PETITION FOR ZONING VALIANCE FROM AREA AND HEIGHT REGULATIONS

4 102

11-29-5

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY-

I, or we, JOHN AND CAROLYN BYRNE legal owner of the property situate in Baltimore unty and which is described in the description and plat attached hereto and made a part hereof, Variance from Section 400,1 to permit an accessory structure (swimming pool) to be located outside of the rear third of the lot furthest removed from both streets on a corner lot.

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

- (1) TO MOVE AWAY FROM NEIGHBORS PROPERTY
- (2) TO IMPROVE APPEARANCE OF PROPERTY.
- (3) TO MOVE AWAY FROM OVERHEAD ELECTRICAL LINES.

See attached description

ing regulations and restriction altimore County.

JUNE 15-4911

JOHN B. BYTHE
CAROLYN M. BYRNE

CAROLYN M. BYRNE Legal Owner 5301 Hazelwood Avenue Baltimore, Ma yland 21206 Protestant's Attorney Detitions s's Attornes

197 _5 that the subject matter of this petition be advertised, as

A M.

RECEIVED F

GRBER F

EXITIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric DiNenna, Zoning Commissioner Date January 26, 1976

FROM William D. Fromm, Director of Planning

SUBJECT Petition # 76-148-A. Petition for a Variance for an Accessory Structure (Swimming Pool).

Southeast corner of Hazelwood Avenue and Daybreak Terrace.
Petitioner – John R. Byrms and Carolyn M. Byrms

14th District

Hearing: Monday, February 9th, 1976 at 10:00 A.M.

There are no comprehensive plan issues raised by this petition.

William D. Fremm

WDF+NEG+nb

PETITION FOR VARIANCE Southeast corner of Hazelwood Avenue and Daybrask Terrace, 14th District

JOHN R. AND CAROLYN BYRNE, Petitioners

BEFORE THE TOUTHS CONSTRUCTIONS OF BATETHORY COUNTY

Com No. 76-148-4

UNION TO ENTER APPRARANCE

Pursuant to the authority contained in Section 524,1 of the

I hereby certify that a copy of the foregoing order was mailed to Mrsland Mrs. John R. Byrne, 5301 Hazelwood Avenue, Baltimore,

Ben

FFR 9'76 AM

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

February 11, 1976

Mr. & Mrs. John Byrne 5301 Hazelwood Avenue Baltimore, Maryland 21206

RE: Petition for Variance SE/corner of Haselwood Avenue and Daybreak Terrace - 14th Election District John R. Byrne, et uz - Petitioners NO. 76-148-A (Item No. 102)

Dear Mr. & Mrs. Byrne:

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

GJM/me

filing this

John W. Hessian, III, Esquire V

5. John R. Dythe 5301 Mississed Press 5301 Mississed Press 8. 1218 ALTIHORE (OUNTY OFFICE OF PLANNING & ZONING

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

OTHERWISE KNOWN AS 5301 HAZELWOOD AVENUE, IN THE FOURTEENTH

SOUTHEAST CORNER OF HAZELWOOD AVENUE AND DAYBREAK TERRACE,

LIBER 22 FOLIO 147, LOT 1, BLOCK A, SECTION 1 OF HAZELWOOD

AS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN

DESCRIPTION FOR VARIANCE

JOHN & CAROLYN BYRNE

Baltimore County Fire Department



Towson, Maryland 21204 825-7310

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

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: John & Carolyn Byrne

Location: SE/C of Hazelwood Avenue & Daybreak Terrace

Item No. 102

Zoning Agenda December 2, 1975

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 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.

The sales of manning allowed by the Fire Department.

The sales of the Minds of the Comply with all applicable parts of the Fire recent to be comply with all applicable parts of personnel. The buildings and structures occupancy or beginning of operations. The buildings and structures occupancy of the fational Fire Protection Association Standard He. 101 "The Life Safety Code", 1970 Edition prior to occupancy of the Safety Code", 1970 Edition prior to occupance.

() 6. Site plans are approved as drawn.

7. The Fire Prevention Bureau has no comments at this time.

Reviewer: Inso Shamun Approved: Laur & Mile

Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Sureau

10	
	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
9 1	the Yartance requested not adversely affecting the health, safety and general
三	walkage of the community, a Variance to permit an accessory structure (swimr
8 6	In sool) to be located outside of the rear third of the lot farthest removed from
0 10	book streets on a corner lot should be granted.
EIVE	Doputy IS ORDERED by the Zoning Commissioner of Baltimore County this
P.F.C	day February, 197 6., that the herein Petition for a Variance should be and the
DATE TOWNED FOR FRUNG	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 Flanking and Zoning. Deputy Zoning Opining John School of Battimer County
	· · · · · · · · · · · · · · · · · · · ·
	Pursuant to the advertisement, posting of property and public hearing on the above petition
333	and it appearing that by reason of
1 30	
- 1	
	the above Variance should NOT BE GRANTED.
	IT IS ORDERED by the Zoning Commissioner of Baltimore County, thisday
21	of, 197, that the above Variance be and the same is hereby DENIED.
	Zoning Commissioner of Baltimore County
	The said of the sa

