

79-208-A #130 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOHN B. ENSOR, 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 1A01.2B in the area and height regulations of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Practical Difficulty--The width is too narrow (for the required feet) 1.20
2. It is a back acre lot and have the requested right of way.
3. It was already approved for a building lot by the I.D.C.A. Revis 48-177
4. Have received approval by the P.H.A. for building a house in Balt. Co.

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.

DATE March 14, 1979
BY John B. Ensor
Contract purchaser
Address 16589 Cedar Grove Rd.
Sparks, Maryland 21152
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of January, 1979, 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 12th day of March, 1979, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE
SW/S Hereford Rd., 90'
SE Foreston Rd., 5th District
JOHN B. ENSOR, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 79-208-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
Peter Max Zimmerman
Deputy People's Counsel
John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of February, 1979, a copy of the foregoing Order was mailed to Mr. John B. Ensor, Upperco, Maryland 21155, Petitioner.

John W. Hessian, III
John W. Hessian, III

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-3263
S. ERIC DINENNA
ZONING COMMISSIONER

March 15, 1979

Mr. John B. Ensor
Upperco, Maryland 21155

RE: Petition for Variances
SW/S of Hereford Road, 90' SE
of Foreston Road - 5th Election
District
John B. Ensor - Petitioner
NO. 79-208-A (Item No. 130)

Dear Mr. Ensor:

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

SEDir

Attachment

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

Ms. Bonnie L. Nash
16589 Cedar Grove Road
Sparks, Maryland 21152

C. A. Myers • 5732 EMORY ROAD, UPPERCO, MD., 21155 • PHONE 429-5079
State Registered Surveyor No. 2783

ALL that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same in the center of Hereford Road (State Route No. 137) at the distance of 90.00 feet measured Southeasterly from the intersection of the centerlines of Hereford Road and Foreston Road, running thence South 44 degrees 45 minutes West 691 feet, South 44 degrees 30 minutes East 126.5 feet and North 46 degrees 45 minutes East 691 feet to the center of Hereford Road, thence running in the center of that road, North 44 degrees 30 minutes West 126.5 feet to the place of beginning, containing two acres and six thousandths of an acre (2.006) of land more or less.

BEING all of the same land belonging to John B. Ensor.



C. A. Myers
C. A. Myers, Surveyor

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
TO: Leslie H. Graef, Director
FROM: Office of Planning and Zoning
Date: March 2, 1979
SUBJECT: Petition #79-208-A. Petition for Variance for lot widths
Southwest side of Hereford Road, 90 feet Southwest of Foreston Road
Petitioner - John B. Ensor

5th District

HEARING: Monday, March 12, 1979 (10:15 A.M.)

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

Leslie H. Graef
Leslie H. Graef, Director
Office of Planning and Zoning

LHG:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

John B. Ensor
Upperco, Maryland 21155

C. A. Myers
5732 Emory Road
Upperco, Maryland 21155

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 15th day of March, 1979.

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Ensor
Petitioner's Attorney:

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 1, 1979

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

cc: Nicholas B. Commodari
Chairman

Mr. John B. Ensor
Upperco
Maryland 21155

RE: Item No. 130
Petitioner - John B. Ensor
Variance Petition

Dear Mr. Ensor:

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 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.

Because of your proposal to subdivide this narrow rectangular-shaped parcel of land into an additional building lot, this Variance to permit lot widths less than the minimum required of 150 feet, is necessitated. Please note that the site plans must be revised to indicate that the remaining width of the lot containing the existing dwelling is 106.5 feet rather than 116.5 feet, as shown on the submitted site plan.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf
Enclosures
cc: C. A. Myers
5732 Emory Road
Upperco, Maryland 21155

Pursuant to the advertisement, posting of property, and public hearing on the 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 Petitioner(s),

