

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

77-63-A
#21

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Alfred Leung and Lucille Leung 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 1002, 3, 9, (202.4) to permit a rear yard of 38 feet in lieu of the required fifty (50) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: Domestic hardship or practical difficulty See attached description

1. That without the requested rear yard variance a necessary addition cannot be constructed on the rear of the existing dwelling, and the requested variance is necessary due to the location of the existing septic system which required the positioning of the dwelling to the rear of the lot.
2. That without the requested variance the Petitioners will sustain practical difficulty and unreasonable hardship since the existing house was located in a manner to preclude the construction of this necessary addition without the requested variance.
3. That the requested variance is in strict harmony with the spirit and intent of the Regulations, and will add to the value of the property and the neighborhood upon completion of the proposed addition.

Present is in all respects and observed as prescribed by Zoning Regulations or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this 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: Alfred Leung
Lucille K. Leung
 Address: 101 V Hesper Court
Phoenix, Md. 21131
666-2879

Petitioner's Attorney: _____
 Proponent's Attorney: _____

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 had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland on the _____ day of September, 1976, at 10:00 o'clock.

Eric D. DiNenna
 Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
DATE: 8/23/76

666-2879

77-63-A

Baltimore County
 Department of Health
 TOWSON, MARYLAND 21284

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

August 25, 1976

Mr. S. Eric DiNenna, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #27, Zoning Advisory Committee Meeting, August 17, 1976, are as follows:

Property Owner: Alfred & Lucille Leung
 Location: SW/C Hesper Ct. & Hensmill Rd.
 Existing Zoning: R.S.C.
 Proposed Zoning: Variance to permit a rear setback of 38' in lieu of the required 50'.
 Acres: 0.9578
 District: 10th

The septic system is apparently functioning properly since there was no evidence of an overflow. The existing drilled water well is in good physical condition.

Very truly yours,
Thomas H. Devlin
 Thomas H. Devlin, Director
 BUREAU OF ENVIRONMENTAL SERVICES



Baltimore County
 Department of Public Works
 TOWSON, MARYLAND 21284

September 10, 1976

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21284

Re: Item #27 (1976-1977)
 Property Owner: Alfred & Lucille Leung
 5/9' cut: Hesper Ct. & Hensmill Rd.
 Existing Zoning: R.S.C.
 Proposed Zoning: Variance to permit a rear setback of 38' in lieu of the required 50'.
 Acres: 0.9578 District: 10th

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 involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #27 (1976-1977).

Very truly yours,
Ellsworth M. Dyer, P.E.
 ELLESMITH M. DYER, P.E.
 Chief, Bureau of Engineering

END:SM:PM:es

U-M Key Sheet
 76 NS & Pos. Sheet
 NS 19 & Dwp
 43 Tax Map

Baltimore County
 Department of Public Works
 TOWSON, MARYLAND 21284

September 10, 1976

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21284

Re: Item #27 - SAC - August 17, 1976
 Property Owner: Alfred & Lucille Leung
 Location: SW/C Hesper Ct. & Hensmill Rd.
 Existing Zoning: R.S.C.
 Proposed Zoning: Variance to permit a rear setback of 38' in lieu of req. 50'
 Acres: 0.9578
 District: 10th

Dear Mr. DiNenna:

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

Very truly yours,
Michael W. Flanagan
 Michael W. Flanagan
 Traffic Engineer Associate

NSP:mc

BOARD OF EDUCATION
 OF BALTIMORE COUNTY

TOWSON, MARYLAND 21284

Date: August 17, 1976

Mr. S. Eric DiNenna
 Zoning Commissioner
 Baltimore County Office Building
 Towson, Maryland 21284

I.A.C. Meeting of: August 17, 1976

Re: Item #27
 Property Owner: Alfred & Lucille Leung
 Location: SW/C Hesper Ct. & Hensmill Rd.
 Existing Zoning: R.S.C.
 Proposed Zoning: Variance to permit a rear setback of 38' in lieu of the required 50'.
 Acres: 0.9578
 District: 10th

Dear Mr. DiNenna:

No bearing on student population.

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

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.

to permit a rear yard setback of 40 feet instead of the required 50 feet. Should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th day of October 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 5th day of October 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dillman, Zoning Commissioner Date: September 8, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition # 77-62-A
Petition for Variance to permit a rear yard of 40 feet instead of the required 50 feet.
Southeast corner of Hoesmill Road and Hesper Court
Petitioner - Alfred Leung

10th District

HEARING: Monday, September 20, 1976 (10:00 A.M.)

