

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Newman B. & Kathleen E. Roberts
I, or we, _____, 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,

herby petition for a Variance from Section 102.3.C.(1) to permit
a side yard setback of 4' in lieu of the required 10 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.) To permit use of existing plans.
- 2.) To permit boat to pass by house.
- 3.) In case of fire aboard boat I would like to be able to get a fire truck thru.

see attached description

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

I, or we, agree to pay expense 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 _____ Legal Owner
Address: 130 Kingston Park Lane
Baltimore, Maryland 21220
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 17th day

of March, 1975, 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 April, 1975, at 10:15 o'clock
A.M.

(over)

S. Eric DiNenna,
Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE
TO PERMIT A SIDE YARD
SETBACK OF 4 FEET
INSTEAD OF THE REQUIRED
10 FEET.
East side of East Kingston Lane
opp. South Lane - 15th District.
Newman B. Roberts
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 75-246-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hessian, III
People's Counsel

Charles E. Kounitz, Jr.
Deputy People's Counsel
County Office Building
Baltimore, Maryland 21204
494-3212

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 17th day of April, 1975, to Newman B. Roberts, 130 Kingston Park Lane, Baltimore, Maryland 21220, Legal Owner.

John W. Hessian, III



I will not attend. JWH.

DESCRIPTION

Beginning in the centerline of East Kingston Lane approximately 5 feet southeast of the centerline of South Lane and running North 49 degrees 43 minutes 272 feet East, thence binding northerly along Dark Head Creek for a distance of approximately 59 feet, thence South 49 degrees 43 minutes 272 feet West to the centerline of East Kingston Lane and thence South 20 degrees 35 minutes 47 feet East to the place of beginning.

Also known as 130 Kingston Park Lane.

April 25, 1975

Mr. & Mrs. Newman B. Roberts
130 Kingston Park Lane
Baltimore, Maryland 21220

RE: Petition for Variance
E/S of East Kingston Lane opposite South Lane - 15th Election District
Newman B. Roberts, et ux - Petitioners
NO. 75-246-A (Item No. 179)

Dear Mr. & Mrs. Roberts:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/sri

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Newman B. Roberts
130 Kingston Park Lane
Baltimore, Md. 21220
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 17th day of March 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Newman B. & Kathleen E. Roberts

Petitioner's Attorney _____ Reviewed by Franklin T. Hogans, Jr., Chairman, Zoning Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogans, Jr.
Chairman

April 15, 1975

Mr. Newman B. Roberts
130 Kingston Park Lane
Baltimore, Maryland 21220

RE: Variance Petition
Item 179
Newman B. & Kathleen E. Roberts - Petitioner

Dear Mr. Roberts:

The Zoning Plans 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 any 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 East Kingston Lane opposite South Lane.

The petitioner is requesting a Variance for a side yard setback of 4' in lieu of the required 10'. In order that a new house may be built to replace the existing shore dwelling. Adjacent properties are improved with single family dwellings fronting on Dark Head Creek.

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

Mr. Newman B. Roberts
Re: Item 179
April 15, 1975
Page 2

to you in the near future.

Very truly yours,

FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

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 Petitioners.

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, the Variance to permit a side yard setback of four (4) feet in lieu of the required ten (10) feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of April, 1975, that the herein Petition for a Variance to permit a side yard setback of four (4) feet in lieu of the required ten (10) feet should be and the same is GRANTED, from and after the date on 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 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

March 24, 1975

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

Re: Item 179 - EAC - March 24, 1975
Property Owner: Newman B. & Kathleen E. Roberts
Location: S/S of East Kingston Lane Opposite of South Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: VARIANCE from Sec. 1802.3C(1) to permit a side yard setback of 4' in lieu of the required 10'.
No. of Acres: 47 x 272
District: 15th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

MSF/bza

Baltimore County, Maryland

Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLAWORTH H. DYER, P.E., CHIEF

April 22, 1975

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

Re: Item #179 (1975-1975)
Property Owner: Newman B. & Kathleen E. Roberts
S/S of East Kingston Park Lane Opposite of South Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit a side yard setback of 4' in lieu of the required 10'.
No. of Acres: 47 x 272 District: 15th

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:

East Kingston Park Lane, an existing public road, is proposed to be improved in the future as a 20-foot closed section roadway on a 25-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering (See Drawings #72-0515 - 0551, File 5); the submitted plan must be revised accordingly.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, causing 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 #179 (1975-1975)

Property Owner: Newman B. & Kathleen E. Roberts
Page 2
April 22, 1975

Storm Drains: (Cont'd)

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewers:

Public water and sanitary sewerage exist adjacent to this property.

Very truly yours,

E. H. Dyer
E. H. DYER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

cc: J. Trempier
J. Somers

1-22 Key Sheet
8 NE 36 Pos. Sheet
NS 2 1 Topo
90 Tax Map

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
BRIEFING BOARD AND COUNTY HEALTH OFFICER

March 20, 1975

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

Dear Mr. DiNenna:

Comments on Item 179, Zoning Advisory Committee Meeting, March 24, 1975, are as follows:

Property Owner: Newman B. & Kathleen E. Roberts
Location: S/S of East Kingston Lane Opposite of South Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: VARIANCE from Sec. 1802.3C(1) to permit a side yard setback of 4' in lieu of the required 10'.
No. of Acres: 47 x 272
District: 15th

Comments: The house on this property must be connected to public sewer and water.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

WJG:ncw

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

822-7210

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Newman B. & Kathleen E. Roberts

Location: S/S of East Kingston Lane Opposite of South Lane
Item No. 179 Zoning Agenda March 24, 1975

