nereby petition for a Variance from Section_1802-30.1 (301.1) to permit a side setback of Q' for an open carport in lieu of the required 7.5'

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

1. A set back of 7.5 feet would not allow a carport to be constructed.

- 2. No dwelling located adjacent to proposed site. Property is presently
- Owners are not financially able to afford purchase of larger property at present time.

See attached description

3

Property is to be posted and advertised as prescribed by Zoning Regulations.

Age we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this

stilled, and further agree to and are to be bound by the zoning, regulations and restrictions of

Bachere a. Brughas Soll Mass

ORDERED By The Zoning Commissioner of Baltimore County, this

of May 197 h 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 _day of _June ______ 1974_ at _11:00 clock

Zoning Commissioner of Battimore County.

11:00 A

BALTIMORE COUNTY ZONING ADVISORY COMMITTED

XXXXXXXXXXXXX

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE BOADS COMMISS

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT PROJECT PLANNING

BUILDING DEPARTMEN

FO 'S OF EDUCATION

ONING ADMINISTRATE

DEVELOPMENT

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

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

May 16, 1974

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 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 Commaissioner with recommendations as to the appropriateness of the requested woning.

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

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 Onkleigh Road Baltimere, 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)

Duar Mr. & Mrs. Breighners

I have this date passed my Order in the above captioned matter in

Very truly yours,

JAMES E. DYER

Page 2

Very truly yours,

JAMES B. BYRNES, III

Chairman, Zoning Advisory Committee

This perition 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.

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

JBB:JD

Enclosure

JED/mc Attachment

Baltimore County Fire Department

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

Also known as 8608 Oakleigh Road.

to the place of beginning.



Towson, Maryland 21204 025-7310

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, bhO' N of White Oak Avenue

Zoning Agenda May 7, 1974

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. Pire hydrants for the referenced property are required and shall be located at intervals of a sport of the fact along a sport of road in accordance with Saltimore Courty Standards as published by the Department of Public Works () 2. A second means of whiche access is required for the site.

1) 3. The whiche drad-end condition shown at

EXCHEDS 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.

of the Fire Prevention Code prior to occupancy or beginnin

() 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,
The Fire Prevention Bureau has no comments at this time.

Hoted and Paul It Reuseles
Approved: Paul It Reuseles
Deputy Chief
sion Pire Prevention Bureau

Balttmore County, Margland Bultimore County, Margiand

Bepartment Of Jubit: Borks

COUNTY OFFICE BUILDING

N-NE Key Sheet
36 NR 12 Pos. Sheet
ME 9 C Topo
70 Tax Map

May 17, 197h

0

Mr. S. Eric Dinenna Zoning Commissioner County Office Building Towson, Maryland 2120h

ELLEWORTH H. DIVER. P. E. CHIEF

Re: Item #184 (1973-1974) Hem #18. (1973-1974)
Property Owner: Prancis A. Breighner
W/S of Oakleigh Hd., bloo' N. of white Oak Are.
Existing Zoning: Public
Proposed Zoning: Variance from Section 1802,30.1
(2011) to permit a side setback of O' for an open
carport in lieu of the required 7.5'
No. of Acres: 09 District; 9th

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.

Oakleigh Road, an existing public road, is proposed to be improved as a h0-foot closed-type roadway cross-section on a 60-foot right-of-way. Highway improvements are not required at this tion. Highway right-of-way wideling, including any mecessary revertible easements for alopes will be required in connection with any grading or building persit application.

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 mecessary drainage facilities (temporary or permanent) to prevent creating any muisances 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 Petitions.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours, ELISWETH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: 58

-BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

May 9, 1974

DONALD J. BOOP, M.D., M.P.H.

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

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 2 Oak Avenue
Fristing 2 Oak Avenue
Fristing 2 Oak Avenue
Listing 2 Oak Av

No. of Acres: .09 District: 9

Metro- litan water and sever are available to this

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

atre.

mls 4/16/73

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 hardebin upon the Petitioner Variance should be had; and it further appearing that by reason of the granting of Variance requested not adversely affecting the health, safety and general in lieu of the required seven and one-half feet should be granted. ORDERED by the Zoning Commissioner of Baltimore County this 3 ED. , from and after the date of this order, subject to the approval of ent of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore Pursuant to the advertisement, porting of property and public hearing on the above petition the shows Veriance should NOT DP CDANTED IT IS ORDERED by the Zening Commissioner of Baltimore County this 197 ... that the above Variance be and the same is hereby DENIED.



