

PETITION FOR ZONING VARIANCE FROM AREA AND SETBACK REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HOWARD AND GLADYS HORSEY, legal owner... of the property situated 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 60-1 and to permit a side setback of 45' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

We are the owners of the property and contracted James Dorsey, a builder, to construct certain residential improvements on the property. As a result of an inadvertent error, the westerman side of the improvements constructed violate the minimum 50' sideyard requirement by 5', more or less. There is no practical way to have the improvements relocated.

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 Howard Horsey
Address 21 FRANKLIN VALLEY CIRCLE
REISTERSTOWN, MARYLAND 21136
Petitioner's Attorney Nicholas B. Comodari
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of September, 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 held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 18th day of October, 1976, at 10:00 o'clock.

Nicholas B. Comodari
Zoning Commissioner of Baltimore County



Mr. Howard Horsey
Re: Item 60
October 13, 1976
Page 2

this was denied. This previous Variance was requested by the owner and developer of this subdivision, while this Variance is being requested by the individual lot owner.

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
NICHOLAS B. COMODARI,
Planning & Zoning
Associate III

NBC:JD

cc: W. T. Sadler, Inc. Surveyors
11 W. Pennsylvania Avenue
Towson, Md. 21204

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
2031 651-3610

JOHN STYFFERT
DIRECTOR

October 5, 1976

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

Dear Mr. DiNenna:

Comments on Item #60 Zoning Advisory Committee Meeting, October 5, 1976 are as follows:

Property Owners: Howard & Gladys Horsey
Location: 5/8 Franklin Valley Cir. 1584.59' W. Cockeys Mill Rd.
Existing Zoning: RSC
Proposed Zoning: Variance to permit a side setback of 45' in lieu of the required 50'.

Acres: 1.3338
District: 4th

The items checked below are applicable:

- ☐ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☐ B. A building permit shall be required before construction can begin.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 4'0" of property line.
- ☒ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Darnham
Plans Review Chief

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

October 7, 1976

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

Dear Mr. DiNenna:

Comments on Item #60, Zoning Advisory Committee Meeting, October 5, 1976, are as follows:

Property Owners: Howard & Gladys Horsey
Location: 5/8 Franklin Valley Cir. 1584.59' W. Cockeys Mill Rd.
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit a side setback of 45' in lieu of the required 50'.

Acres: 1.3338
District: 4th

Since this is an existing house and an approved water well and septic system exist, no health hazards are anticipated.

Very truly yours,

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

TED:W/S/86

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1976

Nicholas B. Comodari
Acting Chairman

MEMBERS:

REPRESENTATIVE OF ENGINEERING

REPRESENTATIVE OF TRADES/INDUSTRY

STATE REPRESENTATIVE

BOARD OF EDUCATION

HEALTH DEPARTMENT

PLANNING DEPARTMENT

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Howard Horsey
21 Franklin Valley Circle
Reisterstown, Maryland 21136

RE: Variance Petition
Item 60
Howard and Gladys Horsey -
Petitioners

Dear Mr. Horsey:

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 site, currently zoned RSC, is located on the south side of Franklin Valley Circle, approximately 1584 feet southwest of Cockeys Mill Road, in the 4th Election District. It is currently improved with a brick and frame split level dwelling which was just recently completed. Properties adjacent to this site are similarly zoned and consist of vacant wooded lots.

A Variance is recommended by the proximity of the existing dwelling to the west property line. It should be noted that a number of lots in this subdivision were the subject of a previous Variance request (Case No. 76-212-A), in which 25 foot side setbacks were requested in lieu of the required 50 feet; however,

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 5, 1976

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

Z.A.C. Meeting of October 5, 1976

Re: Item 60

Property Owner: Howard & Gladys Horsey

Location: S/S Franklin Valley Cir.
1584.59' W Cockeys Mill Rd.

Present Zoning: R.D.P.

Proposed Zoning: Variance to permit a side setback of 45' in lieu of the required 50'.

District: 4th

No. Acres: 1.3338

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

MSP/ml

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 Petitioner.

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 a side yard setback of 45 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th 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 19th day of October, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

October 19, 1976

Mr. & Mrs. Howard Horsey
21 Franklin Valley Circle
Beltsville, Maryland 21136

RE: Petition for Variance
S/S of Franklin Valley Circle,
1584.59' W of Cockeys Mill
Road - 4th Election District
Howard Horsey, et ux - Petitioners
NO. 77-77-A (From No. 60)

Dear Mr. & Mrs. Horsey:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNO
Zoning Commissioner

SED:scw

Attachments

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNunno, Zoning Commissioner Date: October 18, 1976
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition 77-77-A
"PETITION FOR VARIANCE" to permit a side setback of 45 feet instead of the required 50 feet.
South side of Franklin Valley Circle 1584.59 feet West of Cockeys Mill Road
Petitioner - Howard Horsey

4th District

HEARING: Monday, October 18, 1976 (10:00 A.M.)

