

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Frances
I, or we, Michael Alleva, 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 1A00-3B.1 to Permit side setbacks of 11 feet instead of required 50 feet on each side. To permit a front yard setback of 25 feet and a rear yard of 25 feet instead of the required 50 feet.

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

1. Not enough Land
2. Ranch type least expensive to build
3. Only kind we can afford

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
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of September, 1974.

of October 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 21st day of October, 1974, at 10:00 o'clock A.M.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 23, 1974

Mr. Michael Alleva
1227 E. Northern Parkway
Baltimore, Maryland 21212

RE: Variance Petition
Item 19
Frances Michael Alleva -
Petitioner

Dear Mr. Alleva:

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 south side of Breidenbaugh Lane, approximately 1000 feet east of Manor Road, in the 11th Election District of Baltimore County, and is presently unimproved.

The property immediately adjoining on the west is unimproved, and the property immediately adjoining on the east is improved with a 1-1/2 story frame dwelling. Breidenbaugh Lane is a 16 foot wide private road consisting of a crusher run surface.

The petitioner is requesting a Variance to permit side yard setbacks of 11 feet on each side, and front and rear setbacks of 25 feet

Mr. Michael Alleva
Item 19
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in lieu of the required 50 feet. A dwelling is proposed.

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
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

October 25, 1974

Mr. & Mrs. Michael Alleva
1227 East Northern Parkway
Baltimore, Maryland 21212

RE: Petition for Variances
S/S of Breidenbaugh Lane, 1000' SE
of Manor Road - 11th District
Michael Alleva, et ux - Petitioners
NO. 15-61-A (Item No. 19)

Dear Mr. & Mrs. Alleva:

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 A VARIANCE

Beginning on the south side of Breidenbaugh Lane, 16' right of way, approximately 1000' southeast of Manor Road, and running

S 87° - 20' E 132.9'
S 50° W 532.27'
N 40° W 90.10'
N 50° E 434.52'

to places of beginning.

Approximately 1 acre.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 15, 1974

FROM: William D. From, Director of Planning
Petition #75-84-A.

SUBJECT: Petition for Variance for Front, Side, and Rear Yards
South side of Breidenbaugh Lane 1000 feet Southeast of Manor Road
Petitioner - Michael and Frances Alleva

11th District

HEARING: Monday, October 21, 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 is not inconsistent with the policies of the 1960 Guideplan, the County's official master plan.

William D. From
Director of Planning

WDF:NEG:rw

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

August 12, 1974

Review of Engineering
ELLSWORTH M. DYER, P. E. CHIEF

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

Re: Item #19 (1974-1975)
Property Owner: Frances Michael Alleva
S/S of Breidenbaugh Lane, 1000' S/E of Manor Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Section 1A00-3B.1 to permit side setbacks of 11' instead of required 50' on each side.
No. of Acres: 1 District: 11th

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:

It appears that this property may be one of several lots as a result of the subdivision of a larger parcel and Baltimore County Subdivision Regulations would apply, if such is the case.

Highways:

Breidenbaugh Lane is a private road.

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.

Item #19 (1974-1975)
Property Owner: Frances Michael Alleva
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August 12, 1974

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are not available to serve this property which is located beyond the limits of the Baltimore County Metropolitan District and the Urban Rural Demarcation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates "No Planned Service" in the area.

Very truly yours,

Ellsworth M. Dyer, P.E.
Chief, Bureau of Engineering

END:EM:FM:res

cc: S. Dyer
R-42 Key Sheet
R-42 16 sec. Sheet
W-15 S Topo
S-3 Tap

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, Variances to permit side yard setbacks of 11 feet instead of the required 50 feet on each side; a front yard setback of 25 feet and a rear yard of 25 feet instead of the required 50 feet

should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25th day of October, 1974, 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 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

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

928-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Frances Michael Alleva

Location: S/S of Breidenbaugh Lane, 1000' SE of Manor Road

Item No. 19 Zoning Agenda July 23, 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.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: [Signature] Noted and
Planning Group
Special Inspection Division

Approved: Paul H. Reincke
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 19, Zoning Advisory Committee Meeting, July 23, 1974, are as follows:

Property Owner: Frances Michael Alleva
Location: S/S of Breidenbaugh Lane, 1000' SE of Manor Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Section 1A00.3B.3 to permit side setbacks of 11' instead of required 50' on each side.

