PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

FILING

INED

James K. Elliott, Catherine E. Elliott and Francis Carberry
L. or we,_____legal owner_of the property situate in Baltimore County and which is described in the description and plat attached herety and made a part hereof,

hereby petition for a Variance from Section 1A01.3B l.c. to permit a lot width of 104 feet at the building setluck line in lieu of the

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

Family handicap - (amputee use of wheel chair necessitates curtom built one floor home with incline ramps, special bathroom, etc. Proposed new home to be built on Lot No. 2)

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 and further agree to and are to be bound by the zoning regulations and restrictions of

e County adopted pursuant to the Zoning Law For Baltimore County Catherine E. Elliots Legal Owner -----Contract purchaser Address 13430 Botton Road Baldwin, Fred 21213 ______ Protestant's Attorney Petitioner's Attorney _____

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 _____day of November_ __A__M.

DIFCTION

DISTRICT.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond Zoning Commissioner John D. Seyffert, Director FROM Office of Planning and Zoning

October 22, 1974

Petition #80-111A. Item 50

Petition for Varience for lot width Northwest side of Bottom Road. 999.41 feet Northeast of Fork Road Petitioner – James K. Elliott, et al

11th District

HEARING: Thursday, November 1, 1979 (9.30 A.M.)

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

JDS:JGH:rw

RE: PETITION FOR VARIANCE NW/S of Bottom Road, 999.41' NE of Forl: Road, 11th District

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

JAMES K. ELLIOTT, et al, Petitioners : Case No. 80-111-A

ORDER TO ENTER APPEARANCE

1111111

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 Coursel

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

I HEREBY CERTIFY that on this 22nd day of October, 1979, a copy of the aforegoing Order was mailed to James K. Elliott, Catherine E. Elliott and Francis Carberry, 13430 Bottom Road, P. O. Box 38, Baldwin, Maryland 21013, Petitioners.

John W. Hessian, III

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZONE TOWSON MARYLAND 21204 494-3353

> WILLIAM & HAMMOND ZONNG COMMISSIONER

November 8, 1979

Mr. & Mrs. James K. Elliost, et al 13430 Bottom Road P.O. Box 38 Baldwin, Maryland 21013

> RE: Petition for Variance NW/S of Bottom Road, 999.41' NE of Fork Road - 11th Election District James K. Elliott, et al - Petitioners NO. 80-111-A (Item No. 50)

Dear Mr. & Mrs. Elliotte

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

CARL L. GERHOLD PHILIP K. CROSS JOHN F. ETZEL WILLIAM G. ULF EN GORDON Y, LANGOOM

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204

823-4470

August 21, 1979

PAUL O. DOLLENBERG

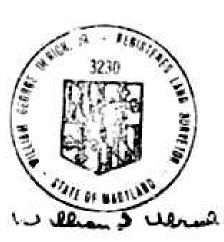
For the purpose of Zoning only.

All that piece or parcel of land situate, lying and being in the Eleventh Election District of Haltimore County, tate of Maryland and described as follows to wit:

Beginning for the same in the center of Bottom Road at the distance of 999.41 feet measured northersterly along the center the distance of 999.41 feet measured northersterly along the center of Bottom Road from the center line of Fork Road and running thence and binding in the center of Bottom Road, North 47 degrees 58 minutes 47 seconds East 104 feet, thence leaving Bottom Road and running and binding on and through the land of the herein petitioners, the three following courses and distances viz: North 34 degrees 06 minutes 52 seconds West 452.65 feet, South 51 degrees 31 minutes West 103.31 feet and South 34 degrees 06 minutes 52 seconds East 450.08 feet

Containing 1.07 Acres of land more or less.

Being the property of the herein petitioners as shown on the plat filed with the zoning department.





September 11, 1979

Mr. William J. Hammond Zoning Commissioner for Baltimore 'ounty County Office Building Towson, Maryland 21204

> Re: Elliott's Acre 13430 Bottom Road Baldwin, Maryland 21013

Dear Mr. Hammond:

We have submitted plans to both the Planning and Zoning Departments of Baltimore County, requesting a variance which would permit a lot the width of 104' at building setback line in lieu of the required 150*.

