

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John G. Graves 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 1A01.3B.1.d. to permit a proposed side yard setback of 7.3 feet, and an existing side setback of 24.7 feet in lieu of the required 25 feet in an R.C.-2 Zone.

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

1. We are expecting our third child in June and anticipate more children in the future. Due to this increase in the size of our family, we will shortly require more than the present three bedrooms our house affords.
2. It is economically impractical for us to purchase a larger house now or within the next few years.
3. The only practical way an addition to our house can be made is by extending the north side of the house closer to the property line. An addition to the rear of the house is impractical since it would involve the removal of the present belt and a half and the construction of at least one new bathroom as part of the addition.

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 of Baltimore County.

Contract purchaser

Legal Owner

Address: 13212 Maple Grove Avenue

Reisterstown, Md. 21136

Petitioner's Attorney

Protestant's Attorney

UNDERSIGNED By The Zoning Commissioner of Baltimore County this 28th 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 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 22nd day of May, 1978, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 12, 1978

FROM: Leslie H. Graf, Director of Planning

SUBJECT: Petition #78-245-A, Item 192

Petition for Variance for side yard setbacks
West side of Maple Grove Avenue, 635 feet North of Kemp Road
Petitioner: John G. Graves, et ux

4th District

HEARING: Monday, May 22, 1978 (9:30 A.M.)

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

Leslie H. Graf
Director of Planning

LHG:JGH:we

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S of Maple Grove Ave., 635' : OF BALTIMORE COUNTY
N of Kemp Rd., 4th District
JOHN G. GRAVES, et ux, Petitioners : Case No. 78-245-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.

Peter Max Zimmerman
Dputy People's Counsel

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

I HEREBY CERTIFY that on this 3rd day of May, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. John G. Graves, 13212 Maple Grove Avenue, Reisterstown, Maryland 21136, Petitioners.



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. John G. Graves
13212 Maple Grove Av.
Reisterstown, MD. 21136

ITEM # 192

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 19th day of March, 1978.

S. ERIC DI NENNA
Zoning Commissioner

Petitioner: John Graves
Petitioner's Attorney

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



May 8, 1978

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 #192, Zoning Advisory Committee Meeting, March 28, 1978, are as follows:

Property Owner: John G. and Yvonne M. Graves
Location: W/S Maple Grove Avenue 635' N. Kemp Road
Existing Zoning: RC-2
Proposed Zoning: Variance to permit side setbacks of 7.3' and 24.7' in lieu of the required 25' Acres: 0.459
District: 4th

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. Wibley
John L. Wibley
Planner III
Current Planning and Development

Mr. & Mrs. John G. Graves
13212 Maple Grove Avenue
Reisterstown, Maryland 21136

RE: Petition for Variance
W/S of Maple Grove Avenue, 635'
N of Kemp Road - 4th Election
District
John G. Graves, et ux - Petitioners
RC, 78-245-A (Item No. 192)

Dear Mr. & Mrs. Graves:

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

Very truly yours,

GEORGE J. MARTINAK
Deputy Zoning Commissioner

CJM/srl

Attachment

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

May 23, 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 held, 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 proposed side yard setback of 7.3 feet and an existing side yard setback of 24.7 feet in lieu of the required 25 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of May 1978, that the herein Petition for the aforementioned Variances 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 Deputy Zoning Commissioner of Baltimore County 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 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 NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of May 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 8, 1978

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

Mr. Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. John G. Graves
13212 Maple Grove Avenue
Reisterstown, Maryland 21136

RE: Variance Petition
Item Number 192
Petitioner - John G. Graves

Dear Mr. & Mrs. Graves:

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.

Located on the west side of Maple Grove Avenue approximately 635 feet north of Kemp Road in the 4th Election District, this R.C. 2 zoned property is presently improved with a detached dwelling and shed in the rear yard. Adjacent properties surrounding this site are similarly zoned and improved.

