

77-57A #21 **PETITION FOR BORING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Gary C. Freund & Sandra L. Freund, owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and captioned as a part hereof, hereby petition for a Variance from Section 1A99.1B.3 to permit side yard setback... of 25 feet in lieu of required 50 feet

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

Proposed construction of new dwelling and garage cannot be accomplished with the existing 50' sideyard setback requirement. Unanticipated problems with right-of-way through adjoining panhandle could cause a lateral shift in location of proposed structure.

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
Lapsi Owner
Address: 5711 Faldash Road
21239
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this...10th...day of August, 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 106, County Office Building in Towson, Baltimore County, on the...11th...day of...September, 1976, at 10:00 o'clock A.M.

10:45A
9/14/76
10-76 PM
BID 5 (Lapsi & Co.)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 7, 1976

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

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PROTECTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Gary C. Freund
5911 Falkirk Road
Baltimore, Maryland 21212

RE: Variance Petition
Item 21
Gary C. & Sandra Freund - Petitioners

Dear Mr. Freund:

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.

This currently vacant site, part of the subdivision of Brassy Hill Estates, is located on the east side of Grave Run Road, approximately 1066 feet north of Church Road, in the 6th Election District.

Properties to the east and south, also located within the subdivision, are also unimproved, while a house exists to the north. Farm land exists to the east across Grave Run Road.

A Variance to permit side setbacks of 25 feet in lieu of the required 50 feet is being requested.

Mr. Gary C. Freund
Re: Item 21
September 7, 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,

NICHOLAS B. COMODARI
Planning & Zoning
Associate III

NBC:JD

Enclosure

STEPHEN COLLINS
DIRECTOR

August 19, 1976

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

Re: Item 21 - ZAC - August 10, 1976
Property Owner: Gary C. & Sandra L. Freund
Location: E/S Grave Run Road 1066' N Church Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side setbacks of 25' in lieu of req. 50'
Acres: 1.45
District: 6th

Dear Mr. DiNenna:

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

Very truly yours,
Michael S. Flanagan
Traffic Engineer Associate

HSF:nc

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

August 20, 1976

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

Re: Item #21 (1976-1977)
Property Owner: Gary C. & Sandra L. Freund
E/S Grave Run Rd., 1066' N. Church Rd.
Existing Zoning: RDP
Proposed Zoning: Variance to permit side setbacks of 25' in lieu of the required 50'.
Acres: 1.45 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.

General:

Baltimore County highway and utility improvements are not directly involved. There is a 10-foot reversible slope easement across the frontage of this property and a portion of a 20-foot utility easement traverses the eastmost area of this Lot 7 as shown on the recorded plat of "Brassy Hill Estates", (F.S.N., Jr. 38, Folio 84).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #21 (1976-1977).

Very truly yours,

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

END: EAM: PGR: ss

23-W Key Sheet
137 NW 35 & 36 Pos. Sheets
SW 35 & 36
10 Tax Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
2011-494-3211

August 5, 1976

Norman E. Gerber
Acting Director

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 #21, Zoning Advisory Committee Meeting, August 10, 1976, are as follows:

Property Owner: Gary C. and Sandra L. Freund
Location: E/S Grave Run Road 1066' N. Church Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side setbacks of 25' in lieu of the required 50'
Acres: 1.45
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
Planner III
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 31, 1976

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

Dear Mr. DiNenna:

Comments on Item #21, Zoning Advisory Committee Meeting, August 10, 1976, are as follows:

Property Owner: Gary C. & Sandra L. Freund
Location: E/S Grave Run Road 1066' N. Church Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit side setbacks of 25' in lieu of the required 50'.
Acres: 1.45
District: 6th

Prior to approval of a Building Permit, soil tests must be conducted and a water well must be drilled.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

WNG:ph

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING

DATE September 17, 1976 BY Michael J. Freund

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, the Variance to permit side yard setbacks of 25 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of September, 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 [Signature] 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 _____, 197____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204
Date: August 5, 1976

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

A.C.C. Meeting of: August 10, 1976

Re: Item 21
Property Owner: Gary C. & Sandra L. Freund
Location: E/S Grave Run Rd. 1066' N. Church Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance to permit side setbacks of 25' in lieu of the required 50'.

District: 6th
No. Acres: 1.45

Dear Mr. DiNenna:
No bearing on student population.

Very truly yours,
[Signature]
W. Nick Petrovich,
Field Representative.

JOSEPH H. MCDONNELL, PRESIDENT
T. BAYNE WILLIAMS, JR., VICE-PRESIDENT
WAL. ROBERT L. STINEY
HAROLD M. BOWMAN
ROBERT M. BOWEN
MICHAEL M. BOWEN
MRS. LORRAINE F. CHURCH
JOSHUA B. WHEELER, SUPERINTENDENT
ROGER B. HAYDEN
ALVIN LORICK
RICHARD W. THURLEY, D.V.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 31, 1976
FROM: Norman E. Garber, Acting Director of Planning
SUBJECT: Petition #77-57-A.
Petition for a Variance for a Side Yard
East side of Grave Run Road 1066 feet North of Church Road
Petitioner - Gary C. Freund and Sandra L. Freund

6th District

HEARING: Tuesday, September 14, 1976 (10:45 A.M.)

