## PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or weWilliam S. Hendricks 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 1404-38-3 (1400-38-3 and 103-3) to allow an existing side yard setback of h5.80' in lieu of the required 50'

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

- 1. Hardship and practical difficulty;
- 2. The Petitioner wishes to construct a garage to be attached to the house and it cannot be placed except in the location indicated on the plat;
- 3. The granting of the Variance will not be detrimental to the health, safety and welfare of the community.

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 roning regulations and restrictions of Ballimore County adopted pursuant to the Zoning Law For Baltimore County.

William S. Hendricks Legal Owner Contract purchaser Address 110 E. Ridgely Road Lutherville, Md. 21093 Suite 205 Alex. Brown Bldg. 70wson Maryland 21204 >ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_29th\_\_\_\_\_day 197 ... 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 106, County Office Building in Towson, Baltimore

# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond TO Zoning Commissioner John D. Seyffert, Director FROM Office of Planning and Zoning

Date December 19, 1979

SUBJECT Petition No. 80-136-4 - Item 81

Petition for Variance for side yard setback North side of Chestnut Ridge Road, 179.21 feet West of Fallswood Terrace Petitioner - William S. Hendricks

8th District

HEARING: Tuesday, January 8, 1980 (1:30 P.K.)

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

0000 01 1 0011 1

JDS:JGH:dme

RE: PETITION FOR VARIANCE N/S of Chestnut Ridge Rd., 179.21 W of Fallswood Terrace, 8th District : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

WILLIAM S. HENDRICKS, Petitioner : Case No. 80-136-A

1111111

#### 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.

Reter Max Zemmerm Peter Max Zimmerman Deputy People's Counsel

John W. Herrian, H. John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 21st day of December, 1979, a copy of the aforegoing Order was mailed to S. Eric DiNenna, Esquire, Suite 205 Alex. Brown Building, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III

BALTIMORE CO TOWSON MARYLAND 21204

> WARRIED BY THE PARTY OF THE PAR ZONES CONTRACTO

January 11, 1980

S. Eric DiNenna, Esquire Suite 205, Alex. Brown Building Towson, Maryland 21204

> RE: Petition for Variance N/S of Chestnut Ridge Road. 179.21' W of Fallswood Terrace -8th Election District William S. Hendricks - Petitioner NO. 80-136-A (Item No. 81)

Dear Mr. DiNenna:

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

Paul Lee P.E

Paul Lee Engineering Inc. 304 W. Fennsylvania Avr. Towsen, Maryland 21204

DESCRIPTION

1.2027 ACRE PARCEL LOT 12, RESUBDIVISION OF LOTS .O. 11, AND 12, PLAT 1 SECTION 2 "FALLSWOOD", NORTH SIDE OF CHESTNUT RIDGE DRIVE, EAST OF FALLS ROAD, BALTIMORE COUNTY, MARYLAND.

This Description is for Side Yard Variance.

Beginning for the same at a point on the north side of Chestnut Ridge Drive, said point being located 205 feet + as measured wasterly along the north side of Chestrut Ridge Drive from its intersection with the centerline of Fallswood Terrace, running thence and binding on the north right-of-way line of Chestnut Ridge Drive (1) westerly by a curve to the left with a radius of 1150,00 feet the distance of 177.63 feet thence leaving said north right-of-way line (2) N OO degrees 50 minutes 14 seconds West 265.42 feet thence (3) 5 87 degrees 25 minutes 22 seconds E 218.74 feet thence (4) S 08 degrees 00 minutes 46 seconds W 269.29 feet to the point of beginning.

Containing 1.2027 of an acre of land.



Engineers - Surveyors - Site Planners 9/10/79



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS DEPARTMENT OF PUBLIC WORLD TOWSON MARYLAND 21204

December 17, 1970

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

> Re: Item #81 (1979-1980) Property Owner: William S. Hendricks N/S Chestnut Ridge Rd. 179.21' W. Fallswood Terr. Existing Zoning: RC 5 Proposed Zoning: Variance to permit a side setback of 45.80' in lieu of the required 50'. Acres: 1.2027 District: 8th

Dear Mr. Hammond:

END: EAM: PWR: BS

cc: J. Wimbley, C. Warfield

S-NW Key Sheet, 55 NW 13 Pos. Sheet NW 14 D Topo, 59 and 60 Tax Maps

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 and are as secured by Public Works Agreement 87607, executed in conjunction with the development of "Fallswood", of which this property comprises Lot 12 of "Revision of Lots 10, 11 and 12, Plat No. 1 - Section II Pailswood", recorded E.H.K., Jr. 44, Polio 82.

There are 10-foot wide easements for utilities and drainage along the rear and side property lines of this Lot No. 12.

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.

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 proper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 81 (1979-1980). Very truly yours,

S. Eric DiNenna, Esquire Suite 205, Alex, Brown Building Towson, Maryland 21204

304 W. Pennsylvenia Avenue Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 29th of November . 1977

WILLIAM E. HAMMOND Zoning Commissioner

Petitioner William S. Hondricks Petitioner's Attorney S. Eric DiNenna

Reviewed by: Licholas B. Commoderi Chairman, Zoning Plans Advisory Committee

co: Paul Lee Engineering, Inc.

