

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Alan and Karen Berkowitz, 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 400.1 to permit a tennis court to be located in the front yard in lieu of the required rear yard.

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

The house is set back 50 feet from the back property line and there is not adequate space to put a tennis court in the back of the house.

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.

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.

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 108, County Office Building in Towson, Baltimore County, on the 22nd day of March, 1976, at 10:30'clock A.M.

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

March 18, 1976

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

Re: Item #154 (1975-1976)
Property Owner: Alan & Karen Berkowitz
S/ES Old Court Rd., 573' E. of Greenlea Drive
Existing Zoning: DR 1
Proposed Zoning: Variance to permit tennis courts in front yard in lieu of required rear yard.
No. of Acres: 2.57 District: 3rd

Dear Mr. DiMenna:

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 highway and utility improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #154 (1975-1976).

Very truly yours,

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

END:EAM:FWR:ss

O-W Key Sheet
35 & 36 NW 12 Pos. Sheets
NW 9 D Topo
68 Tax Map

RE: PETITION FOR VARIANCE
SE/S of Old Court Road 573 feet
East of Greenlea Road, 3rd District
ALAN AND KAREN BERKOWITZ,
Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-191-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 on this 18th day of March, 1976, a copy of the foregoing Order was mailed to Mr. and Mrs. Alan E. Berkowitz, Old Court Road, Brooklandville, Maryland 21022, Petitioners.

John W. Hession, III



retco engineering co. inc.
313-14 Keyser Building, Baltimore, Maryland 21201

LAND SURVEYORS
AND ENGINEERS
(301) 985-0880

Description for Zoning

2.57 more or less Acre Parcel, Southeast side of Old Court Road, 573 feet more or less East of Greenlea Drive, 3rd Election District, Baltimore County, Maryland.

Beginning for the same at a point on the north side of Old Court Road and in the northernmost outline of the tract of land conveyed by William M. Isaac et al, Trustees, et al to Charles E. McLane, by Deed dated December 20, 1909 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 355. Folio 37, which place of beginning is also at the end of the sixth line of a tract of land conveyed by Charles E. McLane and wife to Lawson Riggs and wife, which Deed is recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 1003, Folio 301, and running thence 1) South 16 degrees 25 minutes East 420 feet more or less, thence 2) North 73 degrees 35 minutes East 285 feet more or less, thence 3) North 16 degrees 25 minutes West 369.18 feet to the north side of Old Court Road and thence binding along the northernmost side of Old Court Road the two following courses and distances 4) South 83 degrees 10 minutes West 261.37 feet and 5) South 88 degrees 35 minutes West 28.24 feet to the place of beginning.

Containing 2.57 Acres of land more or less.

Job Order No. 751933
January 23, 1976

daz/RMH, SR.



March 22, 1976

Alan E. Berkowitz, Esquire
1600 Mercantile Bank Building
2 Hopkins Place
Baltimore, Maryland 21201

RE: Petition for Variance
SE/S of Old Court Road, 573' E of
Greenlea Road - 3rd Election District
Alan Berkowitz, et ux - Petitioners
NO. 76-191-A (Item No. 154)

Dear Mr. Berkowitz:

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

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: E. Eric DiMenna, Zoning Commissioner Date March 5, 1976
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-191-A. Petition for a Variance for an Accessory Structure. (Tennis Court)
Southeast side of Old Court Road 573 feet, more or less, East of Greenlea Road.
Petitioner- Alan Berkowitz and Karen F. Berkowitz

3rd District

Hearing: Monday, March 22, 1976 at 10:30 A.M.

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

William D. Fromm
William D. Fromm
Director of Planning

WDF:JGH:nb

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310
Paul H. Reincke
CHIEF

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

Attention: Mr. Jack Billon, Chairman
Zoning Advisory Committee

Re: Property Owner: Alan and Karen Berkowitz

Location: SE/S Old Court Rd. 573' E. of Greenlea Drive

Item No. 154

Zoning Agenda February 3, 1976

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.
- () 5. 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.
- (x) 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *Donald Hoge* Noted and Approved: *Samuel H. Murphy*
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

MAY 21 1976

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

to permit an accessory structure (tennis court) to be located in the front yard instead of the required rear yard should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of March, 1976, that the herein Petition for the aforementioned 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.

