#### 67-119-4 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, the transfer 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. ACC-1 to Fireth an accessory building to

be laceted within the third of the lot which is not furtherest from the street

(as indicated on plats filed herowith).

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

That the margine located on the lat has been considered; that permits were issued by the Continu Commission of Colling a County; there several hearings were had during ing of the purpos, and the inspector permitted the construction to pro mod; that the lot or which the bullding is located was originally an inside let and is 50 feet side; that errors were made by all parties, the contractor as contac bourd, and that it will be an extreme bardship on the parties

reversed to require this garage to be repoyed. See attached description

Interick & m. Toly

islition a. Carolina 71232

Protestant's Attorney

FREDERICK, G. MCMABB, JR. #67-119
SE/cor. of Old Harford & Lakemood
9th

Property is to be posted and advertised as prescribed by Zoning Regulations.

To rev. 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 Zoning Law For Baltimore County.

Hon & Ma Hal 1 to Chame Hickory

Petitioner's Attorney

Address 111 . Production Statistics 11, 21291

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day

towards 195 and the subject matter of this petition be advertised, as by the Zoning Law of Baltimore County, in two newspapers of general circulation through-imore County, that property be posted and that the public hearing be had before the Zoning science of Baltimore County in Room 106, County Othice Balding in Tosson, Baltimore County, on the 12th

Tox

Em- 2 V Goe

BALTMORE COUNTY, MARYLAND

Mr. John G. Rose, Zoning Commissioner December 2, 1966

George E. Govrells, Director of Planning

SURJECT. Petition #67-119-A. Southeast corner of Old Horford & Leterwood Roads.
Faithfair for Variance to permit an accessory building to be located within
the third of the lot which is not fortherest from the street.
Frederick G. McNobb, Jr. - Petitioner

9th District

HEARING: Monday, December 12, 1966. (10:00 A.M.)

The planning steff of the Office of Planning and Zoning will offer no concrent on the subject petition.

ring that by reason of the following finding of facts hardship shown the above Variance should be had; and W restrict appearing that he was not be the control of the to permit an accessory building to be located within the third of the lot which le a Variance not fartherest from the street IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12day of \_December \_\_\_\_\_\_, 196 \_\_\_\_\_\_, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to permit an accessory building to be located within the third of the lot which is not fartherest from the street, subject to approval of the site plan by the Bureau of Public Services subject to approval of the site plan by the Bureau of Public Services

And the Office of Planning and Zoning DEPUT Zoning Commissioner of Baltimore don Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of..... the above Variance should NOT BE CDANTED FF IS ORDERED by the Zoning Commissioner of Baltimore County, this ..... 196..... that the above Variance be and the same is hereby DENIED Zoning Commissioner of Baltims a County MICROFILMED

. 7.	· Gpg	nal .	# 67-119.19
1 sign	ZONING DEPARTMENT	E OF POSTING OF BALTIMORE COUNTY , Maryland	
District 9th			12-22-66
Petitioner: 7-2.	colorish G IN SELSON COND H	eful per an	A Jakewood Ro
	W. Costly front	won 9 7835 /	ad Hofard Pd.
Posted by	Signature Bull	t. Date of return.	- 29.66

LEPHONE BES-SOOD	BALTHORE COUNTY, MAP OFFICE OF FINANC Division of Collection and Receipts COUNT HOUSE TOWNON, MARYLAND 21204	
Roll		g Gapt, complete, the
VITTIMALIS	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	- 25.00 Coor
	Politics for Harlama for Products & months are 657-179-A	25.00
	VED-to-confe	are til - billionstillands
	12 to 2722 + 6	2255 112- 2500
	4	

TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARY ASSERTURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

DELOCATION --- "GENE 2 DE SEY --- 2735 DED ELECTRIC TOAD

Lart wish for the case of a point in the "feet or South 54 02" Sort 150 feet line of the parcel of land high, by deed dated Whomany 1, 1947, and recorded among Lond Records of Caltinors County in Liber J.... c. 19 6 forto Not sto., was conveyed by Cartin 1. Firer to Louis B. .dds.; soid point of be shaden being dictent 100 feet orth 520024 East from the beginning of said line, and running thence and binding on a part of smid line North 54°22' East 50' to the end thereof; thence running with and binding on the second line of said deed North 35° 25' West 190.18 feet to the certe of old Marford hoad and to the beginning of the third line of the above described first parcel of land, and running thence binding on the center of said load and on s part of said third line South ACT 43' West 50.25 Feet; thence leaving the center of the Old Farford Food and said thirs line and running for a line of division South 35° 38' East 185.74 feet to the place of beginning; containing .215 acres of land more or less; the improvements thereon being 'mean as 1731 wit Earford Lond.

