

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 distances of 75 feet and 175 feet to the nearest adjacent property lines instead of the required 200 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd 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 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 day of 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Mr. Herbert Rosen
811 Stoke Tree Road
Pikesville, Md. 21092

Item 246

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Yours Petition has been received and accepted for filing this 22nd day of July, 1976.

Mr. Eric DiNenna
Zoning Commissioner

Petitioner: Herbert & Betty Rosen

Attorney: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Md. 21204

Reviewed by: Franklin T. Hogan, Jr.
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 21, 1976

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

Mr. Herbert Rosen
811 Stoke Tree Road
Pikesville, Maryland 21092

RE: Variance Petition
Item 246
Herbert & Betty Rosen - Petitioners

Dear Mr. Rosen:

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 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 east side of Cavesdale Road, 360 feet northeast of Delwynne Road, and is currently an unimproved property. The petitioner is requesting a Variance to permit a distance from property lines of 75 feet and 175 feet for a kennel use in lieu of the required 200 feet. The petitioner also plans to construct a single family dwelling on this property. Adjacent properties are rural, and for the most part wooded.

The overall ownership of the petitioner should be made available in the form of revised plans submitted prior to the hearing date. At such time as this ownership situation is revealed, possible conflicts with subdivision regulations may become apparent.

Mr. Herbert Rosen
Re: Item 246
July 21, 1976
Page 2

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. Hogan, Jr.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Md. 21204

Item #246 (1975-1976)
Property Owner: Herbert & Betty Rosen
Page 2
July 15, 1976

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.

A future drainage and utility easement is required along the easternmost property line of this site.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property. The Baltimore County Comprehensive Water and Sewer Plan, amended August 1974, indicates "Planned Service" in 11 to 30 years in the area.

Very truly yours,

Ellsworth H. Diver, P.E.
Chief, Bureau of Engineering

END: EAM:PMH:ess

cc: J. Wimbley

5-26 May Sheet
32 NW 19 & 20 Pm. Sheets
NE 12 E Topo
59 Tax Map

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

July 15, 1976

Re: Item #246 (1975-1976)
Property Owner: Herbert & Betty Rosen
E/S Cavesdale Rd., 260' NE Delwynne Rd.
Existing Zoning: R20
Proposed Zoning: Variance to permit side setbacks of 75' and 175' for a dog kennel in lieu of the required 200'.
Acreage: 5.859 District: 3rd

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.

General:

Baltimore County highway and utility improvements are not directly involved. The submitted plan indicates this site to be one of three portions of a larger tract of land. Baltimore County Subdivision Regulations appear applicable and a review by the Joint Subdivision Planning Committee may be required.

Highways:

The site appears to be "land-locked" (without in-lieu frontage on a public road) with access via a private 16.5-foot right-of-way to a road, an extension of Ridgeway Avenue, west from GreenSpring Avenue.

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:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

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 #246, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Herbert & Betty Rosen
Location: E/S Cavesdale Road 260' NE Delwynne Road
Existing Zoning: R20.P.
Proposed Zoning: Variance to permit side setbacks of 75' and 175' for a dog kennel in lieu of the required 200'.
Acreage: 5.859
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.

If the property is to be divided into lots, the petitioner must comply with the Baltimore County Subdivision Regulations.

Very truly yours,

John W. Wimbley
John W. Wimbley
Planner III
Project and Development Planning

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 825-7210

Paul H. Reincke
CHIEF

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

Attention: Mr. Frank Hogan, Chairman
Zoning Advisory Committee

Re: Property Owners: Herbert & Betty Rosen

Location: E/S Cavesdale Rd. 260' NE Delwynne Rd.

Item No. 246

Zoning Agenda June 15, 1976

Gentlemen:

Furnishing 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 "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: _____ Noted and Approved:
Planning Group _____ Acting Deputy Chief
Special Inspection Division _____ Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 14, 1976

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

Z.A.C. Meeting of: June 15, 1976

Re: Item 246
Property Owner: Rosen
Location: 25 Cavendish Rd. 260' NE Delwynne Rd.
Present Zoning: RUP
Proposed Zoning: Var.

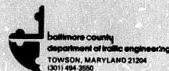
District: 3
No. Acres: 5.859

Dear Mr. DiNenna:

No bearing on student population.

NWP/al

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative.



