PETITION FOR ZONING VARIANCE AND/OR EMERICAL FROM AREA AND HEIGHT REGULATIONS EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

(aten de 215) I. NOT MAKE JANET L. RITH ... 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_III.A.13 (1945) pursuant to Section 103.1 (1955) under the provisions of Section X-B. (1945) to permit a

general exception to use and area requirements to permit an accessory

use (tennis courts) 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)

Strict compliance with the Regulations would cause the Petitioner practical difficulty and unreasonable hardship, due among other factors to the size, shape and topography of the Petitioner's property and the location of the existing improvements thereon.

That the requested variance and/or exception to use and area requirements is in spirit and harmony with the Regulations, and will in no way adversely affect the public health, safety, morals and general welfare of the area involved, but will in fact be of benefit to the area.

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 ration, and further agree to and are to be bound by the roning regulations and restrictions of the property o

Contract purchaser James D. Nolah and

unhoff & Williamitjoner's Attorney

Address 204 W. Pennsylvania Ave. ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

Net 1.3 East, 1975, that the subject matter of this petition be advertised, as required Wikhe 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 Guminsbener of Baltimore County in Room: 106, County Office Building in Towson, Baltimore 23rd County, on the P.M.

nissioner of Baltimore County.

Timonium, Maryland 21093

Protestant's Attorney

Janet L. Ruth Legal Owner

Address 604 Boxmers Court

DESCRIPTION TO ACCOMPANY PETITION OF JANET L. RUTH

BEGINNING for the same at the northeasternmost end of Boxmere Court, which beginning point is 260 feet more or less from the intersection of Boxmere Road, Boxmere Court and Wyngate

Being known and designated as Lot No. 10, Block B. and Lot No. 23, Block F, on the plat of Section 3 of Wakefield, which plat is recorded among the Land Records of Baltimore County in Plat Book W.J.R.27, Polio 6, improvements thereon known as 604 Boxmere Court.

RE: PETITION FOR VARIANCE TO PERMIT A GENERAL EXCEPTION TO USE AND AREA REQUIREMENTS TO PERMIT AN ACCESSORY USE (TENNIS COURTS)
IN THE SIDE YARD INSTEAD
OF THE REQUIRED REAR

87-A

BEFORE THE ZONING COMMISSIONER

YARD.
Northeast side of Boxmere Court 260 feet from Boxmere Road

0

BALTIMORE COUNTY

9th District.

JANET L. RUTH

Case No. 75-287-A. Item 215

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



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 day of June, 1975 to James D. Nolan, Esquire, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attornay for Petitioner.

John W. Hessian, III

0

oy 10, 0

Eligan Fisherd

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO 5. Eric DiNenna, Zoning Commissioner Date June 13, 1975

FROM William D. Fromm, Director of Planning

SUBJECT. Petition #75-287. Petition for Variance for an Accessory Use (Tennis Courts). Northeast end of Boxmere Court 260 feet, more or less from the intersection of Boxmere Road, Boxmere Court and Wyngate Road Fetitioner - Janet L. Ruth

9th District

HEARING: Monday, June 23, 1975 (1:00 P.M.)

There are no comprehensive planning factors which require comment on this petition at this time.

JUL 17 '75 PM

8 7 1 3

UNDERSTOOD AND AGREED AS ABOVE James L. Ruth Bette

WDF:NEG: nv



NOLAN, PLUMHOFF & WILLIAMS

July 17, 1975

In accordance with our several conversations involving file, Mrs. Ruth would like to apply for a building permit prior to the expiration of the appeal period from your Order of June 24, 1975. Mrs. Ruth understands that such a permit, granted prior to the expiration of the appeal period, will be void in the event an appeal is taken, and has signed a copy of this letter with me as an expression of her understanding in this regard.

No appeal is expected in this matter since, as you will recall, the proposed tennis court has been approved by her community association, by her neighbors and by the Office of the People's Counsel, with the understanding that she will not light this court.

Thanking you and Mr. Hogans of your office for your aid in this regard, I am, with best regards,

James D. Nolan

Re: Petition for Variance for Mrs. Janet L. Ruth. Case No. 75-287-A.

The Honorable S. Eric DiNenna Zoning Commissioner of Baltimore County County Office Building Towson, Maryland 21204

Mrs. Janet L. Ruth Mrs. Franklin T. Hogans, Jr. Harry T. Campbell Sons' Company Att: Mr. Samuel Valenziano

Dear Commissioner DiNenna:

June 24, 1975

James D. Nolan, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

RE: Petition for Variance NE/end of Boxmere Court, 260' from Boxmere Road - 9th Elec-tion District Janet L. Ruth - Petitioner NO. 75-237-A (Item No. 215)

Dear Mr. Nolan:

 $\rm I$ 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/srl

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

> Baltimore County. Maryland Bepartment Of Bublic Works

ELLSWORTH N. DIVER, P. E. CHIEF

and Syngate Bit.