This Variance is necessitated as a result of your proposal to construct an addition to the north side of the existing dwelling within 7.3 feet of the side property line in lieu of the required 25 feet, and the existing side setback along the southerly property line has been included in order to "legalize" this setback of 24.7 feet.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the

Mr. & Mrs. John G. Graves
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Item No. 192
May 8, 1978

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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf



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

April 14, 1978

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

Dear Mr. DiNenna:

Comments on Item #192, Zoning Advisory Committee Meeting, March 27, 1978 are as follows:

Property Owner: John G. & Yvonne M. Graves
Location: W/S Maple Grove Ave. 635' N Kemp Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit side setbacks of 7.3' and 24.7' in lieu of the required 25'.
Acres: 0.459
District: 4th

Since the proposed variance will not affect the sewage disposal system or water well and the sewage disposal system appeared to be functioning properly, a health hazard is not anticipated.

Very truly yours,

Thomas H. Devlin
THOMAS H. DEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

TBD/XS/p:0



THORNTON W. MOURING, P.E.
DIRECTOR

May 9, 1978

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

Re: Item #192 (1977-1978)
Property Owner: John G. & Yvonne M. Graves
W/S Maple Grove Ave. 635' N Kemp Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit side setbacks of 7.3' and 24.7' in lieu of the required 25'.
Acres: 0.459 District: 4th

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.

Highways

Maple Grove Avenue, 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, damage to 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 erosion, 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 #192 (1977-1978)
Property Owner: John G. & Yvonne M. Graves
Page 2
May 9, 1978

Water and Sanitary Sewers

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities, and is located beyond the Baltimore County Metropolitan District and the Urban-Rural Separation Line. The Baltimore County Water and Sewerage Plans, W-10A and S-10A, respectively, as amended indicate "No Planned Service" in the area.

Very truly yours,

Stephen E. Collins
STEPHEN E. COLLINS, P.E.
Chief, Bureau of Engineering

END:RAN:PMH:s

cc: J. Somers

W-SM & Y-SS Key Sheet
70 NW 40 Pos. Sheet
NW 16 J Topo
39 Tax Map



STEPHEN E. COLLINS
DIRECTOR

April 17, 1978

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

Item No. 192 - ZAC - March 28, 1978
Property Owner: John G. & Yvonne M. Graves
Location: W/S Maple Grove Ave. 635 Feet N. Kemp Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit side setbacks of 7.3 Feet and 24.7 Feet in lieu of the required 25 Feet.

Acres: 0.459
District: 4th

Dear Mr. DiNenna:

The subject variance should have no effect on traffic.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer
Planning and Design

CRM/dsm



Paul H. Reincke
Chief

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John G. & Yvonne M. Graves

Location: W/S Maple Grove Ave. 635' N Kemp Rd.

Item No. 192 Zoning Agenda Meeting of 03/28/78

Comments:

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) 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) 2. A second means of vehicle access is required for the site.

(3) 3. The vehicle dead end condition shown at _____ exceeds the maximum allowed by the Fire Department.

(4) 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) 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", 1976 Edition prior to occupancy.

(6) 6. Site plans are approved as drawn.

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

REVIEWED: *AT JPD*
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Reincke*
Fire Prevention Bureau

March 23, 1978

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

Dear Mr. DiNenna:

Comments on Item #192 Zoning Advisory Committee Meeting, March 28, 1978
are as follows:

Property Owner: John G. & Yvonne M. Graves
Location: 1/2 Maple Grove Ave. 635' N Kemp Road
Building Setback: R.C. 2
Proposed Zoning: Variance to permit side setbacks of 7.3' and 24.7' in lieu of the required 25'.

Access: 0.459
Setback: 4th

The items checked below are applicable:

- Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and Code and other applicable codes.
- A building permit shall be required before construction can begin.
- Additional _____ permits shall be required.
- Building shall be occupied to use - requires alteration permit.
- Three sets of construction drawings may be required to file an application for a building permit.
- 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.
- 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.
- Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- No Comment.
- Comment:

Very truly yours,
Charles E. Sullivan
Charles E. Sullivan
Planning Review Chief

CEB:rs

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 31, 1978

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

Z.A.C. Meeting of: March 28, 1973

RE: Item No: 192
Property Owner: John G. & Yvonne M. Graves
Location: 1/2 Maple Grove Ave. 635' N Kemp Rd.
Present Zoning: R.C. 2
Proposed Zoning: Variance to permit side setbacks of 7.3' and 24.7' in lieu of the required 25'.

