

**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

George Maurice Butterworth

1. ~~202.4~~ 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 103.1 (202.4 1965 EDITION) to permit a rear yard setback of 30 feet in lieu 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)

Although Lot is 2.430 acres in area, topographical features make it essential to build as near to property line as noted. Owing to slope of land, if building were located at 50 feet it would be about 15 feet lower in elevation and present insurmountable problems.

At this location nearest houses would be 275 ft., 300 ft. and 600 ft. respectively from dwelling.

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: George Maurice Butterworth, Legal Owner
Address: 16365 Falls Road, Monkton, Maryland 21111
Petitioner's Attorney: _____, Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of August 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 9th day of September 1975 at 10:00 o'clock

A. M. S. Eric DiNenna, Zoning Commissioner of Baltimore County.

(over)

76-62-A #11
76-62-A #11
76-62-A #11

September 10, 1975

Mr. George Maurice Butterworth
16365 Falls Road
Monkton, Maryland 21111

RE: Petition for Variance
S/S of Monkton Manor Road, 1330'
E of Manorbrook Road - 10th
Election District
George Maurice Butterworth -
Petitioner
NO. 76-62-A (Item No. 11)

Dear Mr. Butterworth:

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

Very truly yours,

/s/
S. ERIC DI NENNA
Zoning Commissioner

SED/mc

Attachments

cc: David Adams, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna, Zoning Commissioner Date: September 8, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 76-62-A. Petition for Variance for a Rear Yard.
South side of Monkton Manor Road 1330 feet East of Manorbrook Road.
Petitioner - George Maurice Butterworth

10th District

HEARING: Tuesday, September 9, 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 and Zoning

WDF:NEG:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 25, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21284

Franklin T. Hogans, Jr.
XXXXXXXXXXXXXXXXX
Chairman

Mr. George Maurice Butterworth
16365 Falls Road
Monkton, Maryland 21111

RE: Variance Petition
Item 11
George Maurice Butterworth -
Petitioner

Dear Mr. Butterworth:

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 south side of Monkton Manor Road, approximately 1330 feet east of Manorbrook Road, and is currently an unimproved property zoned RDP. The petitioner is requesting a Variance for a rear yard setback in order that a dwelling may be built on this lot.

A field inspection revealed a serious slope problem on this site, making alternate location of the proposed dwelling non-feasible. The petitioner should note with particular interest comments of the State Highway Administration.

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

Mr. George Maurice Butterworth
Re: Item 11
August 25, 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

**Item 11
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

Mr. George Maurice Butterworth County Office Building
16365 Falls Road Road 111 W. Chesapeake Avenue
Monkton, Maryland 21111 Towson, Maryland 21284

Your Petition has been received and accepted for filing this 12th day of August 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner: George Maurice Butterworth

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

- MEMBERS
- ZONING ADMINISTRATION
- HEALTH DEPARTMENT
- BOEARD OF FIRE PREVENTION
- DEPARTMENT OF TRAFFIC ENGINEERING
- STATE HIGHWAY ADMINISTRATION
- BUREAU OF ENGINEERING
- PROJECT AND DEVELOPMENT PLANNING
- INDUSTRIAL DEVELOPMENT COMMISSION
- BOARD OF EDUCATION
- OFFICE OF THE BUILDINGS ENGINEER

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 rear yard setback of 30 feet instead of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of September, 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 State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

S. Eric DiNenna
Zoning Commissioner of Baltimore County

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 197 that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284

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

July 29, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item #11 (1975-1976)
Property Owner: George Maurice Butterworth
S/S of Monkton Manor Rd., 1100' E. of Manorbrook Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 103.1 (202.4, 1963 Edition) to permit a rear yard setback of 30' in lieu of the required 50'.
No. of Acres: 2.43 District: 10th

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:

This site is a portion of the partially subdivided property of Robert F. Fahy and Wife, known as Manor Brook, of which Plats 1, 2 and 3 have been recorded in Plat Books R.F.O. 30, Folio 31, O.T.O. 36, Folio 8 and F.R.T., Jr. 36, Folio 141, respectively. This property, indicated as Lot 2, together with Lots 3, 4 and 5 fronting on Monkton Manor Road as shown on the Tentative Plat approved February 14, 1961, has not been recorded and is subject to subdivision regulations as were Plats 1, 2 and 3 Manor Brook, per Public Works Agreement #106402, and formal comments supplied by the Bureau of Public Services, August 28, 1963, and subsequently thereto.