Deputy 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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

March 8, 1976

Franklin T. HOGANS, Jr.
Chairman

Alan E. Berkowitz, Esq.
1600 Mercantile Bank Building
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: Variance Petition
Item 154
Alan and Karen Berkowitz -
Petitioners

Dear Mr. Berkowitz:

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 Old Court Road, 573 feet east of Greenlea Drive, and is currently improved with a two-story brick dwelling. The petitioner is requesting a Variance to permit a tennis court to be located in the front yard in lieu of the required rear yard. Adjacent properties are improved with single family dwellings.

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

Alan E. Berkowitz, Esq.
Re: Item 154
March 8, 1976
Page 2

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.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

cc: ratco engineering co. inc.
313-14 Keyser Building, Baltimore (21201)



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

February 17, 1976

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

Dear Mr. DiNenna:

Comments on Item #154, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

Property Owner: Alan and Karen Berkowitz
Location: SE/S Old Court Rd. 573' E of Greenlea Dr.

Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit tennis courts in front yard in lieu of required rear yard

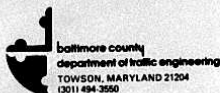
No. Acres: 2.57
District: 3rd

Since this is a variance for tennis courts and they do not interfere with the septic system and water well which are apparently functioning properly, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:ph



STEPHEN E. COLLINS
DIRECTOR

March 2, 1976

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

Re: Item 154 - ZAC - February 3, 1976
Property Owner: Alan & Karen Berkowitz
Location: SE/S Old Court Rd. 573' E. of Greenlea Dr.
Existing Zoning: D.R. 1
Proposed Zoning: Var. to permit tennis courts in front yard in lieu of required rear yard
No. of Acres: 2.57
District: 3rd

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to permit a tennis court in the front yard.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc



WILLIAM D. FROMM
DIRECTOR

March 1, 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 #154, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

Property Owner: Alan and Karen Berkowitz
Location: SE/S Old Court Road 573' E. of Greenlea Drive
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit tennis courts in front yard in lieu of required rear yard
No. Acres: 2.57
District: 3rd

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
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 9, 1976

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

Z.A.C. Meeting of: February 3, 1976

Re: Item 154

Property Owner: Alan & Karen Berkowitz

Location: SE/S Old Court Rd. 573' E. of Greenlea Dr.

Present Zoning: D.R. 1

Proposed Zoning: Variance to permit tennis courts in front yard in lieu of required rear yard.

District: 3rd

No. Acres: 2.57

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

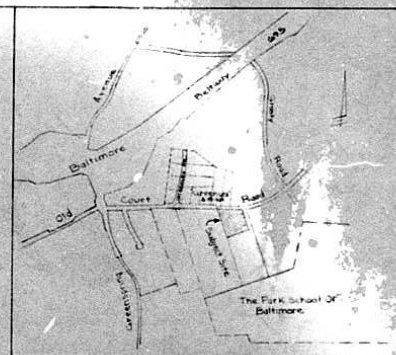
W. Nick Petrovich, Jr.
Field Representative.

