

7-224-A #112 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard J. Adams, et al., legal owner, 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 110.2, 3, C. 1, 5a, 6a, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 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980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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

1. The applicant owns both parcels as outlined on the attached plat and an unimproved 10 foot road bisects them. This road is a "paper road" with the applicant having the right to the use thereof. Said road constitutes technically the rear yard set back line. To require any rear yard setback would create a hardship and a practical difficulty on said applicant which would, in effect, deny him the use of his property as such would create a setback violation of the front set back line.
2. To keep the proposed house in line with those adjoining properties.
3. To enable the applicant to utilize his property in such a manner as to enhance its value in the community.

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

Legal Owner

Baltimore, MD. 21236

Protestant's Attorney

Protestant's Attorney

CONSIDERED By The Zoning Commissioner of Baltimore County, this 31st day of March 1977, 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 15th day of May 1977, at 10:00 o'clock A.M.

(over)

May 19, 1977

P. Louis Roke, Jr., Esquire
9105 Belair Road
Baltimore, Maryland 21236

RE: Petition for Variance
SW 1/8 of University Drive, 50' SE of
Community Road - 15th Election District
Richard J. Adams, et al. - Petitioners
NO. 77-224-A (Item No. 112)

Dear Mr. Roke:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/mc

Attachments

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

RE: PETITION FOR VARIANCE
SW 1/8 of University Drive 50' SE of
Community Road, 15th District
OF BALTIMORE COUNTY
RICHARD J. ADAMS, et al., Petitioners : Case No. 77-224-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter,

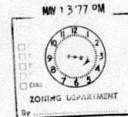
I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 13th day of May, 1977, a copy of the foregoing

Order was mailed to Mr. and Mrs. Richard J. Adams, 4428 Ebenezer Road, Baltimore, Maryland 21236, Petitioners.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Eric DiNenna, Zoning Commissioner Date: May 11, 1977

FROM: Norman H. Gerber, Acting Director of Planning

SUBJECT: Petition #77-224-A, Petition for Variance for a Rear Yard Setback of 0' in lieu of the required 30' feet. Southwest side of University Drive 50 feet Southeast of Community Road. Petitioner - Richard J. Adams and Jane H. Adams

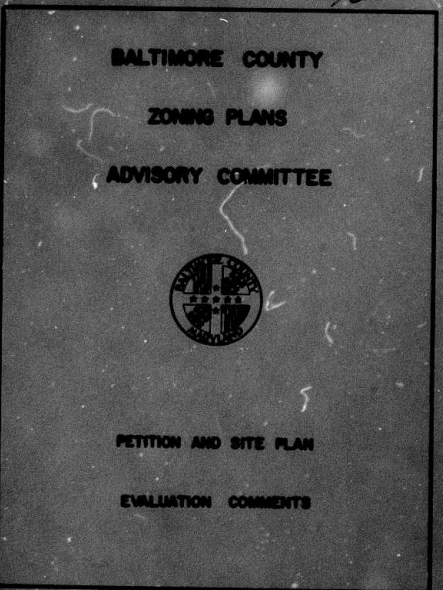
15th District

HEARING: Wednesday, May 18, 1977 (10:00 AM.)

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

Norman H. Gerber
Acting Director of Planning

NRG:JUL/rw



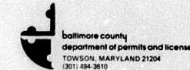
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 112

Mr. Richard J. Adams
4428 Ebenezer Road
Baltimore, Maryland 21236

Your petition does not meet the Zoning Commissioner's requirements for filing, as per attached.

S. ERIC DI NENNA
Zoning Commissioner

Owner(s) Name: Richard J. & Jane H. Adams
Reviewed by: Nicholas S. Cummings



JOHN D. SEVITT
DIRECTOR

April 13, 1977

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

Dear Mr. DiNenna:

Comments on Item # 112 Zoning Advisory Committee Meeting, are as follows:

Property Owner: Richard J. & Jane H. Adams
Location: SW 1/8 University Dr. 50' SE of Community Road
Existing Zoning: R, 5, 5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of the required 30'.

Acres: 0.58
District: 15th

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 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 6'0" of property line.
- ☐ F. comment. See attached letter.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burham
Plan Review Chief
CER/rw

JAN 09 1978

ORDER RECEIVED FOR FILING
DATE 1/13/77
FILED 1/13/77

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

to permit a rear yard of 6 feet instead of the required 10 feet in a D.R.S.S. Zone should be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of May, 1977, 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 11th day of May, 1977, that the above Variance be and the same is hereby DENIED.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 31, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Avenue
Towson, Maryland 21204
Nicholas B. Commodari
Acting Chairman

- MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Mr. Richard J. Adams
4428 Ebenesser Road
Baltimore, Maryland 21236

RE: Variance Petition
Item 112
Richard J. & Jane H. Adams -
Petitioner

Dear Mr. Adams:

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 that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the appropriateness of the requested zoning.