We also want permission for a lot the size of one acre. The present house on the three acre lot to have the remaining two acres.

We are requesting the above stated changes based on a major medical problem, which exists in our household. Mrs. Elliott has Padgets di case, which is cancer of the bone and has required three major operations during the past year. Our present nouse has two floo's and since one of Mrs. Elliott's operations caused her to have a leg amputated, she is confined to a wheelchair and unable to move throughout the house.

We plan, if permission is received, to build a rancher based on plans for a disabled person with extra wide doors and appropriate rate thich would enable her to have access to the entire house. La g working hours there is no one at our present house to assist Mrs. Elliott and we believe that if this permission is granced, she will be able to lead as normal life as possible.

We are requesting consideration be given as soon as possible due to the hardship existing within our household.

Very truly yours,

James K. Liliott Bux38 Saldwin, Maryland 21013

ZONING GER!

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mass James K. Elliott 13430 Bottom Road P. O. Box 38 Baldwin, Maryland 21013

Petitioner James K. Elliott, et ux

Petitioner's Attorney_

cc: Gerhold, Cross & Etxel 412 Delaware Avenue Towson, Maryland 11264

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for tiling this ____ of September , 1979

WILLIAM E. HALLMOND

Zoning Commissioner

Chairman, Zoning Plans Advisory Committee

APR 21 1986 -

of November, 19.79, that the herein Petition for Variance to permit a lot width of 104 feet at the building setback line in lieu of the required 150 feet,

GRANTED, from and after the date of this Order, subject, however, to

1. Compliance with the subdivision regulations.

FILING

R

ORDER

 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 ______
day of _____, 19___, that the herein Fetition for the Variance(s) to
permit

Zoning Commissioner of Baltimore County

EALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 23, 1979

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

picholas B. Commodari Chairran

Traffic ingineering

State Poads Commission

MEMBERS

Bureau of

Engine ring Department of

Bereau of

fire Prevention

tealth Department

Project Planeing

Smilds of Department

Card of Edecation

Zoning Administration

Industrial

Development

Mr. & Mrs. James K. Elliott 13430 Bottom Road P.O. Box 38 Baldwin, Maryland 21013

RE: Item No. 50
Petitioners - James K. Elliott,
et ux
Variance Petition

Dear Mr. & Mrs. Elliott:

respectively indicate "No Planted Service" in the area.

Item #50 (1979-1980)

Storm Drains; (Cont'd)

Water and Sanitary Sewer:

October 29, 1975

END: FAM: FWR: SS

cc: J. Wimbley

UU-NE Key Sheet

ME 18 H Topo

45 Ta:: Map

J. Some as

71 & 77 NE 31 Pos. Sheets

Property Owner: James K. Elliott, et al

responsibility of the Petitioner.

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

Located on the northwest side of Bottom Road approxiamately 1,000 feet northeast of Fork Road in the 11th Election District, the subject property is presently improved with a single family dwelling on 3 acres of land. Because of your proposal to create an additional 1 acre lot having a lot width of 104 feet in lieu of the required 150 feet and construct a dwelling on said lot, this Variance is required.

As indicated in my conservation with your surveyor,

Mr. William G. Ulrich, the Variance request to permit a 1 acre lot

area was removed from the petitions forms, because it was not

required for the proposed subdivision.

The Petitioner must provide necessary grainage fac 'ities (temporary or purmanent)

Public water sumply and samitary sewerage are not available to serve this property,

very truly yours.

Chief, Bureau of Engineering

Elisant All wir flede

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

which proposes to utilize private orbits water supply and sewage disposal systems.

This property is beyond the Baltimore County Metropolitan District and the Ur. an-Rural

Demarcation Line. Baltimore County Water and Sewerage Plans W and B-lip, as amended,

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

Item No. 50 Variance Petition October 23, 1979

less than 30 nor more than 90 days after the life will be forwarded to you in the near future.