STEPHEN E. COLLINS
DIRECTOR

July 13, 1976

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

Re: Item 246 - ZAC - June 15, 1976
Property Owner: Herbert & Betty Rosen
Location: 25 Cavendish Rd. 260' NE Delwynne Rd.
Existing Zoning: R.U.P.
Proposed Zoning: Variance to permit side setbacks of 75' and 175' for a dog kennel in lieu of req. 200'
Acres: 5.859
District: 3rd

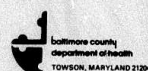
Dear Mr. DiNenna:

The requested variance to the side yards to permit a kennel is not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc



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

October 13, 1976

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

Dear Mr. DiNenna:

Comments on Item #246, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Herbert & Betty Rosen
Location: 25 Cavendish Rd. 260' NE Delwynne Rd.
Existing Zoning: R.U.P.
Proposed Zoning: Variance to permit side setbacks of 75' and 175' for a dog kennel in lieu of the required 200'.
Acres: 5.859
District: 3rd

Department of Health approval of an application to house and keep animals is predicated upon the following:

1. The animal structure is within a reasonable distance (not less than 10 feet) from the adjoining residential property.
2. The animal is cleaned daily and manure is not permitted to accumulate on the ground.
3. Manure is either removed from the premises daily or stored in suitable covered receptacles prior to removal within a reasonable time.
4. Animal food is stored in covered waterproof containers.
5. Rodent, insect, and odor control is maintained.
6. No animal shall be permitted within 75 feet of a potable water supply (well or spring).
7. Watering troughs must be of a type that will not create any cross-connections to a potable water supply.

Very truly yours,

Thomas E. Devlin
Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TJH/nc

CASE 77-26-A
10/24/76

July 30, 76

Congressman
Deputy Zoning Commission
Baltimore County Office of Planning and Zoning
Towson, Md. 21204

Dear Sir

Reference # 77-26-A Item #246

in regards to our 30 day appeal still

standing on the variance granted me July 27, 76
I understand I will be financially responsible if
any appeals are filed against this variance within
the said 30 days.

Herbert Rosen

APPLICATION FOR KENNEL LICENSE

BALTIMORE COUNTY, YEAR OF
SUBJECT TO APPROVAL BY: Department of Zoning
Department of Public Health
Department of Dog License Commission

ELECTION DISTRICT 3rd DATE 7/1

OWNER HERBERT ROSEN

ADDRESS ZIP CODE

PHONE NUMBER

KENNEL NAME BET R KENNEL

WOMEN OF DOGS

TYPE OF ENCLOSURE ☒ IN DWELLING ☐ SEPARATE BUILDING ☐ FENCED AREA

DISTANCE FROM ENCLOSURE TO NEAREST PROPERTY LINE

APPROVED BY:

OFFICE OF PLANNING AND ZONING

DATE: 7/2/76

Herbert Rosen
Signature of Applicant

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3rd Date of Posting SEPT. 3, 1976
Posted for: APPEAL
Petitioner: HERBERT ROSEN, ET. UX
Location of property: E/S OF CAVERDALE RD. 260' NE OF DELWYNNE RD.
Location of Sign: W/S PRIVATE DRIVE RD. TO E/END OF PROPERTY AND N/S RINGWAY AVE. EXTENSION
Remarks: THOMAS E. ROSEN
Posted by: THOMAS E. ROSEN Date of return: SEPT. 16, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received. * this 28 day of May 1976 Filing Fee \$ 35 Received ☒ Cash ☐ Other

Petitioner ROSEN Submitted by H. O. DiNenna
Petitioner's Attorney reviewed by F. H. Rosen

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wal. Map		Original		Duplicate		Tracing		SOC Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: FH										
Previous cases:										

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3rd Date of Posting July 9, 1976
Posted for: PETITION FOR VARIANCE
Petitioner: HERBERT ROSEN
Location of property: E/S OF CAVERDALE RD. 260' NE OF DELWYNNE RD.
Location of Sign: N/S OF RIGHT OF WAY, 500' TO - W OF END OF RINGWAY AVE.
Remarks: THOMAS E. ROSEN
Posted by: THOMAS E. ROSEN Date of return: July 16, 1976

PETITION FOR A VARIANCE
IN EMERGENCY

Reason: Petition for Variance for the following:

LOCATION: East side of Conedale Rd. at NW corner of Delmar Court.

DATE & TIME: Monday, July 26, 1976 at 10:00 A.M.

PUBLIC HEARING: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for a Variance from the Zoning Regulations of Baltimore County to permit a distance of 30 feet and 170 feet the nearest property lines instead of the required 100 feet.

