

76-157-A (over 76-157-A) **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert W. Hardester, 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 1200.3B (3) to permit side yard setbacks of 28 feet for both sides in lieu of the required 50 feet respectively.

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

I would like to obtain a variance as the property owned by me at the present is 100'x250'. Also approximately 90% of the existing homes in the area have 100' wide lots.

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

Robert W. Hardester

Legal Owner

Address: 1106 Beech Drive

21220

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of January 1976, 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 18th day of February, 1976, at 7:30 o'clock P.M.

Robert W. Hardester
(over)

February 20, 1976

Mr. Robert W. Hardester
1106 Beech Drive
Baltimore, Maryland 21220

RE: Petition for Variances
S/S of Seneca Road, 850' SE of
Chestnut Road - 15th Election
District
Robert W. Hardester - Petitioner
NO. 76-157-A (Item No. 125)

Dear Mr. Hardester:

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

Very truly yours,

/s/

S. ERIC DI NENNA
Zoning Commissioner

SED/arl

Attachments

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

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1976, Legislative Day No. 1

RESOLUTION NO. 2-76

Mr. Norman Lauenstein, Councilman

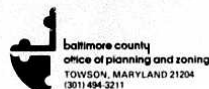
By the County Council, January 4, 1976

WHEREAS, Robert William Hardester, an employee in the Baltimore County Police Department, and his wife are the owners of a parcel of land known as lots 167 and 168, Seneca Road, Bowleys Quarters, Maryland, in the Fifteenth Election District of Baltimore County, and

WHEREAS, Robert William Hardester has filed a Petition for a Special Exception and Variance with the Zoning Commissioner in connection with certain proposed improvements to said property, and

WHEREAS, pursuant to Section 1001 (a) and (b) of the Baltimore County Charter, Robert William Hardester, has by this resolution, made a full public disclosure of all pertinent facts to the respective members of the County Council of Baltimore County.

BE IT RESOLVED by the County Council of Baltimore County, Maryland, that, based solely on the foregoing facts, the interest of Robert William Hardester, does not violate the public interest.



WILLIAM D. FROMM
DIRECTOR

February 9, 1976

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 #125, Zoning Advisory Committee Meeting, January 13, 1976, are as follows:

Property Owner: Robert W. Hardester
Location: S/S Seneca Road., 850 feet SE of Chestnut Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side yard setbacks of 28 feet in lieu of the required 50 feet
No. of Acres: 100 x 250
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.

Adjacent property ownership must be shown on the site plan.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planning Specialist II
Project and Development Planning

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
South side of Seneca Road 850 feet : OF BALTIMORE COUNTY
Southeast of Chestnut Road, 15th District :
ROBERT W. HARDESTER, Petitioner : Case No. 76-157-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

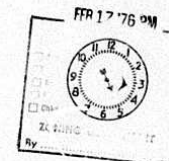
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, 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 a copy of the foregoing Order was mailed to Mr. Robert W. Hardester, 1106 Beech Drive, Baltimore, Maryland 21220, Petitioner.

John W. Hession, III



RECEIVED

February 17, 1976

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

Re: Item #125 (1975-1976)
Property Owner: Robert W. Hardester
S/S Seneca Rd., 850' S/E of Chestnut Rd.
Existing Zoning: RDP
Proposed Zoning: Variance to permit side yard setbacks of 20' in lieu of the required 50'.
No. of Acres: 100 x 250 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:

Seneca Road, 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.

In event that the indicated 30-foot "paper" street contiguous to the west side of Lot 167 would be improved in the future as a public street, it would be similarly improved and highway right-of-way widening, including a fillet area for sight distance at the intersection and any necessary reversible easements for slopes would be required at that time.

Further information may be obtained from the Baltimore County Bureau of Engineering. 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.

DESCRIPTION FOR VARIANCE
Robert W. Hardester, Petitioner

BEGINNING at a point on the south side of Seneca Road, approximately 850 feet southeast of Chestnut Road, and being Lot Nos. 167 and 168 of the "1st Addition to Flat 2 of Bowleys Quarters" recorded amongst the Land Records of Baltimore County in Liber 9 folio 12.

Item #125 (1975-1976)
Property Owner: Robert W. Hardester
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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.

Water:

An 8-inch public water main exists in Seneca Road.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property, which indicates proposed use of a private onsite disposal system. The Baltimore County Comprehensive Sewerage Plan, amended August 1974, indicates "Planned Service" in the area in 6 to 10 years.

Very truly yours,

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

END:EAM:PWR:ss

cc: J. Trenner
J. Wimbley
H. Shalowitz (See Laura G. Vogeler Property)

2-SW Key Sheet
S ME 45 Pos. Sheet
NE 2 L Topo
91 Tax Map

JUN 17 1976

