## PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

following reasons: (indicate hardship or practical difficulty)

I, or we, Helen K. Harden \_\_\_\_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 1802. 3. C. 1 to permit a side storest setback of 5' from Ruby Ave. A (unimproved) and a front setback of 15' from Handy Ave. best in liew of the required and Section 1B61. 2. C. 3 to permit setbacks of 35' and 40' from centerlines of these roads in liew of the required 50'.

Lot 118, Douglas Park, is a corner lot situated in such a manner as to restrict the footage of the front and side of the lot for construction. The front measures 60' and the front side line travels from 152.73' on an angle of just 30' in the rear

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the

slicing off the required 25' footage as it travels to the rear. The setback of the above requested footage would hopefully

allow for construction.

.....M.

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 Balimore County adopted pursuant to the Zoning Law For Baltimore County.

		Weller K Harden
		JULIA DIVERGE
	Contract purchaser	Legal Cwner
Address		Address 13/6/2 Batelowt
		Batte, mol 2 1216.
	Petitioner's Attorney	Protestant's Attorney
Address		

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_day of April 197 9, that the subject matter of this petition be advertised, as required by the Zening 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 108, County Office Building in Towson, Baltimore 

Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES SE corner of Handy Ave. & Ruby Ave.

. BEFORE THE ZONING COMMISSIONER

ist Election District

OF BALTIMORE COUNTY

HELEN K. HARDEN, Petitioner Case No. 79-243-A

1171111

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.

Pater Max Zimmerman Deputy People's Counse!

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

I HEREBY CERTIFY that on this 31st day of May, 1979, a copy of the aforegoing Order was mailed to Helen K. Harden, 1310 Bentalou Street, Baltimore, Maryland 21215, Petitioner.

John W. Hessian, III

DALTIMORE COUNTY OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZON TOWSON MARYLAND 21204

> WILLIAM E. HAMMIND ZONING COMMISSIONER

June 27, 1979

Ms. Helen K. Harden 1310 North Bentalou Street Baltimore, Maryland 21216

> RE: Petition for Variances SE/corner of Handy and Ruby Avenues - 1st Election District Helen K. Harden - Petitioner NO. 79-243-A (Item No. 56)

Dear Mr. Harden:

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

Very truly yours.

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachment

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

DESCRIPTION FOR VARIANCE FOR HELEN K. HARDEN

Located on the southeast corner of Handy Avenue and Puby Avenue (unimproved) and known as lot #118 as shown on Plat of Douglas Park, which is recorded in Land Records of Baltimore County in Liber 7 felio 170.

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond Zoning Commissioner Norman E. Gerber, Acting Director FROM Office of Planning and Zoning

June 4, 1979

SUBJECT Patition #79-243-A. Item No. 56

Southeast corner of Handy Ave. & Ruby Ave. Petition for Variance: for side, front and center line setbacks Petitioner - Helen K. Harden

1st District

HEARING: Monday, June 18, 1979 (10:00 A.M.)

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

Office of Planning and Zoning

NEG: JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Ms. Helen K. Harden 1310 North Bentalou Street Baltimore, Maryland 21216

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 5th day of April 5:1979.

S. ERIC DI NENNA Zoning Commissioner

Petitloner Helen K. Harden Petitioner's Attorney

Nicholas B. Commodari

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your petition does not meet the Zoning Commissioner's requirements for filing, as per attached.

S. ERIC DINENNA, Zoning Commissioner

Owner(s) Name: Helen K. Harden Reviewed by: Nicholas B. Commodari

Ms. Halon K. Harden 1310 North Bentalou Street Baltimore, Maryland 21215 BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Towson, Haryland 21204

Nicholas B. Comsoderi Ms. Helen K. Harden Chairman 1310 North Bentalou Street

Baltimore, Maryland 21216 Turesu of Department of Traffic Engineering State Boads Commission

Bureau of Tire Prevention Health Department Project Planning Building Department Board of Houcation toning Administration industrial

Developme\_t

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave.

