

76-15-A (Item 230) PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rudolph & Annie Holley, legal owners 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 1802.39(2)(1) to permit a side yard of 1' instead of the required 10'.

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

Can't find parking
Can't afford rear garage
Has to park 1 block sometimes 2 blocks away
Has found car ransacked
Walks in rain & snow to park
Very inconvenient

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.

DATE July 1975
By Rudolph Holley
Contract purchaser
Address 2007 Royal Garden Dr.
Petitioner's Attorney
Protestant's Attorney

JUN 10 1975 ORDERED BY The Zoning Commissioner of Baltimore County, this 10th 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 11th day of July, 1975, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

RE: PETITION FOR VARIANCE to permit a side yard of 1 foot instead of the required 10 feet. Southeast side of Royal Garden Drive 228.38 feet Northeast of Kinchloe Avenue 2nd District.

RUDOLPH HOLLEY

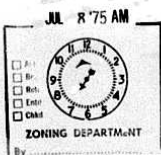
BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 76-15-A, Item #230

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
494-2188

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 5th day of July, 1975 to Rudolph Holley and Annie Holley, 2007 Royal Garden Drive, Baltimore, Maryland 21207, Legal Owners.

John W. Hession, III
John W. Hession, III

I will not attend. JWH.

July 16, 1975

Mr. & Mrs. Rudolph Holley
2007 Royal Garden Drive
Baltimore, Maryland 21207

RE: Petition for Variance SE 1/8 of Royal Garden Drive, 228.38' NE of Kinchloe Avenue - 2nd Election District Rudolph Holley, et al - Petitioners NO. 76-15-A (Item No. 230)

Dear Mr. & Mrs. Holley:

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

Very truly yours,
Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/scw

Attachments

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hogans, Jr.
Chairman

June 19, 1975

Mr. Rudolph Holley
2007 Royal Garden Drive
Baltimore, Maryland 21207

RE: Petition for Variance
Item 230
Rudolph & Annie Holley - Petitioners

Dear Mr. Holley:

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 southeast side of Royal Garden Drive, 228.38 feet northeast of Kinchloe Avenue, and is currently improved with a one-story dwelling.

The petitioner is requesting a Variance to permit a side yard setback of one foot instead of the required 10 feet, in order that a one story addition may be constructed on the side of the dwelling. Adjacent properties are improved with single family dwellings.

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

Mr. Rudolph Holley
Re: Item 230
June 19, 1975
Page 2

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

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 one (1) foot in lieu of the required ten (10) feet should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of July, 1975, that the herein Petition for a Variance to permit a side yard setback of one (1) foot in lieu of the required ten (10) feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of the site plan by the State Highway Administration, 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

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



June 27, 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 #230, Zoning Advisory Committee Meeting, June 17, 1975, are as follows:

Property Owner: Rudolph and Annie Holley
Location: SE/S of Royal Garden Drive 228.38' NE of Kincheoloe Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.38 (211.3) to permit a side yard of 1' instead of the required 10'.
No. of Acres: 100 x 61
District: 2nd

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

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 484-3281

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

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

June 30, 1975

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

Re: Item #230 (1974-1975)

Property Owner: Rudolph & Annie Holley
SE/S of Royal Garden Dr., 228.38' N/E of Kincheoloe Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.38 (211.3) to permit a side yard of 1' instead of the required 10'.
No. of Acres: 100 x 61 District: 2nd

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 not involved. However, any construction or reconstruction of curb and gutter which should be replaced in connection with any grading or building permit application will be the full responsibility of the Petitioner. It appears that additional fire hydrant protection may be required in the vicinity. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #230 (1974-1975).

Very truly yours,

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

END:EAM:PM:iss

cc: J. Somers
W. Munchel

L-SE Key Sheet
10 NW 23 Pos. Sheet
NW 3 F Topo
88 Tax Map

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 18, 1975

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

Z.A.C. Meeting of: June 17, 1975

Re: Item 230

Property Owner: Rudolph & Annie Holley

Location: SE/S of Royal Garden Drive, 228.38' N.E. of Kincheoloe Ave.

Present Zoning: D.R. 5.5

Proposed Zoning: Variance from Section 1802.38 (211.3) to permit a side yard of 1' instead of the required 10'.

District: 2nd

No. Acres: 100 x 61

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

M. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
WILLIAM D. FROMM, SECRETARY

MARCUS M. BOTSARIS
JOSEPH N. MCGOWAN
ALVIN LORECK
JOSHUA R. WHEELER

T. BAYARD WILLIAMS, JR.
RICHARD W. THAYER, JR.
WILLIAM D. FROMM

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

June 13, 1975

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

Re: Item 230 - ZAC - June 17, 1975
Property Owner: Rudolph & Annie Holley
Location: SE/S of Royal Garden Dr. 228.38' NE of Kincheoloe Ave.
Existing Zoning: D. R. 5.5
Proposed Zoning: Variance from Sec. 1802.38 (211.3) to permit a side yard of 1' instead of the required 10'.
No. of Acres: 100 x 61
District: 2nd

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Planigan
Traffic Engineering Assoc.

