PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Kenneth L. Dickey and I, or we, Helen Dickeylegal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereo!,

hereby petition for a Variance from Section 400.1 to permit a carport to be located

in the front yard in lieu of the required rear yard; and to allow said carport to be located 8" from the side property line in lieu of the required 21'.

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

Water rises to within 10' maximum of foundation. County refuses to maintain storm drain adequately. 36" chain fence under water during flooding.
Narrow property space between house and fence. 25 year car pad. 7'x7' greenhouse to be demolished. Too expensive to replace all concrete. Contractor did not advise of sloping yard at time of sale.

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 Ballipore County adopted pursuant to the Zening Law For Baltimore County.

Contract purchaser Petitioner's Attorney

Address 1704 (Durnham Rd

Dalto md 21222 Protestant's Attorney

CEDON

DSTUCT (E)

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 27th day of Seriember

. A . . . M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond TO Zoning Commissioner John D. Seyffert, Director

September 17, 1979

FROM Office of Planning and Zoning

Petition 80-95A. Item 32 Fetition for Varience for a Carport East side of Burnham Road, 132 feet North of Kirkland Street Petitioner - Konneth L. Dickey, et ux

15th District

HEARING: Thursday, Septembe. 27, 1979 (9:45 A.M.)

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

Office of Planning and Zoning

JDS:JGH:rw

RE: PETITION FOR VARIANCES E/S of Burnham Rd., 132'

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

KENNETH L. DICKEY, et ux, Petitioners

N of Kirkland St., 15th District

: Case No. 80-95-A

ORDER TO ENTER APPEARANCE

111111

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

I HEREBY CERTIFY that on this 11th day of September, 1979, a copy of the aforegoing Order was moiled to Mr. and Mrs. Kenneth L. Dickey, 1704 Burnham Road, Baltimore, Maryland 21222, Petitioners.

John W. Hessian, III



SPECIAM E HAMMEN ZONEG GUMMELON.

October 15, 1979

Mr. & Mrs. Kenneth L. Dickey 1704 Burnham Road Baltimore, Maryland 2122.

> RE: Petition for Variances E/S of Burnham Road, 132! N of Kirkland Street - 15th Election Kenneth L. Dickey, et ux -Petitioners NO. 80-95-A (Item No. 32)

Dear Mr. b Mrs. Dickey:

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

Attachments

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Kenneth L. Dickey 1704 Burnham Road Baltimore, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building

111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been recoived and accepted for filing this 14th of August ____, 1979 .

> WILLIAM E. HAMMOND Zoning Commissioner

Petitioner Kenneth L. Dickey, et ux

Petitioner's Attorney

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

Description for Zoning Variance

for Mr. & Mr., Kenneth L. Dickey

in Liber 18, Folio 18. Also known as 1704 Burnham Road.

Located on the east side of Burnham Road approximately 132 feet north of Kirkland Street and known as lot #23 as shown on the Plat of Edgepoint, which is recorded in the land records of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON MARYLAND 21204

THORNTON M. MOURING DIRECTOR

September 18, 1979

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #32 (1979-1930) Property Owner: Konneth L. & Helen Dickey E/S Burnham Rd. 132' N. Kirkland St. Existing Zoning: DR 5.5 Proposed Zoning: Variance to permit a carport in the front yard in lieu of the required rear yard and to permit the carport to be located 8" from the property line in lieu of the required 2.5'. Acres: 0.197 District: 15th

Dear Mr. Hammond:

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.

Baltimore County highway and utility improvements are not directly involved.

However, the easterly portion of this property is below elevation 10, Baltimore County Datum, subject to tidal flooding by Schoolhouse Cove. Purther, an erclosed Baltimore County storm drainage system is proposed through the rear of this and other properties along the Westerly side of North Point Boulevard, (See Brawing 74-0174, File 4; Job Orders 4-2-369 and 4-2-674).

A drainage and utility easement, 15 feet wide together with a temporary construction strip 10 feet wide will be required within this Lot 23, Block F, Plat of "Edgeroint", recorded G.L.B. 18, Polic 18; all as shown on Baltimore County Bureau of Land Acquisition Plat RW 74-072-3. Further information may be obtained from the Baltimore County Bureau of Engineering, Storm Drain Design and Approval Section.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 32 (1979-1980).

