

4/15/78 78-195-A 1/38 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Maurice Nicholson and Maurice Nicholson, 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 1.9.02.2.C.1. to permit a lot width of 50 feet instead of the required 55 feet on lots 8, 9, 10, and 11 of Hebrille Park.

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

Owner wishes to sell individual lots for building purposes

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.

Considered By The Zoning Commissioner of Baltimore County, this 3rd day of January, 1978, 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 15th day of March, 1978, at 10:15 o'clock A.M.

S. Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 13, 1978
FROM: Leslie H. Groaf, Director of Planning
SUBJECT: Petition 78-195-A, Petition for Variance for Lot Widths

Northeast side of Rollin Road 442 feet Northwest of Rolling Road
Pettitioner - Maurice Nicholson and Edna Nicholson

2nd District

HEARING: Wednesday, March 15, 1978 (10:15 A.M.)

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

Leslie H. Groaf
Director of Planning

LHG:JGH:aw



March 16, 1978

Mr. & Mrs. Maurice Nicholson
10939 Liberty Road
Randallstown, Maryland 21133

RE: Petition for Variance
NE/S of Rollin Road, 442' NW of
Rolling Road - 2nd Election District
Maurice Nicholson, et ux - Petitioners
NO. 78-195-A (Item No. 138)

Dear Mr. & Mrs. Nicholson:

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

Very truly yours,
S. Eric DiNenna
Zoning Commissioner

SED/mc
Attachments

cc: Mr. A. P. Feeney
A. P. Feeney & Co., Inc.
8308 Liberty Road
Baltimore, Maryland 21207

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

RE: PETITION FOR VARIANCE
NE/S of Rollin Rd., 442'
NW of Rolling Rd., 2nd District
MAURICE NICHOLSON, Petitioner
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 78-195-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
494-2187

I HEREBY CERTIFY that on this 23rd day of February, 1978, a copy of the foregoing Order was mailed to Mr. Maurice Nicholson, 10939 Liberty Road, Randallstown, Maryland 21133, Petitioner.

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
TOWSON, MARYLAND 21204
Phone 730-8060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
800 East Jones Road
Room 101, Shell Building
Towson, Maryland 21204
Phone 824-8000

December 9, 1977

REL AIR OFFICE
L. GORDON WOLFE
Landscape Architect
Phone 836-0888

DESCRIPTION TO ACCOMPANY APPLICATION FOR LOT WIDTH VARIANCE:

Beginning for the same at a point on the northeast side of Rollin Road (30 feet wide) said point being distant 442 feet northwesterly from the intersection formed by said northeast side of Rollin Road with the center-line of Rolling Road (30 feet wide) thence being all of 7, 8, 9, 10, and 11 as shown on the plat of Hebrille Park recorded among the plat records of Baltimore County in Plat Book 8 folio 74.

Containing 0.60 acres of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095



PETITION FOR VARIANCE

RE: 78-195-A

2nd DISTRICT

Petition for Variance for Lot Widths.

LOCATION: Northeast side of Rollin Road 442 feet Northwest of Rolling Road.
DATE & TIME: WEDNESDAY, MARCH 15, 1978 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 lot widths of 50 feet instead of the required 55 feet on Lots 8, 9, 10, and 11 of Hebrille Park.

The Zoning Regulations to be accepted as follows:

Section 1202.1.C.1 - Lot Widths - 55 feet

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

Being the property of Maurice Nicholson and Edna Nicholson, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, March 15, 1978 at 10:15 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, MD

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Maurice Nicholson
10939 Liberty Road
Randallstown, MD 21133

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 3rd day of January, 1978.

S. Eric DiNenna
Zoning Commissioner

Petitioner Maurice Nicholson

Petitioner's Attorney

Reviewed by Malcolm E. Hudkins
Hudkins Associates, Inc.
101 Shell Bldg.
200 E. Joppa Rd.
Towson, MD. 21204

ITEM # 138

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 unnecessary 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, a Variance to permit lot widths of 50 feet instead of the required 55 feet on Lot Nos. 7, 8, 9, 10, and 11 of Heville Park should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1978, 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 14th day of March, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

Mr. & Mrs. Maurice Nicholson
10939 Liberty Road
Randallstown, Maryland 21133

RE: Variance Petition
Item Number 138
Petitioner - Maurice Nicholson
Edna Nicholson

Dear Mr. & Mrs. Nicholson:

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 suitability of the requested zoning.

This Variance is necessitated as a result of your proposal to construct five dwellings each on a 50 foot wide lot in lieu of the required lot width of 55 feet. If you are not aware, a similar request to construct two houses on the lots immediately to the south of your property has been filed with this office and will be heard preceding your scheduled hearing.

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

March 2, 1978

Mr. & Mrs. Maurice Nicholson
Page 2
Item Number 138
March 2, 1978

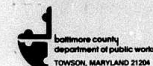
near future.

Very truly yours,

NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Hudkins Associates, Inc.
101 Shell Building
200 East Joppa Road
Towson, Maryland 21204



THORNTON M. MOURING, P.E.
DIRECTOR

January 18, 1978

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

Re: Item #138 (1977-1978)
Property Owner: Maurice & Edna Nicholson
N/S Rollin Rd. 442' NW Rolling Mt.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acre: 0.80 District: 2nd

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

Rollin Road, an existing public road, is proposed to be improved in the future as a 30-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.

A drainage and utility easement is required within this property.

Item #138 (1977-1978)
Property Owner: Maurice and Edna Nicholson
Page 2
January 18, 1978

Water and Sanitary Sewer

Public water main and sanitary sewerage exist in Rollin Road. This property is tributary to the Owyne Falls Sanitary Sewer System, subject to State Health Department regulations.

Very truly yours,

Edna M. Diver, P.E.
Chief, Bureau of Engineering

END:EMH/PMB:us
cc: J. Somers
D. Giles

15 1/4" x 11" 28 Pgs. Sheets
NW 40 Page
87 Tax Map



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 #138, Zoning Advisory Committee Meeting, January 3, 1978, are as follows:

Property Owner: Maurice and Edna Nicholson
Location: NE/S Rollin Road 442' NW Rolling Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acre: 0.80
District: 2nd

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
Current Planning and Development



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

January 12, 1978

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

Dear Mr. DiNenna:

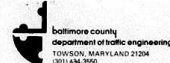
The following are comments on Item # 138, Zoning Advisory Committee Meeting of January 3, 1978:

Property Owner: Maurice & Edna Nicholson
Location: NE/S Rollin Rd. 442' NW Rolling Mt.
Acre: 0.80
District: 2nd

Municipal water and sewer are available, therefore no health hazards are anticipated.

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

TEH/ES/po
SEC 35 118



STEPHENE COLLINS
DIRECTOR

February 10, 1978

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

Item No. 138 - 2AC - January 3, 1978
Property Owner: Maurice & Edna Nicholson
Location: NE/S Rollin Rd. 442' NW Rolling Mt.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acre: 0.80
District: 2nd

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested Variance to permit lot widths of 50 feet in lieu of the required 55 feet.

Very truly yours,

Richard S. Flanagan
Richard S. Flanagan
Traffic Engineer Associate

RSF/hme

