

4:30 P.M. August 13-82 77-10-A 227 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Howard E. Boulden legal owner of the property shown 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 1 B02.30 (1) to permit lot width of 53 ft. in lieu of the required 55 ft. for two lots; also to permit a side yard setback of 7 ft. in lieu of the required 10 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. existing houses
2. due to ill health and age, we wish our son to build a house on the lot adjoining our 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.

Contract purchaser Howard E. Boulden
Louise A. Boulden
Legal Owner
Address: 1427 Rosewick Ave.
Baltimore, Md. 21227

Petitioner's Attorney _____
Petitioner's Attorney _____

Witnessed by the Zoning Commissioner of Baltimore County, this _____ day of _____, 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 held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1976, at _____ o'clock _____ A.M.

(over)

RE: PETITION FOR VARIANCE
SW/S of Rosewick Ave. 100 feet SE of
Underhill Road, 14th District
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Boulden, Howard E. and
Louise A., Petitioners
Case No. 77-10-A

ORDER TO ENTER APPEARANCE

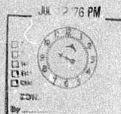
Mr. Commissioner:

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. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel
John W. Hesston, III
John W. Hesston, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of July, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Howard E. Boulden, 1427 Rosewick Avenue, Baltimore, Maryland 21227, Petitioners.

John W. Hesston, III
John W. Hesston, III
People's Counsel



July 16, 1976

Mr. & Mrs. Howard E. Boulden
1427 Rosewick Avenue
Baltimore, Maryland 21227

Re: Petition for Variance
SW/S of Rosewick Avenue, 100' SE of
Underhill Road - 14th Election District
Howard E. Boulden, et al - Petitioners
NO. 77-10-A (Show No. 229)

Dear Mr. & Mrs. Boulden:

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

Very truly yours,

George J. Martens
George J. Martens
Deputy Zoning Commissioner

CJM/mw

Attachment

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND

Date: May 21, 1976

2 A.F. Meeting of: May 25, 1976

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

Re: Item 229
Property Owner: Howard E. & Louise A. Boulden
Location: SW/S Rosewick Ave. 100' S.E. Underhill Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side yard setback of 7' in lieu of the required 10'.

District: 14th
No. Acres: 112.8 x 112
100 105

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Nick Petrulich
Nick Petrulich,
Field Representative.

NSP/MI

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 25, 1976

FROM: William B. From, Director of Planning

SUBJECT: Petition 77-10-A, Application for Variance for Lot Widths and Side Yards. Southwest side of Rosewick Avenue 100 feet Southeast of Underhill Road. Petitioner - Howard E. Boulden and Louise A. Boulden

14th District

HEARING: Wednesday, July 7, 1976 (10:30 A.M.)

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

William B. From
W.B.F. from
Director of Planning

MDP:JGH:fw

PETITION AND SITE PLAN

Howard E. Boulden
Louise A. Boulden
Baltimore, Maryland 21227

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chateaufort Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this _____ day of _____, 1976.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Howard E. Boulden
Petitioner's Attorney: _____
Reviewed by: William B. From
William B. From, Jr.
Chairman, Zoning Plans
Advisory Committee

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 fact 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. Variance to permit lot widths of 50 feet instead of the required 55 feet and side yard setbacks of 7 feet instead of the required 10 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of July, 1976, that the herein Petition for the aforementioned Variance 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.

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 17th day of July, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
1111 CH. CARROLL DRIVE
TOWSON, MARYLAND 21204

June 23, 1976

Franklin T. Hogan, Jr.
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

STATE ROADS COMMISSION

BUREAU OF FIRE PROTECTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Howard E. Boulden
1429 Rosewick Avenue
Baltimore, Maryland 21237

RE: Variance Petition

Item 229
Howard E. Boulden - Petitioners

Dear Mr. Boulden:

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 southwest side of Rosewick Avenue, 100 feet southeast of Underhill Road, and consists of two lots, both 50 feet in width, one of which is improved with a dwelling. The petitioner is requesting a Variance to permit lot widths of 50 feet in lieu of the required 55 feet in order that a second dwelling may be constructed on the adjacent vacant 50 foot lot. The adjacent properties are improved with single family residential development.

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

Mr. Howard E. Boulden
Re: Item 229
June 23, 1976
Page 2

the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hogan, Jr.
Chairman, Zoning Plans
Advisory Committee

FTW:JD

Enclosure

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
C611-694-3882

STEPHEN E. COLLINS
DIRECTOR

June 23, 1976

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

Re: Item 229 - ZAC - May 25, 1976

Property Owner: Howard E. & Louise A. Boulden
Location: SW/4 Rosewick Ave. 100' SE Underhill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side yard setback of 7' in lieu of the required 10'.

