

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William & Mary Rose, 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 1802.3C.1 to permit lot widths of fifty (50) feet in lieu of the required fifty-five (55) feet for lots #11 & 12 and side yard setbacks of seven (7) feet in lieu of the required ten (10) feet for the proposed dwelling on lot # 11.

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

The lot was originally zoned as a fifty foot lot and it is impossible to change. We wish to build a house on this fifty foot lot and that is why we are requesting this zoning.

See attached description

MAP 442
16187
SECTION 10
DATE 9/25/75
BY: [Signature]
12475
11/14

Property is to be posted and advertised as prescribed by Zoning Regulations. For 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.

William M. Rose
Mary M. Rose
Contract purchaser
Legal Owner
Address 823 Rosedale Ave
Baltimore Md. 21237

Petitioner's Attorney
Protestant's Attorney

SP 17 ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

September 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of October, 1975, at 10:00 o'clock.

S. Eric Dinenna
Zoning Commissioner of Baltimore County.

(over) 10-00A
10/20/75

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 8, 1975

Mr. William M. Rose
823 Rosedale Avenue
Baltimore, Maryland 21237

RE: Variance Petition
Item 44
William & Mary Rose -
Petitioners

Dear Mr. Rose:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you September 17, 1975 under the above referenced subject.

Very truly yours,

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

PTH:JD

Enclosure

RE: PETITION FOR VARIANCE
Southwest side of Rosedale Avenue
581 feet Northwest of Bridge Avenue,
15th District
WILLIAM ROSS, Petitioner
Case No. 76-83-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 534.1 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. Kowitz, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 8th day of October, 1975, a copy of the foregoing Order was mailed to Mr. William M. Rose, 823 Rosedale Avenue, Baltimore, Maryland 21237, Petitioner.

John W. Hession, III

OCT 9 75 PM
ZONING DEPARTMENT

Mr. & Mrs. William M. Rose
823 Rosedale Avenue
Baltimore, Maryland 21237

October 21, 1975

RE: Petition for Variance
SW/S of Rosedale Avenue, 511' NW of
Bridge Avenue - 15th Election District
William M. Rose, et al - Petitioners
NO. 76-83-A (Item No. 44)

Dear Mr. & Mrs. Rose:

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

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED/mc

Attachments

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

DESCRIPTION FOR VARIANCE
WILLIAM & MARY ROSE

BEGINNING FOR A POINT LOCATED ON THE SOUTHWEST SIDE OF ROSEDALE AVENUE APPROXIMATELY 511 FEET NORTHWEST OF THE INTERSECTION OF BRIDGE AVENUE AND ROSEDALE AVENUE KNOWN AS LOTS NUMBER 11 & 12 AS SHOWN ON THE PLAT OF ROSEDALE TERRACES WHICH IS RECORDED AMONG LAND RECORDS OF BALTIMORE COUNTY IN LIBER 3, FOLIO 90.

ALSO KNOWN AS 823 ROSEDALE AVENUE.

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

September 26, 1975

Division of Engineering
ELLENWORTH N. DIVER, P.E., CHIEF

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

Re: Item #44 (1975-1976)
Property Owner: William and Mary Rose
N/NE of Rosedale Ave., 511' N/W of the intersection of
Bridge Ave. and Rosedale Ave.
Existing Zoning: D.M. 5
Proposed Zoning: Variance from Sec. 1802.3C.1 to permit
lot widths of 50' in lieu of the required 55' for lots
#11 & 12 & side yard setbacks of 7' in lieu of the
required 10' for the proposed dwelling on lot #11.
District: 15th

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.

Highways:

Rosedale Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. The submitted plan must be revised to indicate the proposed highway right-of-way widening.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

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.