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

[Signature]
Norman E. Garber
Acting Director of Planning

NEG:JGH:FW

MICROFILMED

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1976, Legislative Day No. _____
RESOLUTION NO. 20-76

Mr. Clarence E. Ritter, Councilman

By the County Council, August 2, 1976

WHEREAS, Gary C. Freund, a Zoning Inspector for Baltimore County, and his wife, Sandra L. Freund, are the owners of a parcel of land known as Lot 7, Breezy Hill Estates, on Grave Run Road, in the Sixth Election District, and
WHEREAS, Gary C. Freund and his wife, Sandra L. Freund, have filed a Petition for a Special Hearing and Variance with the Office of Zoning in connection with certain improvements to said property, and
WHEREAS, pursuant to Section 1001 (a) and (b) of the Baltimore County Charter, Gary C. Freund, has by this resolution made a full public disclosure of all pertinent facts to the respective members of the County Council of Baltimore County,
BE IT RESOLVED by the County Council of Baltimore County, Maryland, that, based solely on the foregoing facts, the interest of Gary C. Freund, does not violate the public interest.

Item 21
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 18th day of August, 1976.
[Signature]
S. Eric DiNenna
Zoning Commissioner
Petitioner Gary C. & Sandra L. Freund
Petitioner's Attorney _____ Reviewed by [Signature]
Nicholas B. Commodari,
Planning & Zoning
Associate III
MICROFILMED

RE: PETITION FOR VARIANCE
E/S of Grave Run Road 1066 feet
N of Church Road, 6th District
GARY C. FREUND, Petitioner
et ux
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-57-A

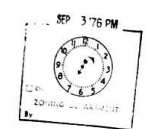
ORDER TO ENTER APPEARANCE

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 posting of any preliminary or final Order in connection therewith.

[Signature]
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 3rd day of September, 1976, a copy of the foregoing Order was mailed to Mr. and Mrs. Gary C. Freund, 5911 Falkirk Road, Baltimore, Maryland 21229, Petitioners.



MICROFILMED

DESCRIPTION FOR VARIANCE

Being located on the east side of Grave Run Road, approximately 1066 feet north of Church Road, and known as Lot No. 7 of the plat of Breezy Hill Estates, recorded amongst the Land Records of Baltimore County in Plat Book 38, folio 84. Located in the Sixth Election District of Baltimore County.

September 17, 1976

Mr. & Mrs. Gary C. Freund
5911 Falkirk Road
Baltimore, Maryland 21229

RE: Petition for Variances
E/S of Grave Run Road, 1066'
N of Church Road - 6th Elec-
tion District
Gary C. Freund, et ux -
Petitioners
NO. 77-57-A (Item No. 21)

Dear Mr. & Mrs. Freund:
I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,
[Signature]

S. ERIC DINENNA
Zoning Commissioner

SED/acw
Attachments
cc: John W. Heslian, III, Esquire
People's Counsel

MICROFILMED

INTER-OFFICE CORRESPONDENCE

Petition for a Variance for a Side Yard
East side of Grave Run Road 1066 feet North of Church Road
Petitioner - Gary C. Freud and Sandra L. Freund

6th District

HEARING: Tuesday, September 14, 1976 (10:45 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NEG:JGH:rw

1-SIGN

77-57-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 64 Date of Posting: Aug. 28, 1976
 Posted for: PETITION FOR VARIANCE
 Petitioner: GARY C. FREUND
 Location of property: E/S of GRAVE RUN RD. 1066' N OF CHURCH RD.
 Location of Sign: E/S OF GRAVE RUN RD. 1185' +/- N OF CHURCH RD.
 Remarks:
 Posted by: Thomas G. Reinhard Date of return: Sept. 3, 1976

Posted by Thomas H. [Signature]

Date of return: Sept. 3, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Towson, Maryland 21204

Your Petition has been received * this 29 day of JULY 1976. Filing Fee \$ 25. Received ☒ Check


S. Eric DiNenna,
Zoning Commissioner

Petitioner FRUND Submitted by G FRUND
Petitioner's Attorney _____ Reviewed by NBC

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 26, 1970

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 in each of one time successive weeks before the 11th day of September, 1976, the first publication appearing on the 24th day of August.

1976

THE JEFFERSONIAN.

Cost of Advertisement, \$.....

BALTIMORE COUNTY, MARYLAND
OFFICE OF THE TREASURER
MISCELLANEOUS CASH RECEIPT

No. 28957

DATE Aug. 20, 1976 ACCOUNT 01-662

AMOUNT \$25.00

Received From Frank
Larry G. Shum, 5911 Pollock Rd., Baltimore, Md.
FOR Paid for Vehicle 77-57-4

10486200 23 25.00

VALIDATION OR SIGNATURE OF CARRIER

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

Ms. 38998

DATE Sept. 21, 1976 ACCOUNT 01-663

AMOUNT \$5.25

RECEIVED Gray C. Froum, 5911 Fallkirk Rd., Balto., Md.
21739

FOR Advertising and posting of property - 277-57

885 6 788 21 4525 HSE

VALIDATION OR SIGNATURE OF CASHIER