This property is beyond the Baltimore County Metropolitan District and the Urban Rural Delineation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "No Planned Service" in the area.

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

END:EAM:PMR:ss

cc: G. Reier (File Manor Brook)
C. Warfield

II-GW Key Sheet
102 2 Pos. Sheet
NE 26 A Topo
29 Tax Map

Baltimore County Fire Department

J. Austin Davis
Chief



Towson, Maryland 21204
693-7316

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21284

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner:

Location: S/S of Monkton Manor Road 1100' E of Manorbrook Rd.
Item No. 11 Zoning Agenda July 15, 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 E. Meyers* Noted and Approved: *Paul H. Rincke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLAPPSON, P.E. Director
WILY T. MELZER Deputy Traffic Engineer

July 21, 1975

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

Re: Item 11 - ZAC - July 15, 1975
Property Owner: George Maurice Butterworth
Location: S/S of Monkton Manor Rd. 1100' E of Manorbrook Rd.
Existing Zoning: R. D. P.
Proposed Zoning: Variance from Sec. 103.1 (202.4 1963 Edition) to permit a rear yard setback of 30' in lieu of the required 50'.
No. of Acres: 2.43
District: 10th

Dear Mr. DiNenna:

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

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

July 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 #11, Zoning Advisory Committee Meeting, July 15, 1975, are as follows:

Property owner: George Maurice Butterworth
Location: S/S Monkton Manor Road 1100' E of Manorbrook Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 103.1 (202.4 1963 Edition) to permit a rear yard setback of 30' in lieu of the required 50'.
No. of Acres: 2.43
District: 10th

There is an approved water well drilled and an approved soil evaluation on this property.

Very truly yours,
Thomas H. Devlin
Thomas H. Devlin, R.S., Director
BUREAU OF ENVIRONMENTAL SERVICES

BYB/akc

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



July 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 #11, Zoning Advisory Committee Meeting, July 15, 1975, are as follows:

Property Owner: George Maurice Butterworth
Location: S/S of Monkton Manor Road 1100' E of Manorbrook Road
Existing Zoning: R. D. P.
Proposed Zoning: Variance from Sec. 103.1 (202.4 1963 Edition) to permit a rear yard setback of 30' in lieu of the required 50'.
No. of Acres: 2.43
District: 10th

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

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

July 21, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attn: Mr. Franklin Hogans

Re: Z.A.C. Meeting, July 15, 1975 Item: 11
Property Owner: George Maurice Butterworth
Locations: S/S of Monkton Manor Rd. 1100' W. of Manorbrook Rd. Existing Zoning: R.D.P.
Proposed Zoning: Var. from Sec. 103.1 (202.4 1963 Edition) to permit a rear yard setback of 30' in lieu of the req. 50'. No. of Acres: 2.43
Dist. 10th
Piedmont Highway Outer Beltway

Dear Mr. DiNenna,

The subject site could be seriously affected by one of the alternate lines of the proposed Piedmont Highway. Although the project is not included in the current 5 year Highway Improvement Program, it is listed in the critical section of the Twenty Year Needs Study.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering Access Permits

CL-JEK/es

by: John E. Meyers
John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 18, 1975

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

Z.A.C. Meeting of: July 15, 1975

Re: Item 11
Property Owner: George Maurice Butterworth
Location: S/S of Monkton Manor Rd. 1100' E. of Manorbrook Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 103.1 (202.4 1963 Edition) to permit a rear yard setback of 30' in lieu of the required 50'.