The Zoning Regulations to be accepted as follows:

Section 421.1 - Where an owner having a plot or parcel is situated in a residential zone, either as a detached house or as a permitted use, no part of any such use shall be located within 100 feet of the nearest property line.

All that parcel of land in the Third District of Baltimore County beginning for the same at a point distant South 42 degrees 48 minutes 30 seconds East 253.54 feet measured along the northwest outline of the property of the petitioners here to from the east end of Conedale Road as shown on the Plat of Carve Valley, which plat is recorded against the Plat Records of Baltimore County in Plat Book S.H.R. No. 34 folio 50 (the east end of Conedale Road being distant 300 feet more or less north-easterly from Delmar Court) and running thence and bearing on the outlines of the property of the petitioners herein the six following courses and distances viz: South 47 degrees 44 minutes 10 seconds East 179.94 feet, North 07 degrees 15 minutes 45 seconds East 202.40 feet, North 18 degrees 00 minutes 20 seconds West 234.00 feet, South 81 degrees 47 minutes 19 seconds East 273.12 feet, North 34 degrees 07 minutes 24 seconds West 267.57 feet and South 43 degrees 15 minutes 30 seconds West 260.70 feet to the place of beginning.

Containing 5.80 Acres of land more or less.

Being the property of Herbert Rosen and Betty Rosen, as shown on a plat plan filed with the Zoning Department.

Hearing Date: Monday, July 26, 1976 at 10:00 A.M.

Public Hearing: Room 100 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of:

S. ERIC DIERHNA
Zoning Commissioner of Baltimore County
July 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 8, 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 a week at one time successive weeks before the 26th day of July, 1976, the first publication appearing on the 8th day of July 1976.

THE JEFFERSONIAN

S. Leah Smith
Manager.

Cost of Advertisement, \$

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

No. 33481

DATE July 1, 1976 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Herbert Rosen, 811 Smoke Tree Rd. Pikesville, Md. 2108
FOR: Petition for a Variance
#77-26-A

25.00 HSC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 38925

DATE July 26, 1976 ACCOUNT 01-662

AMOUNT \$55.75

RECEIVED FROM: Herbert E. Rosen 811 Smoke Tree Rd., Pikesville, Md. 2108
FOR: Advertising and posting of property
#77-26-A

55.75 HSC

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR A VARIANCE

Reason: Petition for Variance for

Side View

LOCATION: East side of Conedale Rd. at NW corner of Delmar Court.

DATE & TIME: Monday, July 26, 1976 at 10:00 A.M.

PUBLIC HEARING: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

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Containing 5.80 Acres of land more or less.

Being the property of Herbert Rosen and Betty Rosen, as shown on a plat plan filed with the Zoning Department.

Hearing Date: Monday, July 26, 1976 at 10:00 A.M.

Public Hearing: Room 100 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of:

S. ERIC DIERHNA
Zoning Commissioner of Baltimore County
July 8.



OFFICE OF

THE TIMES

NEWSPAPERS

TOWSON, MD. 21204

July 8, 1976

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance-- Rosen 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 26th day of July 1976, that is to say, the same was inserted in the issues of July 8, 1976.

STROMBERG PUBLICATIONS, INC.

BY *Peter Smirk*

BY ORDER OF
S. ERIC DIERHNA
ZONING COMMISSIONER OF BALTIMORE COUNTY
JULY 8.

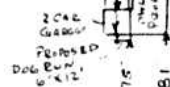
Zoned RDP

Adjacent Heights
W/ 408.55
Zoned RDP

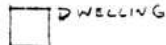
Zoned RDP



5.859 Acres



Zoned RDP



PROPERTY LOCATED

IN

3RD DISTRICT BALTO CO. MD

2 PARKING SPACES
IN GARAGE

MAP	_____
DESCRIPTION	_____
DATE	_____
BY	_____
FOR	_____
TOTAL	_____
BY	_____



SCALE 1" = 100' MAY 24, 1976
GERHOLD, CROSS & ETZEL
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE TOWSON MD

EXISTING ZONING RDP

PROPOSED ZONING 421.1

VARIANCE: 75' FROM DOCK CHANNEL TO SW PROPERTY LINE IN LIEU OF 200'
VARIANCE: 175' FROM DOCK CHANNEL TO NE PROPERTY LINE IN LIEU OF 200'

CAVES VALLEY
PLAT BOOK 1112 NO 36-58

CAVEDALE
ROAD

DELAWARE COURT