EVALUATION COMMENTS

PETITION AND SITE PLAN

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

Pursuant to the advertisement, posting of property, and publ c 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 appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

day of \_\_\_\_\_\_, 1980, that the herein Petition for Variance to permit a ide yard setback of 45.80 feet in lieu of the required 50 feet, for the expressed of completing construction of an attached garage, in accordance with the vised site plan prepared by Paul Lee Engineering, Inc., dated November 26, sould be and the same is GRANTED, from and after the date of this Order, Subject to the approval of said revised site plan by the Department of Public Works 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 Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

### BALTIMORE COUNTY DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D. M.P.H. DEPUTY STATE G. COUNTY HEALTH OFFICER

 $\Box$ 

ORDE

December 3, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning Jounty Office Building Towson, Maryland 2120h

Dear Mr. Hammond:

Comments on Item #81. Zoning Advisory Committee Meeting of October 23, 1979, are as follows:

Location:

Property Owner: William S. Hendricks N/S Chestnut Ridge Rd. 179.21' W Fallswood Terr. Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 45.80'

in lieu of the required 50'. Acres: 1.2027

District: The dwelling, when completed, will be served by a private water well and sewage disposal system. The location of the house does not interfere with the location of either the well or sewage disposal system. Prior to approval of an occupancy permit, bacteriological samples must be collected to verify the potability of the water supply.

Very truly yours. Inn J. Formest, Director

BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP/fthe

#### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 27, 1979

COUNTY OFFICE BLOG. 111 W. Chesapeake Ave. towson, Maryland 21204

. Eric DiNenna, Esquire Suite 205 Alex. Brown Building Towson, Maryland 21204

wicholas D. Conmoder: Chairman

MEMORERS Bureau of

Engineering Department of Traffic Engineering

State Roads Commission nureau of Lim Prevention imalth Department Project Flanning Building Department Board of Education foning Administration Industrial Development

RE: Item No. 81 Petitioner - William S. Hendricks Variance Petition

Dear Mr. DiNenna:

The Zening Plans Advisory Committee has reviewed the plans submitted with the above referenced partien. 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 recomme idations as to the suitability of the requested zoning.

This Variance hearing is required in order to legalize the setback of the existing garage, which at the time of field inspection was under construction. While the submitted site plan indicated that a foundation is existing, it should be noted that the dwelling has already been constructed.

Because I am in receipt of revised site plans, which satisfy the comments of the Department of Permits and Licenses, I proceeded to schedule this petition for a hearing date. If the Petition is granted, particular attention should be afforded to the comments of the Health Department.

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 f.ling certificate. Notice of the hearing date and time, which will be held not

Item No. 81 Variance Petition December 27, 1979

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 Chairman Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Ave. Towson, Maryland 21204

DALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

JOHN D. JEYFFERT DIRECTOR

December 5, 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 #81, Zoning Advisory Committee Meeting, October 23, 1979, are as follows:

Property Owner: William S. Hendricks Location: N/S Chestnut Ridge Rd. 179.21' W. Fallswood Terr. Existing Zoning: RC-5 Proposed Zoning: Variance to permit a side setback of 45.80' in lieu of the required 50'. Acres: 1.2027 District: 8th

This affice 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.

Item #81 Zoning Advisory Committee Meeting, October 23, 1979

applied for (#21823).

J. COMMENT - After requesting a Building Inspector to check the

location of #1002 Chestnut Ridge Drive, Fallswood, Section 2.

Lot #23 is located east of Tallswood Terrace. Please confirm.

Charles & Sumbon

District #8, the inspector reports the plot accompanying

th - variance is for Lot 12 which is #1008 Chestnut Ridge

Drive. #1002 is located at Lot #23 and a permit has been

Comments will be made after above problems are corrected.

This plan has been reviewed as there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley Planner III Current Planning and Development

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

Office of Planning and Zoning

ITEM # 83

Date Hovember 2, 1979

Fire Prevention Bureau SUBJECT Zoning Advisory Committee Meeting of October 23, 1979

Attention: Nick Camodari, Chairman

Zoning Plans Advisory Committee

ITEM # 80 Property Owner: Melvin A. Anna C. Grueninger

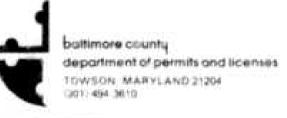
Location: S/S Loreley Beach Rd. 5250' S & W Allender Rd. No Comments

ITEM # 81 Property Owner: William S. Hendricks Location: N/S Chestnut Ridge Rd. 179.21' W Fallswood Terr. No Comments

> Property Owner: FIJI, Inc. Location: W/S York Rd. 175' N Pennsylvania Ave.

Property Owner: Ridgely Realty Co. Location: W/S York Rd. 535' N Ridgely Rd. No Comments

No Comments



JOHN D. SEYFFERT

October 20, 1979

Mr. #11liam H. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120h

Dear Mr. Sammond:

Comments on Item # 81Zoning Advisory Committee Meeting, October 23, 1979 are as follows:

Property Owner: William S. Hendricks

N/S Chestrut Ridge Road 179.21' W Fallswood Terrace Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 45.80' in lieu of the required 50'.

