

78-11-A #263 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Agnes Tucker
I, or we, Govan E. Holmes, Jr., et al., owner of the property situate in Baltimore County and which is described in the description not attached hereto and made a part hereof,

herby petition for a Variance from Section 1.10.2.301 to permit a lot width of 50' instead of the required 55' for lots 1 (7A & 7B) and 2 (300' x 100' x 100' x 100') permit a front setback of 25' instead of the required 35' setback of 40' ft from centerline of Ruth Ave.

40.5 ft. from Ruth Ave. to the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Most all of the lots on Ruth Avenue are only 50' wide. There is no way that I can obtain a 55' width.

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
Address: 2310 Ruth Avenue
Baltimore, Md. 21219

Petitioner's Attorney
Protestant's Attorney

Address: 2310 Ruth Avenue
Baltimore, Md. 21219

NO ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of July, 1977.

of 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 through out 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 25th day of July, 1977, at 10:30 a.m.

By: [Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
N/S of Ruth Ave. 160' E of
Wasslewieck Ave., 15th District
GOVAN E. HOLMES, JR., et al,
Petitioners
Case No. 78-11-A

ORDER TO ENTER APPEARANCE

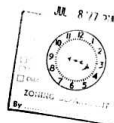
Mr. Commissioner:

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.

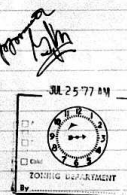
Charles E. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel
John W. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
4M-2188

I HEREBY CERTIFY that on this 8th day of July, 1977, a copy of the foregoing Order was mailed to Govan E. Holmes, Jr., 2310 Ruth Avenue, Baltimore, Maryland 21219, Petitioner.

John W. Heslian, III



July 25, 1977
Dear Mr. & Mrs. Holmes:
On July 25, 1977, I had a hearing for a variance case no. 78-11-A and tried to proceed with my building permit. I realize there is a 30 day appeal period and will accept all financial reparation in the case of an appeal.
[Signature]



July 26, 1977

Mr. & Mrs. Govan E. Holmes, Jr.
2310 Ruth Avenue
Baltimore, Maryland 21219

RE: Petition for Variance
N/S of Ruth Avenue, 160' E of
Wasslewieck Avenue - 15th
Election District
Govan E. Holmes, Jr., et al -
Petitioners
NO. 78-11-A (Item No. 263)

Dear Mr. & Mrs. Holmes:

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

Very truly yours,
[Signature]
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/me

Attachments

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

SUBMITTER'S DESCRIPTION

June 1, 1977

Beginning at a point on the north side of Ruth Avenue approx. 160' East of Wasslewieck Avenue and known as Lot 7 of unnamed plat recorded among Baltimore County Land Records in Liber 2 Folio 106 also known as 2309 Ruth Avenue.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
TO: Zoning Commissioner
Leslie M. Graw
FROM: Director of Planning
Date: July 18, 1977

SUBJECT: Petition 78-11-A, Petition for Variance for Lot Width and Front Setback
North side of Ruth Avenue 160' East of Wasslewieck Avenue
Petitioner - Govan E. Holmes, Jr. et al

15th District

HEARING: Monday, July 25, 1977 (10:30 A.M.)

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

[Signature]
Leslie M. Graw
Director of Planning

LHG:JGH:rw

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3050
STEPHEN E. COLLINS
DIRECTOR

August 1, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, Courthouse
Towson, Maryland 21204

Re: Item 263 - ZAC - June 21, 1977
Property Owner: Agnes Tucker and Govan E. Holmes, Jr.
Location: N/S Ruth Ave. 160' E Wasslewieck Ave.
Existing Zoning: R.L.
Proposed Zoning: Variance to permit lot width of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.
Acres: 0.46
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a lot width of 50 feet in lieu of the required 55 feet and the variance to the front setback.

Sincerely,
[Signature]
Michael S. Flanagan
Associate Traffic Engineer

MSF/ljo

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

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 granting of the Variances requested not adversely effecting the health, safety, and general welfare of the community, Variances to permit lot widths of 50 feet instead of the required 55 feet for Lots 7A and 7B, and a front setback of 40 feet from the center line of Ruth Avenue instead of the average 47.5 feet for both lots should be granted.