Item #44 (1975-1976)
Property Owner: William and Mary Rose
Page 2
September 26, 1975

Storm Drains: (Cont'd)

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Rosedale Avenue.
Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAN:PMR:ee

cc: J. Somers
W. Munchel

I-SW Key Sheet
1 & 5 WE 22 Post, Sheet
NE 1 & 2 F Topo
96 Tax Map

823 Rosedale Avenue
Baltimore, Md. 21237
October 22, 1975

S. Eric Dinenna
Zoning Commissioner
Baltimore Co. Office of Planning and Zoning
Towson, Md. 21204

Dear Sir:

My zoning for a variance was granted on October 20, 1975. I am planning to file for my building permit before the thirty day appeal period is up. I agree to accept full responsibility if anyone would appeal within the thirty days.

My zoning number was 76-83-A (Item No. 44).

Sincerely yours,
William Rose
William Rose

WR/jr

OCT 24 75 AM
ZONING DEPARTMENT

12

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 STRENGTH of the Variance requested not adversely affecting the health, safety and general welfare of the community, Variances to permit lot widths of 50 feet instead of the required 55 feet for Lots #11 and #12; and to permit side yard setbacks of 7 feet instead of the required 10 feet for Lot #11 should be granted.

THIS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of October, 197 5, 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.

William M. Ross
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 September, 197 5, that the above Variance be and the same is hereby DENIED.

William M. Ross
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Filing date: September 10, 1975

William M. Ross
Petitioner's Attorney

William M. Ross
Petitioner's Attorney

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
Stephen E. Collins
Wm. T. Malen

September 15, 1975

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

Re: Item 44 - ZAC - September 2, 1975
Property Owner: William & Mary Ross
Location: NW/4 of Rosedale Ave. 511' NW of the intersection of Bridge Ave. & Rosedale Avenue

Existing Zoning: DR 5
Proposed Zoning: Var. from Sec. 1802.3C.1 to permit lot widths of 50' in lieu of the required 55' for lots #11 & 12 & side yard setbacks of 7' in lieu of the required 10' for the proposed dwelling on lot #11.

No. of Acres:
District: 15th

Dear Mr. DiNenna:

No Traffic Engineering problems are anticipated by the requested variance to lot widths.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSP:BC

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1975

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

Franklin T. Hogans,
Chairman Jr.

MEASURES
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU 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

Mr. William M. Ross
923 Rosedale Avenue
Baltimore, Maryland 21237

RE: Variance Petition
Item 44
William & Mary Ross - Petitioners

Dear Mr. Ross:

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, currently zoned D.R. 5.5, is located on the northwest side of Rosedale Avenue, approximately 511 feet northwest of Bridge Avenue, in the 15th Election District.

The property, which is the subject of this hearing, consists of two lots each fifty feet wide. Lot #11 is currently vacant, and the adjacent lot #12 is improved with a single family frame dwelling, swimming pool and storage building in the rear. Adjacent properties along the east and west sides of Rosedale Avenue are also improved with similar type dwellings.

Mr. William M. Ross
Re: 44
September 17, 1975
Page 2

The petitioner requests Variances to build on a 50 foot wide lot and allow the existing dwelling to remain on the same size lot. In addition, sideyard Variances of 7 feet in lieu of the required 10 feet are being requested for the proposed 24'x36' dwelling.

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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Zoning Technician II

MBC:JD
Enclosure

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 10, 1975

DONALD J. REED, 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 #44, Zoning Advisory Committee Meeting, September 2, 1975, are as follows:

Property Owner: William & Mary Ross
Location: NW/4 of Rosedale Ave. 511' NW of the intersection of Bridge Ave. and Rosedale Ave.

Existing Zoning: DR 5
Proposed Zoning: Variance from Sec. 1802.3C.1 to permit lot widths of 50' in lieu of the required 55' for lots #11 and 12 & side yard setbacks of 7' in lieu of the required 10' for the proposed dwelling on lot #11.

No. of Acres:
District: 15th

Revised plot plan required indicating what kind of water and sewer service.

