

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Marvin V. & Ruth Fisher, legal owner(s) 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 1400.3B.2 to permit minimum linear dimensions of 128 feet and 115 feet for two newly created lots in lieu of the required 150 feet. A Section 1400.3B.3 to permit a setback of 25 feet from the front property line for the proposed dwelling in lieu of the required 50 feet and also to permit a setback of 45 feet from the side property lines for the existing dwelling in lieu of the required 50 feet; and to permit 30 feet from the front property line on existing dwelling instead of the required 50 feet.

- The property is 128.80 ft. at maximum width. This is not wide enough for the existing house or for the proposed house.
- With the new property line due to the new right of way the existing house will be 45 ft. from the property line.
- The proposed house will be 25 ft. from the property line. This area is cleared. This area is a higher point of the property.

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 Marvin V. Fisher Legal Owner
Address 5820 Ebenezer Rd.
White Marsh, Md. 21162
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

MAILED 27 By The Zoning Commissioner of Baltimore County, this 27th day

of 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 7th day of July, 1975, at 11:00 o'clock

James E. Dyer
Zoning Commissioner of Baltimore County.
(over)

July 11, 1975

Mr. Marvin V. Fisher
5820 Ebenezer Road
White Marsh, Maryland 21162

RE: Petition for Variances
N/S of Ebenezer Road, 780' W of
Meyers Lane - 15th Election District
Marvin V. Fisher, et ux - Petitioners
NO. 76-10-A (Item No. 227)

Dear Mr. Fisher:

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

Very truly yours,
James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/me

Attachments

cc: Hessian

RE: PETITION FOR VARIANCE
to permit minimum linear
dimensions of 128 feet and 115
feet for two newly created
lots instead of the required
150 feet; and to permit a
setback of 25 feet from the
front property line for the
proposed dwelling instead
of the required 50 feet;
and to permit a setback of
45 feet and 42 feet from the
side property lines for the
existing dwelling instead of
the required 50 feet; and to permit
30 feet from the front property
line on existing dwelling
instead of the required
50 feet.
North side of Ebenezer Road
780 feet West of Meyers Lane
15th District
MARVIN V. FISHER
Case No. 76-10-A, Item #227

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.



I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 23rd day of June, 1975 to Marvin V. Fisher, 5820 Ebenezer Road, White Marsh, Maryland 21162, Legal Owner.

John W. Hessian, III
John W. Hessian, III
People's Counsel

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

John W. Hessian, III
John W. Hessian, III

I will not attend. JWH.

Mr. Hessian
It would like to request
a building permit be granted. Even
though the 30 day period has
not been granted. I would
accept all responsibility if
any appeal would be brought up
Shenoy
Mr. Carl Ann Ford

RE: PETITION FOR VARIANCES
N/S of Ebenezer Road, 780' W of
Meyers Lane - 15th Election District
Marvin V. Fisher - Petitioner
NO. 76-10-A (Item No. 227)
BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents requests for Variances that would permit minimum linear dimensions of 128 feet and 115 feet for two newly created lots in lieu of the required 150 feet; to permit a front yard setback of 25 feet for a new dwelling in lieu of the required 50 feet; to permit setbacks of 45 feet and 42 feet from side property lines for an existing dwelling in lieu of the required 50 feet; and to permit a front side yard setback of 30 feet for the existing dwelling fronting Ebenezer Road in lieu of the required 50 feet.

Testimony presented during the course of the hearing established that the subject property has a frontage of 130 feet on Ebenezer Road with an approximate rectangular depth of 790 feet and was first conveyed out of a farm by the Petitioner's grandfather in 1944-45 to his father. The property was next conveyed to the Petitioner in 1971. The present owner now desires to convert 290 feet, situated at the rear of the elongated parcel, to his daughter.

Access to the rear parcel would be by way of a 15 foot in fee right-of-way along the westernmost property line necessitating the need for the 45 foot setback Variance on the west side of the existing dwelling. The Petitioner pointed out that many dwellings presently exist in the area with setbacks similar to those being requested.

Based on the above facts, it is the opinion of the Deputy Zoning Commissioner that the Petitioner is faced with a hardship and the Variances can be granted without being detrimental to the health, safety and general welfare of the community.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 1, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-10-A. Petition for Variance for Front and Side Yards and Linear Dimensions
North side of Ebenezer Road 780 feet, more or less, West of Meyers Lane.
Petitioner - Marvin V. Fisher and Ruth Fisher

15th District

HEARING: Monday, July 7, 1975 (11:00 A.M.)

