

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or HAROLD J. FLECKER, 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 1A.00.3-N-3 to allow a 26 foot side yard 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)
To allow construction of a garage attached to the house.
Moving the location of the dwelling further to the north to allow 50 foot side yard would interfere with the area reserved for the septic system

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.

Harold J. Flecker
Contract purchaser
Address: 5608 Quail Avenue
Baltimore, Maryland 21237
Legal Owner
Norman Polovoy
Petitioner's Attorney
Address: 1 S. Calvert Street
Baltimore, Maryland 21202
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of May, 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 2nd day of June, 1975, at 10:00 o'clock
A. M.
Walter E. Hudkins, Jr.
Zoning Commissioner of Baltimore County

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-0060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101 SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 838-9960

April 7, 1975

DESCRIPTION FOR VARIANCE:

Beginning for the same at a pipe set at the northwest corner of Lot 23 as shown on a plat of Section One, "Valley Hills" recorded among the plat records of Baltimore County in Plat Book E.H.K. Jr. 37 folio 26 said pipe being distant 1255.50 feet northerly measured along the west side of Barnstable Court from the intersection formed by the north side of Walnut Avenue as widened to 60 feet with the west side of said Barnstable Court (50 feet wide) thence for a line of division between the said Lot 23 and Lot 24 as shown on said plat North 59° 56' 59" West 285.13 feet to a pipe thence for a line of division between the said Lot 23 and the land of C. Samuel Morris recorded among the land records of Baltimore County in Liber 2677 folio 119 North 09° 30' 12" West 428.12' thence binding on the division line between the said Lot 23 and the land of Thomas D. Morris recorded among the land records of Baltimore County in Liber 5268 folio 737 South 68° 18' 16" East 329.93 feet to a pipe thence for lines of division between the said Lot 23 and Lot 22 as shown on said plat the two following courses and distances viz: (1) South 21° 41' 44" West 369.24 feet (2) South 59° 56' 59" East 180.00 feet to the northwest side of Barnstable Court as shown on the aforesaid plat thence

RE: PETITION FOR VARIANCE TO PERMIT A SIDE YARD OF 26 FEET INSTEAD OF THE REQUIRED 50 FEET, Beginning 180 feet Northwest of Barnstable Court and 1255.50 feet North of Walnut Avenue, 4th District
HAROLD J. FLECKER
Case No. 75-272-X, Item 196

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. Hession, III
People's Counsel

Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 28th day of May, 1975 to Norman Polovoy, Esquire, 1 S. Calvert Street, Baltimore, Maryland, 21202, Attorney for Petitioner.

John W. Hession, III

MAY 28 75 AM

I will not attend. JWH.

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binding thereon by a curve to the left having a radius of 50.00 feet for an arc length of 12.12 feet to the place of beginning.
Containing 1.903 Acres of land more or less.
Subject to a 10 foot drainage and utility easements along the second and third lines above described.
Being Lot 23 as shown on the above described plat of Valley Hills.

Walter E. Hudkins, Jr.
Registered Surveyor #5095

Malcolm E. Hudkins
Registered Surveyor #5095

Norman Polovoy, Esquire
One South Calvert Street
Baltimore, Maryland 21202

RE: Petition for Variance Beginning 180' NW of Barnstable Court and 1255.50' N of Walnut Avenue - 4th Election District Harold J. Flecker - Petitioner NO. 75-272-A (Item No. 196)

Dear Mr. Polovoy:

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

Very truly yours,
James E. Dyck
Deputy Zoning Commissioner

JED/me

Attachments

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

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

May 29, 1975

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

Re: Item #196 (1974-1975)
Property Owner: Harold J. Flecker
N/W of Barnstable Court, 1,255.50' N. of Walnut Ave.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1100.3B) to allow a 26' side yard instead of the required 50'.
No. of Acres: 1.903 District: 4th

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:

Baltimore County utilities and highway improvements are as secured by Public Works Agreement #47305 executed in conjunction with the development of "Valley Hills".

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #196 (1974-1975).

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:RAM:FW:es

T-NE Key Sheet
50 & 61 NW 28 Pos. Sheets
NW 15 & 16 0 Topo
49 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 28, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-272-X, Petition for Variance for a Side Yard Beginning 180 feet Northwest of Barnstable Court and 1255.50 feet North of Walnut Avenue.
Petitioner - Harold J. Flecker

4th District

HEARING: Monday, June 2, 1975 (10:00 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

William D. Fromm, Director
Office of Planning

WDF:NEG:rw

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: MAY 16, 1975
Posted for: PETITION FOR VARIANCE
Petitioner: HAROLD J. FLECKER
Location of property: BEG. 180 FT. NW OF BARNSTABLE CT. AND 1255.50' N. OF WALNUT AVE.
Location of Signs: 30 FT. EOL - NW OF BARNSTABLE CT. AND 1255.50' N. OF WALNUT AVE.
Remarks: POSTED IN DRIVEWAY TO DWELLING
Posted by: Walter E. Hudkins, Jr. Date of return: MAY 23, 1975