This currently vacant site, consisting of two parcels of land traversed by a 10 foot right-of-way, is located on the southwest side of University Drive, 50 feet southeast of Community Road in the 15th Election District. Vacant land exists to the south, while residences exist to the north, east and west of this site. The latter property was the subject of two previous zoning requests that were eventually granted.

This Variance is necessitated by your proposal, to construct a dwelling within 0' of the aforementioned 10' right-of-way in lieu of the required 10'.

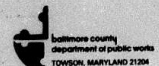
As indicated in the comments of the Bureau of Engineering, a drainage swale exists along the westerly side of this property, and therefore a utility easement is required. In light of this, and due to the possible

Mr. Richard J. Adams
Re: Item 112
January 31, 1977
Page 2

relocation of the proposed dwelling, this petition will be withheld a hearing date until this matter is resolved. In addition, you should contact Mr. Burnham of the Department of Permits and Licenses concerning the type of construction of the proposed dwelling.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman,
Zoning Plans Advisory Committee

NBC:JD
Enclosure



THORNTON M. MOURING, P.E.
DIRECTOR

January 13, 1977

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

Re: Item #112 (1976-1977)
Property Owner: Richard J. & Jane H. Adams
2700 University Dr., 50' 4" Community Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of the required 10'.
Acres: 0.58 District: 15th

Dear Mr. Dillman:

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

University Drive and South River Drive, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way. Highway improvements are not required at this time. Highway right-of-way widening, 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.

It is the responsibility of the petitioner to ascertain and clarify his rights in and to the indicated 10-foot right-of-way between these lots, and to initiate such action as may be required to abandon, relocate, widen, extend, etc. such right-of-way.

Setback Control

Development of this property through stripping, 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 stripping of top soil.

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. There is a storm drain and drainage outfall swale, subject to tidal flooding along the westerly side of this property for which a drainage and utility easement is required.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 9, 1977

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas B. Commodari
Acting Chairman

Mr. Richard J. Adams
4428 Ebenesser Road
Baltimore, Maryland 21236

RE: Variance Petition
Item No. 112
Petitioner - Richard J. and
Jane H. Adams

Dear Mr. Adams:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(ies) of the Zoning Plans Advisory Committee.

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

NBC:rf
Enclosure

Item #112 (1976-1977)
Property Owner: Richard J. & Jane H. Adams
Page 2
January 13, 1977
Storm Drains: (Cont'd)

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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewers

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

Edenworth N. Driver, P.E.
EDENWORTH N. DRIVER, P.E.,
Chief, Bureau of Engineering

END:ENR:PW:es

cc: J. Somers

NO-24 Key Sheet
29 NE 47 Pos. Sheet
NE 4 L. Twp
83 Tax Map

Comments on Item 112 Revised Zoning Advisory Committee Meeting,
April 13, 1977

Should there be a basement to this proposed dwelling it shall be designed by a Professional Structural Engineer to meet Section 300.2 of the Baltimore County Supplement to the Baltimore County Building Code.

If it should be a crawl space it shall be designed as required by Section 300.28 of the same code.

Mr. Richard J. Adams
4428 Ebenesser Road
Baltimore, Maryland 21236

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 11th day of May, 1977.

Edenworth N. Driver
Edenworth N. Driver,
Acting Chairman

Petitioner Mr. Richard J. Adams

Petitioner's Attorney

Edenworth N. Driver
Edenworth N. Driver,
Acting Chairman
Planning & Zoning
Associate III

December 21, 1976

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

Re: Item 112 - ZAC - December 6, 1976
Property Owner: Richard J. & Jane H. Adams
Location: SW/8 University Dr. 50' SE Community Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of req. 30'
Acres: 0.58
District: 15th

Dear Mr. DiNenna:
No traffic engineering problems are anticipated by the requested variance to the rear yard setback.

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

NSP:nc

January 4, 1977

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

Dear Mr. DiNenna:

Comments on Item 112, Zoning Advisory Committee Meeting, December 6, 1976, are as follows:

Property Owner: Richard J. & Jane H. Adams
Location: SW/8 University Dr. 50' SE Community Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of the required 30'.
Acres: 0.58
District: 15th

Comment: Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

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

TED/HW/rhs

January 3, 1977

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 #112, Zoning Advisory Committee Meeting, December 6, 1976, are as follows:

Property Owner: Richard J. and Jane H. Adams
Location: SW/8 University Drive 50' SE Community Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of the required 30'.
Acres: 0.58
District: 15th

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
John L. Wimbley
Planner III
Project and Development Planning

JOHN D. SEYFERT
DIRECTOR

December 6, 1976

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

Dear Mr. DiNenna:

Comments on Item # 112 Zoning Advisory Committee Meeting, December 6, 1976 are as follows:

Property Owner: Richard J. & Jane H. Adams
Location: SW/8 University Dr. 50' SE Community Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 0' in lieu of the required 30'.