June 4, 1979

RE: Item No. 56 Petitioner - Harden Variance Petition

Dear Ms. Harden:

In accordance with our meeting on the above referenced matter, the Petition forms have been revised to accurately reflect your proposed request. Enclosed are all congnents 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,

Mich & Connoller NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

NBC:nr

Enclosures

Pursuant to the advertisement, posting of property, and public , aring 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 appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variances to permit a side yard setback of 5 feet from Ruky Ayenue (unimproyed) in lieu of the required 25 feet, a front yard setback of 15 feet from Handy Avenue in lieu of the required average of 37 feet, and setbacks of 25 feet and 40 feet from the center lines of Ruby and Handy Avenues, respectively, in lieu of the required 50 feet should be granted. IT IS ORDERED by the Coning Commissioner of Baltimore County, this \_\_\_\_\_2746 day of \_\_\_\_\_\_ June \_\_\_\_, 197 .2, that the herein Petition for the aforementioned Variance(e) should be and the same is/ars GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works Zoning Commissioner of Baltimore County 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 Foning Commissioner of Baltimore County, this \_\_\_\_\_day is/are hereby DEMIED. Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE SLDG. 111 M. Chesspeake Ave. Towson, Maryland 21204

Nicholas B. Cosmodari Chairm.n

MEMBERS

Bureau of

Engineering

Bureau of

Industrial

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Department of

Traffic Engineering

State Sonds Commission

Ms. Helen K. Harden 1310 North Bentalou Street Baltimore, Maryland 21216

> RE: Item No. 56 Petitioner - Harden Variance Petition

November 30, 1978

Dear Ms. Harden:

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.

As indicated in our previous telephone conversation, I was awaiting the comments of the Bureau of Engineering prior to the scheduling of a hearing date. As indicated in these comments, Ruby Avenue is proposed to be improved in the future with a 50' right-of-way. In order to assure that the petition is advertised correctly, I request that you schedule a meeting with me at your convenience. You may contact me at 494-3391.

Very truly yours,

1/1/0/0 NICHOLAS B. COMMODARI Chairman

NBC/ef

Zoning Plans Advisory Committee

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. A drainage and utility easement is required through this site. There is a stream traversing northeasterly through this property. Storm drains, which will be required in connection with any development of this property, are to be designed and constructed in accordance with Baltimore County Standards and Specifications.

November 28, 1978

Property Owner: Helen K. Harden

5/E cor. Handy Ave. and Ruby Ave.

Acres: 0.1722 District: 1st

The following comments are furnished in regard to the plat submitted to this office

Ruby and Handy Avenues, shown on the Plat of Douglas Park (W.P.C. 7, Polis 170)

Highway rights-of-way widenings, including a fillet area for sight distance at the

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

are proposed to be improved in the future as public roads with 30-foot closed section

incersection and any necessary revertible casements for slopes, will be required in

Proposed Zoning: Variance to permit a side setback of 9'

from Ruby Ave. and a front setback of 20' from Handy Ave.

centerlines of 21.5' and 40' in lieu of the : equired 50'.

in lieu of the required 25' and to permit setbacks from the

Existing Zoning: D.R. 5.5

Re: .tem 456 (1978-1979)

for review by the Zoning Advisory Committee in connection with the subject item.

roadways on 40 and 50-foot rights-of-way, respectively.

connection with any grading or building permit application.

"Item #56 (1978-1979) Property Owner: Melen K. Hardan November 28, 1978

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any misances 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.

## Water and Sanitary Sewer:

There is a public 8-inch water main in Handy Avenue, and public 8-inch sanitary sewerage in Handy and Puby Avenues. There is a fire hydrant located approximately 600 feet southerly, at Handy Avenue and Pearl Road (Drawing #57-0540, File 3).