Very truly yours,
John H. Devlin
John H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

B HVB:dlap

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



September 22, 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 #44, Zoning Advisory Committee Meeting, September 2, 1975, are as follows:

Property Owner: William & Mary Ross
Location: NW/4 of Rosedale Ave. 511' NW of the intersection of Bridge Ave and Rosedale Ave
Existing Zoning: D.R.5
Proposed Zoning: Variance from Sec. 1802.3C.1 to permit lot widths of 50' in lieu of the required 55' for lots #11 and 12 & side yard setbacks of 7' in lieu of the required 10' for the proposed dwelling on lots #11.

No. of Acres:
District: 15th

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: September 4, 1975

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

Z.A.C. Meeting of: September 2, 1975

Re: Item 44

Property Owner: William & Mary Ross

Location: NW/S of Rosedale Ave. 511' N.W. of the intersection of Bridge Avenue & Rosedale Avenue

Present Zoning: D.R. 5

Proposed Zoning/Variance from Section 1802.3C.1 to permit lot widths of 50' in lieu of the required 55' for lots #11 & 12 and side yard setbacks of 7' in lieu of the required 10' for the proposed dwelling on lot #11.

District: 15th

No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Fluid Representative.

WNP/ml

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: October 3, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-83-A. Petition for Variance to permit lot widths of 50 feet instead of the required 55 feet for Lots #11 and #12; and to permit side yard setbacks of 7 feet instead of the required 10 feet for Lot #11.
Southwest side of Rosedale Avenue 511 feet Northwest of Bridge Avenue
Petitioner - William Ross

15th District

HEARING: Monday, October 20, 1975

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

WDF:NEG:rw

William D. Fromm
William D. Fromm
Director of Planning



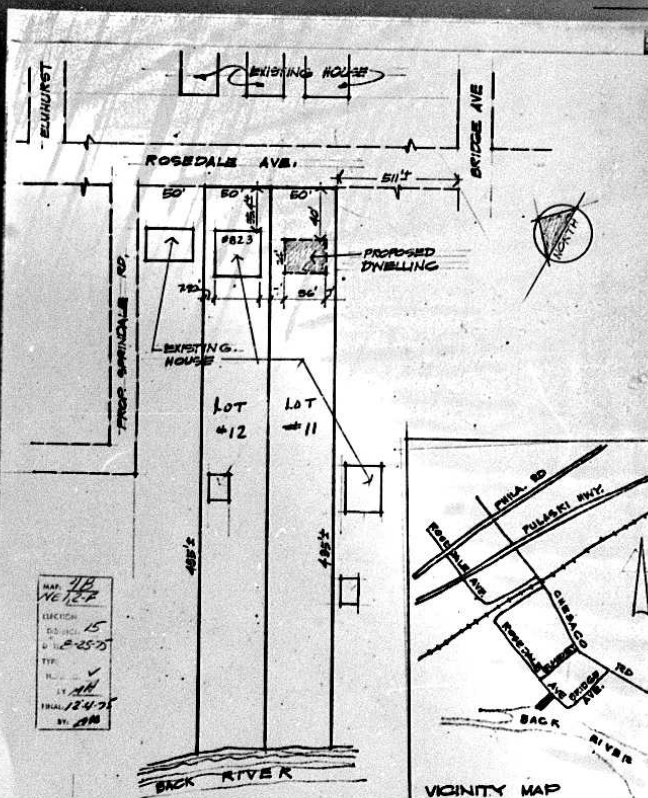
CERTIFICATE OF POSTING BUILDING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#76-83-A

District: 15th Date of Posting: 10-2-75
Posted for: Hearing Mon. Oct. 20, 1975 9:00 a.m. P.M.
Petitioner: Wm. Ross
Location of property: SW 1/4 of Rosedale Ave. SW 1/4 of Bridge Ave.
Location of Sign: Signs Posted on Front Lot Boundary #11 & 12
Remarks: Rosedale Ave.
Posted by: Michael H. Haver Date of return: 10-9-75

