

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William Hirschfeld, 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 400.1 TO PERMIT AN ACCESSORY... structure (tennis court) to be located in the side yard... instead of the required rear yard.

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

1. Altering existing trees and terrain to locate a tennis court in the rear yard would require extreme measures:
2. Loss of all trees
3. High retaining walls
4. Too much reduction in the size of the facility
5. Difficulty in handling the final grading

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: William Hirschfeld
Address: 3604 Barberry Court
Pikesville, Maryland 21208
Legal Owner
Petitioner's Attorney: Joseph Omansky
Address: 25 South Calvert St.
Baltimore, Maryland 21202
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of August 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 30th day of September, 1974, at 10:00 o'clock.

Eric D. Dinenna
Zoning Commissioner of Baltimore County.

(over)

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

August 23, 1974

Division of Engineering
ELLENWORTH H. DIVER, P. E. CHIEF

Re: Item #27 (1974-1975)
Property Owner: William Hirschfeld
1/4 S of Barberry Ct., 3604 W. of Burning Wood Rd.
Petitioner's Attorney: J. Omansky
Proposed Variance: Variance from Sec. 400.1 to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard.
No. of acres: 1.11 District: J04

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:

Barberry Court is an improved County street; no further highway improvements are required.

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 Drainage:

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.

Generally, encroachment by construction of any structure, including footings, is not permitted within County utility easements and rights-of-way. The Petitioner is responsible for a recorded agreement between the Petitioner, his heirs and assigns and Baltimore County setting forth his responsibilities and saving Baltimore County harmless from any/all damages or claims in connection with the construction, maintenance and use of the tennis court over the public utility easement and storm drain.

October 1, 1974

Joseph Omansky, Esquire
25 South Calvert Street
Baltimore, Maryland 21202

RE: Petition for Variance
NW/4 of Barberry Court, 340' W of
Burning Wood Road - 3rd District
William Hirschfeld - Petitioner
NO. 75-70-A (Item No. 27)

Dear Mr. Omansky:

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

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

DESCRIPTION FOR VARIANCE

William Hirschfeld
3604 Barberry Court
Pikesville, Maryland 21208

Being at a point on the northwest side of Barberry Court, approximately 340 feet west of Burning Wood Road, and being lot 15, Block "A" of Plat #4 of "Long Meadow West". Plat Book RRG 29 Folio 49

Also known as 3604 Barberry Court.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: August 23, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-70-A, Northwest side of Barberry Court 340 feet West of Burning Wood Road
Petition for Variance for an Accessory Structure.
Petitioner - William Hirschfeld and Loretta Hirschfeld

3rd District

HEARING: Monday, September 30, 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 policies of the 1980 Guideplan, the County's official master plan.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Joseph Omansky, Esq.
25 South Calvert Street
Baltimore, Maryland 21202

Item 27

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
211 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 15th day of August 1974.

Eric D. Dinenna
Eric D. Dinenna,
Zoning Commissioner

Petitioner William Hirschfeld

Petitioner's Attorney Joseph Omansky
c/o: John P. Tompkins
11 E. Main Street, Westminster, Md. 21157

Reviewed by James B. Byrnes, Jr.
Chairman,
Zoning Advisory Committee

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

to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 197 4, 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 tennis court not being used after 10:30 P.M., installation of lights must be shown on a revised site plan and 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 197 4, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 15, 1974

COUNTY OFFICE BUILDING
111 M. Chesapeake Avenue
Towson, Maryland 21204

JAMES B. BYRNES, III
Chairman

MEMBERS
JUDICIAL ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF PUBLIC WORKS
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PLANNING AND DEVELOPMENT PLANNING
TECHNICAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

Joseph Omansky, Esq.
25 South Calvert Street
Baltimore, Maryland 21202

RE: Variance Petition
Item 27
William Hirschfeld - Petitioner

Dear Mr. Omansky:

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 northwest side of Barbary Court, approximately 340 feet west of Burning Wood Road, in the 3rd Election District of Baltimore County. This large lot is presently improved with an attractive one-story residence. Existing properties are similarly improved.

The petitioner is requesting a Variance to permit a tennis court to be located in the side yard instead of the required rear yard.

This petition is accepted for filing, however, the petitioner should contact the Buildings Engineer's Office to determine if the proposed setbacks from the side and rear property lines will meet their requirements.