> Very truly yours, Chief, Bureau of Engineering

ENL: EAM: FWR: SS cc: D. Grise, J. Somers

E-SW Key Sheet, 14 SE 29 Pos. She t

SE 4 H Topo, 104 Tax Map

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(3), 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,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of October . 19 79, that the herein Petition for Variation to locate an open carport of a noncombustible material in the front yard in lieu of the required rear yard and a side yard setback of eight inches in lieu of the required two and one half feet 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 Flanning 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 _____ day of _____, 19___, that the herein Petition for the Variance(s) to permit

> ----------Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 18, 1979

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

MICHBERS

Department of Traffic Engineering

Bureau of Fire Provention

Bootth Department

Project Planning

Building Department

Board of Education

Industrial

Development:

Soning Administration

State Roads Commission

Burns of

Nicholas B. Commodari Chairman

Mr. & Mrs. Kenneth L. Dickey 1704 Burnham Road Baltimore, Maryland 21222

> RE: Item No. 32 Petitioners - Kenneth L. Dickey, at Jx Variance Petition

Dear Mr. & Mrs. Dickey:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appriateness 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 hearing 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 Variance Hearing originates as a result of the construction of a carport in the front yard and within eight inches of the side property line in lied of the required two and one-half feet. In accordance with the comments from the Department of Permits and Licenses, no construction is permitted within three feet of the property line unless the structure is of a noncombustible material. In order to determine if this is the case, you should contact Mr. Charles Burnham, 494-3957. to discuss this matter.

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

Item No. 32 Page 2 September 18, 1979

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,

ACMModelan NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:nr

Enclosures



September 17, 1979

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #32, Zoning Advisory Committee Meeting, August 14, 1979, are as follows:

Property Owner: Kenneth Land Helen Dickey Location: E/S Burnham Rd. 132' N. Kirkland St. Existing Zoning: D.R. 5.5

Proposed Zoning: Variance to permit a carport in the front yard in lieu of the required rear yard and to permit the carport to be located 8" from the property line in lieu of the required 2.5'.

Acres 0.197 District: 15th

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

baltimore count, department of permits and licenses TOWSON, MARYLAND 21264 Ted Zaleski XXXXXXXXXXXXXX

August 14, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Flarming and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammonds

Comments on Item # 3º Zoning Advisory Committee Meeting, August 14, 1979 are as follows:

Property Owner: Kenneth L & Helen Dickey
Location: E/S Burnham Road 132' N. Kirkland St.
Existing Zoning: D.E. 5.5

Proposed Zoning: Variance to permit a carport in the front yard in lieu of the required rear yard and to permit the carport to be located 5" from the property line in lieu of the required 2.5'. 0.197

District: 15th

The items checked below are applicable:

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

XB. A ruilding permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

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

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

F. Three sats of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

XC. 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. Contact Plans Heview - 494-3987

XH. Requested setback variance conflicts with the Baltimore County Building Code. See Section 305, 1

I. No Comment.

XJ. Comment: No work shall be done until a permit has been applied for and received. NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Flanning and Zoning and are not to be construed as the full extent of any permit.

> Very truly yours. Charles E. Burnham, Chief Plans Review



Paul H. Reincke

August 28, 1979

William E. Hammond Office of Planning and Zoring Baltimora County Office Exilding Touson, Haryland 21204

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Orner: Kenneth L. & Helen Dickey

Location: E/S Burnham Rd. 132' N kirkland St.

Zoning Agenda Meeting of 8/14/79 Ytom .io. 32

Gortlement

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 'lorks.

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

() 3. The vehicle dead end condition shown at _____ WICHEDS the maximum allowed by the Piro 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 Matienel Piro Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 5. Site plans are approved as drawn.

