

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

LeRoy Y. Haile, Jr. and
Felicity F. Haile, 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 1B02.3C.1 to permit lot widths of 50

feet in lieu of the required 55 feet on Lots 27-28, 29-30, and 31-32 respectively. Also to permit side yard variances of 5 feet on Lots 27-28 and 29-30, instead of 10 feet; and to permit street setback of 7 1/2 feet instead of the required 25 feet for Lots 27 and 28; and to permit 27 1/2 feet from the centerline of the street instead of the required 50 feet for Lots 27 and 28.

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

Lots 27-28 and 31-32 are unimproved in an otherwise completely developed neighborhood. All of the adjacent development has been on 50 foot wide lots and the proposed improvements will conform to the rest of the neighborhood. The side yard variances will improve the siting of the proposed dwelling on Lot 27-28 with respect to the right-of-way line of Sweetbrier Lane. The side yard variance requested for Lot 29-30 will formalize the existing dimension for the house already built on this lot.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. 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
Address 13 West Chesapeake Avenue
Towson, Maryland 21204
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of February 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of April, 1976, at 10:00 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE
NE corner of Belfast Road and
Sweetbrier Lane, 8th District
LEROY Y. HAILE, JR. & FELICITY
F. HAILE, Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-215-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 15th day of April, 1976, a copy of the foregoing Order was mailed to Mr. and Mrs. LeRoy Y. Haile, Jr., 13 West Chesapeake Avenue, Baltimore, Maryland 21204, Petitioners.



April 21, 1976

Mr. & Mrs. LeRoy Y. Haile, Jr.
13 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variances
NE/corner of Belfast Road and Sweet-
brier Lane - 8th Election District
LeRoy Y. Haile, Jr., et ux -
Petitioners
NO. 76-215-A (Item No. 170)

Dear Mr. & Mrs. Haile:

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

DESCRIPTION OF PROPERTY OWNED BY LEROY Y. HAILE, JR. AND FELICITY F. HAILE LOCATED IN THE EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

Beginning for the same at the intersection of the east right-of-way line of Sweetbrier Lane 25 feet wide and the north right-of-way line of Belfast Road 40 feet wide thence running and binding on said east right-of-way line of Sweetbrier Lane north 3° 46' 30" west 150 feet then leaving said right-of-way line and running the following two courses and distances to the north right-of-way line of Belfast Road north 60° 13' 30" east 150 feet, south 3° 46' 30" east 150 feet thence running and binding on the north right-of-way line of Belfast Road south 86° 13' 30" west 150 feet to the place of beginning.

Containing 0.5165 acres more or less and being Lots 27, 28, 29, 30, 31 and 32 on the plat of Yorkshire, Section F, recorded among the Land Records of Baltimore County in WPG 7, Folio 21.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 5, 1976
FROM: William D. Truett, Director of Planning
SUBJECT: Petition 76-215-A, Petition for Variance for Lot Widths and Side Yards
Northeast corner of Belfast Road and Sweetbrier Lane
Petitioner - LeRoy Y. Haile, Jr. and Felicity F. Haile

8th District

HEARING: Monday, April 19, 1976 (10:00 A.M.)

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

William D. Truett
Director of Planning

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 225-7310
Paul H. Reincke
Chief

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: LeRoy Y. & Felicity F. Haile

Location: NE/c Belfast Rd. & Sweetbrier Ln.

Item No. 170 Zoning Agenda February 24, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "r" 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: J. H. Reincke, Jr. Noted and
Planning Group Approved: J. H. Reincke, Jr.
Special Inspection Division Acting Deputy Chief
Fire Prevention Bureau

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

April 20, 1976

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

Dear Mr. DiNenna:

Comments on Item #170, Zoning Advisory Committee Meeting, February 24, 1976, are as follows:

Property Owner: LeRoy Y. & Felicity F. Haile
Location: NE/c Belfast Road & Sweetbrier Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55'.
Acres: 0.5165
District: 8th

Metropolitan water and sewer are available.