Joseph Omansky, Esq.
Re: Item 27

Page 2
August 7, 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
Chief,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: John P. Donofrio,
Landscape Architect
11 E. Main Street
Westminster, Maryland 21157

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

825-7500

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: William Hirschfeld

Location: NW/4 of Barbary Court, 340' W. of Burning Wood Road

Item No. 27 Zoning Agenda July 30, 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 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. 301 "The Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: J. Austin Deitz, Chief
Special Inspection Division

Paul H. Rinecke
Deputy Chief
Fire Prevention Bureau

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

August 9, 1974

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

Dear Mr. DiNenna:

Comments on Item 27, Zoning Advisory Committee Meeting, July 30, 1974, are as follows:

Property Owner: William Hirschfeld
Location: NW/4 of Barbary Court, 340' W. of Burning Wood Rd.
Existing Zoning: D.R.2
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard.
No. of Acres: 1.14
District: 3rd

Comments: Septic system appears to be working satisfactory; metropolitan water available.

Very truly yours,

Thomas A. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

BHB/bc

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



August 6, 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 #27, Zoning Advisory Committee Meeting, July 30, 1974, are as follows:

Property Owner: William Hirschfeld
Location: NW/4 of Barbary Court, 340' W. of Burning Wood Road
Existing Zoning: D.R.2
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard.
No. of Acres: 1.14
District: 3rd

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.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 5, 1974

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

Re: Item 27

Z.A.C. Meeting of: July 30, 1974

Property Owner: William Hirschfeld

Location: NW/4 of Barbary Court, 340' W. of Burning Wood Road

Present Zoning: D.R. 2

Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (tennis court) to be located in the side yard instead of the required rear yard.

District: 3rd

No. Acres: 1.14

Dear Mr. DiNenna:

No bearing on student population.

WSP/ml

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

H. EMERLE PARKS, Chairman
EUGENE C. HARRIS, Vice-Chairman
WILLIAM R. BERRY, Secretary

MARCUS M. BOTSARIS
JOSEPH W. HILGREN
ALVIN LORBER
JOSHUA W. WHEELER, Superintendent

T. BAYARD WILLIAMS, IV
RICHARD W. TRACY, V. III
WILLIAM W. BULLOCK, III

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: ETH			Revised Plans:							
Previous case:			Change in outline or description							
			Map #							

ORIGINAL

PETITION FOR A VARIANCE FROM THE ZONING
LOCATION: Northwest side of Barbary Court 340 feet West of Barrow Wood Road.
DATE & TIME: MONDAY, SEPTEMBER 10, 1974 at 10:00 A.M.
PUBLIC HEARING: Room 106, 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 on the Petition for Variance from the Zoning Regulations of Baltimore County to permit an accessory structure (garage) to be located in the side yard, named as the required lot.

The Zoning Regulations to be changed are follows:
 Section 19B.1 - Accessory buildings in residential zones, other than farm buildings shall be located only in the rear yard and shall occupy not more than 40% thereof.

At that period of land in the Third District of Baltimore County
 Being a parcel on the northwest side of Barbary Court, approximately 340 feet west of Barrow Wood Road, and being Lot 14, Block "A" of Plat No. 4 of "Long Meadow West", Flat Book REC 29 Folio 48. Also known as 3404 Barbary Court.

Being the property of William Hirschfeld and Lucania Hirschfeld, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, September 30, 1974 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Sept. 10.

OFFICE OF

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 Sept. 16, 1974

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One ~~XXXXXX~~ week before the 16th day of Sept., 1974, that is to say, the same was inserted in the issue of Sept. 11, 1974.

STROMBERG PUBLICATIONS, Inc.

By: *Beth Morgan*

PETITION FOR A VARIANCE FROM THE ZONING
LOCATION: Northwest side of Barbary Court 340 feet West of Barrow Wood Road.
DATE & TIME: MONDAY, SEPTEMBER 10, 1974 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
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Being the property of William Hirschfeld and Lucania Hirschfeld, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, September 30, 1974 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Sept. 10.

75-70-A
CERTIFICATE OF PUBLICATION

TOWSON, MD. September 12, 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., once a week for One ~~XXXXXX~~ week before the 16th day of September, 1974, the first publication appearing on the 12th day of September 1974.

THE JEFFERSONIAN

L. Frank Johnston

Manager

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 12th day of Sept. 1974. Item #

S. Eric DiNenna
 S. Eric DiNenna,
 Zoning Commissioner

Petitioner *Hirschfeld* Submitted byPetitioner's Attorney *rust* Reviewed by

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

BALTIMORE COUNTY, MARYLAND No. 16906
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Sept. 30, 1974 ACCOUNT 01-662

AMOUNT \$47.00

WHITE - CASHIER

DISTRIBUTION
PINK - AGENCY

YELLOW - CUSTOMER

Cash

Advertising and posting of property for Mr. Hirschfeld 75-70-A 47.00

BALTIMORE COUNTY, MARYLAND No. 15143
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE August 30, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER

DISTRIBUTION
PINK - AGENCY

YELLOW - CUSTOMER

Mark Trapp Design & Consultation Stevenson, Md. at Hillside

Stevenson, Md. 21153
Petition for Variance for Mr. Hirschfeld 75-70-A 25.00

1-SIGN

75-70-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: Sept. 12, 1974

Posted for: PETITION FOR VARIANCE

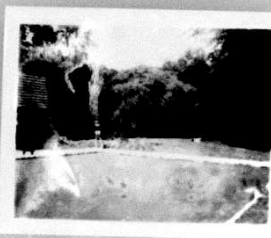
Petitioner: WILLIAM HIRSCHFELD

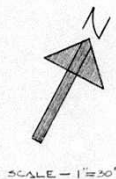
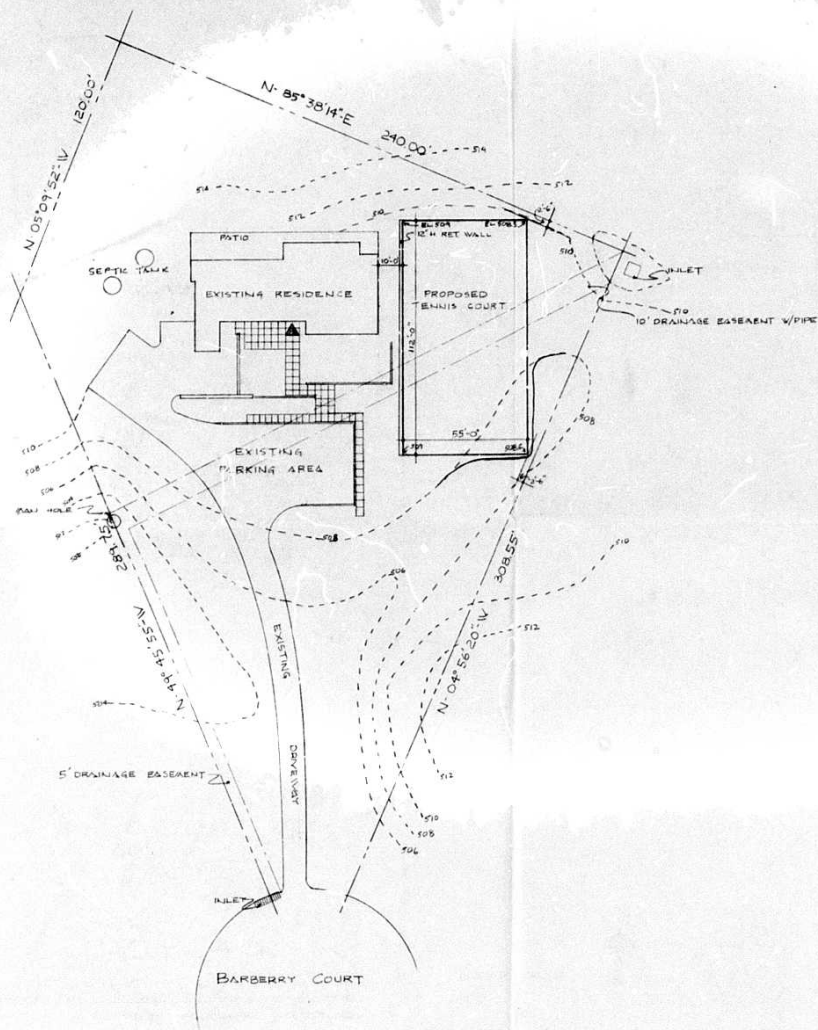
Location of property: NW/4 OF BARBERRY COURT 340' W. OF BARROW WOOD RD.

Location of Sign: 3404 BARBERRY COURT

Remarks:

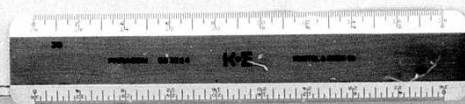
Posted by: Thomas L. Polansky Signature Date of return: Sept. 13, 1974

