

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harry L. & Delphia M. Russell, 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 1.B.02.3.C.1 to permit a lot width of 50 ft. in lieu of the required 55 ft. for lots 7&8--lots 9&10. Section 301.1 a setback to the center line of Hillside Dr. of 40' in lieu of the average of 41.7' for lots 7 & 8 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) There is an existing home on lots 9&10. Lots 7&8 are vacant and the last in the section. The lots of no use if unable to be built upon. water and sewer are all presently at front of property. Provided all set back requirements are in accord with county laws, we plead with you to grant this variance for the property to be of any value.

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.

Vacant lots #7&8 Lot 9&10 with existing home
F. & Lois M. Waskey Harry L. & Delphia M. Russell
Contract purchaser Legal Owner
1917 Hillside Drive Address 1907 Hillside Drive
Balto., MD 21207 Balto., MD 21207
Petitioner's Attorney Harry L. Russell
Address Delphia M. Russell

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of February 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 had before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 23rd day of April 1979 at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County.

(ovt.)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
Date April 10, 1979
Leslie H. Graef, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition 79-231-A, Item #152

Petition for Variances
East side of Hillside Drive 150 feet North of Dogwood Road
Petitioner - Harry L. Russell, et al

1st District

HEARING: Monday, April 23, 1979 at 10:00 A.M.

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

Leslie H. Graef, Director
Office of Planning and Zoning

LHG:JGH:rw

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Hillside Drive 150'
N of Dogwood Road, 1st District : OF BALTIMORE COUNTY
HARRY L. RUSSELL, et al, Petitioners : Case No. 79-231-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
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 4th day of April, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Harry L. Russell, 1907 Hillside Drive, Baltimore, Maryland 21207, Petitioners; and Mr. and Mrs. Peter F. Waskey, Contract Purchasers, 1917 Hillside Drive, Baltimore, Maryland 21207.

John W. Hession, III

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
D011 494-3263
S. ERIC DINENNA
ZONING COMMISSIONER

April 24, 1979

Mr. & Mrs. Harry L. Russell
1907 Hillside Drive
Baltimore, Maryland 21207

RE: Petition for Variances
E/S of Hillside Drive, 150'
N of Dogwood Road - 1st
Election District
Harry L. Russell, et ux -
Petitioners
NO. 79-231-A (Item No. 159)

Dear Mr. & Mrs. Russell:

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:mr

Attachment

cc: Mr. & Mrs. Peter F. Waskey
1917 Hillside Drive
Baltimore, Maryland 21207

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Harry L. Russell
1907 Hillside Drive
Baltimore, Maryland 21207

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 6th day of February 1979.

S. ERIC DINENNA
Zoning Commissioner

Petitioner Russell
Petitioner's Attorney Nicholas B. Commodari
Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
D011 494-3211
LESLIE H. GRAEF
DIRECTOR

March 14, 1979

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

Dear Mr. DiNenna:

Comments on Item #159, Zoning Advisory Committee Meeting, February 6, 1979, are as follows:

Property Owner: Harry L. Russell, et al
Location: E/S Hillside Road 150' N, Dogwood Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 7 & 8 and 9 & 10, a side setback of 8' in lieu of the required 10' for lots 9 & 10 and a front setback of 20' in lieu of the average 21.7' for lots 7 & 8.
Acres: 0.347 (2 lots)
District: 1st

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
Current Planning and Development

JUN 15 1979

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(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of April, 1979, that the herein Petition for Variances to permit lot widths of 50 feet in lieu of the required 55 feet for Lot Nos. 7 and 8 (combined) and Lot Nos. 9 and 10 (combined), a side yard setback of 8 feet in lieu of the required 10 feet for Lot Nos. 9 and 10 (combined), and a front yard setback to the centerline of Hillside Drive of 40 feet in lieu of the required average 41.7 feet for Lot Nos. 7 and 8 (combined) 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.

Zoning Commissioner of Baltimore County

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, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of April, 1979, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. CONNERSDALE AVE.
TOWSON, MARYLAND 21204

ofo
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

April 6, 1979

Mr. & Mrs. Harry L. Russell
1907 Hillside Drive
Baltimore, Maryland 21207

RE: Item No. 159
Petitioner - Russell
Variance Petition

Dear Mr. & Mrs. Russell:

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 construct a dwelling on a vacant 50' wide lot (Nos. 7 and 8), and thereby create two 50' wide lots, this Variance for lot widths is required. In addition, setback Variances are also included.