No. of Acres: 1
District: 11th

Comments: Complete soil evaluation needed; approved water supply must be provided.

Very truly yours,

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

JHVB/nc

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 #19, Zoning Advisory Committee Meeting, July 23, 1974, are as follows:

Property Owner: Frances Michael Alleva
Location: S/S of Breidenbaugh Lane, 1000' SE of Manor Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Section 1A00.3B.3 to permit side setbacks of 11' instead of required 50' on each side.
No. of Acres: 1
District: 11th

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,

[Signature]
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 901 PLANNING 404-3211 ZONING 404-3351

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: July 29, 1974

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

Z.A.C. Meeting of: July 25, 1974

Re: Item 19

Property Owner: Francis Michael Alleva

Location: S/S of Breidenbaugh Lane, 1000' S.E. of Manor Road

Present Zoning: R.D.P.

Proposed Zoning: Variance from Section 1A00.3B.3 to permit side setbacks of 11' instead of required 50' on each side.

District: 11th

No. Acres: 1

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
[Signature]
W. Nick Petrovich,
Field Representative.

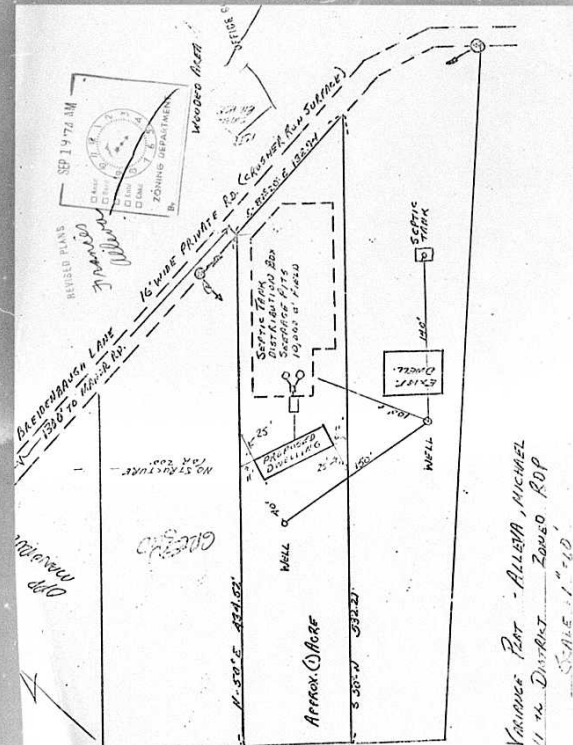
WNP/ml

H. ENSLEY PARKS, President
KATHLEEN C. WOOD, Vice President
MRS. ROBERT L. WOOD

MARCUS M. GEDDIS
JOSEPH M. MCGOWAN
ALAN L. LEBRON

T. KAYATIS WILSON, Jr.
RICHARD M. TROTT, Vice
MRS. RICHARD M. TROTT

RE: Variance
Petition
75-84A
11-8-74
Mr. J. E. Dyer
Sir,
I respectfully request
that I be allowed to file for
my building permit application
prior to the normal 30-day
appeal period.
I will take full responsibility
should an appeal be filed
against the variance.
Michael Alleva



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 11-3-74
Posted for: Henry M. Dyer, 21, 1974, C. D. Dyer, Jr.
Petitioner: Michael Alleva
Location of property: S/S of Breidenbaugh Lane, 1000' SE of Manor Road
Location of Sign: 1 Sign Each Side of Property
Remarks: [Signature]
Posted by: Paul H. Reincke Date of return: 11-10-74