Said lot also being located at the southern most corner of Old Harford Hoad and

#### BALLIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. December 2, 1966

FROM George E. Gavrelis, Director of Planning

SUBJECT. Petition § 67-119-A. Southeast corner of Old Herford & Lakewood Roads.
Petition for Variance to permit an accessory building to be located within
the faint of the lat which it is not fartherest from the street.
Frederick G. McNabb, Jr. - Petitioner

9th District

HEARING: Monday, December 12, 1966. (10:00 A.M.)

The planning staff of the Office of Planning and Zoning will offer no comment

Novembr 16, 1966

BALTIHORE COUNTY OFFICE OF PLANEING AND ZONING COUNTY OFFICE BUILDING TOWSON, MERTLAND 21204

Anthony J. Wolan 111 North Charles Street Baltimore, Maryland 2120

RI: Variance iros Section 100.1 to permit an accessary building for Frederick G. MoNab, Jr. Located at the S/E Co for of Old Harford Rd. and Lakewood ... 9th District. (Item 1 - November 9, 1966)

The Zoning Advisory Committee has reviewed the subject petition and has no comment to offer with regard to the proposed development plan.

The above comments are not intended to indicate the appropriateness of the soning action requested, but to escare that all periods are made every of plane or party Director of the Office of Planesing and Soning vill swarth recommendations on the appropriateness of the requested scaing 10 days before the Zoning Commissioner's bearing.

The following members had no comment to offer

Sursan of Ingineering Sursan of Traffic Engineering State Roads Commission Injustrial Development Commission Health Department Board of Education Fire Prevention Bureau

JAMES E. DIER, Principal

RE: PETITION FOR VARIANCE from Section 400.1 of the Zoning Regulations SE corner Old Harford Road and Lakewood Rood,

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY No. 67-119-A

### OPINION

The petitioner in this case seeks a variance from Section 400.1 of the Zoning Regulations to permit a garage on his lot of ground, which is located in the third of his lor farthest removed from the street, as required in the aforementioned regulation

The petitioner contracted in the Spring of 1965 with one, Orville Jones, o erect a garage on his property situated at the southeast corner of Old Harford Road and Lakewood Road in the Ninth District of Baltimore County. He testified that he did not know anything about the Baltimore County Building Code or Zoning Regulations, but reft it up to the builder to secure the necessary permits, etc.

The patisioner's property is a lot approximately 50 feet wide and 185 feet originally an interior lot, however, when Lakewood Road was constructed, some eight to ten years ago, the petitioner's lot then became a corner lot. 
The petitioner's builder secured a building permit from Baltimore County on April 19, 1965, and at that time it was not apparent to the County that the McNab property was a corner lat rather than an interior

 $\mathbf{M}_{\mathcal{S}}$ . James Dyer testified that the garage, as presently constructed on the property, is approximately five feet closer to Lakewood Road than is allowed under the Zoning Regulations. He also testified that it would be very nearly impossible to erect a two car garage on this property without seeking some variance. Prior to the issuance of the building permit by Baltimore County, a preliminary inspection was made by Baltimore County Inspector DeMatteo

On June 10, 1965 a complaint was made by the complainant, Mr. Keys, to Baltimore County that the garage was in violation of the Zoning Regulations. Work was immediately stopped by Mr. Henry Eurice, a building inspector for Baltimore County, because of the complaint. Mr. Eurice testified that at the time the County first because aware of the possible violation the gerage was approximately sixty-five percent completed that three walls were up to the roof line; that one wall was not quite to the roof line; and that the building was nearly ready for the roof. After several meetings with the County, it was decided that since the work was approximately sixty-five percent completed they would allow the builder to finish constructing the garage. Mr. Eurice also

Frederick G. McNab, Jr. - #67-119-A

testified that the garage of in any way, in his opinion, detract from the neighborhood and that no one in the neighborhood, including the next door neighbor, had any complaint about the garage other than the couplainant in this case. Mr. Keys.