TOWSON, MARYLAND 21204

December 9, 1975

Mr. 5. Eric Di Nenna, Zoning Commission Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryladn 21204

Comments on Item #102, Zoning Advisory Committee Meeting, December 2, 1975, are as follows:

Property Owner: John and Carolyn Byrne
Location: SE/C of Hazelwood Avenue and Daybreak Terrace
Existing Zoning: D. R.S.5
Proposed Zoning: Variance from Sec. 400,1 to permit an accessory structure (swimming pool)
to be located outside of the rear third of the lot furthest removed from both streets on a corner lot No. of Acres; District: 14th

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.

Johnsel mly John L. Wimbley Planning Specialist II

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 21, 1976

COUNTY OFFICE BUILDING 111 W. Chesapeake Avenue Townen, Maryland 21264 ranklin'T. Hogans XXXXXXXXXXXXXXXX

PHINDERS

BUMBAU OF

DEPARTMENT OF STATE MICHWAY

NUMBAU OF ENGINEERING

PROJECT AND PELOPHENT PLANNING

BOARD OF EDUCATION OFFICE OF THE Mr. John R. Byrne 5301 Hazelwood Avenue Baltimore, Md. 21206

RE: VARIANCE PETITION Item 102 John and Carolyn Byrne - Petitioners

Dear Mr. Byrne:

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 not appropriately as a summary of plans or problems with regard to the development of plans or problems with regard to the ease. The plans that may have a bearing on this case the birector 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 corner of Hazelwood Avenue and Daybreak Terrace, and is currently improved with a single family dwelling. The petitioner is requesting a Variance to permit an accessory structure (swimming pool) to be located outside of the rear third of the lot furthest removed from both streets.

Adjacent properties are improved with single family dwellings of similar structure and apparent value as that of the petitioner.

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

Mr. John R. Byrne Re: Item 102 January 21, 1976 Page 2

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, Frankle T. Wagned PRANKLIN T. HOGANS, JR., Chairman, Zoning Plans Advisory Committee

PER . YD

Balttmore County, Margiand Bepartment Of Bublic Borks

COUNTY OFFICE BUILDING

Berner of Beginning ELLSWORTH N. DIVER. P. S. CHIE

January R. 1976

Mr. S. Eric DiMenna Zoning Commissioner County Office Building Towson, Maryland 2120

Pe: Item #102 (1975-1976)
Property Owner: John and Carolyn Byrne
S/E cor. of Hazelwood Ave. and Daybreak Terrace
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit
an accessory structure (swimming poul) to be located
outside of the rear third of the lot farthest
reaswed from both streets on a corner lot.
District: 14th

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.

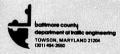
Baltimore County utilities and highway improvements are not involved. The submitted plan should be revised to indicate that this property is Lot I, Block "A" of the subdivision "Section 1 Hazelwood Acres" recorded G.L.B. 22, folio 147.

This office has no further comment in regard to the plan submitted for Zoning isory Committee review in connection with this Item #102 (1975-1976).

Very truly yours,

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

J-NE Key Sheet 17 NE 19 Pos. Sheet NE 5 E Topo 89 Tax Map



STEPHEN E. COLLINS

December 10, 1975

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

Item 102 - ZAC - December 2, 1975
Property Owner: John 6 Carolyn Byrne
Location: SE/C of Hazelwood Ave. 6 Daybreak Terrace
Existing Zoning: D.R. 5,5
Proposed Zoning: Var. from Sec 400.1 to permit an accessory structure
(swimming Pool) to be located outside of the rear third
of the lot furthest removed from both streets on a corner lot
No. of Acres:

The requested variance to permit a swimming pool to be located outside of the lot furthest removed from both streets on a corner lot, is not expected to cause any traffic problems.

Very truly yours, Very truly yours,

Reclinef J Tlanger

Hichael S. Flanigan

Traffic Engineer Associate

RJW:dla



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

December 15, 1975

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

Comments on Item #102, Zoning Advisory Committee Meeting, December 2, 1975, are as follows:

Property Owner: John & Carolyn Byrne
Location: SE/C of Hazelwood Ave. & Daybreak Terrace
Existing Zoning: D.R. 5.5

Proposed Zoning: Variance from Sec. 400.1 to permit an
accessory attracture (swimming pool) to
be located outside of the rear third of
the lot furthest removed from both
streets on a corner lot.

No. of Acres: District: 14th

Metropolitan water and sewer are existing.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 5, 1975

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

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

Re: Item 102
Property Camer: John & Carolyn Byrne
Location: SE/C of Hazelwood Ave. & Daybreak Terrace.
Present Zoning: D.R. S. S.
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (swimming pool) to be located outside of the rear third of the lot furthest removed from both streets on a corner lot.