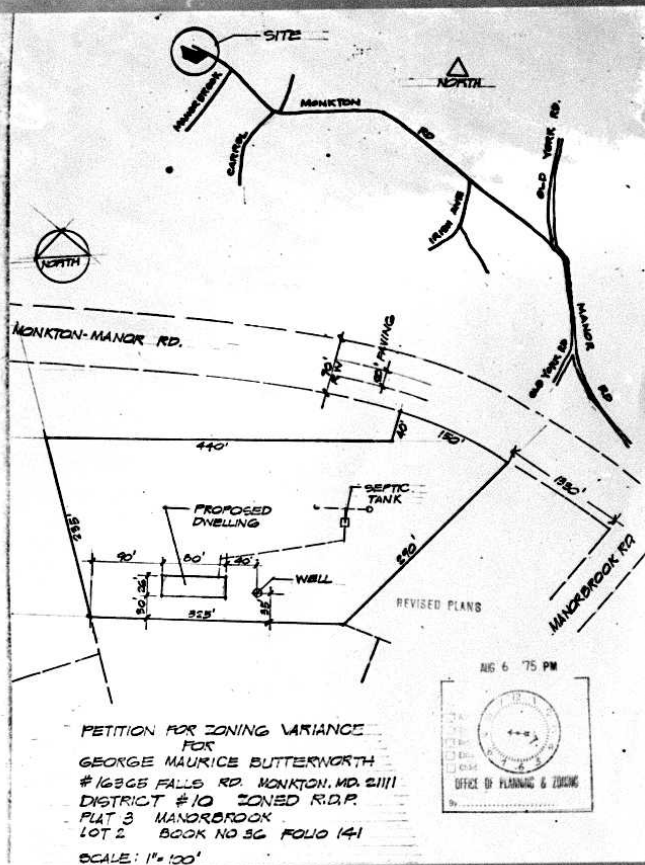
District: 10th
No. Acres: 2.43

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Farnsworth
W. Nick Farnsworth
Field Representative

WPF/ml



OFFICE OF THE TOWSON TIMES
TOWSON, MD. 21284 August 22 1975

THIS IS TO CERTIFY, that the annexed advertisement of PETITION- SOUTH SIDE OF MONKTON MANOR RD, was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive~~ weeks before the 9th day of Sept. 1975 that is to say, the same was inserted in the issues of August 22, 1975

STROMBERG PUBLICATIONS, Inc.
By C. Carson

CERTIFICATE OF PUBLICATION
TOWSON, MD. August 21, 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 ~~the~~ ~~date~~ ~~of~~ ~~the~~ ~~21st~~ day of ~~September~~, 1975, the ~~last~~ publication appearing on the ~~21st~~ day of ~~August~~, 1975

THE JEFFERSONIAN
L. Frank Struthers, Manager

Cost of Advertisement, \$ 17.⁵⁰

CERTIFICATE OF POSTING
BOARD OF BALTIMORE COUNTY
Towson, Maryland #76-67-A

District 10th Date of Posting 8/22/75
Posted for: Hearing James Sept. 9th 1975 @ 10:00 A.M.
Petitioner: Geo. Butternorth
Location of property: 75th Mandrook Manor Rd. 1330 East of Mandrook Rd.
Location of Sign: 1 sign posted Right of Way to Road
Remarks:
Posted by: Mal H. Han Date of return: 8/28/75

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>AS</u>	Revised Plans: Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/>									
Previous case:	Map # _____									

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

Your Petition has been received * this 8th day of Aug 1975. Item # 2500

S. Eric DiNenna
S. Eric DiNenna, C
Zoning Commissioner

Petitioner Geo. Butternorth Submitted by Geo. Butternorth
Petitioner's Attorney _____ Reviewed by DiNenna

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

BALTIMORE COUNTY, MARYLAND No. 23355
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Sept. 15, 1975 ACCOUNT 01-662
AMOUNT \$2.00

RECEIVED BY G. Maurice Butternorth, Falls Rd., Monkton, Md. 21111
FROM Advertising and parking of property #76-67-A