Acres: 112.8 x 112
100 165
District: 14th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to the lot width.

Very truly yours,

Michael S. Plummer
Traffic Engineer Associate

MEP/ha

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

June 17, 1976

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

Re: Item #229 (1975-1976)

Property Owner: Howard E. & Louise A. Boulden
6'40' Rosewick Ave., 100' SE Underhill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side yard setback of 7' in lieu of the required 10'.

Acres: 112.8 x 112
100 165
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.

Highways:

Rosewick Avenue, an existing public street, 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. Further information may be obtained from the Baltimore County Bureau of Engineering.

Sediment Control:

Development of this property through striping, 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 striping of top soil.

Storm Drainage:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. Red House Run traverses the rear of this property, as generally shown on the submitted plan. A future drainage and utility easement is required along the rear of this property. Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm.

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

June 2, 1976

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

Attention: Mr. Austin Deitz, Chairman
Zoning Advisory Committee

Re: Property Owner: Howard E. & Louise A. Boulden

Location: S.W. 1/4 Rosewick Ave. 100' SE Underhill Road

Item No. 229

Zoning Agenda

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 100 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 building 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.

() 6. Site plans are approved as drawn.

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

Reviewed: J. Austin Deitz, Chief

Planning Group
Special Inspection Division

Deputy Chief
Fire Prevention Bureau

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
C311-694-2211

WILLIAM D. FROMM
DIRECTOR

June 11, 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 #229, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Howard E. & Louise A. Boulden
Location: SW/4 Rosewick Avenue 100' SE Underhill Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side yard setback of 7' in lieu of the required 10'.

Acres: 112.8 x 112
100 165
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 plan. 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

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

August 16, 1976

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

Dear Mr. DiNenna:

Comments on Item #229, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Howard E. & Louise A. Boulden
Location: SW/4 Rosewick Ave. 100' SE Underhill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and to permit a side yard setback of 7' in lieu of the required 10'.

Acres: 112.8 x 112
100 165
District: 14th

Since this is a variance to permit a side yard setback for an existing building and metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:hah

Item #229 (1975-1976)
 Property Owner: Howard E. & Louise A. Boulden
 Page 2
 June 17, 1976

***Tow Drains: (Cont'd)**

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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 and Sanitary Sewer:

Public water supply and sanitary sewerage exist adjacent to this property.

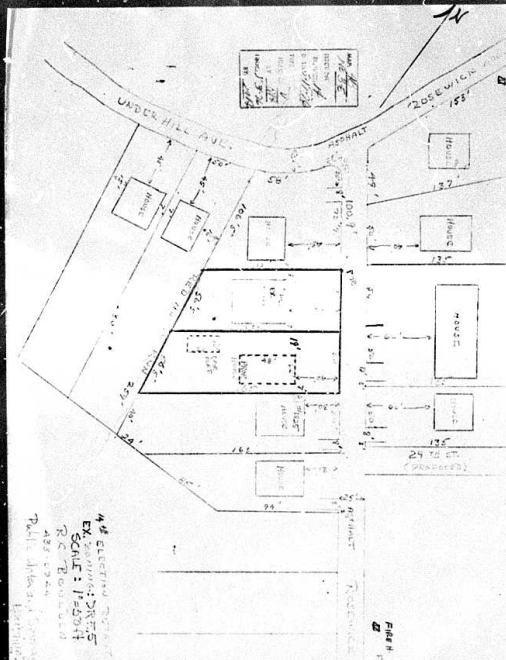
Very truly yours,

Elsworth N. Diver, P.E.
 ELSWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

END:SAN:FWH:es

cc: J. Trenner
 D. Wise

J-SE Key Sheet
 10 NE 19 Pos. Sheet
 NE 3 E Topo
 89 Tax Map



CERTIFICATE OF POSTING
 BALTIMORE COUNTY DEPARTMENT OF TOWNSHIP COUNTY
 Towson, Maryland

District: 14th Date of Posting: 6-17-76

Posted for: Henry Willard, Jr. 1976 & 1977

Petitioner: Howard E. Boulden

Location of property: 1101 E. Rosewick on 1st E. of Underhill Rd.

Location of Sign: 1101 E. Rosewick on 1st E. of Underhill Rd.

Remarks: See

Posted by: Mark H. New Date of return: 6-24-76

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 17, 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., on one time successive before the 7th day of July 1976, the 8th publication appearing on the 17th day of June 1976.

THE JEFFERSONIAN,
Elsworth N. Diver, P.E.
 Manager.

Cost of Advertisement, \$.....

OFFICE OF THE TIMES
 TOWSON, MD. 21204 June 17, 1976

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance-- Boulden 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 7th day of July 1976, that is to say, the same was inserted in the issues of June 17, 1976.