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

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

NEE:JRH:rw

October 6, 1976

Mr. & Mrs. Alfred Leung
181-V Hesper Court
Phoenix, Maryland 21131

RE: Petition for Variance
SW corner of Hoesmill Road and
Hesper Court - 10th Election District
Alfred Leung, et ux - Petitioners
NO. 77-62-A (Item No. 27)

Dear Mr. & Mrs. Leung:

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

Very truly yours,
George J. Guntz
GEORGE J. GUNTZ
Deputy Zoning Commissioner

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



DESCRIPTION

NO. 181-V HESSPAR COURT
LOT 6, BLOCK "C"
ADDITION TO SUMMER HILL
BALTIMORE COUNTY, MARYLAND

This Description is for Rear Yard Variance

Beginning for the same at the point designated "181" at the Southwest corner of Hoesmill Road and Hesper Court, as shown on the Amended Plat of "Addition to Summer Hill" as recorded among the Land Records of Baltimore County in Plat Book O.T.G. 14, page 114, running thence binding on the southwest side of said Hoesmill Road, (1) S 46° 31' 00" E 187.75 feet to the south outline of Lot 6, Block C, as shown on said plat, thence binding on the outline of said Lot 6, two courses; (2) S 58° 54' 22" W 265.84 feet, and (3) N 17° 47' 55" W 208.40 feet to the southerly side of said Hesper Court, thence binding thereon, two courses; (4) easterly, by a curve to the left with a radius of 525.00 feet, the distance of 150.56 feet,

CERTIFICATE OF PUBLICATION

TOWNSHIP, MD., September 3, 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., commencing on the 2nd day of September, 1976, the first publication appearing on the 2nd day of September 1976.

THE JEFFERSONIAN
G. L. Smith

Cost of Advertisement, \$

RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER
SW/C of Hoesmill Road and Hesper Court, 19th District OF BALTIMORE COUNTY
ALFRED LEUNG, et ux, Petitioners Case No. 77-62-A

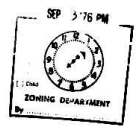
ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 504.1 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.

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21284
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. Alfred Leung, 181-V Hesper Court, Phoenix, Maryland 21131, Petitioners.

John W. Hession, III
John W. Hession, III



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received * this 9 day of Aug 1976. Filing Fee \$ 25 Received Check Cash Other

S. Eric Dillman
S. Eric Dillman
Zoning Commissioner
Petitioner LEUNG Submitted by R. WILLIAMS
Petitioner's Attorney Reviewed by N.B.C.

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

CERTIFICATE OF POSTING 77-62-A

DEPT'S DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 9-2-76
Posted for: Harry W. Long, Jr., et al. 181-V Hesper Court, Phoenix, Md.
Petitioner: Alfred Leung
Location of property: SW/C of Hoesmill Rd. & Hesper Ct.
Location of Sign: 181-V Hesper Court, Phoenix, Md.
Remarks:
Posted by: Dick H. Hester Date of return: 9-2-76

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE
MISCELLANEOUS CASE TICKET

DATE: Sep. 06, 1976 RECEIPT: 06-60
AMOUNT: \$25.00
RECEIVED BY: Alfred Leung, 181-V Hesper Court, Phoenix, Md. 21131
FOR: Petition for a Variance
77-62-A
8611-25 25.00
VALIDATION OR SIGNATURE OF CLERK