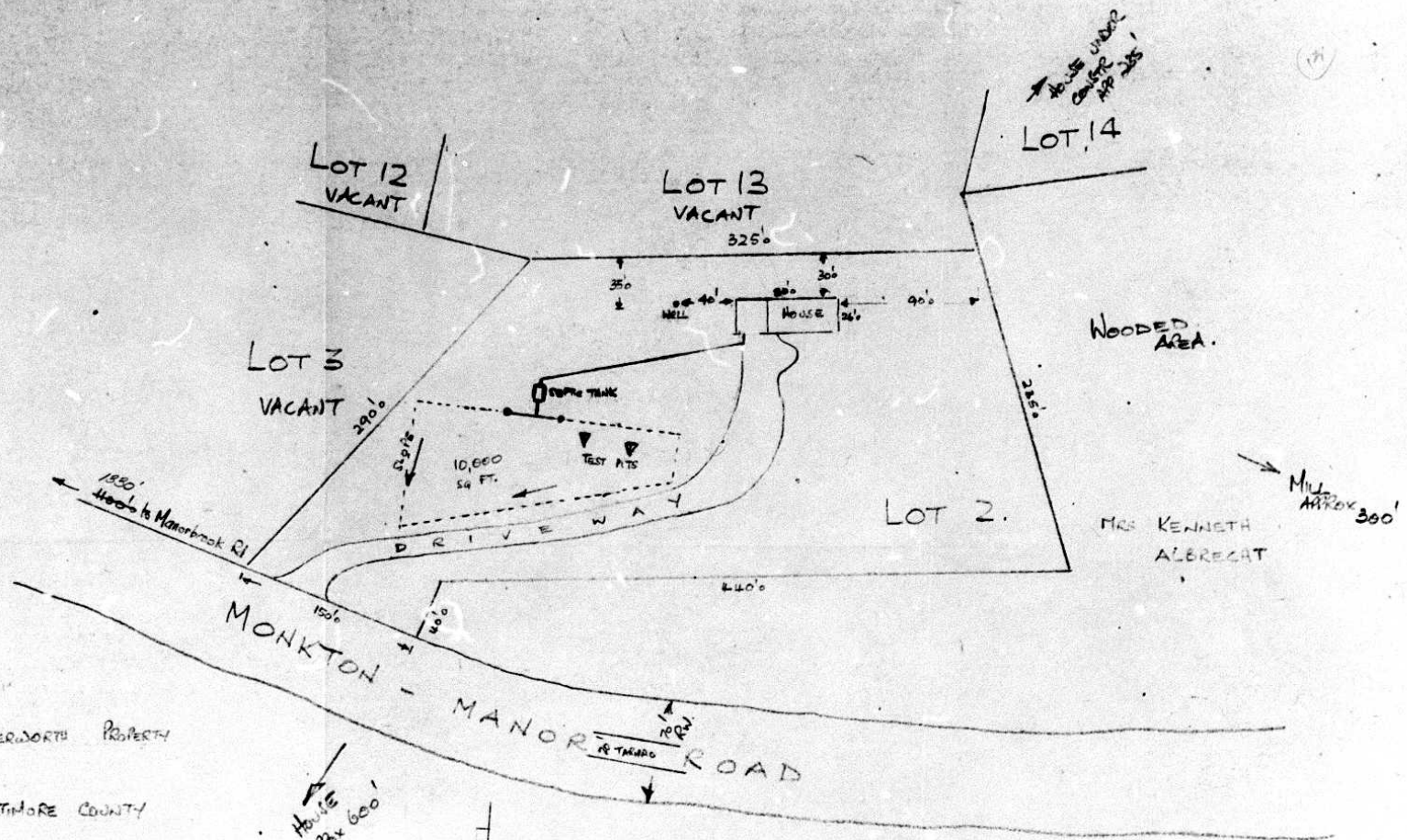
327 SEP 15 4 20 0 PM '75
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 21667
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 8, 1975 ACCOUNT 01-662
AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER
YELLOW - CUSTOMER
Petition for Variance for George M. Butternorth (Cash)

3817 JUL 9 2 50 0 PM '75



G. MAURICE BUTTERWORTH PROPERTY

10TH DISTRICT BALTIMORE COUNTY

243 ACRES MORE OR LESS R.D.P. ZONED

SCALE 1" = 50 FEET

JUNE 1975

House
Approx 600'



MAP	BY	WELLS
SECTION		
S. T. NO.		2523
TYP.		
REVISED		BY
BY		ATL
DATE		

PLAT 3 MANORBROOK

OPEN FIELD