A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore, approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:rsq

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 Variances should be had; and it further appearing that by reason of the granting of the Variances 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 on Lots 27, 28, 29, 30, 31 and 32; side yard of 5 feet instead of the required 10 feet on Lots 27, 28, 29 and 30; side street setback of 7 1/2 feet instead of the required 25 feet for Lots 27 and 28; and 27 1/2 feet from the center line of the street instead of the required 50 feet for Lots 27 and 28 should be granted.

It IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of April, 1976, that the herein Petition for the aforementioned Variances should be and the same are 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

the above Variance should NOT BE GRANTED.

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 ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

April 5, 1976

Franklin T. Hoggans, Jr.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. LeRoy Y. Haile, Jr.
13 West Chesapeake Avenue
Towson, Maryland 21204

RE: Variance Petition
Item 170
LeRoy Y. & Felicity F. Haile -
Petitioners

Dear Mr. Haile:

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, zoned D.R. 5.5, is located on the northwest corner of Belfast Road and Sweetbrier Lane, in the 8th Election District of the county.

The property consists of 6 lots, with a total dimension of 150'x150'. Lots 29 and 30 (50'x150') are currently improved with a 1-1/2 story single family dwelling, while lots 27, 28, 31, and 32 are presently unimproved. Properties completely surrounding this site are improved with similar type dwellings on lots 50 feet wide.

The petitioner is requesting a Variance for lot widths in order to construct dwellings on two fifty foot lots and allow the existing house to remain on the resulting fifty foot lot. In addition, he is requesting setback Variances for

Mr. LeRoy Y. Haile, Jr.
Re: Item 170
April 5, 1976
Page 2

for the existing dwelling and proposed dwelling on lots 27 and 28.

The petitioner should make note of comments of the Department of Public Works concerning proposed widenings of both Sweetbrier Lane and Belfast Road.

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,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman, Zoning Plans
Advisory Committee

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

NBC:JD



March 18, 1976

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

Re: Item #170 (1975-1976)
Property Owner: LeRoy & Felicity F. Haile
N/E cor. Belfast Rd. & Sweetbrier La.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55'.
No. of Acres: 0.5165 District: 8th

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:

Sweetbrier Lane and Belfast Road, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 40-foot and 50-foot rights-of-way, respectively. Highway improvements and highway rights-of-way widenings, including a fillet area for sight distance at the intersection together with any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

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 #170 (1975-1976)
Property Owner: LeRoy & Felicity F. Haile
Page 2
March 18, 1976

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Belfast Road. Additional fire hydrant protection may be required in the vicinity. These properties are tributary to the Jones Falls Sanitary Sewer System, subject to State Health Department imposed moratorium restrictions.

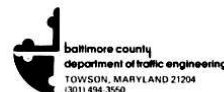
Very truly yours,

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

END: EAM: PWR:ms

cc: J. Trenner
J. Somers
W. Munchel

S-NE Key Sheet
51 & 52 NW 2 Pos. Sheet
NW 13 A Topo
60 Tax Map



STEPHEN E. COLLINS
DIRECTOR

March 3, 1976

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

Re: Item 170 - ZAC - February 24, 1976
Property Owner: LeRoy Y. & Felicity F. Haile
Location: NE/C Belfast Road & Sweetbrier Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55'
No. of Acres: 0.5165
District: 8th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to permit lot widths of 50 feet.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc



WILLIAM D. FROMM
DIRECTOR

April 2, 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 #170, Zoning Advisory Committee Meeting, February 24, 1976, are as follows:

Property Owner: LeRoy Y. and Felicity F. Haile
Location: NE/c Belfast Road and Sweetbrier Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55'
Acres: 0.5165
District: 8th

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: February 25, 1976

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

Z.A.C. Meeting of: February 24, 1976

Re: Item 170
Property Owner: LeRoy Y. & Felicity F. Haile
Location: NE/c Belfast Rd. & Sweetbrier La.
Present Zoning: D. R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55'.

District: 8th
No. Acres: 0.5165

Dear Mr. DiNenna:

No bearing on student population.

