

# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William Tassey, 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 1302.3.1 of the Zoning Regulations of Baltimore County to permit a setback of 20.5 feet from the centerline of the street instead of the required 25 feet. Section 1301.2.1.1 of the Zoning Regulations of Baltimore County requires a setback of 45.5 feet from the centerline of the street 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. The garage is existing and I wish to convert it to a dwelling.

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.

DATE August 2, 1977  
Contract purchaser  
Legal Owner  
Address  
Petitioner's Attorney  
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of May, 1977.

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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of July, 1977, at 10:00 A.M.

William Tassey  
Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE  
NW corner of Harwood and Miles Rd.,  
15th District  
OF BALTIMORE COUNTY  
Case No. 78-9-A  
WILLIAM TASSEY, Petitioner

## 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.  
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 8th day of July, 1977, a copy of the foregoing Order was mailed to Mr. William Tassey, 423 Eastern Avenue, Essex, Maryland 21221, Petitioner.

John W. Hession, III  
People's Counsel



August 2, 1977

Mr. William Tassey  
423 Eastern Avenue  
Essex, Maryland 21221

RE: Petition for Variances  
NW corner of Harwood & Miles Roads  
15th Election District  
William Tassey - Petitioner  
NO. 78-9-A (Item No. 252)

Dear Mr. Tassey:

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

Very truly yours,  
George S. Martinak  
Deputy Zoning Commissioner

GJM/me

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

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

May 19, 1977

Northwest corner of Harwood Road and Miles Road  
Lots 235 - 236, Section "B", Oliver Beach, 14/37  
15th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the northwest side of Miles Road with the northeast side of Harwood Road, and thence running and binding on the northwest side of Miles Road North 41 degrees 34 minutes East 181.76 feet, thence leaving Miles Road for two lines of division as follows: North 48 degrees 26 minutes West 100 feet and South 41 degrees 34 minutes West 199.95 feet to the northeast side of Harwood Road, and thence running and binding on the northeast side of Harwood Road South 58 degrees 44 minutes East 102.64 feet to the place of beginning.

Containing 0.44 acres of land more or less.



## PETITION FOR A VARIANCE

15th DISTRICT

ADDRESS: Petition for Variance for Front Yard.  
LOCATION: Northwest corner of Harwood and Miles Roads.  
DATE & TIME: MONDAY, JULY 25, 1977 at 10:00 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 V. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a front yard setback of 20.5 feet instead of the required 25 feet; and to permit 45.5 feet from the centerline of the street instead of the required 50 feet.

The Zoning Regulations to be accepted as follows:

Section 1302.3.1.1 - Front Yard - 25 feet.

Section 1301.2.1.1 - Setbacks from centerline of streets - 50 feet.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of William Tassey, as shown on plat plan filed with the Zoning Department.

Hearing Dates Monday, July 25, 1977 at 10:00 A.M.  
Public Hearings Room 106, County Office Building, 111 V. Chesapeake Avenue, Towson, Md.

BY ORDER OF  
S. ERIC DINIEN  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

Baltimore County  
Office of planning and zoning  
TOWSON, MARYLAND 21204  
1301-434-3261  
S. ERIC DINIEN  
ZONING COMMISSIONER

8/12/77

Mr. Martinak,  
I would like to file for a waiver of the thirty day appeal period on my variance so that I may get my permits to work on my building.

William Tassey

8/12

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

S. Eric Diniene  
TO: Zoning Commissioner  
Leslie H. Groat  
FROM: Director of Planning  
SUBJECT: Petition #78-9-A, Petition for Variance for Front Yard

Northwest corner of Harwood and Miles Roads  
Petitioner - William Tassey

15th District

HEARING: Monday, July 25, 1977 (10:00 A.M.)

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

Leslie H. Groat  
Director of Planning

LHGJGH:rw

## BALTIMORE COUNTY

### ZONING PLANS

### ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

ORDER RECEIVED FOR FILING

DATE *June 13, 1977*

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 Variances requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit a front yard setback of 20.5 feet instead of the required 25 feet, and 45.4 feet from the center line of the street instead of the required 50 feet should be granted.

It IS ORDERED by the Zoning Commissioner of Baltimore County this *22nd* day of *AUGUST*, 1977, that the herein Petition for the aforementioned Variances should be and the same are 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 *22nd* day of *AUGUST*, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 15, 1977

COUNTY OFFICE BLDG.  
1116 Chestnut Ave.  
Towson, Maryland 21204  
Nicholas, S.  
Commodore  
Zoning Commissioner

Mr. William Tassey  
423 Eastern Avenue  
Essex, Maryland 21221

RE: Variance Petition  
Item No. 252  
Petitioner - William Tassey

BUREAU OF  
ENGINEERING  
DEPARTMENT OF  
TRAFFIC ENGINEERING  
STATE BOARD COMMISSION  
BUREAU OF  
FIRE PREVENTION  
HEALTH DEPARTMENT  
PROJECT PLANNING  
BUILDING DEPARTMENT  
BOARD OF EDUCATION  
ZONING ADMINISTRATION  
METROPOLITAN  
DEVELOPMENT

Dear Mr. Tassey:

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.