Please make note of the fact that the petition forms have been changed to reflect a front setback variance from the centerline of Hillside Drive, in lieu of the property line. The petition forms now read "... and Section 303.1 to permit a setback from the centerline of Hillside Drive of 40' in lieu of the average setback of 41.7 ft."

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted.

Item No. 159
Page Two
April 6, 1979

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

encl.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: February 23, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Meeting of 2-6-79

ITEM NO. 159 There are no comments to this item other than the Standard Permit required, etc.
ITEM NO. 160 Same as above
ITEM NO. 161 Same as above
ITEM NO. 162 Same as above

Charles E. Burnham, Jr.
Ted Burnham, Chief
Plans Review

TB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 5, 1979

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

Z.A.C. Meeting of: February 6, 1979

RE: Item No. 159
Property Owner: Harry L. Russell, et al
Location: E/S Hillside Rd. 150' N Dogwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 7 & 8 and 9 & 10, a side setback of 8' in lieu of the required 10' for lots 9 & 10 and a front setback of 20' in lieu of the average 21.7' for lots 7 & 8.

District: 1st
No. Acres: 0.347 (2 lots)

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICEPRESIDENT
MARCUS M. BOYDARIS

THOMAS H. BOYER
MRS. LORRAINE P. CHIRCOSE
ROGER S. HAYDEN
ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON S. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 484-3550

STEPHENE COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items: 159, 160, 161, 162, 164, and 165 of the Zoning Advisory Committee Meeting of February 6, 1979.

Very truly yours,

Michael S. Flanigan
Engineer Associate

MSF/hmd

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

February 22, 1979

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

RE: Item #159 (1978-1979)
Property Owner: Harry L. Russell, et al
E/S Hillside Rd. 150' N Dogwood Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 7 and 8 and 9 and 10, a side setback of 8' in lieu of the required 10' for lots 9 and 10 and a front setback of 20' in lieu of the average 21.7' for lots 7 and 8.
Acres: 0.347 (2 lots) District: 1st

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:

Hillside Drive, an existing public road, is proposed to be further 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.

Item #159 (1978-1979)
Property Owner: Harry L. Russell, et al
Page 2
February 22, 1979

Water and Sanitary Sewer:

There is a public 8-inch water main and 8-inch public sanitary sewerage in Hillside Drive.

This property is tributary to the Dead Run - Gwynns Falls Sanitary Sewer system, subject to State Health Department regulations.

Very truly yours,

William H. Diver, P.E.
ELLAWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FW:rss

cc: J. Somers

L-SE Key Sheet
7 and 8 NW 20 and 21 Pcs. Sheets
NW 2 F Topo
88 Tax Map

JUN 15 1979

March 28, 1979

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

Dear Mr. DiNenna:

Comments on Item #159, Zoning Advisory Committee Meeting of
February 6, 1979, are as follows:

Property Owner: Harry L. Russell, et al
Location: E/S Hillside Rd. 150' N Dogwood Rd.
Existing Zoning: D.A. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu
of the required 55' for lots 7, 8 and 9 & 10,
a side setback of 8' in lieu of the required
10' for lots 9 & 10 and a front setback of 20'
in lieu of the average 21.7' for lots 7 & 8.
Acres: 0.34 (2.14)
District: 1st

Metropolitan water and sewer are available.

Very truly yours,
Jan J. Forrest
Jan J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/JRP/rlh

Paul H. Reische
CHIEF

February 8, 1979

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Harry L. Russell, et al

Location: E/S Hillside Rd. 150' N Dogwood Rd.