Stating Zonies: 5.8, 5.5

reposed Zoning: Variance free Sec. III.A.13 (1915)

urguant to Sec. 103.1 (1955) under the previsions of
ec. K-8 (1915) to permit ageneral exception to use
daras requirements to permit a soceneory use
tennis courts) in the side yard instant of the required

The following comments are furnished in regard to the plat substitled to this office for review by the Joning Advisory Committee in connection with the subject item.

Callstoon & S. Cine MILSTORTH N. OFFER, P.N. Chief, Burness of Engineering

AUG 1 2 1975

gieu of the required rear yard should be granted. and it appearing that by reason of

Zoning Commissioner of Baltimore County

Dear Mr. Nolan:

the Baltimore County Zoning Regulations would result in practical difficulty and pareasonable hardship upon the Petitioner, the shore 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 general exception to use and

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

area requirements to permit an accessory use (tennis courts) in the side yard

or is Ordered by the Zoning Commissioner of Baltimore County, this

June 197 5, that the herein Petition for a Variance to permit a genday M. June. 197 5, that the herein Pellion for a Variance to permit a gen-eral exception to use and area requirements to permit an accessory use (tennis cauts) in the side yard in Lieu of the required rear gard should be and the same

is ERANTED, from and after the date of the Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County man and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

Re: Petition for Variance Item 215 Janet L. Ruth - Petitioner

The Soning 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,
Lit to assure that all parties are made sware 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 for all intents and purposes, is located at the northeasternmost end of Boxmere Court, approximately 260 feet from the intersection of Boxmere Road. The petitionar is requesting a Variance/Exception to permit the construction of a tennis court in the side yard in lieu of the required rear yard.

Adjacent properties are improved with single family detached dwellings. Land to the rear and side of this property is in the ownership of

Baltimore City and part of the Loch Raven water shed reservation.

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.

FRANKLEN T. HOGANS, JR.

PTH:JD Enclosure < Bea

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County Fire Department

James D. Nolan, Esq.,
Nolan, Flumboff & Williams
204 W. Penna. Ave_RALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, Maryland 21204

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

Petitioner's Attorney James D. Nolan Reviewed by Econolist Hogans &

Zoning Commissioner

Your Petition has been received and accepted for filing this 13th day of May 197%5

Item 215

J Austin Deitz



Towson, Maryland 21204

Office of Planning and Doning Baltimore County Office Building Townon, Haryland 21204

Petitioner Janet L. Ruth

Attention: Kr. Jack Billon, Chairman Zoning Advisory Committee

Re: Property Osmar: James L. Roth

Location: 260' from the intersection of BoxMere Road, BoxMere Ct. 6
Normante Boad
Zoning Agenda Hay 27, 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 read in accordance with Baltimore County Standards as published by the Department of Public Norks.

() 2. A sec means of vehicle access is required for the site.
() 3. The vehicle dead-end condition shown at

EXCESS the arkines allowed by the Fire Department.

() h. The cite shall be made to comply with all applicable parts of the Fire Provention Code prior to occupan y or beginning of operations.

() 5. The buildings and structures educting proposed on the site shall comply with all applicable requirement. The Heatland Fire Protection Association Standard No. 101 "The Life Sefety Code", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

\$20% 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: At Names - Killy Hoted and Approved: Planning Group Special Inspection Division

Deputy Chief Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD, P.E. WH. T. MELER

Mr. S. Eric Dimenna Toning Commissioner County Office Building Towson, Maryland 21204

Ro: Item 215 - EAC - May 27, 1975

Item 215 - 2AC - Nay 27, 1975

Property Owners Janet L. Buth
Location: 260' from the intersection of Boxmare Rd.,

Existing Zenings D. R. 5.5

Proposed Zenings D. R. 5.5

Proposed Zenings Variance from Sec. III.A.13 (1945) under the
provisions of Sec. 8-28 (1945) under the
provisions of Sec. 8-28 (1945) opermit
a general exception to use a area requirements
to permit an accessory use (tennis courts) in the
side yard instead of the required rear yard.

No. of Acres: 2.04

District: 10th

Dear Mr. DiMenna:

No traffic problems are expected by the requested variance to permit an accessory structure in the side yard.