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

Norman E. Gerber
Acting Director of Planning

NEG:JGR:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Franklin Valley Circle
1584.59 feet W of Cockeys Mill Rd.,
4th District : OF BALTIMORE COUNTY
HOWARD HORSEY, et ux, Petitioners : Case No. 77-77-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

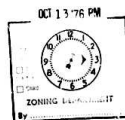
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 11th day of October, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Howard Horsey, 21 Franklin Valley Circle, Beltsville, Maryland 21136, Petitioners.

John W. Hession, III
People's Counsel



DESCRIPTION FOR VARIANCE PROPERTY OF HOWARD & GLADYS HORSEY 1/4th ELECTION DISTRICT

Beginning at a point on the South side of Franklin Valley Circle 1584.59 feet West of Cockeys Mill Road and being known as Lot 16, Block A, as shown on Plat 2 of "Franklin Valley, Section 1", recorded in the Land Records of Baltimore County in Liber 39, Folio 10, Containing 1.3338 acres, more or less.

Also known as 21 Franklin Valley Circle.

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-2000
STEPHENE COLLINS
DIRECTOR

November 15, 1976

Mr. Eric S. DiNunno
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 60 - SAC - October 5, 1976
Property Owner: Howard & Gladys Horsey
Location: S/S Franklin Valley Cir. 1584.59' W Cockeys Mill Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit a side setback of 45' in lieu of the req. 50'.
Acres: 1.3338 District: 4th

Dear Mr. DiNunno:

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

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:mc

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2111

October 19, 1976

Mr. S. Eric DiNunno, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNunno:

Comments on Item 60, Zoning Advisory Committee Meeting, October 5, 1976, are as follows:

Property Owner: Howard & Gladys Horsey
Location: S/S Franklin Valley Cir. 1584.59' W. Cockeys Mill Road
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit a side setback of 45' in lieu of the required 50'.
Acres: 1.3338 District: 4th

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 Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

November 17, 1976

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

Re: Item 60 (1976-1977)
Property Owner: Howard & Gladys Horsey
S/S Franklin Valley Cir. 1584.59' W. Cockeys Mill Rd.
Existing Zoning: RDC
Proposed Zoning: Variance to permit a side setback of 45' in lieu of the required 50'.
Acres: 1.3338 District: 4th

Dear Mr. DiNunno:

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 and are as secured by Public Works Agreement #47502, executed in conjunction with the development of "Franklin Valley".

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 60 (1976-1977).

Very truly yours,

Thornton M. Mouring, P.E.
Chief, Bureau of Engineering

END:SAN:PM:rs

cc: R. Moulton
R. Domes

X-SE & Y-NE Key Sheets
60 & 61 NW 44 Ins. Sheets
NW 15 & 16 L. Topo
48 Td. Map

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 7, 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... 11th... 1976... 18th day of October, 1976, the 1976 publication appearing on the 7th day of October, 1976.

THE JEFFERSONIAN

Cost of Advertisement, \$.....



TOWSON, MD. 21204 October 6, 1976

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

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

weekly newspapers published in Baltimore County, Maryland, once a week for 408 successive weeks before the 18th day of October 1976, that is to say, the same was inserted in the issues of October 6, 1976.

STROMBERG PUBLICATIONS, INC.

B' *Pat Squire*

CERTIFICATE OF POSTING

BALTIMORE DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: Oct 9, 1976

Posted for: PETITION FOR VARIANCE

Petitioner: HOWARD HERSEY

Location of property: S/S OF FRANKLIN VALLEY CIRCLE 1587.58' W OF COOPER MILK RD

Location of Sign: FRONT 21 FRANKLIN VALLEY CIRCLE

Remarks: Thomas L. Roland

Posted by: Thomas L. Roland Date of return: Oct 15, 1976

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

DATE: Oct. 15, 1976 ACCOUNT: 01-662

RECEIVED FROM: Howard Hersey, Jr., 21 Franklin Valley Circle, Baltimore, Md. 21136

FOR: Advertising and posting of property \$77.76

AMOUNT: \$77.76

VALIDATION OR SIGNATURE OF CARRIER

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

DATE: Oct. 1, 1976 ACCOUNT: 01-662

RECEIVED FROM: Howard Hersey, Jr., 21 Franklin Valley Circle, Baltimore, Md. 21136

FOR: Petition for Variance \$77.76

AMOUNT: \$77.76

VALIDATION OR SIGNATURE OF CARRIER