-2-

In view of the fact that it would be nearly impossible to erect a garage on this lot without some variance, and the fact that the garage was sixty-five percent completed when the error became apparent, it would certainly seem to be an unreasonable hardship to deny the petitioner the variance requested and force him to tear down the garage and move it to another portion of his property. He also has a practical difficulty due to the lot shape and size in locating a garage on the property.

### ORDER

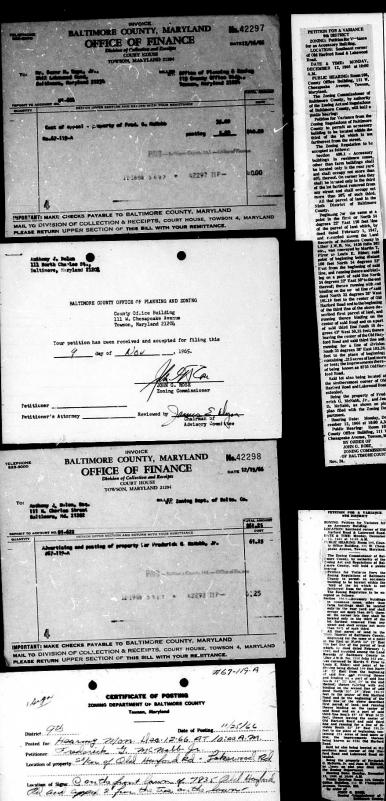
For the reasons set forth in the aforegoing Opinion, it is this lst day of March , 1967 by the County Board of Appeals, OR DERED that the variance netitioned for the and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Boldwin, Chairman

W. Giles Porker



Posted by Robert Lee Bulling Date of return "11/66

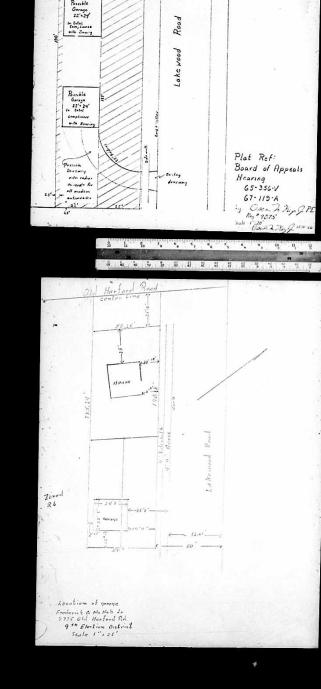
# THE BALTIMORE COUNTIAN CATONSVILLE, MD. November 28, 1966.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commission or of Bultimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Marysuccessive weeks before land, once a week for One 28th day of November, 19 55, that is to say the same was inserted in the issues of November 84, 1966.

THE BALTIMORE COUNTIAN

By Paul J Morgay



- Te Baltimore

\*8735

24"+24

Enting House

125

Old Harford Road

All demonsters shown for the McNab property at 8735 Old Harford Read relating to property outline or Easting House are derived

from plate filed on behalf of M. McHab

with the Balto do Building Engineer and Zenzing Commissioner

## CERTIFICATE OF PUBLICATION

ZONING Prillian for Variance for in Accessive Building of the Con-tract of the Control of the Con-lication Senting Control of the Harford Rand & Labrerood Road, DATE & TIME Honday, December 12, 1364 at 16:00 AR. URLIC HERRING: Room 10-5, Coun-ty Office Building, 111 W. Chess-peake Avenue, Townen, Maryland.

The Michael Same In Comp.

The State Committee of the probability of the State Committee of the State Stat

TOWSON, MD., November 24 19.66

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Tewson, Baltimore County, Md., once in each of 1 Time successive weeks before the 12th day of \_\_\_\_Protester\_\_\_\_\_\_, 1924\_, the first publication appearing on the 25th day of Soverher

THE JEFFERSONIAN,