District: No. Acres:

Dear Mr. DINenna:

No bearing on student population.

Very truly yours, le Tich tetroud

WNP/m1

W. Nick Petrovich., Field Representative.

EUDENE C. HESS.

MARCUS M BDTSANE JOSEPH N M-DOWAN

	-	72.4	***	-
BOACE SA SA	40.5cm		o Varia	(Setin
BAT				gbersk princy
MEGG	207			m W.
-		Carr	laster .	of 844
Hant meri begr	Court	y, will	hold a	of Balli- public
Con	of Res	printions ermit so ning por	of B	altimary ry struc- jorated
fart on		he reor	third of rem but! letten to	streets be ex-
logo	ection (ollows log_i — .	to they	Bulld- shall be
fart ond	heet FE		-	atreed Lot
Zee	if that riceath aty	District Corner	of land	in the distance
Ave time	nue dis orded in ore Cour	Daybe the Lan dy in L	Record	of Bal-
0	d Acres	taren	25 330 100 Pe	1 Harel-
Byr	eing the	Caroly	ety of	John R. 1780, 18 with the
Zon	earing Dep	Date: M	A.H.	Telerory S. Come
ly per	Office he Aver	Bullding see, Total	111 W	Chess
Jan	E. ESI Zoning Baltim	Comit's	ITA Water of Wy	1000

CERTIFICATE OF PUBLICATION

TOWSON, MD.,	January 22	19.75
THIS IS TO CERTIFY, U	hat the annexed advertise	mest wa
published in THE JEFFERSO!	NIAN, a weekly mowspap	or printed
and published in Towson, Ba	ltimore County, Md., suc	
one time	seconds before the9	th
day of February	, 1976, 🗪 🗪	publication
appearing on the22nd	dey of January	
76		

SP P	THE JEE	ERSONIAN,
2.Ju	ruk A	Mange.

Cost of Advertisement, S.....



OFFICE OF

@ESSEXTIMES

ESSEX, MD. 21221

Jan. 21, 19 76

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Variance- Byrne

was inserted in THE ESSEX TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for one successive
weeks before the 9th day of Feb. 19 76 that is to say, the same
was inserted in the issues of Jan. 22, 1976.

STROMBERG PUBLICATIONS, Inc.

By Pathsmirk

PRODriginal to by		licate	Tro	cing	200	Shani	
					200	Chaol	
• 67	dete	Ь	Table			200 Sheet	
			Company of	l by	date	by	
CHEN MEETING AS							
			Revised Plans;			Revised Plans: Change in outline or description	

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 18# day of

Morentes 1975 Item

S. Eric DiNenna, Zoning Commissioner

Petitioner John Byrne Submitted by aditioner Petitioner's Attorney Reviewed by di

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

CERTIFICATE OF POSTUS

76-148-F.

District 14%.	Date of Pushing 1-22:76
Posted for Lauring Mona	les 96, 9. 1976 e 10:00 AM
Pottlioner: John & Baylo	/ News
Location of property: M.E. Cor.	ly 34, 9. 1976 @ 10'20 B.M.
Location of Steam Sign . G.	att C 5301 Hazeland Rd
Reserve:	
Posted by Merl 16 No	Date of return: 1-29-76



OFFICE OF FINANCE - REVENUE D MISCELLANEOUS CASH RECEI			
DATE Jamesty 15, 1976	_ACCOUNT	01-662	
		-	
	AMOUNT	\$25.00	
MEGERARD R. Britis, 5301			Balso, . Mr. 2120
Petition for Van	Maselve		Dalto., M. 212
Potition for Van	Maselve		Balto, ; Ma. 212

BALTIMORE COUNTY MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	m. 282 9 3
DATE 700 6, 1976 ACCOUNT	
Process of	od Ave., Balto., Mi. 21200
²⁶ 929≴⊞ 6	4 2.5 C Hox
	4 2.5 C risk

ZONE - DR 5.5 RESIDENTAL USE HAZELWOOD (45 WIDE) AVENUE LOCATION PLAN TERRACE Ex Ustory Ex. 14 Story A Story ZONE - DR 5.5 ZONE - DR 5.5 \$ 06.10 PLAT tO ACCOMPANY DAYBREAK PETITION FOR VARIANCE Ex. U Story HAZELWOOD AVE. JOHN BYRNES Scale 1:20 No 5-8 Variance to Sect 400.1 Baltimore County Zoning Regulations. ZONE - DRSS RESIDENTAL USE HAZELWOOD (45 WIDE) AVENUE LOCATION PLAN A. U. Story FREAC ZONE - DR 5.5 ZONE - DR 5.5 N 88 32 35 E PLAT 16 ACCOMPANY PETITION DAYBREAK Ex 4 Story JOT VARIANCE 530! HAZELWOOD AVE Exect DIST. 14 Software Co. JOHN BYENES Scale 1-20 Variance to Sect 200.1 Baltiniare County Zoning Regulations