

88-242-A #180 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Richard W. Born
I, or we, Elaine E. Born, legal owner of the property situated 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 14-06, 14-3, to allow a 50 foot side yard instead of the required 50 foot.

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

To allow placement of the dwelling as close to front setback line as possible

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: 501 Woodlawn Road
Baltimore, Maryland 21204
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of March 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of May, 1978, at 10:00 o'clock A.M.



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner
FROM: Leslie H. Graef, Director of Planning
SUBJECT: Petition #78-242-A, Item 180

Date: May 2, 1978

Petition for Variance for side yard
South side of Fallscrest Way, 1385 feet southeast of Falls Rd.
Petitioner - Richard W. and Elaine E. Born

HEADING: Wednesday, May 17, 1978 (10:00 A.M.)

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

Leslie H. Graef
Director of Planning

LHG:JCH:m

RE: PETITION FOR VARIANCE
5/5 of Fallscrest Way, 1385'
SE of Falls Rd., 8th District
Richard W. Born, et al, Petitioners
Case No. 78-242-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524, I 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.

I HEREBY CERTIFY that on this 27th day of April, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Richard W. Born, 501 Woodlawn Road, Baltimore, Maryland 21210, Petitioners.

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
474-2188

John W. Hession, III



COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-8080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
Phone 278-9800

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
Phone 838-0888

March 7, 1978

DESCRIPTION #906 FALLSCROFT WAY:

Beginning for the same at a point on the north side of Fallscrest Way said point being distant 1385 feet from the intersection formed by the south side of said Fallscrest Way with the centerline of Falls Road thence being all of lot 2 as shown on Plat No. 1, Section II, "Fallswood" recorded among the plat records of Baltimore County in File Book 40 folio 80.

Containing 1.30 Acres of land more or less



Malcolm E. Hudkins
Registered Surveyor #5095

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2300
S. ERIC DINENNA
ZONING COMMISSIONER

May 18, 1978

Mr. & Mrs. Richard W. Born
501 Woodlawn Road
Baltimore, Maryland 21210

RE: Petition for Variance
S/S of Fallscrest Way, 1385' SE
of Falls Road - 8th Election Dis-
trict
Richard W. Born, et al -
Petitioners
NO. 78-242-A (Item No. 180)

Dear Mr. & Mrs. Born:

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

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED/jhm

Attachments

cc: Mr. Joseph Coyne
1006 Fallscrest Way
Lutherville, Maryland 21093

Mr. P. Douglas Dellenberg
1010 Fallscrest Way
Lutherville, Maryland 21093

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Richard Born
501 Woodlawn Road
Baltimore, Maryland 21210
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

ITEM # 180

Your Petition has been received and accepted for filing
on 21st day of March, 1978

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Mr. Richard Born
Petitioner's Attorney

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

cc: Hudkins Associates, Inc.
200 East Joppa Road
Towson, Md. 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 4, 1978

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas E. Commodari
Chairman

Mr. & Mrs. Richard W. Born
501 Woodlawn Road
Baltimore, Maryland 21210

RE: Variance Petition
Item Number 180
Petitioner - Richard W. Born

Dear Mr. & Mrs. Born:

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 currently vacant R.C. 5 zoned site is proposed to be developed with a dwelling located within 42 feet of the side property line in lieu of the required 50 feet. Because of this, the Variance is necessitated.

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 E. COMMODARI
Chairman, Zoning Plans Advisory Committee

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

ORDER RECEIVED FOR FILING
DATE May 18, 1978

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 Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a 47 foot side yard setback in lieu of the required 50 feet should be granted.

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

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

April 12, 1978

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

Re: Item #180 (1977-1978)
Property Owner: Richard W. & Elaine E. Born
Location: S/S Falls Road Way 1385' N & E Falls Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acre: 1.30 District: 8th

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.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement No. 87607, executed in connection with the development of "Fallwood - Section Two", of which this property comprises lot 2 as shown on "Plot No. 1 - Section II Fallwood", recorded L.H.K., Jr. 40, Folio 89.

The submitted plan does not indicate the 50-foot drainage and utility easement along the rear of this lot, and indicates an erroneous transposition of rear and side lot line dimensions.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #180 (1977-1978).

Very truly yours,
Edmund M. Dwyer, P.E.
Edmund M. DWYER, P.E.
Chief, Bureau of Engineering

END: EAM:PW:RS

CC: A. Morton, C. Warfield

S-M Key Sheet
53 & 54 NY 13 Pos. Sheets
SW 14 D Topo
59 & 60 Tax Maps



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

April 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #180, Zoning Advisory Committee Meeting, March 21, 1978, are as follows:

Property Owner: Richard W. & Elaine E. Born
Location: S/S Falls Road Way 1385' N & E Falls Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acre: 1.30
District: 8th

The requested variance will not interfere with the location of the water well or sewage disposal system, therefore no health hazards are anticipated.

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

THD/KJ/rlh



Paul H. Bealke
CHIEF

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Richard W. & Elaine E. Born

Location: S/S Falls Road Way 1385' N & E Falls Rd.

Item No. 180 Zoning Agenda Meeting of 3/21/78

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.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: George M. Haganoff
Special Inspection Division Fire Prevention Bureau



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 #180, Zoning Advisory Committee Meeting, March 21, 1978, are as follows:

Property Owner: Richard W. & Elaine E. Born
Location: S/S Falls Road Way 1385' N & E Falls Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acre: 1.30
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are intended to indicate the appropriateness of the zoning in question, but are to ensure 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
Current Planning and Development

April 28, 1978



STEPHENE COLLINS
DIRECTOR

March 29, 1978

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

Item No. 180 - ZAC - March 21, 1978
Property Owner: Richard W. & Elaine E. Born
Location: S/S Falls Road Way 1385' N & E Falls Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.

Acre: 1.30
District: 8th

Dear Mr. DiNenna:

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

Very truly yours,
Michael J. Flanagan
Michael J. FLANAGAN
Traffic Engineer Associate

MSJ/hmr

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: March 28, 1978

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

Z.A.C. Meeting of: March 21, 1978

Re: Item No. 180
Property Owner: Richard W. & Elaine E. Born
Location: S/S Falls Road Way 1385' N & E Falls Road
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.

District: 8th
No. Acres: 1.30

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,
W. Nick Peterson
W. NICK PETERSON
Field Representative

WNP/hp

JOSEPH M. MCCORMAN, PRESIDENT
E. ARTHUR D. COLLIER, JR., VICE PRESIDENT
MARION M. BOUTWELL
THOMAS H. DEVLIN
ROBERT J. DUBEL, ADMINISTRATOR
ALVIN LORANCE
DAVE WICKER & DAVID JR.
RICHARD W. TRACY, DVM