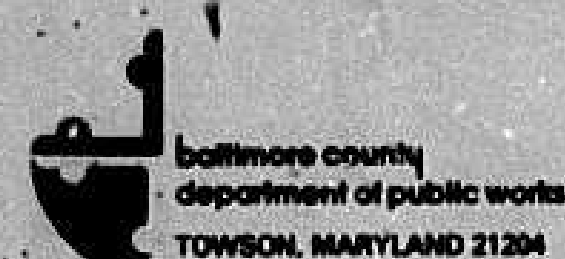
the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit lot widths of 106.5 feet and 126.5 feet in lieu of the required 150 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of March, 1979, that the herein Petition for the aforementioned Variance(s) 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 Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of March, 1979, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

January 22, 1979

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

Re: Item #130 (1978-1979)
Property Owner: John B. Ensor
S/WS Hereford Rd. 90' S/E Foreston Rd.
Existing Zoning: RC 2
Proposed Zoning: Variance to permit lot widths of 106.5' and 126.5' in lieu of the required 150'.
Acres: 2.006 District: 5th

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:

Subdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

Highways:

Mt. Carmel Road (Md. 137) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

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.

Item #130 (1978-1979)
Property Owner: John B. Ensor
Page 2
January 22, 1979

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite water supply and sewage disposal facilities.

This property is beyond the Baltimore County Metropolitan District and the Urban-Rural Demonstration Line. Baltimore County Water and Sewerage Plans W and S-10A, as amended, indicate "No planned service" in the area.

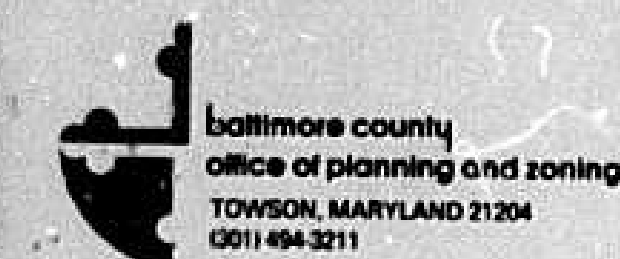
Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley

CG-SE Key Sheet
109 NN 27 Pos. Sheet
NW 28 G Topo
20 Tax Map



LESLIE H. GRAEF
DIRECTOR

February 16, 1979

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

Dear Mr. DiNenna:

Comments on Item #130, Zoning Advisory Committee Meeting, December 12, 1978, are as follows:

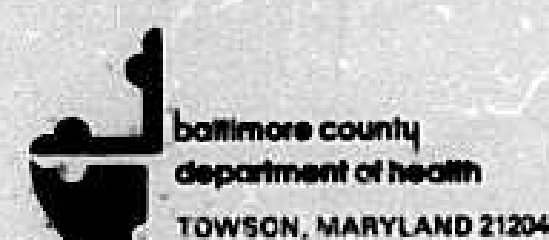
Property Owner: John B. Ensor
Location: SW/S Hereford Road 90' SE Foreston Road
Existing Zoning: RC-2
Proposed Zoning: Variance to permit lot widths of 106.5' and 126.5' in lieu of the required 150'
Acres: 2.006
District: 5th

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.

If the petition is granted, the subdivision process must be completed.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development



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

January 8, 1979

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

Dear Mr. DiNenna:

Comments on Item #130, Zoning Advisory Committee Meeting of December 12, 1978, are as follows:

Property Owner: John B. Ensor
Location: SW/S Hereford Rd. 90' SE Foreston Rd.
Existing Zoning: R.O. 2
Proposed Zoning: Variance to permit lot widths of 106.5' and 126.5' in lieu of the required 150'.
Acres: 2.006
District: 5th

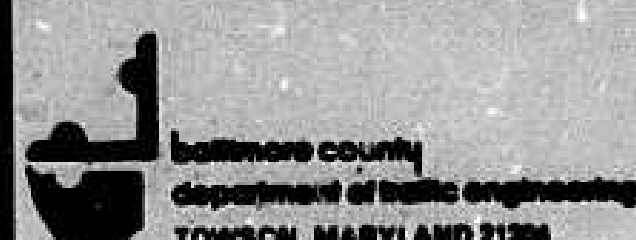
The existing house is presently served by a well and sewage disposal system.