Maldy Deriver on NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

- Bling certic dates

NBC:hk

Enclosures

cc: Gerhold, Cross & Etzel 412 Delaware Ave. Towson, Md. 21204 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D SEYFFERT DIRECTOR

October 16, 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 #50, Zoning Advisory Committee Meeting, September 4, 1979 are as follows:

Property Owner: James K. Elliott, et a!
Location: NW/S Bottom Road 999.41' NE Fork Road
Existing Zoning: RC-2
Proposed Zoning: Variance to permit a lot width of 104' at the building line in lieu of the required 150'
Acres: 1.07
District: 11th

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 mode aware of plans or problems with regard to development plans that may have a bearing on this petition.

This property is subject to the Baltimore County Subdivision Regulations.

Very truly yours,

John L Wimbley
Planner III
Current Planning and Development

80 - Ili

baltimore county department of health TOWSON, MARYLAND 21204

DONALD J. FOOP, M.D., M.P.H.
DEPUTY ATE AND COUNTY HEALTH OFFICER

November 8, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towsor, Maryland 21204

Dear Mr. Hammond:

District:

Comments on Item #50, Zoning Advisory Committee meeting of September 4, 1979, are as follows:

Property Owner: James K. Fil. .t, et al Location: NW/S Bot on Pa. 299.41' WE Fork Rd. Existing Zoning: R.C. 2 Proposed Zoning: Variance to permit a lot width of 104' at the building line in lieu of the required 150'. Acres: 1.07

1.07 11th

The existing house is presently served by a water well and sewage disposal system, both of which appear to be functioning properly. Prior to approval of a building permit for the proposed dwelling, soil percolation tests must be conducted and a water well drilled that meet all requirements set forth by Baltimore Jounty Department of Health and State of Maryland, Departmental Health and Hygiene.

Ian J. forrest, Director
BUPLAU OF ENVIRONMENTAL SERVICES

WF/JRP/fths

battim are county
department of traffic engineering
TOWSON, MARYLAND 21264
1301: 494-3550

STEPHEN E: COLLINS

Sertember 26, 1979

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 20204

Dear Mr. Harmond:

/ This department has no comment for the following items: Numbers 19. 50, and 51.

Wery truly yours,

Michael S. Flanigan Engineering Associate II

MSF/mjm

BALTIMOPE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

THORNTON M. MOUTUNG DIRECTOR

October 29, 1975

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

Re: Item #50 (1979-1980)
Property Owner: James K. Elliott, et al
N/WS Botton Rd. 999.41' N/E Pork Rd.
Existing Zoning: RC 2
Proposed Zoning: Variance to permit a lot width of
104' at the building line in lieu of the required 150'.
Acres: 1.07 District: 11th

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.

This site is a portion of an overall larger tract of land indicated as Parcel 162 on Tax Map 45. Subdivision of property within Baltimore County is subject to Bultimore County Subdivision Regulations.

Highways:

General:

Bottom k.ad, an existing public road, is proposed to be improved in the future, as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through strippi ; grading and stabilization could result in a sediment pollution problem, damaging private and public holdings commstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soi).

Scorm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Puture drainage and utility easements are required through this property.

APR 21 1980



Paul H. Reincke

September 11, 1979

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

Mr. William Hammond, Zoning Commissioner

Zoning Advisory Committee Re: Froperty Owner James K. Elliott, et al

Location: NW/S Bottom Rd. 999.41' NE Fork Rd.

Item No. 50

Zoning Agenda: Meeting of 9/4/79

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 vahicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCREDS 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.
- (x) 5. The buildings and scructures 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.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER City July 9-11-79 Noted and League Millegon Fire Prevention Bureau Special Inspection Division

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 29, 1979

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

Z.A.C. Meeting of: September 4, 1979

RE: Item No: 49, 50, 51, 52, 53, 54 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, W. Wich tetrouch

W. Nick Petrovich.

Field Representative

T. BAYARD WILLIAMS, JR., VICE-PHIRIDENT MARCUS M. BOTBARIS

ALVIN CORECK MRS. MILTON N. SHITH, JM. RICHARD W. TRATEY, D.V.M.