Acres: 0.58
District: 15th

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 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. Veneer or wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 5'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

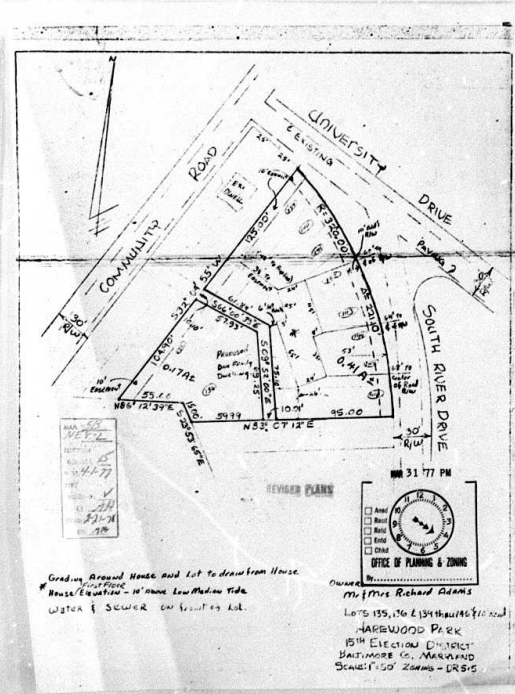
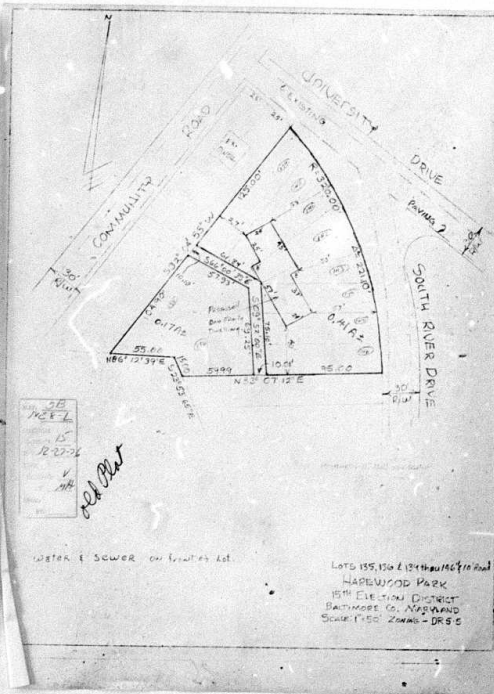
Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CDB:rrj

April 13, 1977
Comments on Item 112 Revised Zoning Advisory Committee Meeting.

Should there be a basement to this proposed dwelling it shall be designed by a Professional Structural Engineer to meet Section 320.2 of the Baltimore County Supplement to the Baltimore County Building Code.

If it should be a crawl span it shall be designed as required by Section 320.25 of the same code.





OFFICE OF
TOWSON, MD. 21204 May 10 1977

Petition for Variance-15th Dist.

THIS IS TO CERTIFY, that the annexed advertisement of
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 1 successive weeks before the
18 day of May 1977, that is to say, the same
was inserted in the issues of

4/27/77

STROMBERG PUBLICATIONS, INC.

BY *Ch. S. S. J.*

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 28 1977

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on the
18th day of May 1977, the 18th publication
appearing on the 18th day of April
1977.

THE JEFFERSONIAN

S. Leach Struthers
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#77-224-A

District 15th Date of Posting 4-28-77
Posted for: Henry J. Adams, Jr., 1227 E. 16th Rd.
Petitioner: Richard J. Adams
Location of property: 16th Rd. of University Dr. SE. SE. of
Community Rd.
Location of Sign: 16th Rd. on University Dr. SE. SE. of
Community Rd.
Remarks:
Posted by: Mark H. Adams Date of return: 5-5-77

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 24 day of
May 1976. Filing Fee \$ 25 Received ☒ Check
☐ Cash
☐ Other

S. Eric Dinenna
S. Eric Dinenna
Zoning Commissioner

Petitioner Richard J. Adams Submitted by Richard J. Adams
Petitioner's Attorney Reviewed by Eric

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

BALTIMORE COUNTY, MARYLAND No. 51664
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 28, 1977 ACCOUNT 03-668

AMOUNT \$25.00

RECEIVED FROM Richard J. Adams, 1227 University Dr., Baltimore, Md.
FOR 2124 Petition for a Variance
77-224-A

45 2500 MK

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 51719
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 19, 1977 ACCOUNT 03-668

AMOUNT \$40.75

RECEIVED FROM Richard J. Adams 1227 University Dr., Baltimore, Md.
FOR 2124 Advertising and posting of property
77-224-A

45 4075 MK

VALIDATION OR SIGNATURE OF CASHIER