May 8, 1974

Mr. S. Eric DiNenna, Zoning Commission Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building

Comments on Item #184, Zoning Advisory Committee Meeting, May 7, 1974, are as follows:

Property Owner: Francis J. Breighner Location: W/s of Oakleigh Road 440' N of White Oak Avenue Location: W/s of Odkreign nove and it is a minuted to the first part of the first part of the first part of the first part of the required 7.5'

O' for an open carport in lieu of the required 7.5'

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

John Z Winkles John L. Wimbley
Planning Specialist II

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING LDING 105 WEST CHESAPEAKE AVENUE

BOAR OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND . 21204

Date: May 8, 1971

Mr. S. Eric DiMenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 2120k

Z.A.C. Meeting of: May 7, 1974

Re: Item 18h

Location .

Property Owner: Francis J. Breighner

W/S of Oakleigh Road., bho' N. of White Cak Avenue

Present Zoning: Public

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'

District. No tomes

No effect on student population.

UN 3/-1

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

ALVIN CORECK

BALLMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date May 30, 1974

FROMWilliam D. Fromm, Director of Planning

S. Ripy-Petition #74-279-A. West side of Oakleigh Road 440 feet North of Petition for Variance to permit a side yard Petitioner - Francis J. Breighner

9th District

Hearing: Monday June 3, 1974 (11:00 A W)

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

William D. Fromm Director of Planning

WDF:NEG:rw



BALTIMORE COLINTY MARYLAND

DROER RECEIVED FOR



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD. P.E.

WM. T. MELTER

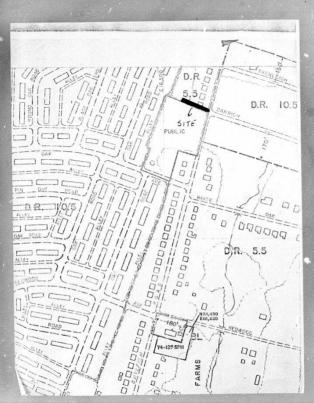
Hay 28, 1974

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

Re: Item 184 - ZAC - Hay 7, 1974
Property Owner: Francis J. Breighner
Francis J. Breighner
Francis J. Breighner
Francis G. Breighner
Fr

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

MSE/nl



TOWSON MD 21204

ORTGTWAT OF OF TOWSON IMES THIS IS TO CEPTIEV, that the approved adverti was inserted in THE TOWSON TIMES, a weekly newspaper published STROMBERG PUBLICATIONS Inc. By futh morgan

CERTIFICATE OF PUBLICATION TOWSON, MD. May 16 19.74 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed appearing on the 16th day of May Leanh Shuth

Cost of Advertisement \$

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Petition number add	led to						
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Granted by ZC, BA, CC, CA							
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Oakleigh Road More, Maryland 2	1234 Your Pe	County O. 111 W. C! Towson, I tition ha	FICE OF I	clans of a lding Avenue 21204 ecceived a	zoning accep	oted _1974.	
Transis J. Breight Oakleigh Road more, Maryland 2 filing this	Your Pe	County O. 111 W. Cl Towson, I tition ha	FICE OF I	PLANNING & Alding Avenue 21204 ecceived a linenna,	zoning accep	oted _1974.	

ZONING DEPARTMENT OF BALTIMORE COUNTY

#74-279-17

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Natrice 9 Date of Penting 5-16-74 Posted for Newscap Mire Jan 3 1974 & 11/20 AM estitioner Practice T. Rising	
contion of Signs 1. Sugar Rould Stell dahling ! Bod	
emarks: Osted by Marian Hoy Date of return: 5/1.3/74	

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 23 day of FIFRIL 197√. Item #

Zoning Commissioner Petitioner Ma . Mas F Basichus R Submitted by 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 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 15049

ATE June 3, 1974 ACCOUNT 51055EX 01-662

AMOUNT \$47.75

HITE - CASHIER

PINK - AGENCY YELLOW - CUSTOMER

Mrs. Barbara A. Breighner 8608 Cakleigh Road

Reltimore, Md. 2123, Advertising and posting of property 474-279-44 8 OR M 3

47.75

BALTIMORI COUNTY, MARYLAND OFFICE OF FIN .E - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

May 13, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION VELLOW - CUSTON EN

Mrs. Barbara A. Brieghner 8608 Oakleigh Road Baltimore, Md. 21234 Petition for Variance 7 8 201 14

#74-279-A

25.00 Kg

