

78-13-A 2251 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert L. Orr, 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 1202301.19, to allow a side setback of 5 feet instead of the required 10 feet.

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

To accommodate existing home to be moved to said lot.

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: Robert L. Orr Legal Owner
Address: 226 Oberle Avenue
Baltimore, Md. 21221
Petitioner's Attorney: _____
Protestant's Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of July, 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 25th day of July, 1977, at 11:00 o'clock A.M.



(over)

S. E. DiNenna
Zoning Commissioner of Baltimore County

11:00A
7/25/77

RE: PETITION FOR VARIANCE
S/S of Stillwater Rd. 930' E of
Riverside Rd., 15th District
ROBERT L. ORR, et al, Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 78-13-A

ORDER TO ENTER APPEARANCE

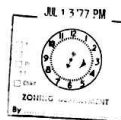
Mr. Commissioners:

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

I HEREBY CERTIFY that on this 12th day of July, 1977, a copy of the foregoing Order was mailed to Mr. Robert L. Orr and Mr. Everett Orr, 226 Oberle Avenue, Baltimore, Maryland 21221, Petitioners.

John W. Hession, III
John W. Hession, III



August 2, 1977

Messrs. Robert L. and Everett Orr
226 Oberle Avenue
Baltimore, Maryland 21221

RE: Petition for Variance
S/S of Stillwater Road, 930' E of
Riverside Road - 15th Election District
Robert L. and Everett Orr -
Petitioners
NO. 78-13-A (Dm No. 251)

Dear Messrs. Robert L. and Everett Orr:

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

Very truly yours,
George W. Martinak
George W. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

beginning at a point on the Southside of Stillwater Road 930 feet East of
Riverside Road; (more known and designated as Lot No. 29, Section D, on the
Plat entitled "Back River Highlands", which Plat is recorded among the Land
Records of Baltimore County in Plat Book W.P.C. No. 4, folio 66.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna,
Zoning Commissioner
TO: _____ Date: July 19, 1977
LESLIE H. GROF
FROM: _____
DIRECTOR OF PLANNING
SUBJECT: Petition 78-13-A, Petition for Variance for a Side Yard
South side of Stillwater Road 930 feet East of Riverside Road.
Petitioner - Robert L. Orr, et al

15th District

HEARING: Monday, July 25, 1977 (11:00 A.M.)

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

Leslie H. Grof
Leslie H. Grof
Director of Planning

LHG:JGH:rw

To Zoning Commissioner of Baltimore County,
I am presently the owner of lot 25 & 29
East do not have controlling interest for
either lot I want to apply for 5'
setback variance on lot 29 on
Stillwater Rd I do not feel that
this would have any effect on lot 23
Good Will

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EXPLANATION COMMENTS

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 #251 (1976-1977)
Property Owner: Everett & Robert Orr
S/S Stillwater Rd. 930' E. Riverside Rd.
Existing Zoning: D.H. 3.5
Proposed Zoning: Variance to permit a side setback
of 5' in lieu of the required 10'.
Acres: 0.23 District: 15th

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. Any construction or reconstruction of concrete sidewalk, curb and gutter, entrance, apron, etc., 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 #251 (1976-1977).

Very truly yours,

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

DWT:CAN/PNT:sa

1-54 Key sheet
7 NE 26 Pos. sheet
NE 2 G Page
97 Pos map

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 and unreasonable hardship upon the Petitioners

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 side yard setback of 5 feet instead of the variance required 10 feet should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25 day of August 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.

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 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.
111 W. Calverton Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

MUNICIPAL DEVELOPMENT

Mr. Everett Orr
Mr. Robert Orr
226 Oberle Avenue
Baltimore, Maryland 21221

MR. Variance Petition
Item No. 251
Petitioner - Everett Orr
Robert Orr

Dear Messrs. Orr:

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.

The subject property, currently zoned D.R. 5.5 and consisting of a vacant 50 foot lot, is located on the south side of Stillwater Road approximately 930 feet east of Riverside Road in the 15th Election District. Adjacent properties are similarly zoned and improved with single-family and detached dwellings.

This Variance is necessitated by your proposal to construct a dwelling within 5 feet of the easterly side property line in lieu of the required 10 feet.

Mr. Everett Orr
Mr. Robert Orr
Page 2
Item No. 251
July 15, 1977

Particular attention should be afforded the comments of the Department of Permits and Licenses concerning Section 350.2 of the Baltimore County Supplement of 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 B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:rd

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 454-3211

June 8, 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 251, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: Everett and Robert Orr
Location: S/S Stillwater Road 930' E. Riverside Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5' in lieu of the required 10'.
Acres: 0.23
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
Planner III
Project and Development Planning

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 #251, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: Everett & Robert Orr
Location: S/S Stillwater Rd. 930' E. Riverside Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5' in lieu of the required 10'.
Acres: 0.23
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

Thomas R. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/AN/tu

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 454-3500

STEPHEN A. COLLINS
DIRECTOR

June 14, 1977

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

Re: Item 251 - SAC - May 31, 1977
Property Owner: Everett & Robert Orr
Location: S/S Stillwater Rd. 930' E. Riverside Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5' in lieu of the required 10'.
Acres: 0.23
District: 15th

Dear Mr. DiNenna:

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

Sincerely,

Richard H. Hungen
Michael S. Fishman
Traffic Engineer Associate

MSF/jll

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 628-7200

Paul H. Heinicke
CHIEF

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

Attention: Mr. Nicholas Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Everett & Robert Orr

Location: S/S Stillwater Rd. 930' E. Riverside Rd.