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 a side yard of 26 feet instead of the required 50 feet. _____ should be granted. IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 6th day of June 1975, 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 _____

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

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 196

Norman Polovoy, Esq.
1 S. Calvert Street
Baltimore, Md. 21202

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 1st day of May 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner: Harold J. Flecker

Petitioner's Attorney: Norman Polovoy
cc: Hudkins Associates, Inc.
200 E. Joppa Road
Room 101, Shell Building (21204)

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

May 27, 1975

Norman Polovoy, Esq.
1 S. Calvert Street
Baltimore, Maryland 21202

RE: Petition for Variance
Item 196
Harold J. Flecker - Petitioner

Dear Mr. Polovoy:

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 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 at the northwest corner end of Barnstable Court, 1255.50 feet north of Walnut Avenue, in the Fourth Election District. Adjacent properties to the north and west are rural farm lands, and properties to the south and east are wooded building lots in the Valley Hills subdivision, Section I.

The petitioner is requesting a Variance for a side yard setback of 26 feet in lieu of the required 50 feet, in order that an attached garage may be constructed on the western side of the dwelling presently under construction.

Norman Polovoy, Esq.
Re: Item 196
May 27, 1975
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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,

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

FTH:JD

Enclosure

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Md. 21204

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



April 24, 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 196, Zoning Advisory Committee Meeting, April 22, 1975, are as follows:

Property Owner: Harold J. Flecker
Location: N?/s of Barnstable Court 1255.50' N. of Walnut Avenue
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B3 to allow a 26' side yard instead of the required 50'
No. of Acres: 1.903
District: 4th

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
John L. Wimbley
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: April 17, 1975

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

Z.A.C. Meeting of: April 22, 1975

Re: Item 196

Property Owner: Harold J. Flecker

Location: NW/S of Barnstable Court 1255.50' N. of Walnut Ave

Present Zoning: R.D.P.

Proposed Zoning: Variance from Section 1A00.3B3 to allow a 26' side yard instead of the required 50'.

District: 4th

No. Acres: 1.903

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

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

WNP/mj

EMILY PARKS, President
EUGENE C. HESS, Vice President
MR. ROBERT L. BERRY

MAUREL W. ROYAL
JOSEPH N. MUDMAN
ALVIN LOWECK
JOSEPH A. WHICKER, Secretary

T. W. PARKER, JR., M.D., M.P.H.
RICHARD W. TRAUBMAN, M.D.
DAVE WILKINSON, M.D.

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

April 17, 1975

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

Dear Mr. DiNenna:

Comments on Item #196, Zoning Advisory Committee Meeting, April 22, 1975, are as follows:

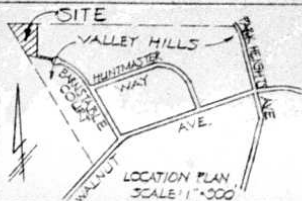
Property Owner: Harold J. Flecker
Location: NW/S of Barnstable Court 1255.50' N. of Walnut Ave.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B3 to allow a 26' side yard instead of the required 50'.
No. of Acres: 1.903
District: 4th

Comments: The water well has been drilled on this property and the sewage disposal system designed as shown on the plot plan.

Very truly yours,

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

CHV:inc



THOMAS D. MORRIS
5268-737
(VACANT)

368°13'16"E 329.23'
10' DRAINAGE & UTILITY EASEMENT

ZONED RDP

ZONED RDP

N 00°30'12" W 426.12'

LOT 23

1.903 ACRES ±

26' REQUESTED INSTEAD OF REQUIRED 30'

24' FROM N. SAK

EX. WELL UNDER CONSTRUCT

#20 EX. WELL

15 MIN. ROAD SETBACK

SECTION I
VALLEY HILLS
37-26

G.W. STONE, INC.
LOT 22
(VACANT)

ZONED RDP

EX. STORM DRAIN

BARNSTABLE COURT

G.W. STONE, INC.
LOT 24
(VACANT)

ZONED RDP

OWNER
HAROLD J. FLECKER
6805 QUAD AVE.
BALTO., MD 21237

PLAN TO ACCOMPANY APPLICATION FOR VARIANCE
#20 BARNSTABLE COURT
LOT 23 SEC. I "VALLEY HILLS"
ELECTION DISTRICT 4
BALTO. CO., MARYLAND
SCALE 1"=50' MARCH 31, 1975

- NOTE
1. EX. ZONING RDP
 2. EX. USE-RESIDENCE UNDER CONSTRUCT.
 3. AREA = 1.903 AC ±



HUGHES ASSOCIATES, INC.
301 SHELL BUILDING
200 E. JOPPA ROAD
TOWSON, MARYLAND 21204

30
DATE: MARCH 16, 75
BY: JIN/25
CHECKED: JIN
DATE: 7/27/75
SCALE: 1"=50'