Deputy Zoning Commissioner of Baltimore County this 26th day of July 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 day of 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 18, 1977

COUNTY OFFICE BLDG.
111 N. H. Ave.
TOWSON, MARYLAND 21204

Nicholas B. Conodari
Chairman

DEPARTMENT OF
PLANNING AND ZONING

TRAFFIC ENGINEERING

STATE BOARD COMMISSION

DEPT. OF PUBLIC SAFETY

HEALTH DEPARTMENT

PERMITTING DIVISION

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

ENVIRONMENTAL DEVELOPMENT

Mr. Govan H. Holmes, Jr.
Mrs. Agnes M. Holmes
2310 Ruth Avenue
Baltimore, Maryland

Re: Variance Petition
Item No. 263
Petitioner - Govan Holmes
Agnes Holmes

Dear Mr. & Mrs. Holmes:

The Zoning Planning 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 north side of Ruth Avenue approximately 160 feet east of Waskiewicz Avenue in the 15th Election District, this B.L. zoned site, consisting of two 50 foot lots, is currently improved with a dwelling (Lot 7A) and shed (Lot 7B). Adjacent properties to the east and west are similarly zoned and improved with individual dwellings.

This Variance is necessitated by your proposal to construct an additional dwelling on Lot 7B and thereby creating two improved lots 58 feet wide in lieu of the required 55 feet. Since the existing

Mr. Govan H. Holmes, Jr.
Mrs. Agnes M. Holmes
Page 2
Item No. 263
July 18, 1977

dwelling to the east of this property is setback further than the proposed dwelling, I have revised the petition forms to reflect this situation.

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. Conodari
Chairman
Zoning Planning Advisory Committee

ENC:1

CC: M. Manchel
A-NE Key Sheet
24 SE 32 Post Sheet
SE 6 H Topo
111 Tax Map



THORNTON M. MOURING, P.E.
DIRECTOR

July 5, 1977

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

Re: Item #263 (1976-1977)
Property Owner: Agnes Tucker & Govan & Agnes Holmes, Jr.
N/S Ruth Ave. 160' E. Waskiewicz Ave.
Existing Zoning: B.L.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.
Acreage: 0.46 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:

Ruth Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, 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.

Water and Sanitary Sewer:

Public water main and sanitary sewerage exist in Ruth Avenue. Additional fire hydrant protection is required in the vicinity.

Very truly yours,

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

END:KAN:FWH:SS

July 11, 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 #263, Zoning Advisory Committee Meeting, June 21, 1977, are as follows:

Property Owner: Agnes Tucker and Govan and Agnes Holmes, Jr.
Location: N/S Ruth Avenue 160' E. Waskiewicz Avenue
Existing Zoning: B.L.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.
Acreage: 0.46
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. Wimley
Planner III
Project and Development Planning

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

Dear Mr. DiNenna:

Comments on Item #263, Zoning Advisory Committee Meeting, June 21, 1977, are as follows:

Property Owner: Agnes Tucker and Govan & Agnes Holmes, Jr.
Location: N/S Ruth Ave. 160' E. Waskiewicz Ave.
Existing Zoning: B.L.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.
Acreage: 0.46
District: 15th

Since metropolitan water and sewer are available, no health hazards are anticipated.

Very truly yours,

Thomas B. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TND:KAS:pb

Paul H. Reineke
Chief

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

Attention: Nicholas B. Conodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Agnes Tucker and Govan & Agnes Holmes, Jr.
Location: N/S Ruth Ave. 160' E. Waskiewicz Ave.
Item No. 263 Zoning Agenda June 21, 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 load and condition shown at _____ exceeds 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.
7. The Fire Prevention Bureau has no comments, at this time.

Approved: _____
Planning Bureau
Special Inspection Division

Noted and Approved: _____
Fire Chief
Fire Prevention Bureau



JOHN D. S. (1977)

June 14, 1977

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

Dear Mr. DiNenna:

Comments on Item # 263 Zoning Advisory Committee Meeting, June 21, 1977 are as follows:

Property Owner: Agnes Tucker and Govan & Agnes Holmes, Jr.
Location: N/S Ruth Ave. 160' E. Waskiewicz Ave.
Existing Zoning: B.L.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.
Acreage: 0.46
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. 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
CB:173

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 16, 1977

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

Z.A.C. Meeting of: June 21, 1977

RE: Item No: 263
Property Owner: Agnes Tucker and Govan & Agnes H. Ives, Jr.
Location: N/E Ruth Ave. 160' E. Wasskiewicz Avenue
Present Zoning: B.L.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a front setback of 25' in lieu of the required average 32.5'.