ROBERT Y. DUBE .. SUPERINTENUENT

MRS. LORRAINE F. CHIRCUS

20	-111	-17
TO	111	17

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland

<u>1. all</u>
Ad 1,999 41 E. E.
10/11/70
late of return:

1 rign

FUNCTION Descriptions checked and outline plotted on map Petition number added to outline Denied Granted by ZC, BA, CC, CA Reviewed by: 013 Revised Plans: Change in outline or description___Yes Previous case:

BALTEMORE COUNTY	OFFICE OF PLANNIN	IG &	DAINOS	
------------------	-------------------	------	--------	--

County Office Building 11' W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received this ___ 2 ___ day of __

Filing Fee \$ 25 The Received: ___ Check

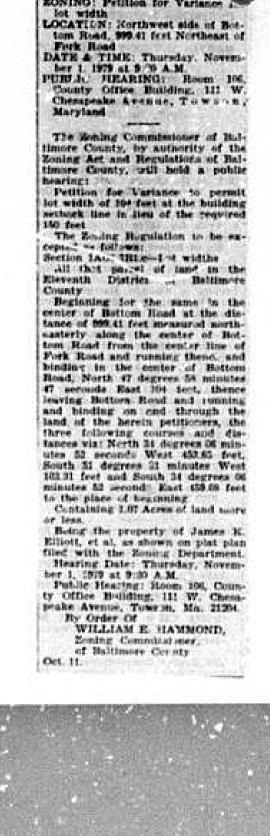
Petitioner Janes Collect & St. of +

William E. Hammond, Zoning Commissioner Supraitted by Act &

Petitioner's Attorney_ Reviewed by

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

PETITION MAPPING PROGRESS SHEET W. I Map Original Duplicate Tracing 200 Sheet date by date by date by



ZONING: Petition for Variance

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 11 19.79 THIS IS TO CERTIFY, they the annexed advertisement was published in THE JEFFERSGNIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., coccatacoach of one time successionouseks before the lat day of Hoyember 19.79, the first publication appearing on the ____lth_day of ___October_____ THE JEFFERSONIAN

Cost of Advertisement, C.....

PUTITION FOR VARIANCE 20NING Petron for Variance LOCATION Northwest side of Sottom Road, 1991-21 feet North. nest of Fore Road

OATE & FME Thursday Novumber 1, 1979 of 9:30 A.M.

PUBLIC HEARING Roam 104.

County -1800 Building, 111 W.

Chirappease Avenue, Towson, Mirriand
The Zoring Commissions of Baltimore County by authority of the Joning Act, and Regulations of Baltimore County; will hold a publishmore County; will hold a publishmore County; will hold a publishmore County; Testion for Variance to permit in wide of 104 feet at the building artiscs the in ties of the required 150 feet.
The Zoning Regulation to be de-impted as follow:
Section 1501 381 g - Lot widths All that percet of land in the Cleventh District of Baltimore Recording for the saile in the center of Bottom Road at the derance of PSS.41 feet measured northeasterly along the center ry flottom Ruad from the center line of Fork Road and running thence and binding in the center of Button. Road. North 47 degrees 58 minutes 47 seconds East 104 Net. mence leaving Rottom Road and coming and einding on and trough the land of the herein petborners the three following courses and distances wir North 34 de, new 06 minute 52 seconds threat 452.65 freet. South 51 decrees 31 minutes 1 lest 103.51 feet and South 34" a grees 06 minutes 52 seconds East 458.06 Critisions 1.07 Acres of land Scient the property of Jomes K. Elect, et al. as shown on plat plan tend with the Zoning Department, Hearing Date Thursday, No-sember 1, 1979 of \$30 AM. Public Hearing Room 106, County Office Building, 111 W. Chinapanke Avenue, Towon, BY ORDER OF CHEMINAN & MAILUM OF BALTIMONE COUNT!

	OFFICE OF
TIMES	
	NEWSFAPERS

TOWSON, MD. 21204

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - James K. Elliott, et al

October 11

1979

was inserted in the following:

☐ Catonsville Times X Essex Times

☐ Arbutus Times ☐ Community Times

☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for ______ successive weeks before the 12th day of October 1979, that is to say, the same was inserted in the issues of October 11, 1979.

STROMBERG PUBLICATIONS, INC.