MSF/bza

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
823-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Rudolph & Annie Holley

Location: SE/S of Royal Garden Dr. 228.38' NE of Kincheoloe Ave.

Item No. 230 Zoning Agenda June 17, 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. 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: *John L. Wimbley* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 12, 1975

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Item #230, Zoning Advisory Committee Meeting, June 17, 1975, are as follows:

Property Owner: Rudolph & Annie Holley
Location: SE/S of Royal Garden Dr. 228.38' NE of Kincheoloe Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.38 (211.3) to permit a side yard of 1' instead of the required 10'.
No. of Acres: 100 x 61
District: 2nd

Metropolitan water and sewer are available to the site. Since this is for a side yard variance, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

SHVB:mahe

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 11, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-15-1. Petition for variance for a Side Yard.
Southeast side of Royal Garden Drive 228.38 feet Northeast of Kincheoloe Ave.
Petitioner - Rudolph Holley and Annie Holley

2nd District

HEARING: Monday, July 14, 1975 (10:00 A.M.)

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

William D. Fromm
Director of Planning

WDF:NEG:rw



PETITION FOR VARIANCE
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SECTION 100.2
SECTION 100.3
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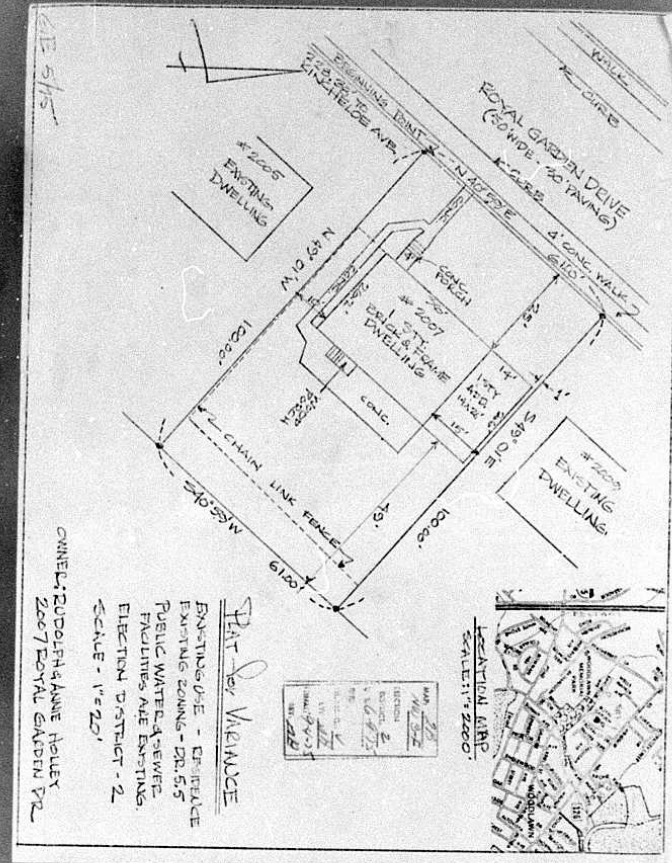
CERTIFICATE OF PUBLICATION

TOWSON, MD. June 26, 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., on each of the following dates: June 26, 1975, the first publication appearing on the 26th day of June, 1975.

THE JEFFERSONIAN
 S. L. Lankford, Jr.
 Manager

Cost of Advertisement, \$



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

No. 21670

DATE: July 10, 1975 ACCOUNT: PL-662W

AMOUNT: \$17.00

WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

Belvedere Construction Co.
 1227 St. Vincents Drive
 Baltimore, Md. 21215

Advertising and posting of property for Rudolph Holley - 76-15-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: June 28, 1975

Posted for: PETITION FOR VARIANCE

Petitioner: Rudolph Holley

Location of property: SE/4 of Royal Garden Dr. 238.38' NE of Kinchloe Ave.

Location of Sign: Front 2007 Royal Garden Drive

Remarks: Thomas S. Holley

Posted by: Thomas S. Holley Date of return: July 3, 1975

PETITION MAPPING PROGRESS SHEET

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, CC, CA										
Reviewed by: F. J. H.										
Revised Plans: Change in outline or description										
Previous case:										

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

Your Petition has been received * this 2nd day of June 1975. Item #

Petitioner: Holley Submitted by: Belvedere Const. Co.

Petitioner's Attorney: Reviewed by: F. J. H.

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

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

No. 21637

DATE: June 20, 1975 ACCOUNT: C1-662

AMOUNT: \$25.00

WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

Belvedere Construction Co.
 1227 St. Vincents Dr.
 Baltimore, Md. 21215

Petition for Variance for Rudolph Holley - 76-15-A