District: 15th
No. Acres: 0.46

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

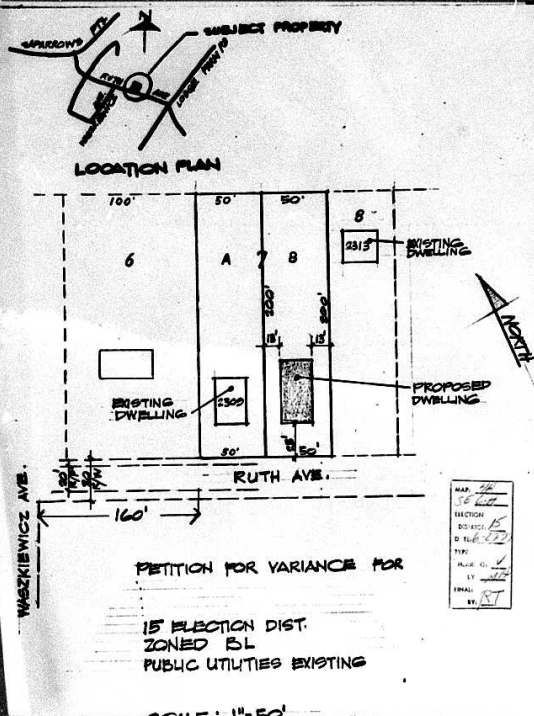
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/Sp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD HILLMAN, JR., VICE-PRESIDENT
MARCUS M. ROTARIUS

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDM
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORECK
MR. JAYTON B. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. Govan H. Holmes, Jr.
Mrs. Agnes H. Holmes
2310 Ruth Avenue
Baltimore, Maryland 21219

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

Form No. 263

Your Petition has been received and accepted for filing
this 21st day of June 1977.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Govan and Agnes Holmes
Petitioner's Attorney: Nicholas B. Commodari

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 21st day of
June 1977. Filing Fee \$ 2.00. Received Check
Cash
Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: Govan and Agnes Holmes Submitted by Nicholas B. Commodari
Petitioner's Attorney: Nicholas B. Commodari Reviewed by S. Eric DiNenna

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

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

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for Variance - Govan H. Holmes, Jr.
H-1404
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, Co. ay, Maryland,
once a week for one successive weeks before the
8th day of July 1977, that is to say, the same
was inserted in the issues of July 7, 1977

STROMBERG PUBLICATIONS, INC.
BY *E. L. Bunge*

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 a week
not one time successive weeks before the 25th
day of July 1977, the 19th publication
appearing on the 7th day of July
1977.

L. L. L. L.
THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

EDWARDS DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#78-11-A

District: 15th Date of Posting: 7-7-77
Posted for: Hewig Monday July 25th 1977 10:30 A.M.
Petitioner: Govan H. Holmes Jr.
Location of property: N.E. of Ruth Ave. 160' E. of Wasskiewicz Ave.
Location of Sign: Sign posted on corner of Ruth Ave. & Wasskiewicz Ave.
Remarks: St. Jacy. Bull. etc.
Posted by: Mark H. Hess Date of return: 7-15-77

BALTIMORE COUNTY, MARYLAND No. 51855
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: July 25, 1977 ACCOUNT: 01-662
AMOUNT: \$47.05
RECEIVED FROM: Money Order \$47.05 Agnes Holmes, 2310 Ruth Ave., Baltimore, Md. 21219
FOR: Advertising and posting of property #78-11-A
\$29 JUL 25 4 25 PM
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 51776
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: June 3, 1977 ACCOUNT: 01-662
AMOUNT: \$25.00 (cash)
RECEIVED FROM: Agnes Holmes
FOR: Petition for Variance 2310 Ruth Avenue Baltimore, Maryland 21219
\$21 JUN 6 2500 PM
VALIDATION OR SIGNATURE OF CASHIER