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

Planning Group Special Inspection Division

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 8, 1979

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

Z.A.C. Meeting of: August 14, 1979

RE: Item No: 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

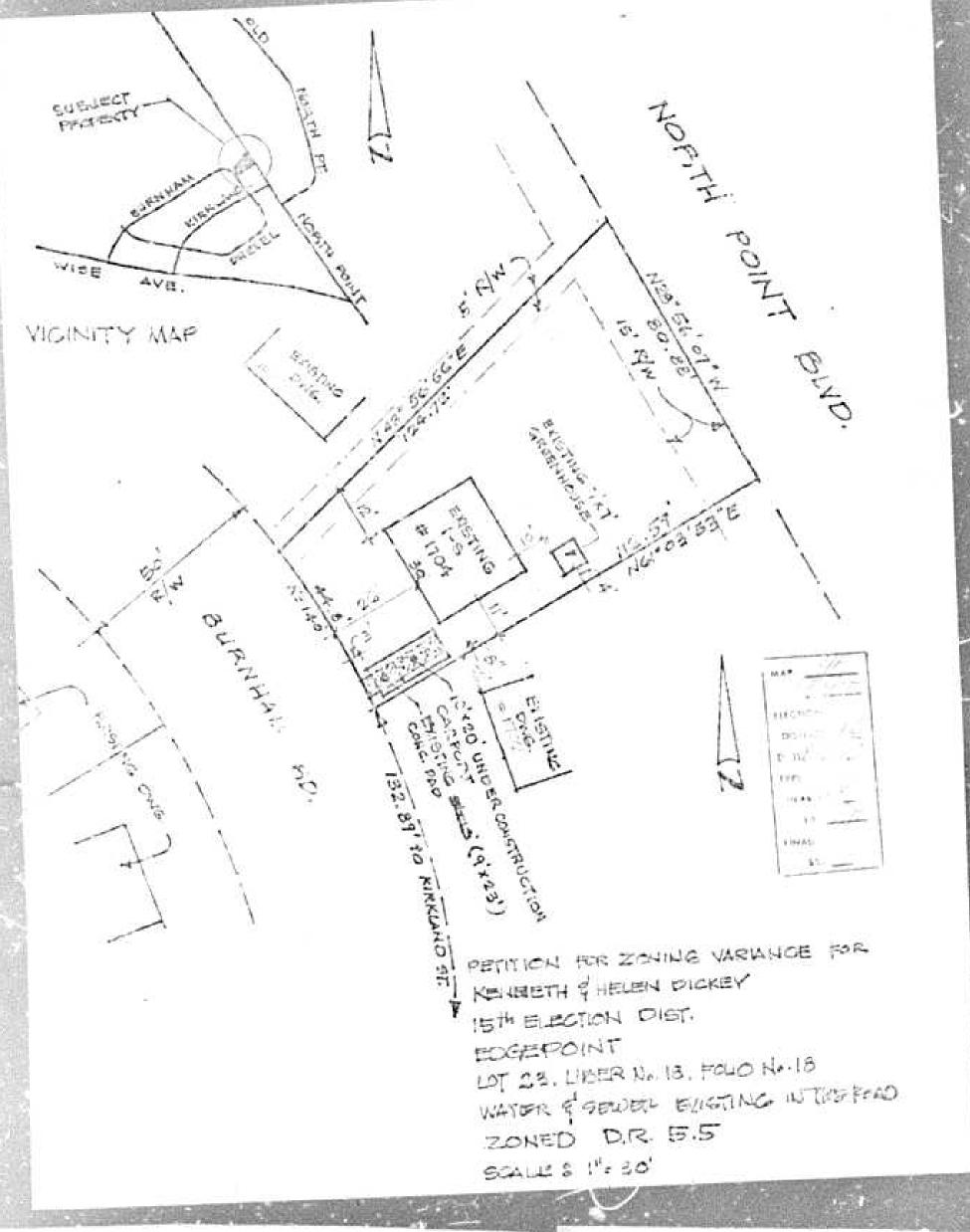
Very truly yours,

K. Sick Petrovic . Field Representative

ACREAT TO BUREL RECEIPMENTS ..

JOBETH N. M. GOWAN, PHIBIDAY. THOMAS H. BOYKE T. BAYAND WALLAMS, 28. NOR-PRODUCTION MAS. LONGAINE F. CHIRCUS MANGUE M. BOTGAL'S

ALVIM LONECK MIRE MILTON R. THITTIE JR. RICHARD W. THACEY, E.V.M.



ONING: Pettion for Variance No. a Carport
LOCATION: East side or
Burnham Road: 132 feet Norm of
Kirkland Street
DATE & TIME, Thursday, Sep-PUBLIC HEARING ROUT IN County Office Building, 111 W. Chesepieke Averiue, Towns, Mar-The Zoning Commissioner of Battimore County, by authority of the Zaning Act and Regulations of lateriors County, will hold a pubhe hearing Petition for Variance to permit a carport to be located in the Iro." pard in lies of the required rear yard; and to allow said carport to he located 8 inches from the side property line in lieu of the complex The Zoning Remulation to be ex-Section 400.1 - Accessory buildings in ... ridence zones All that partiel of land in the lifeenth Disurct of Battimon Located on the east side of Durnham Road approximately 132 feet north of Kirkland Street and known as lot No. 23 as shown o the Plat of Edgepoint, which is no conded in the land records of Balti nore County in Liber 18, Forb 18 Also william as 1704 Burnham Being the property of Kennein L Dickey, at us, as shown on plut plan filed with the Zerzing Depart-Hearing Date: Thursday, Sep. beimd- 27, 1979 at \$45 A M. Public Hearing Room 10 county Office Building, 11 W. BY ORDER OF

WILLIAM E HAMMOND ZONING COMMISSIONER OF BALTIMONE COUNTY OFFICE OF

THE LIMITES

NEWSPAPERS

TOWSON MD. 21204 September 6 197

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Kenneth L. Dickey, et ux was inscreed in the following:

Catonsville Times

Kl Essex Times

Towson Times

☐ Arbutus Times
☐ Community Times

weekly newspapers published in Baltimore, County, Maryland, once a week for _____one _____successive weeks before the 7th __day of ___September _____19_79, that is to say, the same was inserted in the issues of Septembe: 6. 1979.

STROMBERG PUBLICATIONS, INC.