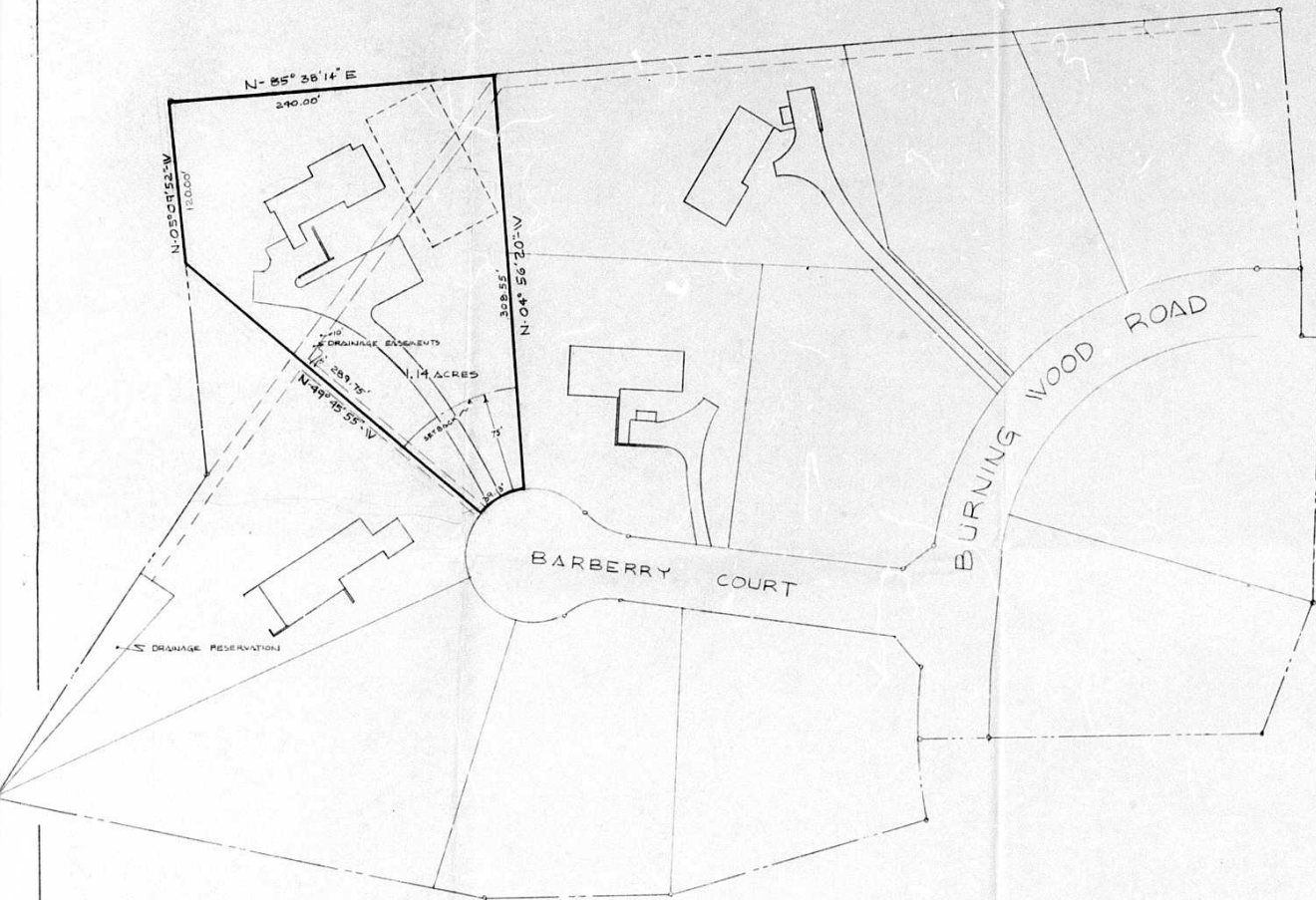




MAP	11
SECTION	11
DATE	11/11/11
BY	11/11/11
BY	11/11/11
BY	11/11/11

THE RESIDENCE of <u>MR & MRS Wm HIRSHFELD</u> 3604 BARBERRY COURT PIKESVILLE, MD 21208	
SITE PLAN	
DESIGNED BY: JOHN P. DONOFRIO LANDSCAPE ARCHITECT	PREPARED BY: RELATED ARCHITECTURAL SERVICES
1" = 30'-0"	
SHEET # 1 of 2	

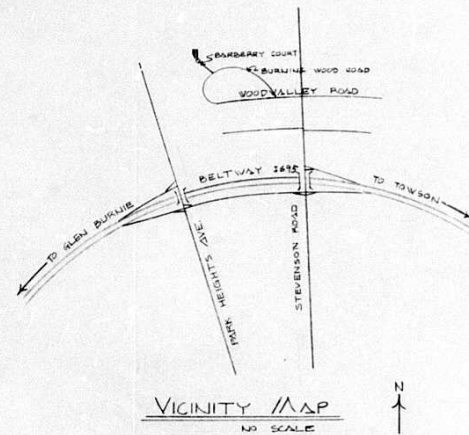




PLAT 4 of
LONGMEADOW WEST
 ELECTION DISTRICT 3, BALTIMORE COUNTY, MD.
 ZONED ~ DR-2

SCALE - 1" = 50'

N ↑



THE RESIDENCE of MR & MRS Wm HIRSHFELD 3604 BARBERRY COURT PIKESVILLE, MD 21208	
<u>PLAT PLANS & VICINITY MAP</u>	
DESIGNED BY: JOHN P DONOFRIO LANDSCAPE ARCHITECT	PREPARED BY: RELATED ARCHITECTURAL SERVICES
SCALE AS NOTED	
SHEET # 2 of 2	