Very truly yours,

Edwarf I Dur / cotte Chief, Bureau of Engineering

END: EAM: PWR: SB

cc: J. Somern J. Tremer D. Grise

W. Munchal

H-NE Key Sheet 4 SW 25 Pos. Sheet EW 1 G Topo 94 Tay Hap

department of traffic engineering TOWSON, MARYLAND 21204 13011 494-3550 STEPHEN E. COLLINS DIRECTOR

October 20, 1978

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

> Item No. 56 Property Owner: Location:

- ZAC - September 19, 1978 Helen K. Harden S/E C Handy Avenue & Ruby Ave. D. R. 5.5 Existing Zoning: Variance to permit a side street setback of 9' from Proposed Zoning: Ruby Ave. and a front setback of 20' from Handy Ave.

in lieu of the required 25' and to permit setbacks from the centerlines of 21.5' and 40' in lieu of the required 50'. Acres: 0.1722

District:

Dear Mr. DiNenna: No traffic problems are anticipated by the requested

variances to the side street and side setbacks.

Very truly yours, Michael S .Flanigan Engineer Associate II

MSF/bza

pattimore county department of permits and licenses TOWSON, MARYCAND 21394 JOHN D. SEYFFERT September 25, 1978 DIRECTOR , Zoning Commissioner an' Zoning Office. 21204 County 4 TOWNER, I. Comments on Item #56 Zoning Advisory Committee Meeting, September 19, 1978 are as follows: Property Owner: Helen K. Harden Location: S/E/C Hardy Ave. & Ruby Ave. Proposed Zoning: Variance to permit a side street setback of 9' from Ruby Ave. and a front setback of 20' from Handy Ave. in lieu of the required 25' and to permit setbacks from the centerlines of 21.5' and 40' in lieu of the required 50'.

The items checked below are applicable:

1nt

District:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.

X B. A building permit shall be require' before construction can begin.

C. Additional \_\_\_\_\_\_Fermits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

X E. Three sets of construction drawings will be required to file an application for a building permit. P. 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.

G. Wood frame walls are not permitted within 3' " of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

E. Requested setback variance conflicts with the Daltimore County Building Code. See Section

I. No Comment.

J. Comment:

CED: rr.

Fians Review Chief



TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.

Mr. S. Eric DiNanna Zoning Commissioner

Dear Mr. DiMenna:

Sediment Control:

Storm Drains:

the stripping of top soil.

Highways:

County Office Building

Towson, Maryland 21204

LESUE H. GRAEF DIRECTOR

October 24, 1978

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

Dear Mr. D Nenna

Comments on Item #56, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Property Owner: Helen K. Harden Location SE/C Handy Avenue and Ruby Avenue Existing Zoning: D.R.5.5 Proposed Zoning Variance to permit a side street setback of 9' from Ruby Avenue and a front setback of 20' from Handy Ave. in lieu of the required 25' and to permit setbacks from the center lines of 21.5' and 40' in lieu of the required 50'.

Acres: 0.1722 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,

Current Planning and Development

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 20, 1978

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 2:204

Z.A.C. Meeting of: September 19, 1978

RE: Item No: 56

Property Owner: Helen K. Harden Location: SE/C Handy Ave. & Ruby Ave. Present Zoning: D.R. 5.5

Proposed Zoning: Variance to permit a side street setback of 9' from Ruby Ave. and a front setback of 20° from Handy Ave. in lieu of the required 25' and to permit setbacks from the certerlines of 21.5' and 40' in lieu of the required 50'.

District: 1st No. Acres: 0.1722

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours. W. Nick Petrovich.

WNP/bp

JOSEPH N. MCGGWING AVENUENT THOMAS H. DOTEM T. BAYARD WILLIAMS, JR., DISCOURSEMENT MAS COMBAINS F. CHIRCUS MARCUS M. MOTELRIS

Field Representative

MRS. BILTON B. CMITH. JR. RICHARD W. TRACKY DIVIN

ALVIN LORECK

TORES B. HATDEN

SCHORY & DUCKE SUPPRISHESIES

Paul H. Reincke

October 20, 1978

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

Attention: N. Commodari, Chairman Zoning Ad\_vsory Committee

Re: Property Owner: Helen K. Harden

Location: SE/C Handy Ave. & Ruby Ave.

Item No. 56

Gentlemen:

Zoning Agenda Meeting of 9/19/78

( ) 1. Fire hyurants 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.