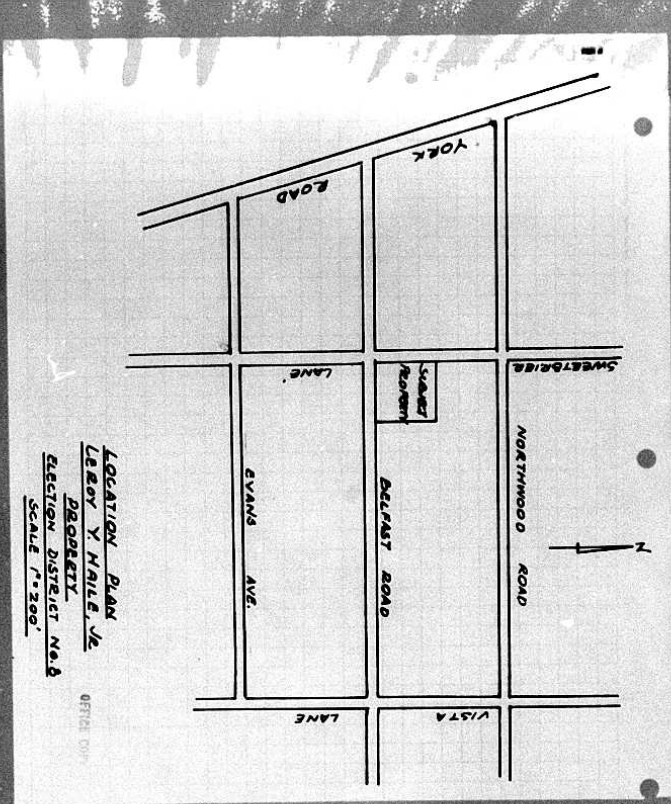
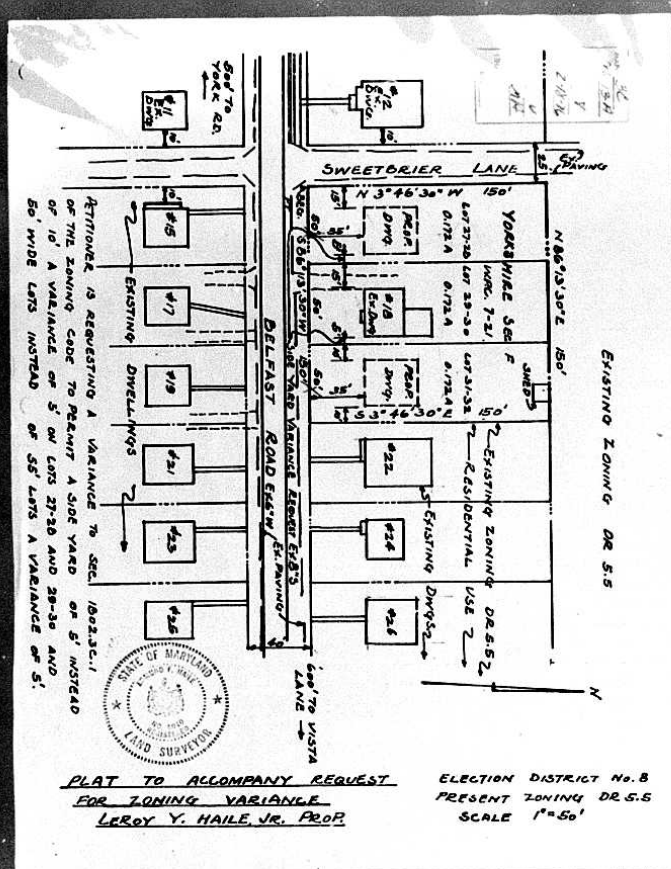
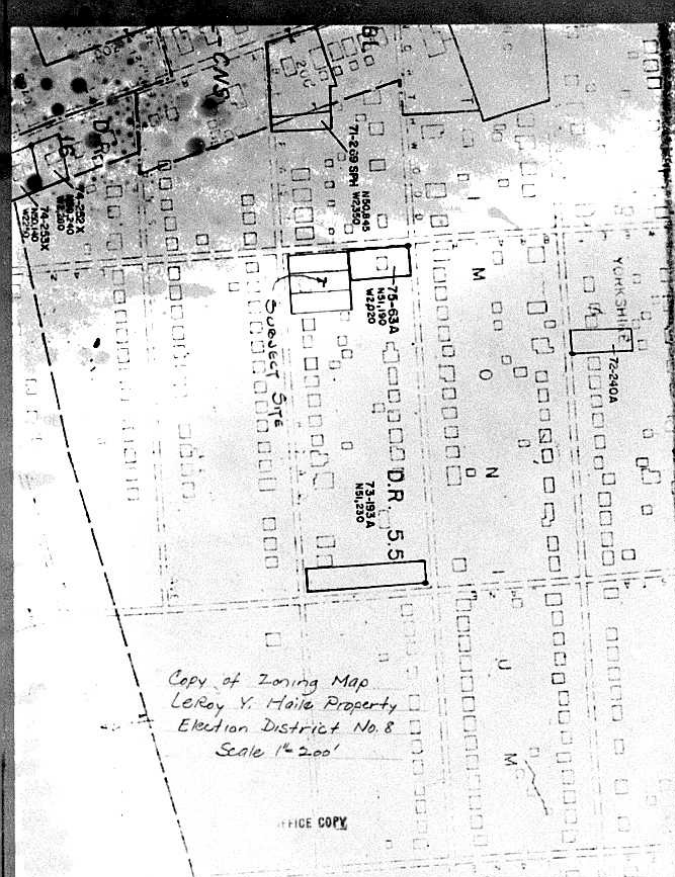
Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative.