BY Exite Briger

DATE	July 13, 1979 ACCOUNT	#01-662
	AMCUNT_\$25	.00
HECRIVED	Mr. & Mrs. Kennath L. Dick	6 7
FOR	Filing Fee for Same Varian	

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

DATE September 19, 1979. ACCOUNT: D1-662

AMOUNT: \$1.19

MECCEIVED
FROM: K.K. Dickey
FOR: Advertising and Posting for Case No. 30-95-A

VALIDATION OR BIGNATURE OF CASHIER

9	CERTIFICATE OF POSTING
CONING	DEPARTMENT OF BALTIMORE COUNTY
	Towson, Maryland

te of Posting. U.S. 1.79
4.56
But be hackland
Burnham (d.)
eturn: 1/14/79

July 30, 1979 Helen De Kry 1704 Burn ham Rd. Dundalk, Gnd. 21222

Com. Trick Carnella Es Baltimore County Office of Planning & Zoning Towson, Cond. 21204

com. Carvella,

We saw you and talked to

you at Towson, you are the only

person I know out there to write

to. We will be Calling you to

morrow as you ask. I wish you

whe receiving this letter before

the phone Call but, you won to

Olill you turn this letter over

to the righting you think it will

help our Care. I person

Sir, we did not mean to brake

any law by putting up a car port.

We should not have listered to

other people. If you sine us, then

that the way it will have to be.

But please Sir, if no one peoteds

the Car-port being in the

 \mathcal{I}

front yard can me have it there? Its a nice looking car-port and will improve on the looks of our house. (It's not junk 5in) We have waited 27 years for a mice looking Car and Car-post. The Car- port will protect out car from true sap and birds. We Can also sit undu it because we have no money for a porch. We have had lots of seikness in the samily. my thusband was just out of the hospital when Ine Came to Towers. Sir, the Car-post is only 8" from the Jane. belongs to us and our neighbor. Our neighbor is a man who is, sey rearly home. We took picture of the car port and its real nice. Sir, we have no room to go in our back yard with a car. Besides, we flave an open drain belonging to the County out back and you could wake up one morning and Jind your car

111

under 3'es, water. Sir, you would not take a Chance on your own car, would you? We are getting old more and mud a place to sit out side, we are both pass 50 years ald. Jin, I am not ashamed, this is a John Jor our Car-port. at one time Sin, we had a heautiful yard. People use to stup, get out of their cars and look. But in a year, or a little more, we have had our yard robbed 8 times. We had beautiful flowers and trees in posts and lats of pretty Cement statues. Sir, They are all stolen. Com. But if we can have the carport, no one can stead that from us. Friends and neighbora hulped with the Car-port he -Cause they knew my husband was in the hospital. We are

very quatful to them. Thanks

V

read my letter and hear my
plea In a Car-port.

Comy husband does not know
I'm making a plea In the
Car-port hut, I don't think
he will be angry with me,
I pray not.

Jod-Blus

Comy husband is:

Comy husband is:

Comy. Kenneth Dickey

P.S. Carrella, when you go to Church, pray we can keep our carport. Thanks. EONING: Petition for Variance for a Carpert
LOCATION: East side of Burnham
Road, 192 feet North of Kirhland
Street

DATE & TIME: Sharvin, September 37, 1979 at 9:45 A.M.

PUBLIC HEARING: Room 164,
County Office Builfing, 111 W.
Scampeake Avenue, Towson,
Maryland.

The Zoning Communicationer of Baltimore County, by authority of the
Zoning Act and Segulations of Baltimore County, will hold a public
bearing:
Fetition for Variance to permi, a
carport to be located in the front
yar' in lieu of the required rear
yar's and to allow and export to
be located 5 inches from the side
property line in lieu of the required

feet
The Zoning Regulation to be excepted as follows:
All that parcel of land in the FilAll that parcel of land in the Filteenth District of Saltimore County
to stoll — Accessory buildings
a lit size as shown of the Plat of
as let size as shown of the Plat of
as let size as shown of the Plat of
as let size as shown of the Plat of
Edgepoint, which is recorded in the
land records of Baltimore County in
Liber 15, Folio 18, Also brown as
1704 Furnhour dead.

Below the property of Kenneth LDickey, et us, as shown on plat
plan filed with the Louing Department.

Hearing Date: Thursday, September 21, 1927 at 9 45 A.M.
Public Hearing: Boom 106, County Office, Tullding, 111 W. Chempeaks Avenue, Toward, Maryland.

By Order Of
WILLIAM E HAMMONI,
Emiles Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

10 95-1

TOWSON, MD . September _ 6, 1979. THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Mc., xxxxxxxxxxxxxxx
one time selectorocomposite the 27th
lay of September 1979, the That publication
appearing on the 6 day of September
199
THE JEFFERSONIAN.
Manager

Previous case:

