

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 provisions of the Variance requested not adversely affecting the health, safety and general welfare of the community.

to permit a side yard setbacks of 10 feet and 11 feet in a Variance instead of the required 50 feet

THIS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of September 1976, that the herein Petition for the aforementioned Variance should be and the same is hereby 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.

Deputy Zoning Commissioner of Baltimore County

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



Paul H. Reicks
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21284

Attention: Mr. Frank Hoyas, Chairman
Zoning Advisory Committee

Re: Property Owner: Chester A. & Francis L. Dutey

Location: S/S Bird River Grove Rd. 1955' E. Bessner Road

Item No. 32 Zoning Agenda August 24, 1976

Comments:

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 _____ 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 _____ violates 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 M. 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.

Noted and Approved: *George M. Hagan*
Planning Group Supervisor
Special Inspection Division

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 24, 1976

Re: Item 32
Property Owner: Chester A. & Francis L. Dutey
Location: S/S Bird River Grove Rd. 1955' E. Bessner Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance to permit a side setback of 11' in lieu of the required 50'.

District: 15th
No. Acres: 50 x 215
50 x 215

Dear Mr. DiNenna: No bearing on student population.

Very truly yours,

W. Rick Petrovich
W. Rick Petrovich,
Field Representative.

WSP/ai

WYTHO W. HEDGECOCK, PRESIDENT
E. BARRON CALVERT, JR., VICE PRESIDENT
W. R. HUNTER & S. J. HUNTER

MARCUS M. BOSTMAN
LINDA M. STEIN
W. L. LINDSAY & S. G. LINDSAY

ROSE B. HAYES
ALVIN LORICK
ROSEMARY M. HAYES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 77-63-A, Petition for Variance for Side Yard.
South side of Bird River Grove Road 1955 feet East of Ebenezer Road.
Petitioner - Chester A. Dutey and Francis L. Dutey.

15th District

HEARING: Monday, September 20, 1976 (10:15 A.M.)

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

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

REG:JGR

September 28, 1976

Mr. & Mrs. Chester A. Dutey
11102 Bird River Grove Road
White Marsh, Maryland 21162

RE: Petition for Variance
S/S of Bird River Grove Road, 1955'
E of Bessner Road - 15th Election
District
Chester A. Dutey, et al - Petitioners
NO. 77-63-A (Item No. 32)

Dear Mr. & Mrs. Dutey:

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

Very truly yours,

George J. Martiak
GEORGE J. MARTIAK
Deputy Zoning Commissioner

CJM/lac

Attachments

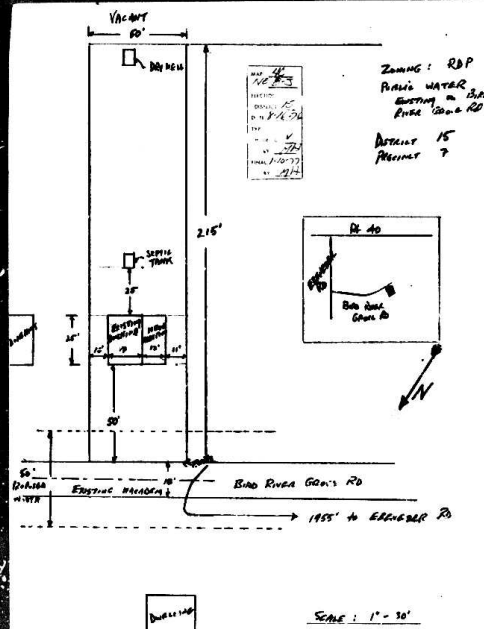
cc: John W. Hession, III, Esquire
People's Counsel

DESCRIPTION FOR VARIANCE

PROPERTY OF CHESTER A. & FRANCIS L. DUTEY

Beginning on a point on the South side of Bird River Grove Road 1955 feet East of Bessner Road as shown in the Land Records of Baltimore County in Liber 7, Folio 189, lot 13.

Also known as 11102 Bird River Grove Road.



Dear Mr. DiNenna:

PLEASE RECALL OUR BUSINESS MEETING EVEN THOUGH THE 30 DAY REVIEW PERIOD HAS NOT EXPIRED.

WE BELIEVE THAT AN APPEAL CAN BE MADE DURING THE 30 DAY PERIOD. WE WILL ACCEPT FULL RESPONSIBILITY IF AN APPEAL IS MADE DURING THIS TIME.

Thank you for your consideration

Francis L. Dutey

W. Rick Petrovich

File # 77-63-A
Petition # 54436



RE: PETITION FOR VARIANCE
 5/5 of Bird River Grove Rd. 1955 feet
 E of Ebenezer Rd., 15th District

BEFORE THE ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 77-63-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 F. Kuntz, Jr.
 Deputy People's Counsel

John W. Heslon, III
 People's Counsel
 County Office Building
 Towson, Maryland 21284
 494-2188

I HEREBY CERTIFY that on this 8th day of September, 1976, a copy of the foregoing Order was mailed to Mr. Chester A. Dutey, 11103 Bird River Grove Road, White Marsh, Maryland 21162, Petitioner.

John W. Heslon, III



September 20, 1976

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

Re: Item #22 (1976-1977)
 Property Owner: Chester A. & Francis L. Dutey
 8/8 Bird River Grove Rd., 1955' E. Ebenezer Rd.
 Existing Zoning: RUP
 Proposed Zoning: Variance to permit a side setback of 11' in lieu of the required 50'.
 Acres: 50 ± 215 District: 15th

DNAF 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:

Bird River Grove Road, an existing public road 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, 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 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.

Item #22 (1976-1977)
 Property Owner: Chester A. & Francis L. Dutey
 Page 2
 September 20, 1976

Water and Sanitary Sewer:

Public water supply is serving this property. Public sanitary sewerage is not available to serve this property, which is utilizing private onsite sewage disposal. The Baltimore County Comprehensive Water and Sewer Plan, 1975 Amendment, indicates this property is beyond the Urban Rural Demarcation Line, and "Planned Service" in the area is in 11 to 30 years.

Very truly yours,

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

END (KAR) PNL:18

CC: J. SCHWEN

WHE: Ray Shaw
 31 NE 30 Post. Street
 ME: J. Topp
 73 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna, Zoning Commissioner Date: September 8, 1976
 From: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #22-63-A, Petition for Variance for Side Yard.
 South side of Bird River Grove Road 1955 feet East of Ebenezer Road.
 Petitioner - Chester A. Dutey and Francis L. Dutey

15th District

HEARING: Monday, September 20, 1976 (10:15 A.M.)

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

Norman E. Gerber
 Acting Director of Planning

NEG:GHW

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 10 day of
 Aug 1976. Filing Fee \$ 25. Received Cash

S. Eric DiNenna
 Zoning Commissioner

Petitioner: Dutey Submitted by: WOODREYER
 Petitioner's Attorney: reviewed by: MB

* 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. 38939

DATE: August 12, 1976 ACCOUNT: 01-562

AMOUNT: \$25.00 cash

RECEIVED BY: Woodreyer (PA)
 FOR: Petition for variance

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT No. 40422

DATE: Sept. 20, 1976 ACCOUNT: 01-562

AMOUNT: \$12.25

RECEIVED FROM: Cash - (Over the Counter)
 FOR: Advertising and posting of property for Chester A. Dutey 77-63-A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR A VARIANCE
 TO THE ZONING ORDINANCE
 OF BALTIMORE COUNTY, MARYLAND
 IN THE MATTER OF THE PETITION OF CHESTER A. & FRANCIS L. DUTEY FOR A VARIANCE TO THE ZONING ORDINANCE OF BALTIMORE COUNTY, MARYLAND TO PERMIT A SIDE SETBACK OF 11 FEET IN LIEU OF THE REQUIRED 50 FEET.
 THE BALTIMORE COUNTY ZONING COMMISSION HAS CONSIDERED THE MATTER AND HAS GRANTED THE VARIANCE TO THE PETITIONER.
 THIS VARIANCE IS VALID FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATE OF PUBLICATION.
 THE BALTIMORE COUNTY ZONING COMMISSION HAS CONSIDERED THE MATTER AND HAS GRANTED THE VARIANCE TO THE PETITIONER.
 THIS VARIANCE IS VALID FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATE OF PUBLICATION.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21284, 1976

IT 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 18 successive weeks before the first day of September, 1976, the first publication appearing on the first day of August, 1976.

THE JEFFERSONIAN
 Manager

Cost of Advertisement, \$.....



CERTIFICATE OF POSTING

15th DISTRICT

District: 15th Date of Posting: 9/20/76
 Posted to: [Signature]
 Petitioner: [Signature]
 Location of property: [Address]
 Location of Sign: [Address]
 Made by: [Signature] Date of return: 9/20/76