are not financially able to afford purchase of larger property at present time.

See attached description

MAP 30
SECTION 9
W/S of Oakleigh Rd. 440' N of White Oak Ave.
BAL. 7-279-A

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.

DATE: June 3, 1974
BY: [Signature]
Contract purchaser: [Signature]
Address: [Signature]
Petitioner's Attorney: [Signature]
Protector's Attorney: [Signature]
Address: [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of May 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of June 1974, at 11:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

11:00 A
6/13/74

COUNTY OFFICE BLDG.
111 W. Listerwood Ave.
Towson, Maryland 21286

XXXXXXXXXXXXXXXXXXXX

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE BOARDS COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

DEPARTMENT OF EDUCATION

ZONING ADMINISTRATION

FEDERAL DEVELOPMENT

Mr. Francis J. Breighner
8608 Oakleigh Road
Baltimore, Maryland 21234

RE: Variance Petition
Item 184
Francis J. Breighner - Petitioner

Dear Mr. Breighner:

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 west side of Oakleigh Road opposite Darrich Drive, in the 9th Election District of Baltimore County. It is presently improved by one unit of a semi-detached structure.

The properties that abut the site to the north are improved with similar semi-detached dwellings and row houses exist opposite the site on Oakleigh Road. Abutting the property to the south is a large playground that is apparently under public ownership.

The petitioner requests a side yard Variance of 0' instead of the required 7.5'. A 10'x29' open carport is proposed.

June 3, 1974

Mr. & Mrs. Francis J. Breighner
8608 Oakleigh Road
Baltimore, Maryland 21234

RE: Petition for Variance
W/S of Oakleigh Road, 440' N of
White Oak Avenue - 9th District
Francis J. Breighner, et ux -
Petitioners
NO. 74-279-A (Item No. 184)

Dear Mr. & Mrs. Breighner:

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/mc

Attachment

BEGINNING for the same on the west side of Oakleigh Road, approximately 440' north of White Oak Avenue, thence binding the following four courses:

- 1.) N 16° 15' E 25.48 feet
- 2.) N 68° 37' 30" W 158.52 feet
- 3.) S 21° 22' 30" W 25.36 feet
- 4.) S 68° 37' 30" E 160.79 feet

to the place of beginning.

Also known as 8608 Oakleigh Road.

Baltimore County Fire Department

J Austin Deitz
Chief



Towson, Maryland 21204
873-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Francis J. Breighner

Location: W/S of Oakleigh Road, 440' N of White Oak Avenue
Item No. 184 Zoning Agenda May 7, 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. 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.
- () 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.
- () 6. The Fire Prevention Bureau has no comments at this time.
- (x) 7.

Reviewed: [Signature] Planning Group
Special Inspection Division
Noted and Approved: [Signature] Deputy Chief
Fire Prevention Bureau

mls
4/16/73

Mr. Francis J. Breighner
Item 184
May 16, 1974

Page 2

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

cc: J. Somers
Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
N-NE Key Sheet
36 NE 12 Pos. Sheet
NE 9 C Topo
70 Tax Map

Division of Engineering
ELLSWORTH N. DYER, P. E. CHIEF
May 17, 1974

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

Re: Item #184 (1973-1974)
Property Owner: Francis J. Breighner
W/S of Oakleigh Rd., 440' N. of White Oak Ave.
Existing Zoning: Public
Proposed Zoning: Variance from Section 1802.3C.1 (301.1) to permit a side setback of 0' for an open carport in lieu of the required 7.5'
No. of Acres: .09 District: 9th

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:
Oakleigh Road, an existing public road, is proposed to be improved as a 40-foot closed-type roadway cross-section on a 60-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

Sediment Control:
Development of this property through stripping, 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 stripping 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 are serving this property.

Very truly yours,
[Signature]
ELLSWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END:RAM:FWH:iss

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

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

Dear Mr. DiNenna:
Comments on Item 184, Zoning Advisory Committee Meeting May 7, 1974, are as follows:

Property Owner: Francis J. Breighner
Location: W/S of Oakleigh Rd., 440' N of White Oak Avenue
Existing Zoning: Public
Proposed Zoning: Variance from Section 1802.3C.1 (301.1) to permit a side setback of 0' for an open carport in lieu of the required 7.5'
No. of Acres: .09
District: 9

Netro., litan water and sewer are available to this site.

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

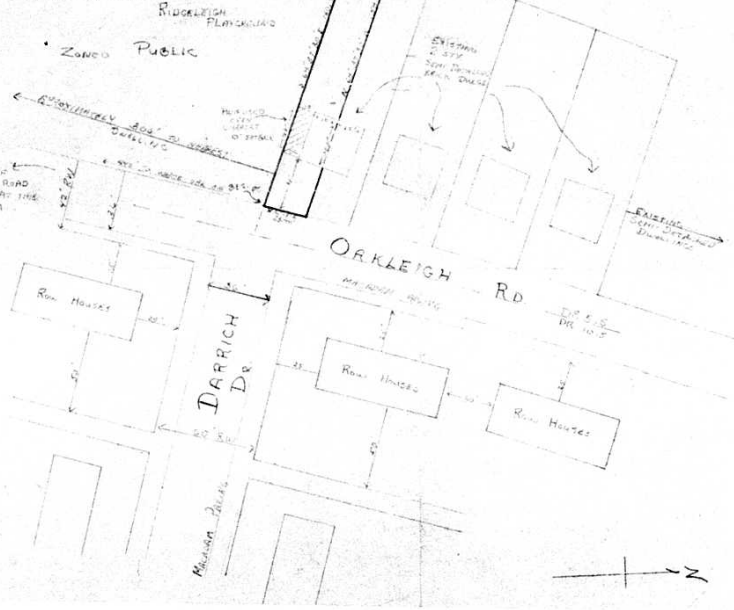
HVB/cap



MAP	80
NEPZ	
SECTION	9
DTG	10/27/78
BY	ML
FINAL	7/27/78
BY	ML

VARIANCE FROM SECTION 301.1 TO
 PLANT SITUATED SETBACK OF 0'
 MR. MAS FORDIS & BUSHNER
 9th ELECTION DISTRICT
 SCALE 1" = 40'
 EXISTING WATER & SEWERAGE ORKLEIGH RD
 KIDGERSH SUBDIVISION - PLANT 2
 LINES DTG 12 FORD 57
 APPROXIMATELY .01 ACR

DR. 10.5
 BR. 3.5



NOTE:
 WIDTH OF
 EXISTING ROAD
 VARIES AT THIS
 AREA

Zoned PUBLIC

RIDGEHIGH
 PLANNING

ORKLEIGH RD

DARRICH DR

Row Houses

Row Houses

Row Houses

Mountain Drive