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

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

to be corrected or incorporated into the final plans for the property.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

( ) h. 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.

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

RECEIVED Helen K. Harden

388768 7 25

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

PECEIVED Helen K. Harden

682 4 9EUN 15

DATE June 15, 1979 ACCOUNT 01-662

DATE May 25, 1979 CCOUNT 01-652

Filing Fee for Case No. 79-243-A

AMOUNT \$25.00

VALIDATION OR SIGNATURE OF CASHIER

AMOUNT \$26.00

Cost of Advertising and Posting Case No. 79-243-A

VALIDATION OR SIGNATURE OF CASHIER

25.000

26.00 MSC

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

Special Inspection Division

Fire Prevention Bureau

Moted and Xeorge M Meson

No. 75674

battimore county department of health DWSON, MARYLAND 21204

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

October 10, 1978

Mr. S. Kric DiMenna, Zoning Commissioner Office of Flanning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on #56, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Existing Zoning: D.R. 5.5

Property Owner: Helen K. Harden SE/C Handy Ave. & Ruby Ave.

Proposed Zoning: Variance to permit a side street setback of 9. from Ruby Ave. and a front setback of 20. from Handy Ave. in lieu of the required 25° and to permit sethanks from the centerlines of 21.5 and 40 in lieu of the required 50.

Acres: District:

Metropolitan water and sewer exist. Therefore, no health hazards are anticipated.

0.1722

lst

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THORJW/fths

AIC BLC	PREDERICK
	RUBY AVE. (25'WIDE)
162	2 (2) (50' ) (3)
161	TANDY / YE WILE IN THE STATE OF
	HAN SE
	TION FOR ZONING VARIANCE FOR

TOM HER MENT

SCALE: 1'=40'

PETITION	MAPPING			PROGRESS SHEET						
PUNAMION	Viall Map		Original		Duplicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	by	date	by	dote	by
Descriptions checked and outline plotted on map					9.N	лÞ				
Petition number added to outline										
Deried										
Granted by ZC, BA, CC, GA										
Reviewed by:	_				ed Pla ge in ou	-5.U0=2700	or des	cripti	on	Yes

Previous case:

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received \* this / / day of 197/. Filing Fee \$\_\_\_\_. Received

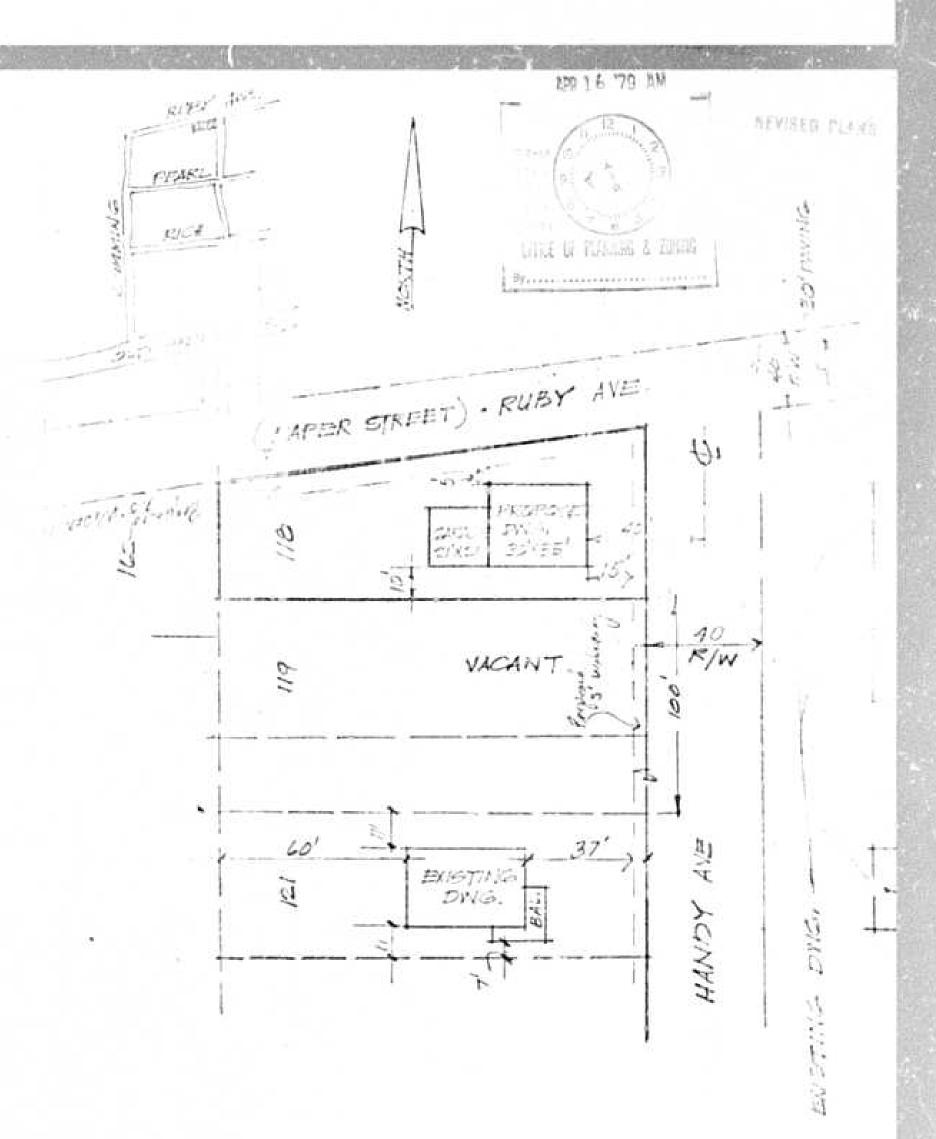
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Map # Jul-G