PETITION FOR VARIANCE
SIXTH DISTRICT
 ZONING: Petition for Variance for Front, Side and Rear Yards.
 LOCATION: South side of Brecken-
 leigh Lane 1900 feet Southeast of
 Manor Road.
 DATE & TIME: Monday, October 21,
 1974 at 10:00 A.M.
 PUBLIC HEARING: Room 106, County
 Office Building, 111 W. Chesapeake
 Avenue, Towson, Md.
 The Zoning Commissioner of Balti-
 more County, by authority of the
 Zoning Act and Department of Bal-
 timore County, will hold a public
 hearing.
 Petition for Variance from the
 Zoning Regulations of Baltimore
 County to permit a front yard set-
 back of 11 feet instead of the re-
 quired 20 feet on each side, and to
 permit a front yard setback of 25
 feet and a rear yard of 25 feet in-
 stead of the required 50 feet.
 The Zoning Regulations to be re-
 vised are contained in:
 Section 14A.02.3. The minimum
 distance between any building and
 the street line shall be 25 feet.
 All that parcel of land in the El-
 leventh District of Baltimore County
 bounded by Breckenleigh Lane, 1900 feet
 Southeast of Manor Road and running
 S 87° 30' E 123.6' W 112.17'
 N 87° 30' E 123.6' W 112.17'
 to places of beginning.
 Approximately 1 acre.
 Being the property of Michael and
 Frances Allava, as shown on plat
 plan filed with the Zoning Depart-
 ment.
 Hearing Date: Monday, October 21,
 1974 at 10:00 A.M.
 Public Hearing: Room 106, County
 Office Building, 111 W. Chesapeake
 Avenue, Towson, Md.
 By order of
 S. ERIC DINENNA,
 Zoning Commissioner of
 Baltimore County.
 Oct. 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 3, 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 each day at one time successively, before the 21st day of October, 1974, the first publication appearing on the 3rd day of October, 1974.

THE JEFFERSONIAN,

Eric Dinenna
 Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

ROSEDALE, MD., October 19, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., on each day at one time successively, before the 21st day of October, 1974, the first publication appearing on the 3rd day of October, 1974.

THE OBSERVER,

Phyllis A. Lumb
 Advertising Mgr.

Cost of Advertisement \$15.68

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, RA, CC, CA										
Reviewed by:										
Previous case:										

Revised Plans:
 Change in outline or description Yes
 No
 Map #

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 9th day of July, 1974. Item #

Eric Dinenna
 S. Eric Dinenna,
 Zoning Commissioner

Petitioner *Ma Allava* Submitted by *Ma Allava*

Petitioner's Attorney Reviewed by *Eric Dinenna*

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

Mr. Michael Allava
 1227 E. Northern Parkway
 Baltimore, Md. 21212

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Item 19

Your Petition has been received and accepted for filing this 17th day of September, 1974.

Eric Dinenna
 S. ERIC DINENNA,
 Zoning Commissioner

Petitioner *Frances Michael Allava*

Petitioner's Attorney Reviewed by *James B. Barnes, Jr.*
 Chairman,
 Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 16964

OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

DATE Oct. 31, 1974 ACCOUNT 01-662

AMOUNT \$11.68

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Michael Allava
 1227 E. Northern Parkway
 Baltimore, Md. 21212
 Advertising and posting of property \$75-\$84
 4156106

