

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Artemio M. Cuevas, Jr.,
1. or we, Corazon M. Cuevas, 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 1802.38 (202.4) to permit a 35' side setback of 35' feet in lieu of the required 50 feet.

setback of 35 feet in lieu of the required 50 feet.

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

1. Hardship
2. Practical difficulty
3. Other reasons to be assigned at the time of the hearing.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expense 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
Artemio M. Cuevas, Jr.
Corazon M. Cuevas, M.B.
Address: 1310 DORSETT RD.
TOWSON, MD. 21204
Petitioner's Attorney
F. Vernon Booser, Esq.
614 Bosley Avenue
Towson, Md. 21204
ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of October, 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 106, County Office Building in Towson, Baltimore County, on the 14th day of November, 1976, at 11:00 o'clock.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 1, 1976

Nicholas B. Commodari, Esq.
614 Bosley Avenue
Towson, Maryland 21204
Chairman

MEMBERS

BOARD OF ENGINEERING

DEPARTMENT OF

TRAFFIC ENGINEERING

STATE BOARD OF CONSERVATION

BOARD OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

GENERAL DEVELOPMENT

RE: Variance Petition

Item 62
Artemio M. & Corazon M. Cuevas -
Petitioners

Dear Mr. Booser:

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. Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property, currently zoned D.M. 1, is located on the northwest corner of Hart and Denby Roads, in the 9th Election District. It is currently improved with a two-story brick and frame dwelling with attached garage and sun room. An inground swimming pool, shed and handball court exists in the rear. Adjacent properties are similarly zoned and improved with large single family dwellings.

The Variance is necessitated by petitioner's proposal to construct an addition to the rear of the existing dwelling 16 feet from the rear property line in lieu of the required 50 feet.

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
F. Vernon Booser, Esq.
614 Bosley Avenue
Towson, Md. 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 1st day of November, 1976.
Eric DiNenna, Zoning Commissioner
Petitioner: Artemio M. & Corazon M. Cuevas
Petitioner's Attorney: F. Vernon Booser
Reviewed by: Nicholas B. Commodari, Planning & Zoning Associate III

PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
department of public works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

October 26, 1976

F. Vernon Booser, Esq.
Re: Item 62
November 1, 1976
Page 2

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. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman,
Zoning Plans Advisory Committee

NBC:JD
Enclosure

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

Re: Item #62 (1976-1977)
Property Owner: Artemio M. & Corazon M. Cuevas
NW cor. Denby Rd. & Hart Rd.
Existing Zoning: DR 1
Proposed Zoning: Variance to permit a side setback of 35' in lieu of the required 50'.
District: 9th

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 construction of new driveway, apron, entrance, etc. and the removal of the existing will be the full responsibility of the petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #62 (1976-1977).

Very truly yours,

Edward M. Dwyer, P.E.
ELWOOD M. DWYER, P.E.,
Chief, Bureau of Engineering

END: EAM:FWB:SS

B-SW Key Sheet
44 NE 10 Pos. Sheet
NE 11 C Topo
61 Topo Map

Baltimore County
department of health
TOWSON, MARYLAND 21204
LONALD J. ROOF, M.C. R.P.H.
DEPUTY CHIEF OF HEALTH 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 #62, Zoning Advisory Committee Meeting, October 5, 1976, are as follows:

Property Owner:	Artemio M. and Corazon M. Cuevas
Location:	NW/C Denby Road and Hart Road
Existing Zoning:	D.M. 1
Proposed Zoning:	Variance to permit a side setback of 35' in lieu of the required 50'.
Acres:	
District:	9th

Since this is a variance for a garage and the septic system appears to be functioning properly and metropolitan water is available, no health hazards are anticipated.

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

TEH:RDM/2126

Baltimore County
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-3211

October 19, 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 #62, Zoning Advisory Committee Meeting, October 5, 1976, are as follows:

Property Owner:	Artemio M. and Corazon M. Cuevas
Location:	NW/C Denby Road and Hart Road
Existing Zoning:	D.M. 1
Proposed Zoning:	Variance to permit a side setback of 35 feet in lieu of the required 50 feet.
Acres:	
District:	9th

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 ensure 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
John L. Wimbley
Planner III
Project and Development Planning

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that the 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.

to permit a rear yard setback of 36 feet instead of the 50 feet required, 50 feet should be granted.
Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of November, 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.
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 November, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
CEN 404-2610

JOHN D. SEVIER
DIRECTOR

October 5, 1976

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

Dear Mr. Dillema:

Comments on Item # 62 Zoning Advisory Committee Meeting, October 5, 1976 are as follows:

Property Owner: Artemio M. & Corazon M. Cuevas
Location: NW/C Denby Rd. & Hart Rd.
Existing Zoning: D.M. 1
Proposed Zoning: Variance to permit a side setback of 35' in lieu of the required 50'.