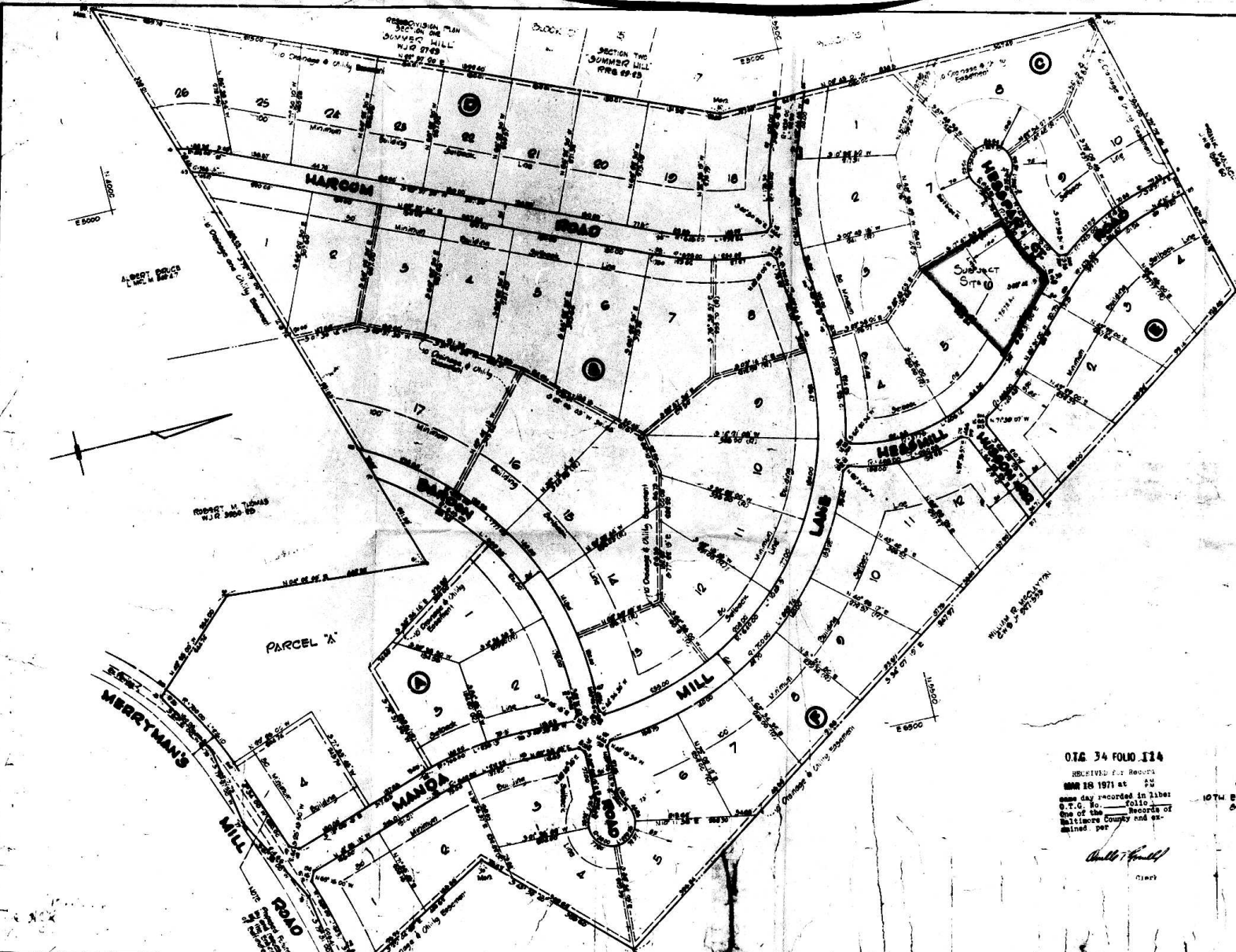
and (5) S 85° 42' 19" E 15.38 feet to the place of beginning.
Containing 0.9578 of an acre of land.
Being known as No. 181-V Hesper Court.

RWB:mp J.O. 1-76079 July 12, 1976
W.O. 413984-C



ORDER RECEIVED FOR FILING

DATE: 9/12/76 BY: [Signature]



OWNER DATA

LOT	OWNER	AREA	ACRES	PERCENT	AMOUNT
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OWNER DATA

LOT	OWNER	AREA	ACRES	PERCENT	AMOUNT
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 Baltimore County and ex-
 amined per

AMENDED PLAT OF
**ADDITION TO
 SUMMER HILL**
 10TH ELECTION DISTRICT BALTIMORE COUNTY MD
 SCALE 1"=60' MARCH 3, 1971

DEVELOPER
 G. PRESTON SCHEFFENACKER, INC.
 365 ALLEGANY AVENUE
 BALTIMORE, MARYLAND 21202

APPROVED: _____
 DEPUTY CLERK COUNTY HEALTH OFFICER
 APPROVED BALTIMORE COUNTY PLANNING BOARD
 DATE: 3/15/71 DIRECTOR DATE: _____ COUNTY BOARD IN CHARGE

NOTE:
 STREETS and ROADS shown herein and existing thereat to be shown on the plat are intended for the purpose of identification only and the same are not to be operated in public use. The fee simple title to the lots thereat is conveyed in this plat to the date to which this plat is returned, and here and assigns.

NOTE:
 COORDINATES shown herein are for the plat and are not to be used for any other purpose. The same are not to be used for any other purpose. The same are not to be used for any other purpose.

OWNER CERTIFICATE:
 The requirements of Section 72-3 Article 17 of the Annotated Code of Maryland, that the owner of the land shown on this plat has been notified and has been given the opportunity to be heard in person or by counsel at the time of the hearing on this plat.

SURVEYOR CERTIFICATE:
 G. PRESTON SCHEFFENACKER, INC.
 365 ALLEGANY AVENUE
 BALTIMORE, MARYLAND 21202

REVIEWED BY SETBACK LOT 140 BALTIMORE COUNTY AND LOT 20 BALTIMORE COUNTY
MATZ, CHILDS & ASSOCIATES
 1020 ORANGE LEE BRIDGE ROAD
 BALTIMORE 4, MD