Acrest District:

1.2027

The items checked below are applicable:

A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

B. A building 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 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 3'0" of a property line.

Contact Building separtment if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section

I. No Comment.

XJ. Comment: See attached sheet

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

> Charles E. Burnhem, Chief Plans Review

CEBITTJ

APF. 22 1980

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 31, 1979

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

Z.A.C. Meeting of: October 23, 1979

RE: Item No: 79, 80, 81, 82, 83, 84 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. Nick Petrovich, Field Representative

WNP/bp

T. BAY-IND WILLIAMS, JR., VICE-PRESIDENT MARCUS M. BOTBARIS

THOMAS H. BOYER MRS. LOREAINE F. CHIRCUS ALVIN LORECK MICHARD W. TRACEY, D.V.M.

PORENT Y. DUREL SUPERINTENDENT

80-1**3**6-A

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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BALTIMORE COUNTY	OFFICE	OF	PLANNING	2	ZONING
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County Office Building 111 W. Chesapeake Avenue

Towson,	Maryla	and 21204	, ,	
Your Petition has been received this _	16	day of	Oct	, 19>/.+
Filing Fee \$ 75		Received:	Check	
			Cash	

William E. Hammond, Zoning Commissioner

Submitted by DA

Reviewed by Petitioner's Attorney This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF PUBLICATION

e. 1980 at 1/30 P.N. UBLAC HEARING Room 16A. County Office Building, 11 W. Chrospenke Avenue, Towarn. 19.72\_

Heing the property of William S.
Hendricks, as shown on plat plan
filed with the Soning Department.
Hearing Tute: Tuesday, January
8, 1900 at 1:50 P.M.
Public Hearing: Roses 108, Comby Office Building, 111 W. Chesaproke Avenue, Towns, Ekryland.
By Order Of
WILLIAM S. HAMS-GOD,
Employ Communications

TOWSON, MD. December 20 \_\_\_\_\_, 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., once in ward of one time \_\_\_\_successive works before the \_\_ 8th day of \_\_\_\_January\_\_\_\_\_\_, 1980\_, the first publication appearing on the \_\_ 20th \_\_\_day of \_\_ December \_\_\_\_ THE JEFFERSONIAN Manager.

Cost of Advertisement, \$\_\_\_\_\_

Ath District -

EGNING: Petition for Variance for side yard aethock.
LOCATION: North side of Chestnut Ridge Road, 170-21 feet West of Fallswood Terrace.
DATE & TIME: Toesday.
January 8, 1960 at 1-30 P.M.
PUBLIC HEARING: Room 106. County Office Building.
111 W. Chesapeaks Avenue, 111 W. Chesapeaks Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Puthion for Variance to allow

PETITION FOR

VARIANCE

50 feet.
The Zoning Regulation to be excepted as follows:
Section 1A04.28.2 · Building Section 1A00.3B.3 - Area

Section 100.3 - Regulation governing previously approved All that percel of land in the Righth District of Baltimore

Beginning for the same at a point on the north side of Chestnut Ridge Drive, said point being to stad 205 feet M.T., as measured westerly along the north side of Chestnut Ridge Drive from its intersection with the centerline of Fallswood Terrace, running thence and binding on the north right-of-way line of Chestnut Ridge Drive (1) westerly by a curve to the left with a radius of 1150.00 feet the distance of 177.63 feet thence leaving said north right-of-way line (2) N 00 degrees 50 minutes 14 seconds West 265.42 feet thence (3) S 87 degrees 25 minutes 22 seconds E 218.74 feet thence (4) S 98 degrees 00 minutes 46 seconds W 269.29 feet to the point of beginning Containing 1.2027 of an acre of land.

Being the property of William

of land.

Being the property of William

5. Hendricks, as shown on place plan filed with the Zoning Department.

Hearing Date:

TUESDAY, JANUARY 8, 1900

AT 1:07:M.

Public Hee ung: Room 106.

County Office Building, 111 W.

Chesspeake Avenue, Towson, Maryland.

BY ORDER OF

WILLMAM E. HAMMOND

Zoning Commissioner.

Zoning Commissioner of Baltimore County

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OFFICE	MORE COUNTY, MARYLAND OF FINANCE REVENUE DIVISION ELANEOUS GASH RECEIPT	No. 85576
DATE_	January 9, 1980 ACCOUNT	01-662
	AMOUNT	\$53.68
HECEIVE	Don Lynch Associates,	Iso.
Mon	Advertising and Posting :	for Case No. 80-136-A



FUNCTION	Property and the same	Map	Orig	ginal	Dup	licate	Tro	cing	200	Sheet
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Descriptions checked and outline plotted on map										
Petition number added to outline										
4										
Granted by ZC, BA, CC, CA										
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December 10, 1979	мссоинт <u>01-6</u>	62
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rnow S. Eric DiNenz	a, Esquire	