\_\_\_Cash Zoning Commissioner

\* This is not to be interpreted as acceptance of the Petition for

assignment of a hearing date.



PETITION FOR TONING VARIANCE FOR HELEN IN HARDEN

THAT BLEST DISTRICT TOHE 1251 55

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 141	Date of Posting Juice 2 /979
Posted for Petition For VI	PRIANCES
Petitioner: HELEN K. HARDE	N
Location of property: SE/CORNER H	LANDY AVE & FLURY AVE.
Location of Signs SE/COR. HANDY	Ave. & Ruby Ave.
Remarks:	
Posted by Curcum S. Milas	of Date of return Tone 8, 1979
1-	SiGN

PETITION FO. VARIANCES CERTIFICATE OF PUBLICATION

ZGNING: Petition for Variance for side, front and senter line set-backs

LOCATION: Southeast corner of Handy Avenue and Ruby Avenue DATS at 12'00 A.M.

PUBLIC HEARING: Room 106. County Office Building, 111 W. Chesapeake Avenue, Yowson, Maryland The Zoning Commissioner or Bal-timore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard sethant of 5 feet from Ruby Avenue (Unimproved) in lieu of the required 25 fast, a front yard setback of 15 feet from Handy Avesue in these of the required average of 57 feet, an daethacke of 35 feet and 40 feet from the cents: three of these roads in lies of the required 50 feet The Enting Regulations to be ex-cepted as follows: Section 1900.3.C.1 (303.1)—side and front yard setback Section 1801.2.C.3 — setback from conter line of street All that parcel of land to the Pirot District of Baltimore County
Lucated on the mutheast corner
of Handy Avenue and Ruby Avenue unimpowed) and known as lot 118 as shown on Plat of Douglas Park, which is recorded in Land Records of Baltimore County in Liber 7 folio Being the property of Belen K. with the Zoring Department.

Hearing Date: Menday, June 18, 1979 at 10:00 A.M.

Public Busing: Room 106, County Office Building, 111 W. Chempenks Avenue, Towson, Maryland.

By Order Of

WILLIAM E. HAMMOND,

Eoning Commissioner of Baltimore County

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oggq de cach ack one time spocestrops before the 18th day of \_\_\_\_\_\_\_ Juna \_\_\_\_\_\_\_ 19.79 , the face publication 

Cost of Advertisement, 3