

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John & Joan Ruby, Jr., 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 1. A.0.0.2a. permit side set back of 30 ft. instead of 50 ft. to allow building of 2 car attached garage.

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

The lot was created in 1961, long before present 50 ft. set back was required and is not wide enough to comply. It is not feasible to build garage behind house as a detached unit because of grading problems and 10000 sq. ft. discontiguous area.

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: John C. Ruby, Jr.
Address: 1220 Dairy Road, Towson, Maryland 21204
Petitioner's Attorney: Charles E. Kountz, Jr.
Protestant's Attorney: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1976.

June _____, 1976, at 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 _____ day of July, 1976, at 10:30 o'clock.

FILED IN PLANS & SPECIFICATIONS

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCE
NE/S of Dairy Road 1220 feet SE of
Rayville Road, 6th District
RUBY, JOHN C., JR., Petitioner
: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 77-21-A

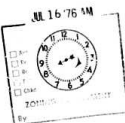
ORDER TO ENTER APPEARANCE

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. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of July, 1976, a copy of the foregoing Order was mailed to Mr. John C. Ruby, Jr., 1220 Dairy Road, Parkton, Maryland 21120, Petitioner.



July 21, 1976

Mr. & Mrs. John C. Ruby, Jr.
3007 Paper Mill Road
Phoenix, Maryland 21131

RE: Petition for Variance
NE/S Dairy Road, 1220' SE of Rayville
Road - 6th Election District
John C. Ruby, Jr., et al
NO. 77-21-A (Item No. 255)

Dear Mr. & Mrs. Ruby:

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

Very truly yours,

George M. Martinak
Deputy Zoning Commissioner

CJM/mc

Attachments

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

All that lot of ground situate in the Sixth district of Baltimore County, Maryland, and described as follows: Beginning at a nail in the roadbed of Dairy Road 2300 feet Southeast of Rayville Road, continuing North 37 degrees 55 minutes East 520.01 feet, thence South 45 degrees 21 minutes East 150.00 feet to a pine, thence South 37 degrees 51 minutes 30 seconds West 500.19 feet to a pine, thence North 53 degrees 56 minutes West 150.00 feet to place of beginning. Containing 1.752 acres. Otherwise shown as 1220 Dairy Road.

Case No. 77-21-A
200 S. Bowers
1220 Key Street
120 NW 12 Post Street
NM 33 D Topo
11 Tax Map

July 23, 1976

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

Re: Item #255 (1975-1976)
Property Owner: John & Joan Ruby, Jr.
1220 Dairy Rd., 2300' SE Rayville Rd.
Existing Zoning: RDP
Proposed Zoning: Variance to permit side setback of 30' in lieu of the required 50'.
Acres: 1.752 District: 6th

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:

Dairy Road, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including means any 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 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 and Sanitary Sewer:

Public water and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District. The Baltimore County Comprehensive Water and Sewer Plan, amended August 1974, indicates "No Planned Service" in the area.

Very truly yours,

William N. Diver, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: 68

Case # 77-21
baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
301-434-2500

STEPHEN L. COLLINS
DIRECTOR

July 16, 1976

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

Re: Item 255 - ZAC - June 22, 1976
Property Owner: John & Joan Ruby, Jr.
Location: NW/4 Dairy Rd. 2300' SE Rayville Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side setback of 30' in lieu of req. 50'
Acres: 1.752
District: 6th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to the side yard.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

William D. Fromm
DIRECTOR
baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
301-434-2511

July 14, 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 #255, Zoning Advisory Committee Meeting, June 22, 1976, are as follows:

Property Owner: John & Joan Ruby, Jr.
Location: NW/4 Dairy Rd. 2300' SE Rayville Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side setback of 30 feet in lieu of required 50 feet.
Acres: 1.752
District: 6th

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
Planner III
Project and Development Planning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

SEP 10 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 granted; 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 a side setback of 30 feet instead of the Variance required 50 feet should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of July, 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 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 day of 197, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

THE BALTIMORE COUNTY ZONING COMMISSION

THAT THE BALTIMORE COUNTY ZONING COMMISSION

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 day of 1976.