Located on the northwest corner of Miles and Harewood Roads in the 15th Election District, this site is currently improved with a masonry building which is the subject of this petition. Individual dwellings exist along Harewood Road to the south-west and northeast, while vacant land abuts the property to the north.

At the time of field inspection it appeared that the existing building was utilized as a garage. Your proposal at this time is to convert this building to a dwelling, and in light of the fact that principle building setbacks are required, this Variance is necessitated.

Mr. William Tassey  
Page 2  
Item No. 252  
July 15, 1977

Particular attention should be afforded the comments of the Department of Permits and Licenses concerning Section 320.2 of the Baltimore County Supplement to the Building Code.

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 S. Commodore*  
NICHOLAS S. COMMODORE  
Chairman  
Zoning Plans Advisory Committee

MBC:rf

cc: Frank S. Lee  
1277 Neighbors Ave.  
Baltimore, Maryland 21237

Baltimore County  
Department of Public Works  
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.  
DIRECTOR

June 16, 1977

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

Re: Item #252 (1976-1977)  
Property Owner: William Tassey  
NW cor. Miles Rd. & Harewood Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.  
Acres: 0.44 District: 15th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Harewood and Miles Roads, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on existing 50-foot right-of-way. Highway right-of-way widening, consisting of a fillet area for eight distance at the intersection, together with reversible easements for slopes along each road, will be required in connection with any grading or building permit application.

Sediment 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:

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 #252 (1976-1977)  
Property Owner: William Tassey  
Page 2  
June 16, 1977

Water and Sanitary Sewer:

Public water mains and sanitary sewers exist in Harewood and Miles Roads.

Very truly yours,

*Donald W. Tucker, P.E.*  
DONALD W. TUCKER, P.E.  
Acting Chief, Bureau of Engineering

DWT:EAM:ENR:SS

cc: J. Somers

MS-SW Key Sheet  
28 NE 49 & 50 Pos. Sheets  
NE 7 W 490  
84 Tax Map

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

Baltimore County  
Office of Planning and Zoning  
TOWSON, MARYLAND 21204  
(301) 494 3211

June 6, 1977

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

Dear Mr. DiNenna:

Comments on Item 257, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: William Tassey  
Location: NW/C Miles Road & Harewood Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.  
Acres: 0.44  
District: 15th

Baltimore County  
Department of Health  
TOWSON, MARYLAND 21204

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

July 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #252, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: William Tassey  
Location: NW/C Miles Rd. & Harewood Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.  
Acres: 0.44  
District: 15th

Metropolitan water and sewer exist.

Very truly yours,

*Thomas H. Dravin*  
Thomas H. Dravin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

THD/bw/rth

Baltimore County  
Department of Traffic Engineering  
TOWSON, MARYLAND 21204  
(301) 494 3550

STEPHENE COLLINS  
DIRECTOR

June 15, 1977

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

Re: Item 252-2AC - May 31, 1977  
Property Owner: William Tassey  
Location: NW/C Miles Rd. & Harewood Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.  
Acres: 0.44  
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the setback from the side street and the center line of the street.

Sincerely,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate

MSF/jit

Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Mr. Nicholas Commodari, Chairman  
Zoning Advisory Committee

Re: Property Owner: William Tassey

Location: NW/C Miles Rd. & Harwood Rd.

Item No. 252 Zoning Agenda May 31, 1977

Gentlemen:  
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 \_\_\_\_\_ is not 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 No. 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.

Approved: *George M. McGehee*  
Planning and Zoning Division  
Special Inspection Division

June 7, 1977

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

Dear Mr. DiNenna:

Comments on Item # 252 Zoning Advisory Committee Meeting, May 31, 1977 are as follows:

Property Owner: William Tassey  
Location: NW/C Miles Road & Harwood Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.  
Acres: 0.44  
District: 15th

The items checked below are applicable:

- (x) A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes. See specifically Section 300-2 Baltimore County Supplement to Building Code.
- (x) B. A building permit shall be required before construction can begin. If new construction is contemplated.
- (x) 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. 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  
(301) 484-3610

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 31, 1977

Z.A.C. Meeting of: May 31, 1977

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

RE: Item No. 252  
Property Owner: William Tassey  
Location: NW/C Miles Road & Harwood Road  
Present Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a setback of 20.5' from the side street in lieu of the required 25' and 45.5' from the center of the street in lieu of the required 50'.