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

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw



Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of July, 1975, that the herein requested Variances to permit minimum linear dimensions of 128 feet and 15 feet for two newly created lots in lieu of the required 150 feet; to permit a front yard setback of 25 feet for a proposed dwelling in lieu of the required 50 feet; to permit setbacks of 45 feet and 42 feet from side property lines for an existing dwelling in lieu of the required 50 feet; and to permit a front side yard setback of 30 feet for the existing dwelling fronting Ebenezer Road in lieu of the required 50 feet, should be GRANTED. Said granting is subject to compliance to all subdivision requirements and approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

DESCRIPTION FOR VARIANCE

BEGINNING FOR A POINT IN THE CENTERLINE OF EBENEZER ROAD APPROXIMATELY 780 FEET WEST OF MEYERS LANE AND RUNNING N 80° 10' W 130.06 FEET, THENCE N 13° 30' E 795.80 FEET, THENCE S 81° 57' E 128 FEET, AND THENCE S 13° 30' W 785.70 FEET TO PLACE OF BEGINNING.
CONTAINING APPROXIMATELY 2.33 ACRES.



BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 27th day of May 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioners: Marvin V. & Ruth Fisher

Petitioner's Attorney

Reviewed by *Franklin T. Hogans, Jr.*
Franklin T. Hogans, Jr.,
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

June 19, 1975

Mr. Marvin V. Fisher
5820 Ebenezer Road
White Marsh, Maryland 21162

RE: Variance Petition
Item 227

Marvin V. & Ruth Fisher - Petitioners

Dear Mr. Fisher:

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 on the north side of Ebenezer Road, 780 feet west of Myers Lane, and is currently improved with a single family house.

The petitioner is requesting assorted variances in order that he might subdivide his land into two lots. A dwelling is proposed on the lot to be created in the rear of this 785 foot property. Adjacent properties are improved with single family detached dwellings.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the

Mr. Marvin V. Fisher
Re: Item 227
June 19, 1975
Page 2

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

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

873-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Marvin V. & Ruth Fisher

Location: N/S of Ebenezer Road, 780' W of Myers Lane

Item No. 227 Zoning Agenda June 10, 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. H. H.* Hoted and
Planning Group Approved:
Special Inspection Division

Deputy Chief
Fire Prevention Bureau

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND - 21204

Date: June 11, 1975

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

Z.A.C. Meeting of: June 10, 1975

Re: Item 227

Property Owner: Marvin V. & Ruth Fisher

Location: N/S of Ebenezer Rd. 780' W. of Myers Lane

Present Zoning: R.D.P.

Proposed Zoning: Variance from Sec. 1A00.3B.2 to permit minimum linear dimensions of 128' & 115' for two newly created lots in lieu of the required 150' & Sec. 1A00.3B.3 to permit a setback of 25' from the front property line for the proposed dwelling in lieu of the required 50' & also to permit setbacks of 45' & 42' from the side property lines for the existing dwelling in lieu of the required 50'.

District: 15th

No. Acres: 2.33

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

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

WNP/ml

H. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNLEY

MARCUS M. GOTSARIS
JOSEPH N. MCGOWAN
ALVIN LITZICK
JOSHUA R. WHEELER, SECRETARY

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.G.
LINDA RICHARDSON, CLERK

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

June 9, 1975

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

Re: Item 227 - ZAC - June 10, 1975

Property Owner: Marvin V. & Ruth Fisher

Location: N/S of Ebenezer Rd. 780' W of Myers Lane.

Existing Zoning: R. D. P.

Proposed Zoning: Variance from Sec. 1A00.3B.2 to permit minimum linear dimensions of 128' & 115' for two newly created lots in lieu of the required 150' & Sec. 1A00.3B.3 to permit a setback of 25' from the front property line for the proposed dwelling in lieu of the required 50' & also to permit setbacks of 45' & 42' from the side property lines for the existing dwelling in lieu of the required 50'.

No. of Acres: 2.33
District: 15th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variances.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate

MSF/bza

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

June 5, 1975

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

Dear Mr. DiNenna:

Comments on Item #227, Zoning Advisory Committee Meeting, June 10, 1975, are as follows:

Property Owner: Marvin V. & Ruth Fisher
Location: N/S of Ebenezer Rd. 780' W of Myers Lane
Existing Zoning: R.D.P.

Proposed Zoning: Variance from Sec. 1A00.3B.2 to permit minimum linear dimensions of 128' & 115' for two newly created lots in lieu of the required 150' & Sec. 1A00.3B.3 to permit a setback of 25' from the front property line for the proposed dwelling in lieu of the required 50' & also to permit setbacks of 45' & 42' from the side property lines for the existing dwelling in lieu of the required 50'.

No. of Acres: 2.33
District: 15th

Public water is available to the site, and must be connected to same. Satisfactory soil tests have been completed.