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

Petitioner: John & Joan Ruby, Jr.
Petitioner's Attorney: [Signature]

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

June 30, 1976

Franklin T. Hogan, Jr.
Chairman

Mr. John C. Ruby, Jr.
1226 Dairy Road
Parkton, Maryland 21120

RE: Variance Petition
Item 255
John & Joan Ruby, Jr. - Petitioners

Dear Mr. Ruby:

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 northwest side of Dairy Road, 1300 feet southeast of Bayville Road, and is currently the site of a dwelling presently under construction. The petitioner is requesting a Variance to permit a setback of 30 feet on the side in lieu of the required 50 feet, in order that a garage addition may be constructed.

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 60 days after the date on the

Mr. John C. Ruby, Jr.
re: Item 255
June 30, 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

FTH:JD
Enclosure

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 23, 1976

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

2.A.C. Meeting of: June 22, 1976

Re: Item 255

Property Owner: John and Joan Ruby, Jr.

Location: NWS Dairy Rd. 2800' SE Bayville Rd.

Present Zoning: R/P

Proposed Zoning: Variance

District: 6th

No. Acres: 1.752

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

KNP/ml

JOSEPH M. HIGGINS, PRESIDENT
TOWSON BOARD OF EDUCATION
1002 TOWSON AVE., TOWSON
JOHN M. HIGGINS, SECRETARY
TOWSON BOARD OF EDUCATION
1002 TOWSON AVE., TOWSON
DAVID M. HIGGINS, TREASURER
TOWSON BOARD OF EDUCATION
1002 TOWSON AVE., TOWSON
ALAN LORICK
TOWSON BOARD OF EDUCATION
1002 TOWSON AVE., TOWSON
PETER M. TRACY, D.V.M.



Paul H. Helms
Chair

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

Attention: Mr. Frank Hogan, Chairman
Zoning Advisory Committee

Re: Property Owner: John & Joan Ruby, Jr.

Location: NW/3 Dairy Rd. 2300's SE Bayville Rd.

Item No. 255

Zoning Agenda June 22, 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 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 buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "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 by: [Signature] Noted and Approved: [Signature]
Planning Group Special Inspection Division Station 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

October 11, 1976

Case 0121A
N.D. 9/14/76

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

Dear Mr. DiNenna:

Comments on Item #255, Zoning Advisory Committee Meeting, June 22,
1976, are as follows:

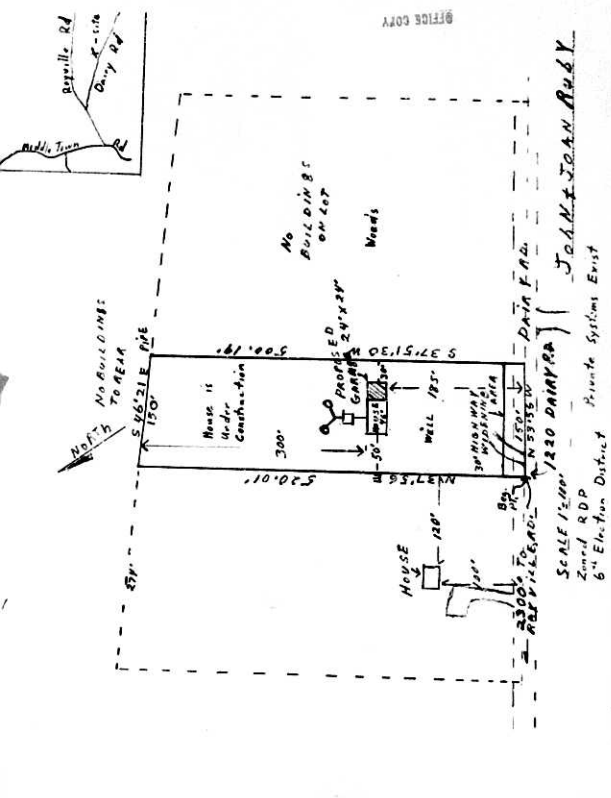
Property Owner:	John & Joan Ruby, Jr.
Location:	NW/S Dairy Road 7300' SE Rayville Road
Existing Zoning:	E.D.F.
Proposed Zoning:	Variance to permit side setback of 30' in lieu of the required 50'.
Acres:	1.752
District:	6th