Prior to approval of a building permit for the new house or installation of a sewage disposal system, soil percolation tests must be conducted. An adequate source of potable water must also be obtained.

Very truly yours,

Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/JRE/rth



STEPHEN E. COLLINS
DIRECTOR

January 8, 1979

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

Item No. 130 - DEC - December 12, 1978
Property Owner: John B. Ensor
Location: SW/S Hereford Rd. 90' SE Foreston Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit lot widths of 106.5' and 126.5' in lieu of the required 150'.
Acres: 2.006
District: 5th

Dear Mr. DiNenna:

No traffic problems are anticipated by this requested variance to the lot widths.

Very truly yours,

Michael G. Flanagan
Engineer Associate II

MSF/hmd



Paul H. Reincke
CHIEF

January 12, 1979

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

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John B. Ensor

Location: SW/S Hereford Rd. 90' SE Foreston Rd.

Item No. 130 Zoning Agenda Meeting of 12/12/78

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 or _____ 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", 1976 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 W. Megonigal
Planning Group
Special Inspection Division
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari
FROM: Mr. Charles E. Burnham, Chief
SUBJECT: Plans Review
Zoning Advisory Committee
Meeting of December 12, 1978

ITEM NO. 127 Standard Comments
ITEM NO. 128 Standard Comments
ITEM NO. 129 Standard Comments (Assuming structure is Residential)
ITEM NO. 130 Standard Comments
ITEM NO. 131 Standard Comments
ITEM NO. 132 See Comments
ITEM NO. 133 See Comments

CEB:rrj

Charles E. Burnham, Chief
Plans Review

Charles E. Burnham

TOWSON, MARYLAND - 21204

Date: January 2, 1979

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

Z.A.C. Meeting of: December 12, 1978

RE: Item No: 130
Property Owner: John B. Ensor
Location: SW/S Hereford Rd. 90' SE Foreston Rd.
Present Zoning: R.C. 2
Proposed Zoning: Variance to permit lot widths of 106.5' and 126.5'
in lieu of the required 150'.

District: Sth
No. Acres: 2.006

Dear Mr. DiNenra:

No bearing on student population.