Very truly yours,

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

HVB/ca-

AUG 28 1975

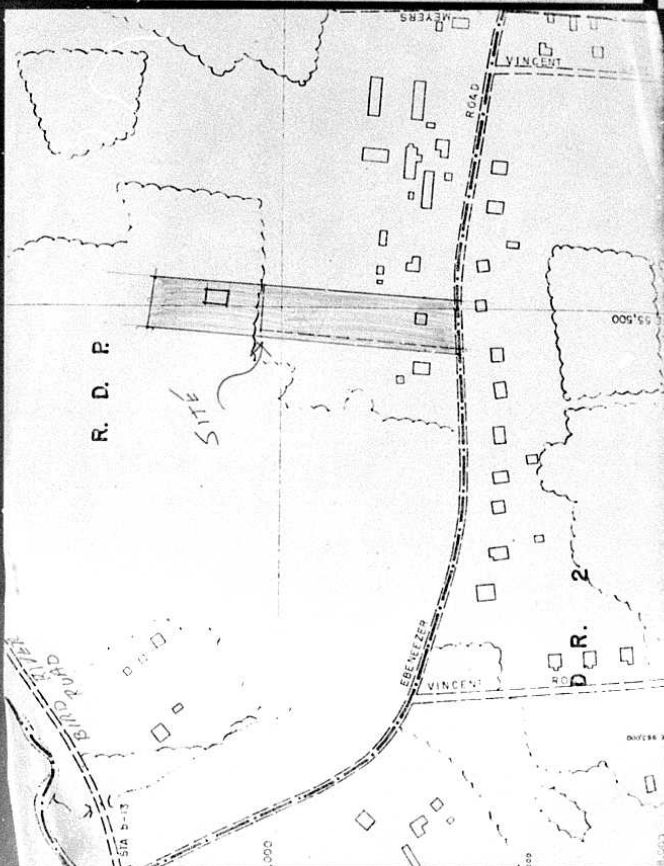
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-1211 ZONING 494-3391

Enclosure

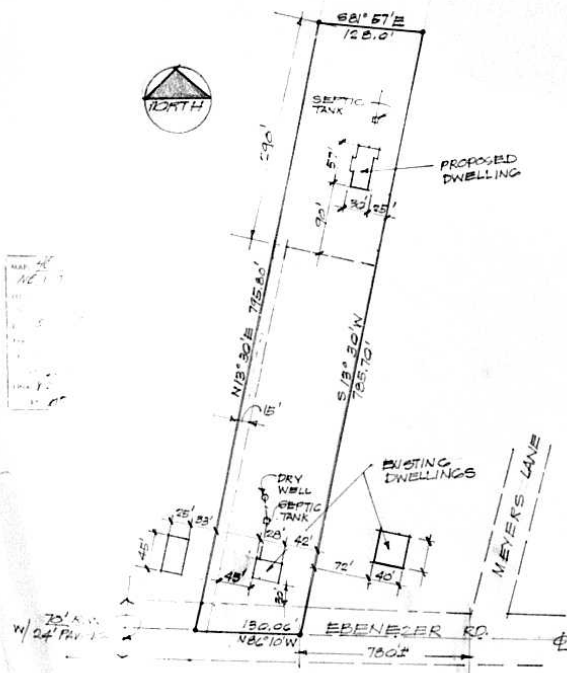
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

M-SE Key Sheet
29 & 30 NE 37 & 38 Pos. Sheets
NE 8 J Topo
83 Tax Map

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3211 ZONING 494-3351

[illegible][illegible]

Cost of Advertisement, \$.....



PETITION FOR ZONING VARIANCE
FOR MARVIN V. FISHER
5800 EBENEZER RD. WHITE MARSH
ELECTION DIST. NO. 15
CONCRETE RDR.
PRIVATE FACILITIES EXISTING; PUBLIC WATER
URD. S. 175. FOLIO 480 EXISTING IN ROAD
60' 0\"/>

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 6-19-75
 Posted for: Altering Marvyn V. Fisher 11:00 A.M.
 Petitioner: Marvyn V. Fisher
 Location of property: N/E of Edgemoor Rd. 700' West of Meyer Lane
 Location of Sign: 1 Sign Post @ 5800 Edgemoor Rd.
 Remarks: Amel H. New Date of return: 6-20-75
 Posted by: Signature

FUNCTION	Well 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, GC, CA										
Reviewed by: <u>N.B.C.</u>	Revised Plans: Change in outline or description <u>Yes</u> Map # <u> </u>									
Previous case: <u> </u>										

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

Your Petition has been received * this 19th day of July 1975. Item #

Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: FISHER Submitted by: Mrs. Fisher
 Petitioner's Attorney: Reviewed by: N.B.C.

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

BALTIMORE COUNTY, MARYLAND No. 21629
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE June 16, 1975 ACCOUNT 01-662
 AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
 PINK - AGENCY

Thomas M. Forwood
Rt. 14, Box 68 River Van
Baltimore, Md. 21220
 Petition for Variance for Marvin V. Fisher #76-10-4
 25.00

BALTIMORE COUNTY, MARYLAND No. 21665
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 7, 1975 ACCOUNT 01-662
 AMOUNT \$59.75

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
 PINK - AGENCY

Thomas M. Forwood
Rt. 14, Box 68 River Van
Baltimore, Md. 21220
 Advertising and posting of property for Marvin Fisher
 59.75

AUG 28 1975