An approved water well has been drilled and the septic system area will not be affected by this variance.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:HKR/B:EG



PETITION FOR A VARIANCE
 The zoning Commission of Baltimore County, Maryland, has received a petition from John C. Ruby, Jr., for a variance from the zoning ordinance of Baltimore County, Maryland, to allow the construction of a house on a lot in the R-100 zone. The petition is based on the fact that the lot is abnormally shaped and the proposed house is a single-family detached house. The zoning Commission has held a public hearing on the petition and has found that the variance is justified. The zoning Commission has granted the variance and has allowed the construction of the house.

CERTIFICATE OF PUBLICATION

TOWSON, MD. JULY 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., on the 1st day of July, 1976, at 10:25, the first publication appearing on the 1st day of July, 1976.

THE JEFFERSONIAN

S. Frank Stroman
 Manager

Cost of Advertisement, \$.

THE JEFFERSONIAN
 A WEEKLY NEWSPAPER
 PUBLISHED IN TOWSON, BALTIMORE COUNTY, MARYLAND
 BY S. FRANK STROMAN
 MANAGER
 111 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21204
 PHONE 281-1111
 CABLE 281-1111
 POST OFFICE BOX 1111
 TOWSON, MARYLAND 21204
 SECOND CLASS PERMIT NO. 1111
 POSTAGE PAID AT TOWSON, MARYLAND
 SUBSCRIPTION PRICE \$5.00 PER ANNUM
 SINGLE COPIES 15 CENTS
 CENTS PER COPY
 PRINTED AT THE JEFFERSONIAN PRINTING CO.
 TOWSON, MARYLAND

OFFICE OF
THE TIMES
 NEWSPAPERS

TOWSON, MD. 21204

June 30, 1976

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

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

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 1st day of July, 1976, that is to say, the same was inserted in the issues of June 30, 1976.

STROMBERG PUBLICATIONS, INC.

BY *John C. Ruby*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 6th Date of Posting July 3, 1976

Posted for: PETITION FOR VARIANCE

Petitioner: JOHN C. RUBY, JR.

Location of property: NE 1/4 OF DAIRY RD. 1220' SE OF BAYVILLE RD.

Location of Signs: FRONT 1220' DAIRY RD.

Remarks: Thomas L. Ireland

Posted by Thomas L. Ireland Date of return July 8, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 8 day of JUNE 1976. Filing Fee \$ 25. Received ☒ Check ☐ Cash ☐ Other

S. Eric DiMenna
 S. Eric DiMenna,
 Zoning Commissioner

Petitioner RUBY Submitted by MRS. MILLER

Petitioner's Attorney Blue Smith Reviewed by Blue Smith

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

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

No. 38901

DATE July 19, 1976 ACCOUNT 63-662

AMOUNT \$44.25

RECEIVED FROM John C. Ruby, Jr., 3007 Paper Mill Rd., Pk. mix, Md. 21131

FOR Advertising and posting of property #77-21-A

185 6 17 19 4 4250

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

No. 32470

DATE June 25, 1976 ACCOUNT 03-662

AMOUNT \$25.00

RECEIVED FROM John C. Ruby, Jr., 3007 Paper Mill Rd., Pk. mix, Md. 21131

FOR Petition for a Variance #77-21-A

185 4 7 25 28 2500100