STROMBERG PUBLICATIONS, INC.
 BY *Take Bank*

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

No. 33443

DATE June 18, 1976 ACCOUNT 01-662

RECEIVED Howard E. Boulden, 1101 E. Rosewick Dr., Towson, Md.

FOR Petition for Variance

25.00

25470 JUN 14 25.00 MC

VALIDATION OR SIGNATURE OF CARRIER

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

No. 33495

DATE July 1, 1976 ACCOUNT 01-662

RECEIVED Travis Boulden, 1101 E. Rosewick Dr., Towson, Md.

FOR Advertisement and posting of property

25.00

25167 JUL 7 25.00 MC

VALIDATION OR SIGNATURE OF CARRIER

Item #229 (1975-1976)
 Property Owner: Howard E. & Louise A. Boulden
 Page 2
 June 17, 1976

Storm Drains (Cont'd)

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 and Sanitary Sewer

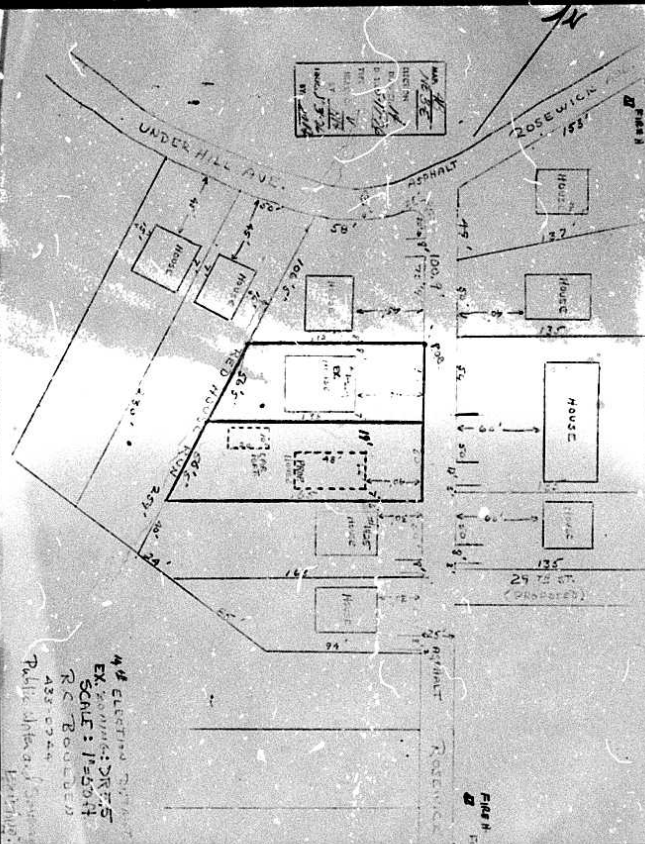
Public water supply and sanitary sewerage exist adjacent to this property.

Very truly yours,
Ellsworth N. Diver
 ELLEWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

END:RAM:PMR:as

CC: J. Tranner
 D. Trise

J-52 Key Sheet
 10 MM 19 Pos. Sheet
 NE 3 E Topo
 89 Tax Map



CERTIFICATE OF FILING
 DEEDS DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 14th Date of Filing: 6-17-76
 Petition for: Revising Will July 2, 1976 & 10-31-76
 Petitioner: Howard E. Boulden
 Location of property: Subd. of Reamick on 12th St. of Dundalk Rd.
 Location of Sign: 14th & Dundalk & 12th Reamick area Subd.
 Remarks: Subd.
 Filed by: Paul H. New Date of return: 6-24-76

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 17, 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., on one time before the 7th day of July, 1976, the 19th day of July, 1976, the 27th day of July, 1976, appearing on the 17th day of July, 1976.

THE JEFFERSONIAN
L. Frank Smith

Cost of Advertisement, \$.....

OFFICE OF THE TIMES
 NEWSPAPERS

TOWSON, MD. 21204 June 17, 1976

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance-- Boulden 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 2nd successive weeks before the 7th day of July 1976, that is to say, the same was inserted in the issues of June 17, 1976.

STROMBERG PUBLICATIONS, INC.
 BY *John Strome*

BALTIMORE COUNTY, MARYLAND
 OFFICE OF PUBLIC RECORDS & DEEDS
 UNRECORDED CASH RECEIPT

DATE: June 17, 1976 AMOUNT: \$25.00

RECEIVED: Paul H. New FOR: Howard E. Boulden

254702 JAN 14 2500ms

VALIDATION OR SIGNATURE OF OWNER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF PUBLIC RECORDS & DEEDS
 UNRECORDED CASH RECEIPT

DATE: July 2, 1976 AMOUNT: \$25.00

RECEIVED: Paul H. New FOR: Howard E. Boulden

254702 JAN 14 2500ms

VALIDATION OR SIGNATURE OF OWNER