EMSLIE PARKS, President
CYNTHIA D. HESS, Vice President
MRS. ROBERT L. BERRY

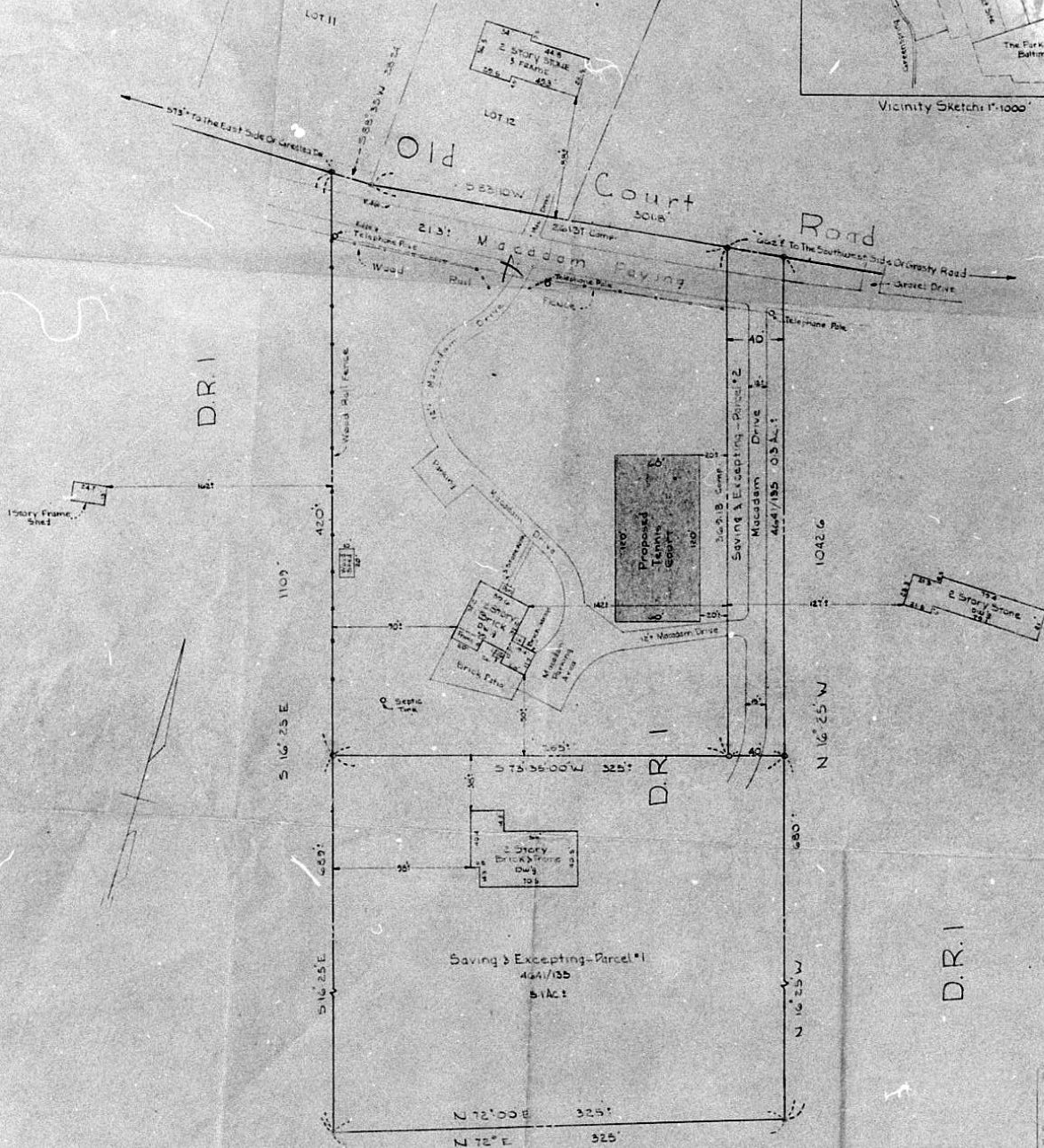
MANUE M. BOTOAHIS
JUDITH N. MCGOWAN
ALVIN LURECK

T. BAYARD WILLIAMS, Jr.
RICHARD W. THACKER, Jr.
MRS. RICHARD K. HUGHES

Subdivision Plat of "GREENLEE"
19 Feb 1901



Vicinity Sketch 1"=1000'