Across:
District: 9th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.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 shall 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 6'0" of property line.
☐ F. No easement.
☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Kountz, Jr.
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 5, 1976

November 19, 1976

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

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

Re: Item 62

Property Owner: Artemio M. & Corazon M. Cuevas

Location: NW/C Denby Rd. & Hart Rd.

Present Zoning: D.R. 1

Proposed Zoning: Variance to permit a side setback of 35' in lieu of the required 50'.

District: 9th

No. Acres:

Dear Mr. Dillema:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative.

WNP/el

JOHN D. SEVIER, DIRECTOR
F. VERNON BOOSER, ESQUIRE
ATTORNEY AT LAW

WILLIAM H. HARRISON
THOMAS W. BOYER
JOHN D. SEVIER, DIRECTOR

JOHN W. HESSIAN, III
ALAN LUTER
DEPUTY ZONING COMMISSIONER

F. Vernon Booser, Esquire
614 Bailey Avenue
Towson, Maryland 21204

RE: Petition for Variance
NW corner of Denby and Hart Roads -
9th Election District
Corazon Cuevas - Petitioner
ND, 11-28-A (Form No. 62)

Dear Mr. Booser:

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

Very truly yours,
George J. Hartman
Deputy Zoning Commissioner

GJM/me

Attachments

cc: Mr. James Hodges
1024 Hart Road
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dillema, Zoning Commissioner Date: October 20, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-88-A, Petition for Variance for a Rear Yard Northwest corner of Denby and Hart Roads
Petitioner - Corazon M. Cuevas and Artemio M. Cuevas, Jr.

9th District

HEARING: Monday, November 8, 1976 (11:00 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:FW

RE: PETITION FOR VARIANCE
NW/C of Denby and Hart Rd.,
9th District
CORAZON CUEVAS, et al, Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 77-88-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 the more, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 20th day of October, 1976, a copy of the foregoing Order was mailed to F. Vernon Booser, Esquire, 614 Bailey Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III



ARTEMIO M. CUEVAS, JR., M.D., P.A.
NORTHVIEW PARKWAY EAST PROFFERSVILLE, MD 21150
1900 E. COLUMBIA BLVD. BALTIMORE, MD 21202
BALTIMORE, MD 21202
PHONE 327-2100

November 19, 1976

Re: George J. Hartman
Deputy Zoning Comm.

This will certify that I assume full responsibility and hereby waive the 30 day appeal period in connection with order No. 77-88A, dated November 19, 1976.

Artemio M. Cuevas, Jr., M.D., P.A.

Signature of Artemio M. Cuevas, Jr.

THIS IS TO CERTIFY that the annexed advertisement of
Petition for a Variance-- Cuevas
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
8th day of November 1976, that is to say, the same
was inserted in the issues of October 21, 1976.

STROMBERG PUBLICATIONS, INC.

BY: Pat Smith

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct-Nov. 21, 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
for one time successive before the 8th
day of November 1976 the last publication
appearing on the 21st day of October
1976.

THE JEFFERSONIAN,
Pat Smith Manager

Cost of Advertisement, \$.....

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

No. 40447

DATE Oct 15, 1976 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Monumental Construction Co., Inc. 1976 Delair Rd.
Baltimore, Md. 21233
re: Petition for Variance for Common M. Cuevas
77-564

362420010 250000

VALIDATION ON SIGNATURE OF CARRIER

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

No. 40479

DATE Nov. 19, 1976 ACCOUNT 01-662

AMOUNT \$37.50 - cash

RECEIVED Dr. Antonio Cuevas
FOR Posting A Advertising of property
77-58 A
1300 Denby Road
Towson, Maryland, 21204

375000

VALIDATION ON SIGNATURE OF CARRIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-88-A

District: 9A Date of Posting: Oct. 21, 76

Posted for: Posting of Variance for 1300 Denby Rd. to R-1

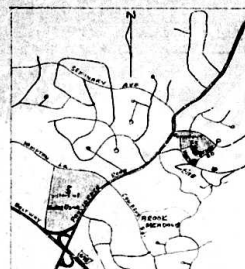
Petitioner: Antonio Cuevas

Location of property: 1300 Denby Rd. Towson, Md.