Very truly yours,

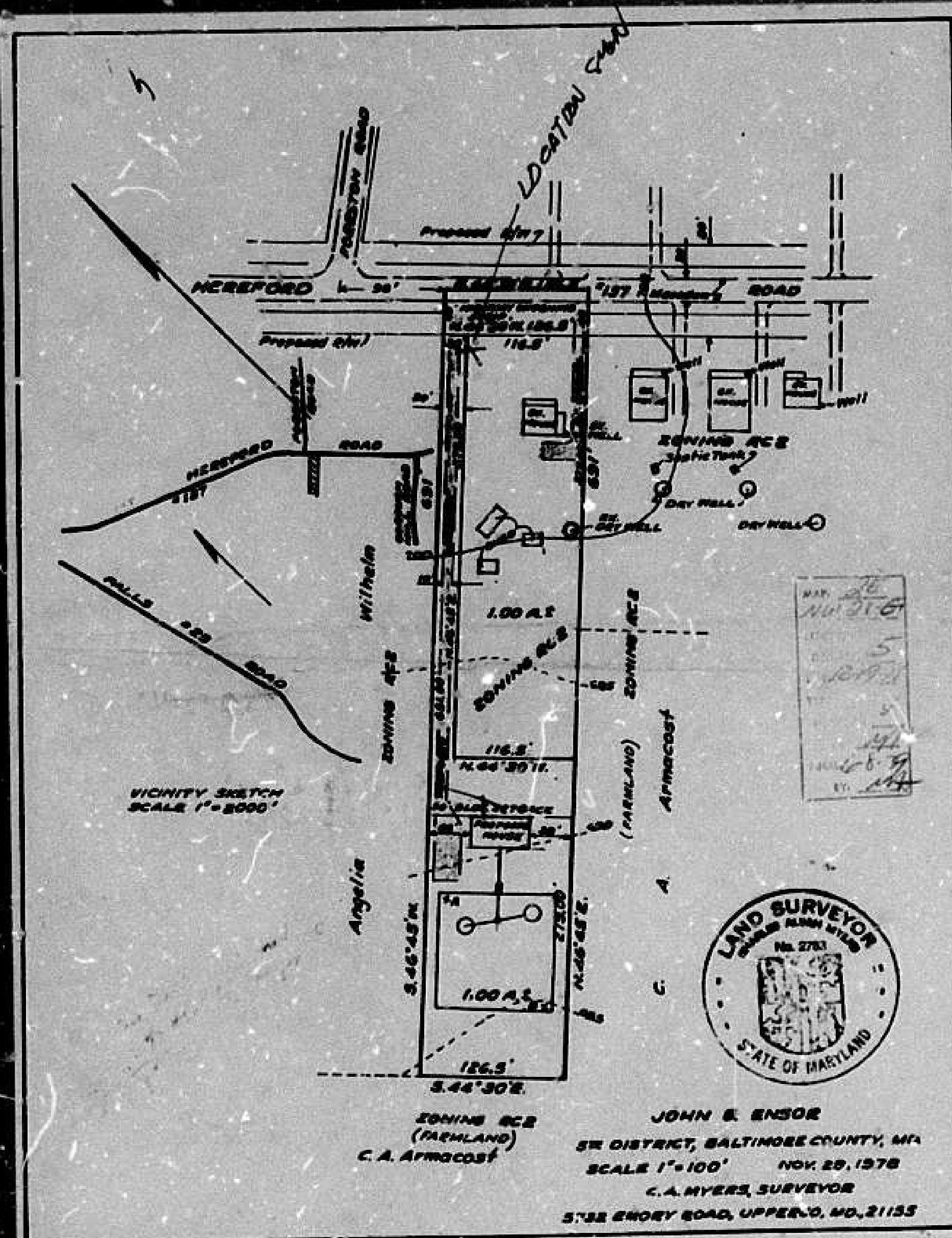
W. Nick Petrovich,
Field Representative

hNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTTSARIS

THOMAS M. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDEN
ROBERT Y. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. KILTON R. SMITH, JR.
RICHARD W. TEACEY, D.V.M.



TOWSON, MD., ~~February~~ 22, 1972

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 ~~the~~ 12th day of ~~the~~ March, 19 ~~79~~ 79, the ~~last~~ publication appearing on the 22nd day of February, 19 79.

THE JEFFERSONIAN

Cost of Advertisement, \$

[illegible]

OFFICE OF



TOWSON, MD. 21204 February 22 . 1979

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - John B. Ensor

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 23rd day of February 1979, that is to say, the same was inserted in the issues of February 22, 1979

STROMBERG PUBLICATIONS, INC.

BY Esther Berger

CERTIFICATE OF POSTING
IONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 5 Date of Posting Feb. 24, 1979

Posted for: PETITION FOR VARIANCE

Petitioner: JOHN B. ENSON

Location of property: SW 1/4 of Hereford Rd. 90' SE of Foreston Rd

Location of Sign: ① SW/S of Hereford Rd, 190+g - SE of Foreman Rd

① 31.5' tan - SW of Hereford Rd. 190' tan - SE of Foreman Rd

Remarks:

Posted by Thomas G. Poland Date of return MARCH 1 1970

2-SIGNS

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 76282

DATE February 13, 1977 ACCOUNT 01-662

AMOUNT \$75.00

RECEIVED Baltimore Bank
FROM

FOR Paid Fee for Cash No. 73-000-4

200172 FEB 14 2 50 PM '77

VALIDATION FOR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 78574

DATE March 12, 1979 ACCOUNT 01-662

AMOUNT \$44.51

RECEIVED FROM: Mrs. John E. Jones

FOR: Selling & Advertising property - Case No. 79-24-1

20 20525200 12 44.51 MD

VALIDATION OR SIGNATURE OF CASHIER