EMILIE PARKS, SECRETARY
EUGENE C. HESS, CLERK
MRS. ROBERT L. BERNER

MARCUS W. ROTUNDO
JOSEPH N. MCGRAW
ALVIN ACHER
JOSHUA W. WHEELER, ALTERNATE

R. LARRY
RICHARD W. TULLY, JR.
MRS. RICHARD W. TULLY, JR.



Item 170

Dr. Leroy Y. Haile, Jr.
11 West Chesapeake Avenue
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for
filing this 24th day of February 1976

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Leroy Y. & Felicity Y. Haile
Petitioner's Attorney _____ Reviewed by Franklin T. Hoggins, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 7 day of
Feb 1976. Filing Fee \$ 25.00. Received ☒ Check
_____ Cash
_____ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Leroy & Felicity Haile Submitted by _____
Petitioner's Attorney _____ Reviewed by ETH

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

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 April 1, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Haile
was inserted in the following:

☐ Catonsville Times ☒ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
19th day of April 1976, that is to say, the same
was inserted in the issues of April 1, 1976.

STROMBERG PUBLICATIONS, INC.
BY *[Signature]*

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 1, 1976

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once each
of one time successive weeks before the 19th
day of April, 1976, the first publication
appearing on the 1st day of April
1976.

THE JEFFERSONIAN
[Signature]
Manager.

Cost of Advertisement, \$ _____

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 84 Date of Posting 4-1-76

Posted for: Haile, Leroy Y. & Felicity Y. Haile, Jr.

Petitioner: Leroy Y. Haile, Jr.

Location of property: 11 West Chesapeake Ave., Towson, Md.

Location of Signs: 2 signs posted on each side of house at 11 West Chesapeake Ave.

Remarks: _____

Posted by Mark H. Haile Signature Date of return: 4-2-76

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 33301

DATE Mar. 29, 1976 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Edward F. Haile, 1135 Providence Rd., Towson, Md. 21204

FOR Petition for Variance #76-215-A

4902100 30 25.00 CASH

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 33340

DATE April 19, 1976 ACCOUNT 01-662

AMOUNT \$52.50

RECEIVED FROM Leroy Y. Haile, Jr., 11 West Chesapeake Ave., Towson, Md. 21204

FOR Advertising and posting of property #76-215-A

4902100 19 52.50 CASH

VALIDATION OR SIGNATURE OF CASHIER