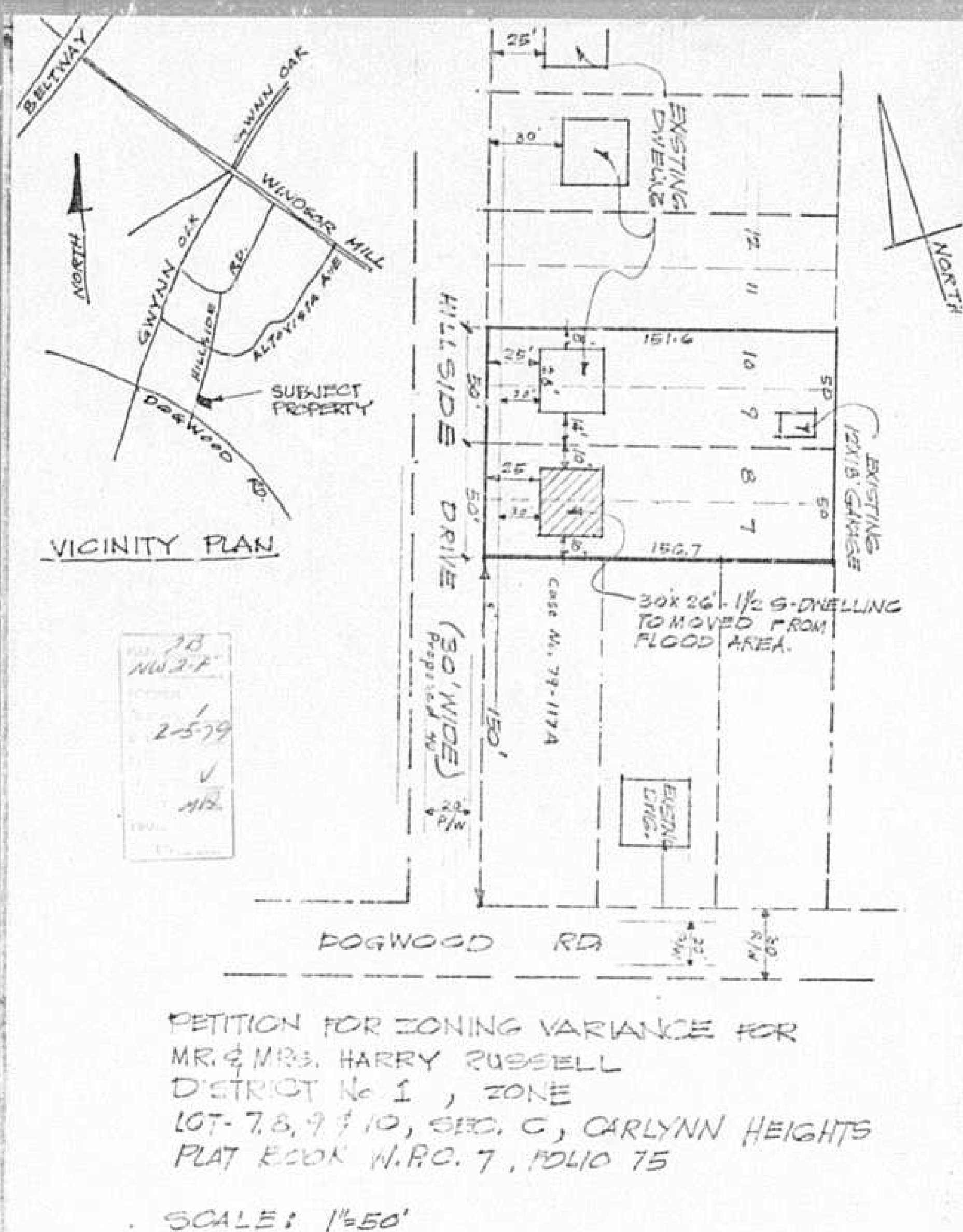
Item No. 159 Zoning Agenda Meeting of 2/6/79

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' 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 Pro-
tection 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.

Reviewed by *John J. Forrest* 2/8/79 Noted and Approved: *Leanne M. McLeod*
Planning Group Fire Prevention Bureau
Special Inspection Division