Location of Sign: 1 Sign on Denby Rd. at 1300 Denby Rd.

Remarks: None

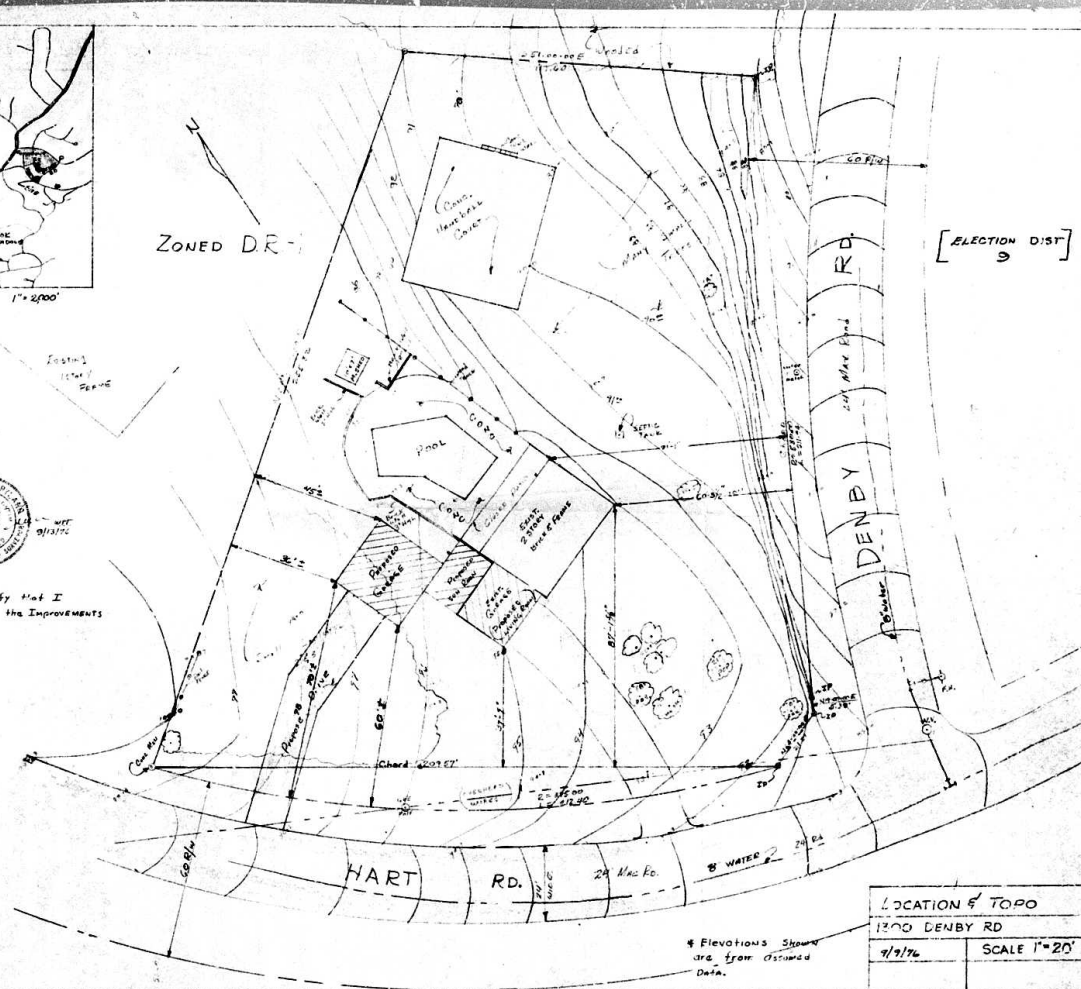
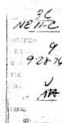
Posted by: Mark A. Huse Date of return: Oct. 22, 1976



vicinity Map 1"=200'



I hereby certify that I
have located the improvements
As Shown.



LOCATION & TOPO
1300 DENBY RD
9/9/76 SCALE 1"=20'

* Elevations Shown
are from assumed
Data.