BALTIMORE COUNTY, MARYLAND No. 16907

OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

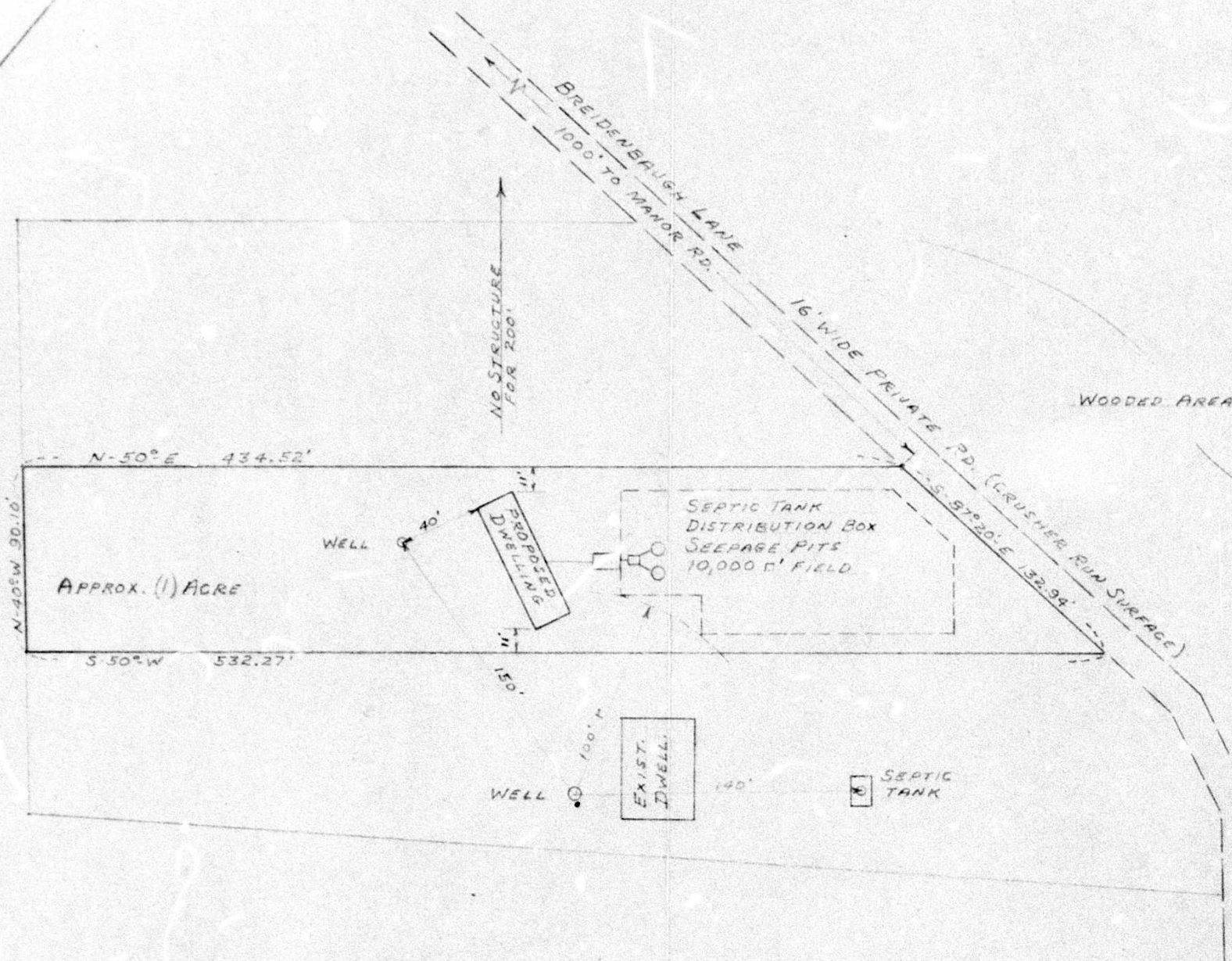
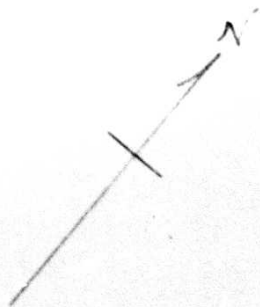
DATE Sept. 30, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Michael Allava
 1227 E. Northern Parkway
 Baltimore, Md. 21212
 Petition for Variance \$75-\$84
 2530106





MAP:	4D
	NE15-E
ELECTION	
DISTRICT	11
D. TEL.	8274
TYPE	
WEARING	V
BY	47A
FINAL	
BY	

VARIANCE PLAT FOR MR. & MRS. MICHAEL ALLEVA
11TH DISTRICT ZONED RDP
PRIVATE WELL AND SEPTIC SYSTEM
SCALE 1" = 60'