Mr. S. Eric Di Nenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Iowson, Maryland 21204

Dear Mr. Di Nenna

Comments on Item #215, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Jane L. Ruth Location: 260' from the intersection of Boxmere Road., Boxmere Court and Wyngate Road Existing Zonfing: D.R.5.5

Proposed Zoning: Verlance from Sec. III. A.13 (1945) pursuant to Sec. 103,1*1954) under the provisions of Sec. X-8 (1945) to permit a general exception to use and area requirements to permit an accessory use (tennis courts) in the side yard instead of the required rear yard No. of Acres: 2.04 District: 10th

This affice 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 hostile as that it sets the

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

John L. Wimbley Planning Specialist II Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



May 21, 1975

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

Dear Mr. DiNenna:

Comments on Item #215, Zoning Advisory Committee Mceting, May 27, 1975, are as follows:

> Property Owner: Janet L. Ruth Location: 260' from the intersection of Boxmere Rd., Boxmere Ct. & Wyngate Rd. Existing Zoning: D.R. 5.5 Proposed Zoning: Variance from Sec. III, A.13 (1945) pursuant to Sec. 103.1 (1945) under the provisions of Sec. X-B (1945) to permit a general exception to use & area requirements to permit an accessory use (tennis courts) in the

No. of Acres: 2.04

District: 10th

Public water and sewer exist.

are anticipated.

PETITION MAPPING PROGRESS SHEET

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

Walt Map Original Duplicate Tracing 200 Sheet

date by date by date by date by

FUNCTION

PFITTION FOR A VARIANCE AND/OR GENERAL EXCEPTION HIS DISTRICT ZONING Petition for Vertame of an Accessory Use (Tennic Control LOCATION: Northeast end of Busmers Court 100 feet, more or less from the interaction of Busmers Rood, Busmers Court and Wingste Road, DATE & TIME: Munday, June 25, 1973 at 1 mm F.M. PUBLIC HEARING: Room 1v8, County Office Budding, 111 W. Chese-peake Avenue, Towner, Maryland peaks Avenue, Travan, Baryland Lee James, Cauty, by authority of the linear, Cauty, by authority of the linear, Cauty, by authority of the linear Cauty, by all old a public and the linear Cauty, by all old a public and the linear Cauty, by all old a public and linear Cauty, by all old a public and linear Cauty, by all old a public and linear l one one party of task in the Mechanical Section 2 and the September of the same of the Control of the Section 2 and the

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 5, 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 in each of one time successive weeks before the 23rd day of June 19.75, the NWM publication appearing on the ... 5th ... day of June THE JEFFERSONIAN,

Cost of Advertisement, 5

OFFICE OF THE TOWSON 1 TOWSON, MD, 21204 THIS IS TO CERTIFY, that the annexed advertisement of was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one successive

was inserted in the issues of Hay 6,1975

STROMBERG PUBLICATIONS, Inc.

weeks before the 23 day of June 1975 that is to say, the same

ZONING DEPARTMENT OF BALTIMORE COUNTY #75-287-9 Posted for Hesting Manday June 23 & 1975 & 1188 C.M. Location of Signs I Sign Devolut in March of Me Web Before A Posted by Mule H Hass Date of return 6-12-71

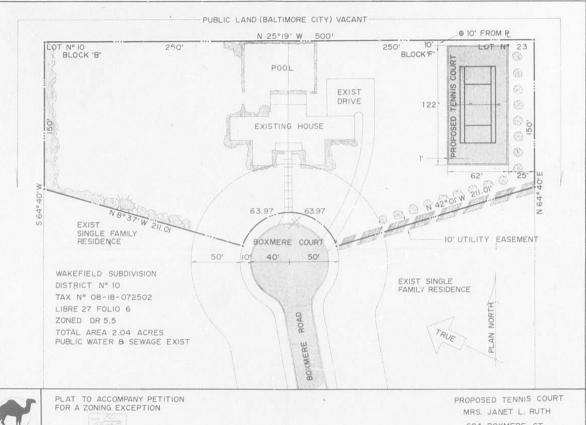
CERTIFICATE OF POSTING

BJ	ALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
	County Office Building 111 W. Chesepeake Avenue Towson, Maryland 21204
m.	Your Petition has been received * this /4 day of
1/1/1	2 1975. Item # .
Petitioner	Ruh Submitted by Notar

SALTIMORE COU WFICE OF FINANCE MISCELLANEOUS	NTY, MARYLAND REVENUE DIVISION CASH RECEIPT	No. 21640
ATE June 2	3. 1975 ACCOUNT 0	1-662
	AMOUNT	851.75
Towson, M. Advertini	Molan, Plumboff and sons. Ave. 1. Zirol ing and posting of Buth	ninnario for

ment.
Hear, g Date: Monday, Jone
37, 1875 or I on P M
Pablic Hearing Room 104,
County Office Building, 11 W
Christpeaks Aveder, Townson,
Ma BY ORDER OF S. EBIC DINE/NA ZONING COMMISSIONER OF BALTIMORE COUNTY June 4

BALTIMORE COUNT OFFICE OF A LINCE RE MISCELLANEOUS CA	VENUE DIVISION	No. 21604
DATE_ Play 28, 197	ACCOUNT	01e662
	AMOUNT 12	S.00
James D. Molan, Re 20h W. Penna. Zre- Townon, Mi. 2120h Petition for Varia		VELLON - CUSTOMEN



DRAWING

604 BOXMERE CT.

1 INCH = 40 FEET 27 MARCH 75 **REV 13 MAY 75**