District: 4th
No. Acres: 0.459

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

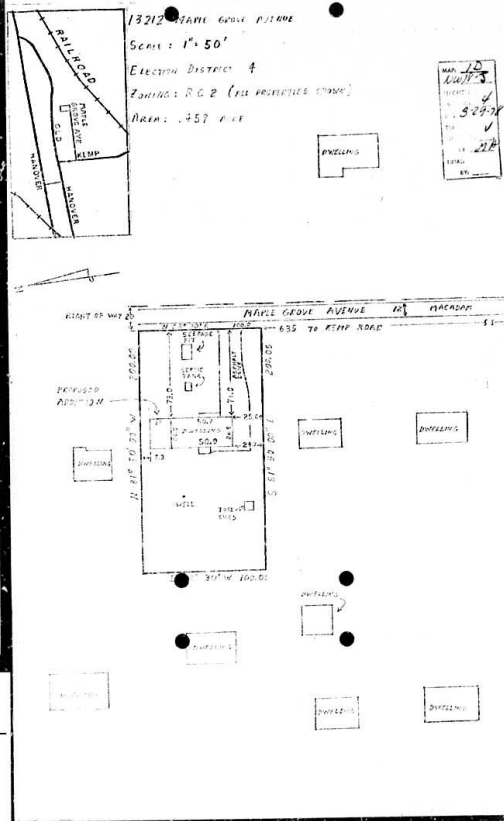
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/tp

JOSEPH H. MCDONNELL, PRESIDENT
V. BAYARD WILKINS, JR., VICEPRESIDENT
MARGARET H. BOWMAN

THOMAS H. BOWEN
MRS. LORRAINE F. CHAMBER
ROBERT E. HATTON
ROBERT V. BUEHL, SUPERVISOR

ALVIN LORICK
DREW HILTON & SMITH, JR.
RICHARD W. TRACY, D.V.M.



1-Sign 78-245-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: May 6, 1978
Posted for: PETITION FOR VARIANCES
Petitioner: JOHN G. GRAVES, ET AL
Location of property: 1/2 S.W. COR. E. MAPLE GROVE AVENUE, 635' N. OF
SEMP. ROAD
Location of Sign: FRONT 13212 MAPLE GROVE AVE.
Remarks: Thomas E. Sullivan
Posted by: Thomas E. Sullivan Signature Date of return: May 12, 1978

CERTIFICATE OF PUBLICATION

TOWSON, MD May 4, 1978
THIS IS TO CERTIFY, that the annexed advertisement published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., commencing on one time _____ weeks before the _____ day of _____, 1978, the _____ publication appearing on the _____ day of _____, 1978.

THE JEFFERSONIAN,
Charles E. Sullivan
Manager

Cost of Advertisement, \$ _____

THE JEFFERSONIAN
A weekly newspaper published in Towson, Baltimore County, Md., commencing on one time _____ weeks before the _____ day of _____, 1978, the _____ publication appearing on the _____ day of _____, 1978.



TOWSON, MD 21204 May 4 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - John G. Graves, et al was inserted in the following:

- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Dundalk Times
- ☐ Arbutus Times
- ☐ Essex Times
- ☐ Community Times
- ☐ Suburban Times East
- ☐ Sybrurban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the _____ day of _____, 1978, that is to say, the same was inserted in the issues of May 4, 1978

STROMBERG PUBLICATIONS, INC.

By *Esther Berger*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 20 day of MAY 1978. Filing Fee \$ 25. Received ☒ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner GRAVES Submitted by _____
Petitioner's Attorney _____ Reviewed by WNP

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					3-29	4H				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WNP</u>										
Revised Plans: Change in outline or description _____ Yes _____ No										
Previous case: _____ Map # <u>10</u>										

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 26, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED John G. Graves, 13212 Maple Grove Ave., Baltimore
for Maryland 21136, Petition for Variance 78-245-A-192

25.00

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 22, 1978 ACCOUNT 01-662

AMOUNT \$47.07

RECEIVED John G. Graves, 13212 Maple Grove Ave., Baltimore
for Maryland 21136, Petition for Variance 78-245-A

47.07

VALIDATION OR SIGNATURE OF CARRIER