Item No. 251

Docket 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 100 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 _____ 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.

Planning Group
Special Inspection Division

Noted and Approved
Charles E. Burnham
Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 454-3610

JOHN D. SEVIER
DIRECTOR

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 # 251 Zoning Advisory Committee Meeting, May 31, 1977 are as follows:

Property Owner: Everett & Robert Orr
Location: S/S Stillwater Road 930' E. Riverside Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5' in lieu of the required 10'.

Acres: 0.23
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.B.) 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
CDB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 31, 1977

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

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

RE: Item No: 251
Property Owner: Everett & Robert Orr
Location: 5/9 Stillwater Road 930' E. Riverside Road
Present Zoning: D.H. 5.5
Proposed Zoning: Variance to permit a side setback of 5' in lieu of the required 10'.

District: 15th
No. Acres: 0.23

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. WAYNE WILLIAMS, JR., VICE-PRESIDENT
MARCUS W. BOHARIS

THOMAS H. ROYER
MRS. LOURANE F. CORCORAN
ROGER S. HAYDEN
ROBERT T. DUREL, SUPERINTENDENT

ALVIN LURECK
MR. MILTON R. SMITH, JR.
PICHARD W. TRACEY, D.V.M.

CERTIFICATE OF PUBLICATION

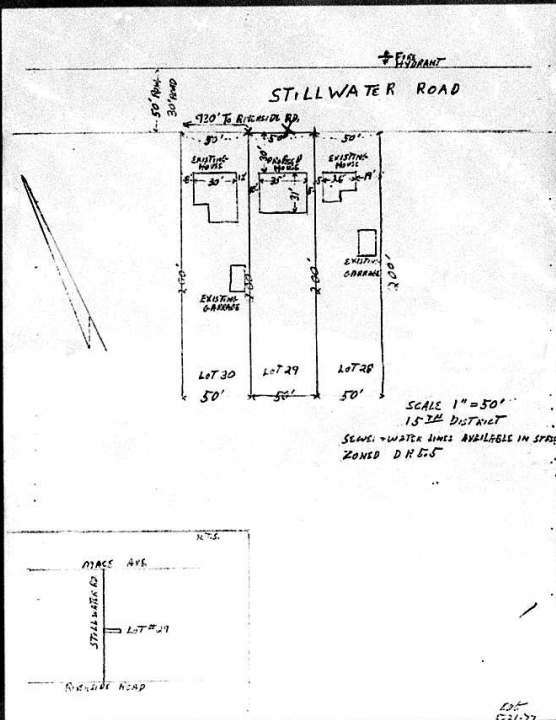
TOWSON, MD. July 7, 1977

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time, successive weeks before the 25th day of July, 1977, the ANN publication appearing on the 7th day of July, 1977.

THE JEFFERSONIAN

L. Leach Johnston
Manager

Cost of Advertisement, \$



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204
Baltimore, Maryland 21201
Your Petition has been received and accepted for filing this 30th day of May, 1977.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: *Everett and Robert Orr*
Petitioner's Attorney: *Robert H. Orr*
Reviewed by: *Nicholas S. Commodari*
Nicholas S. Commodari
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTAGE
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 7-7-77
Posted for: *Hearing Monday July 25th 1977 at 11:00 A.M.*
Petitioner: *Robert H. Orr*
Location of property: *5/9 Stillwater Rd. 930' E. of Riverside Rd.*
Location of Sign: *Sign posted in front of Lot 28, 333 & 331 Stillwater Rd. Stillwater Rd.*
Remarks: *Mark H. Orr*
Posted by: *Mark H. Orr* Date of return: 7-15-77



OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 July 7 1977

THIS IS TO CERTIFY that the annexed advertisement of Petition for Variance - Robert L. Orr H-1462 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 July, 1977, that is to say, the same was inserted in the issues of July 7, 1977

STROMBERG PUBLICATIONS, INC.
BY: *E. E. Berger*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 25th day of July 1977 Filing Fee \$ 25. Received Check
Submitted by *S. Eric DiNenna*
S. Eric DiNenna
Zoning Commissioner
Petitioner: *Robert H. Orr*
Petitioner's Attorney: *Robert H. Orr*
Reviewed by *S. Eric DiNenna*
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 51847
DATE: July 22, 1977 ACCOUNT: 01-662
AMOUNT: \$10.00
RECEIVED: Robert L. Orr, 226 Oberle Ave., Balto., Md.
FOR: Advertising and posting of property #70-13-4
VALIDATION OR SIGNATURE OF CASHIER
4 JUL 28 1977

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 51757
DATE: May 24, 1977 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED: (Cash) Everett Orr 226 Oberle Ave., Balto., Md.
FOR: Petition for a Variance
VALIDATION OR SIGNATURE OF CASHIER
25 JUL 28 1977