District: 15th  
No. Acres: 0.44

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

*W. Nick Petrovich*

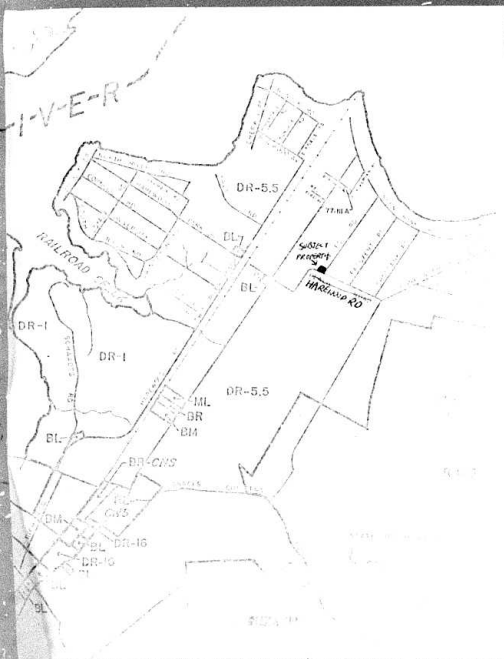
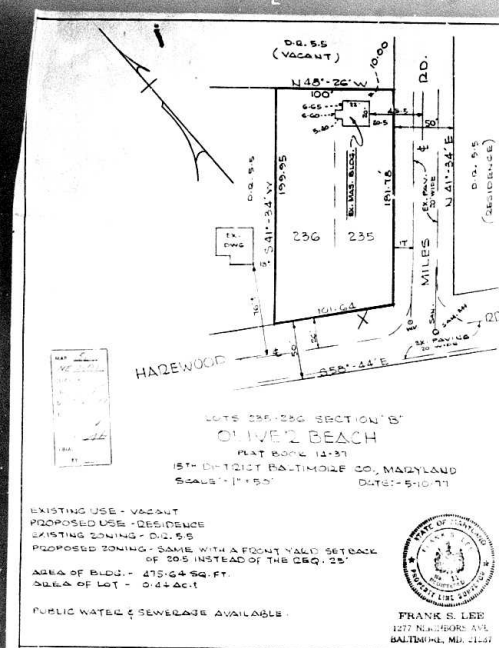
W. Nick Petrovich,  
Field Representative

JOSEPH H. MCDONNELL, PRESIDENT  
T. BARBARO WALLACE, JR., VICE-PRESIDENT  
MARION H. BOUTWELL

THOMAS H. ROYER  
MRS. LORRAINE F. CORRIE  
ROGER S. WALTON

ALVIN LORECK  
WILLIAM H. SMITH, JR.  
RICHARD W. TRACY, D.V.M.

ROBERT V. DUBEL, SUPERINTENDENT



**OFFICE OF THE TIMES**  
TOWSON, MD. 21204 July 8 19 77

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variance - William Tassey - H-1466 was inserted in the following:

☐ Catonsville Times ☐ Towson Times  
☐ Dandridge 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 5th day of July 1977, that is to say, the same was inserted in the issues of July 7, 1977.

STROMBERG PUBLICATIONS, INC.  
BY *Edith Berger*

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. July 7, 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., once each day for one time successive weeks before the 25th day of July 1977, the first publication appearing on the 7th day of July 1977.

*L. L. Smith*  
Manager

Cost of Advertisement, \$ \_\_\_\_\_

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th Date of Posting: 7-7-77

Posted for: *William Tassey*  
Petitioner: *William Tassey*  
Location of property: *NW/C Miles Rd. & Harwood Rd.*

Location of Sign: *1475 N. Harwood Rd.*

Remarks: *See Map H-1466*

Posted by: *Mail H-1466* Date of return: 7-15-77

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

Mr. William Tassey  
413 Eastern Avenue  
Keeson, Maryland 21221

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

Your Petition has been received and accepted for filing this 31st day of May 1977.

Petitioner: *William Tassey*  
Petitioner's Attorney: *Nicholas B. Commodari*  
Reviewed by: *Eric DiNenna*  
Zoning Commissioner

cc: Frank S. Lee  
1275 N. Maryland Avenue  
Baltimore, Maryland 21204

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**

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

Your Petition has been received \* this 1st day of July 1977. Filing Fee \$ 20.00. Recd. ☒ Check ☐ Cash ☐ Other

Submitted by: *William Tassey*  
Petitioner's Attorney: *Nicholas B. Commodari*  
Reviewed by: *Eric DiNenna*  
Zoning Commissioner

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

Date: July 28, 1977 ACCOUNT: 01-662

AMOUNT: \$18.00

PAID TO: *William T. Tassey, 413 Eastern Ave., Balto.*  
FOR: *Advertising and posting of property*

75 P.E.L. 20 480 CDE

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

Date: June 30, 1977 ACCOUNT: 01-662

AMOUNT: \$25.00

PAID TO: *William T. Tassey, 413 Eastern Ave., Balto., Md.*  
FOR: *Petition Fee Variance*

75 P.E.L. 1 250 CDE