PETITION FOR VARIANCES
1st DISTRICT
ZONING: Petition for Variance
LOCATION: East side of Hillside
Drive 150 feet North of Dogwood
Road
DATE & TIME: Monday, April 23,
1979 at 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning/Deputy Zoning Com-
missioner of Baltimore County, by
authority of the Zoning Act and
Regulations of Baltimore County,
will hold a public hearing:
Petition for Variance to permit a
lot width of 50 feet in lieu of the
required 55 feet for Lot Nos. 7, 8,
9, and 10, a side yard setback of 8
feet in Lot Nos. 7 & 8, and a side
setback to the center line of Hill-
side Drive of 40 feet in lieu of the
average of 21.7 feet for Lot Nos. 7
and 8.
The Zoning Regulations to be ex-
cepted are as follows:
Section 1803.5.1 - Minimum lot
width
Section 201.1 - front yard setback
All that portion of land in the
First District of Baltimore County,
Baltimore, Md., a point on the East
side of Hillside Drive 150' North of
Dogwood Road and known as lots 7,
8, 9, and 10 in section C of Carlynn
Heights, and all recorded zoning
rights and interests in said lots,
being the property of Harry L.
Russell, et al, as shown on plat
filed with the Zoning Depart-
ment.
Hearing Date: Monday, April 23,
1979 at 10:00 A.M.
Public Hearing: Room 106, Coun-
ty Office Building, 111 W. Ches-
apeake Avenue, Towson, Md. 21204.
By Order of:
S. ERIC DINENNA,
Zoning Commissioner
of Baltimore County
Apr. 5

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 5, 1979

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 _____
day of _____, 1979, the first publication
appearing on the _____ day of April,
1979.

THE JEFFERSONIAN,

S. Leanne Shuster
Manager

Cost of Advertisement, \$ _____

PETITION FOR VARIANCES
1st DISTRICT
ZONING: Petition for Variance
LOCATION: East side of Hillside
Drive 150 feet North of Dogwood
Road
DATE & TIME: Monday, April 23,
1979 at 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning/Deputy Zoning Com-
missioner of Baltimore County, by
authority of the Zoning Act and
Regulations of Baltimore County,
will hold a public hearing:
Petition for Variance to permit a
lot width of 50 feet in lieu of the
required 55 feet for Lot Nos. 7, 8,
9, and 10, a side yard setback of 8
feet in Lot Nos. 7 & 8, and a side
setback to the center line of Hill-
side Drive of 40 feet in lieu of the
average of 21.7 feet for Lot Nos. 7
and 8.
The Zoning Regulations to be ex-
cepted are as follows:
Section 1803.5.1 - Minimum lot
width
Section 201.1 - front yard set-
back
All that portion of land in the First
District of Baltimore County,
Baltimore, Md., a point on the East
side of Hillside Drive 150' North of
Dogwood Road and known as lots
7, 8, 9, and 10 in section C of Car-
lynn Heights, and all recorded zoning
rights and interests in said lots,
being the property of Harry L.
Russell, et al, as shown on plat
filed with the Zoning Depart-
ment.
Hearing Date: Monday, April 23,
1979 at 10:00 A.M.
Public Hearing: Room 106, Coun-
ty Office Building, 111 W. Ches-
apeake Avenue, Towson, Md. 21204.
By Order of:
S. ERIC DINENNA,
Zoning Commissioner
of Baltimore County
Apr. 5

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 April 5 1979

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCES - Harry L. Russell, et al
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
6th day of April 1979, that is to say, the same
was inserted in the issues of April 5, 1979

STROMBERG PUBLICATIONS, INC.

Esther Burger

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 17 day of
Jan 1979. Filing Fee \$ 2.00 Received ☒ Check
☒ Cash
☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Russell & Ruskey* Submitted by *Ruskey*

Petitioner's Attorney _____ Reviewed by *ERS*

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

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting APRIL 7, 1979
Posted for: PETITION FOR VARIANCES
Petitioner: HARRY L. RUSSELL
Location of property: E/S Hillside DR. 150' N of Dogwood Rd.
Location of Sign: E/S Hillside DR. 150' N of Dogwood Rd.
Remarks: *Thomas R. Moland*
Posted by *Thomas R. Moland* Date of return APRIL 11, 1979
Signature

1-SIGN

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78636
DATE April 23, 1979 ACCOUNT 01-662
AMOUNT \$12.94
RECEIVED FROM Harry L. Russell
FOR Cost of Advertising and Posting, Case No. 79-231-A
VALIDATION OR SIGNATURE OF CASHIER
4.54

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76432
DATE 1-12-79 ACCOUNT 01-661
AMOUNT 25.00
RECEIVED FROM *John Ruskey*
FOR Zoning Variance
1517 Hillside Drive
Baltimore 21207
4.54
VALIDATION OR SIGNATURE OF CASHIER
25.00