PLAT TO ACCOMPANY DESCRIPTION
FOR
ZONING

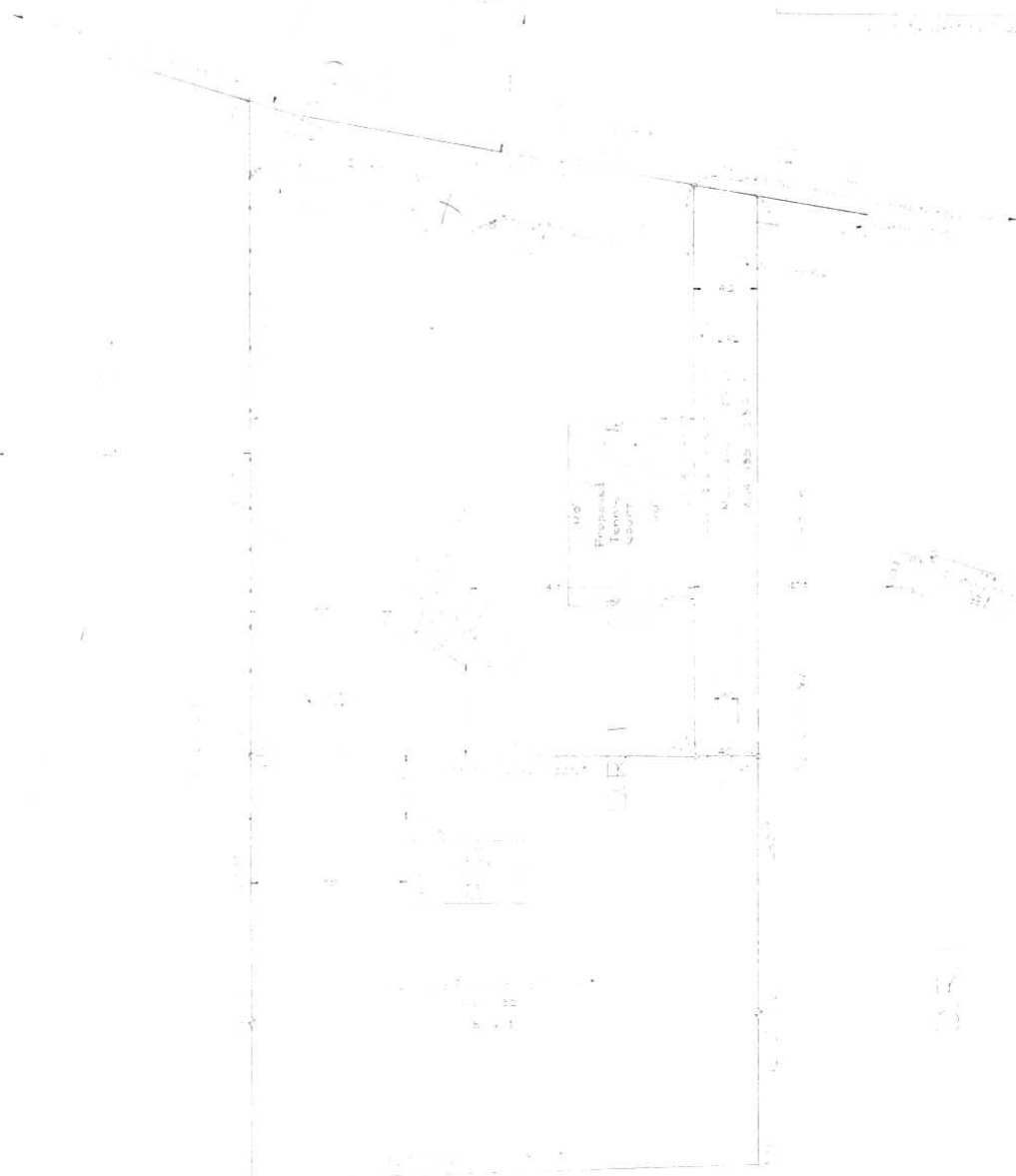
2.57 ACRE PARCEL
SOUTH SIDE OF OLD COURT ROAD

3rd ELEC DIST.
SCALE 1"=50'

PLAT TO C.D. NO. 6
DATE: FEB 76



16
NW 4-D
3
12876
BY: [Signature]
DATE: 1/18/76



retco engineering co. inc.

313-14 Keyser Building
Baltimore, Maryland 21201