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map date by	Original date by	Duplicate date by	Tracing date by	SDO Sheet date by
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: <i>n.b.c.</i>					
Previous case:					
Revised Plans: Change in outline or description					
Map #					



PETITION FOR ZONING VARIANCE
FOR
WILLIAM M. ROSS & WIFE
#825 ROSEDALE AVE.
BALTO. MD 21287

15th ELECT. DISTRICT, ZONED D.R.5
ROSEDALE TERRACES
LOT #11 & 12 PLAT OF PLAN "C"
PLAT BOOK W.F.C. NO. 3 POLIO 90
PUBLIC FACILITIES EXISTING
SCALE: 1"=60'

PETITION FOR A VARIANCE
AND VARIANCE
SUBJECT: Petition for
Variance for Lot Width and
Side Yard Setback
Location: Southwest side of
Rosedale Avenue 511 feet
Northwest of Bridge Avenue
DATE & TIME: MONDAY,
OCTOBER 20, 1975 at 9:00
A.M.
APPLICANT: William Ross
Baltimore County Office Building, 111
Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of
Baltimore County, by authority of the
Zoning Act and Regulations of
Baltimore County, will hold a public
hearing on the petition for Variance from
the Zoning Regulations to permit lot widths
of 50 feet instead of the required 55 feet for
Lots #11 and #12, and to permit side yard
setbacks of 7 feet instead of the required 10
feet for Lot #11.
The Zoning Regulations to be
varied are as follows:
Section 1802.3C.1 - Front
Yards - 10 feet, Side Yards - 10
feet.
All that parcel of land in the
Phoenix District of Baltimore
County
BEGINNING FOR A POINT
LOCATED ON THE NORTH-
WEST CORNER OF ROSEDALE
AVENUE APPROXIMATELY
50 FEET WEST OF THE
INTERSECTION OF
BRIDGE AVENUE AND
ROSEDALE AVENUE
KNOWN AS LOT NUMBER
11 & 12 AS SHOWN ON THE
PLAT OF ROSEDALE TER-
RACES WHICH IS
RECORDED ALONG LAND
RECORDS OF BALTIMORE
COUNTY IN LIBER 1, POLIO 90
ALSO KNOWN AS 825
ROSEDALE AVENUE
Being the property of
William M. Ross and Mary H.
Ross, as shown on plat filed
with the Zoning Depart-
ment.
Hearing Date: Monday, Oc-
tober 20, 1975 at 9:00 A.M.
Public Hearing Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
MD.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY
Oct. 1 (75)

THE ESSEX TIMES

ESSEX, MD. 21221

Oct. 2, 1975

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for Variance- William Ross

was inserted in THE ESSEX TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for one week before the
20th day of Oct. 1975 that is to say, the same
was inserted in the issues of October 2, 1975.

STROMBERG PUBLICATIONS, Inc.

By: *E.P. Smith*

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 2, 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 one time before the 20th day of October, 1975, the first publication
appearing on the 2nd day of October, 1975.

THE JEFFERSONIAN
S. Frank Smith
Manager.

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 12 day of
Aug 1975. Item #

Petitioner *Mr. Ross* Submitted by *Mr. Ross*
S. Eric DiNenna,
Zoning Commissioner
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
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 23225
DATE: Aug. 12, 1975 ACCOUNT: 80-442
AMOUNT: \$5.00
RECEIVED: William Ross, 825 Rosedale Ave., Balto. MD. 21287
FROM: Petition for Variance (Cash)
FOR: \$13.68 12 25.00 CASH
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 25924
DATE: Oct. 16, 1975 ACCOUNT: 01-442
AMOUNT: \$50.00
RECEIVED: William Ross, 825 Rosedale Ave., Balto., MD. 21287
FROM: Advertising and posting of property - 716-81-4
FOR: \$62.22 16 50.00 CASH
VALIDATION OR SIGNATURE OF CASHIER