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 _____ EXCEEDS 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. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H. J. Kelly*
Planning Group
Special Inspection Division

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

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



March 31, 1975

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 #179, Zoning Advisory Committee Meeting, March 24, 1975, are as follows:

Property Owner: Newman B. & Kathleen E. Roberts
Location: S/S of East Kingston Lane Opposite of South Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit a side yard setback of 4' in lieu of the required 10'.
No. of Acres: 47 x 272
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to in any way be the appropriateness of the zoning in question, but are to assure that all parties are made aware of plus 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
John L. Wimbley
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: March 25, 1975

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

Z.A.C. Meeting of: March 24, 1975

Re: Item 179
Property Owner: Newman B. & Kathleen E. Roberts
Location: S/S of East Kingston Lane Opposite of South Lane
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit a side yard setback of 4' in lieu of the required 10'.

District: 15th
No. Acres: 47 x 272

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

H. ENGLISH PARKS, MANAGER
EUGENE C. HESS, JR., MANAGER
MRS. ROBERT L. BERRY

MARJORIE M. BOSTERLIE
JOSEPH N. MCGARR
ALVIN LEBRECK
JOSHUA B. WHEELER, MANAGER

T. BARTHO WILLIAMS, JR.
RICHARD A. TRACY, CHIEF
MRS. RICHARD A. WILLIAMS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3211 ZONING 484-3251

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 18, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-246-A, Petition for Variance for a Side Yard.
East side of East Kingston Lane opposite South Lane
Petitioner - Newman B. and Kathleen E. Roberts

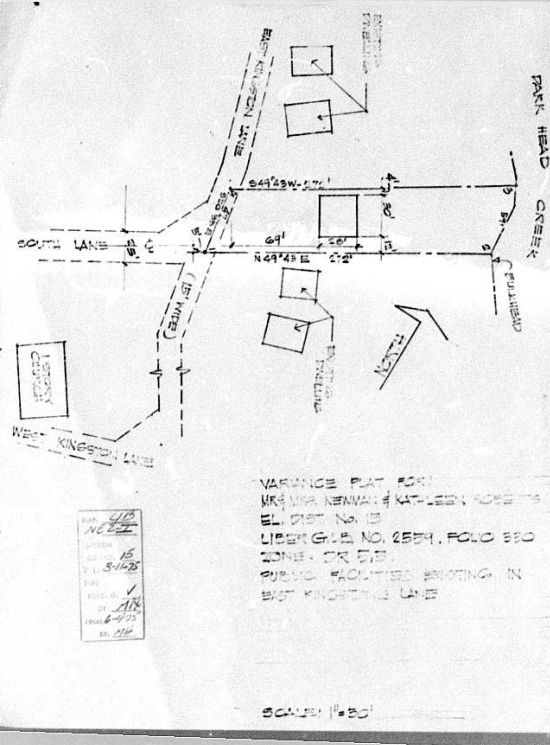
15th District

HEARING: Monday, April 21, 1975 (10:15 A.M.)

There are no land use planning factors requiring comment on this petition at this time.

William D. Fromm
Director of Planning

WDF:NEG:rw



CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

April 15, 1975

19

THIS IS TO CERTIFY, that the annexed advertisement of Zoning Commissioner of Balto County in matter of petition of Neuman B. and Kathleen E. Roberts was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week, for successive weeks before the 4th day of April, 1975; that is to say, the same was inserted in the issues of April 3, 1975

Kimbel Publication, Inc.

Publisher.

By

Kimbel E. Roberts

PETITION FOR A VARIANCE

15th DISTRICT

ZONING: Petition for Variance for a

Side Yard

LOCATION: East side of East Kingston Lane opposite South Lane

DATE & TIME: MONDAY, APRIL 21, 1975 at 10:15 A.M.

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 a variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 4 feet instead of the required 10 feet.

The Zoning Regulation to be amended is as follows:

Section 1802.3.1 - Side Yard - 10 feet.

All that parcel of land in the Fifteenth District of Baltimore County, Maryland, is the subject of a petition for a variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 4 feet instead of the required 10 feet.

The Zoning Regulation to be amended is as follows:

Section 1802.3.1 - Side Yard - 10 feet.

All that parcel of land in the Fifteenth District of Baltimore County, Maryland, is the subject of a petition for a variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 4 feet instead of the required 10 feet.

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The Zoning Regulation to be amended is as follows:

Section 1802.3.1 - Side Yard - 10 feet.

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 3, 1975.

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, at one time, for successive weeks before the 4th day of April, 1975, the first publication appearing on the 3rd day of April 1975.

THE JEFFERSONIAN,

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 24 day of Feb 1975. Item #

Petitioner ROBERTS Submitted by ROBERTS
Petitioner's Attorney ABC Reviewed by ABC

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

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: <u>71 BC</u>					Revised Plans:		Change in outline or description Yes			
Previous case:					Map #		No			

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

No. 18116

DATE: 2/25/75 ACCOUNT: 01-662

AMOUNT: 25.00

WHITE - CASHIER DISTRIBUTION FINK AGENCY YELLOW - CUSTOMER

Mr. Newman Roberts
130 Kingston Park Lane
Baltimore, Md. 21220

Check # 2504

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

No. 20213

DATE: April 21, 1975 ACCOUNT: 01-662

AMOUNT: \$0.00

WHITE - CASHIER DISTRIBUTION FINK AGENCY YELLOW - CUSTOMER

Newman Roberts
130 Kingston Park Lane
Baltimore, Md. 21220

Advertising and posting of property #75-246-A