

71-216-A  
#82

## PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Guy H. & Erma McDonald, 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 400.1 - To permit a swimming pool to be... located outside of the 1/3 of the lot farthest removed from any streets.

The Pool was installed by an out of State Contractor who failed to get a permit before he started the job. As a result there is an extreme practical hardship that the owner be required to move the pool a very short distance which will put the installation within the zoning law. We pray Zoning Variance approval.

See attached description

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

Contract purchaser: Guy H. McDonald  
 Address: 5905 Johnnycake Road  
Baltimore, Md 21207  
744-0389

Legal Owner: Erma McDonald

Protestant's Attorney: Herbert H. Miller, Esq.  
 Address: 660 Keshiworth Drive  
Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of 11 January, 1971, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of February, 1971, at 10:30 o'clock

Edward D. Hardesty  
 Zoning Commissioner of Baltimore County

(over)

### ZONING DESCRIPTION

LOCATED ON THE SW CORNER OF JOHNNYCAKE AND SOUTHBRIDGE ROADS, BEING KNOWN AS 5905 JOHNNYCAKE ROAD, ALSO BEING KNOWN AS LOT #1, BLOCK A, AS SHOWN ON PLAT OF WESTVIEW PARK SECTION 1A, RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK G.L.R. #20 FOLIO #92

1ST ELECTION DISTRICT

TELEPHONE 488-2413

INVOICE  
**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF FINANCE**  
 Revenue Division  
 COURT HOUSE  
 TOWSON, MARYLAND 21204

No 78358  
 DATE Feb. 27, 1971

To: Andrew P. Szanki  
 1517 Grammie Rd.  
 Baltimore, Md. 21218

Zoning Dept. of Baltimore County

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	Advertising and posting of property for Guy H. McDonald #1-216-A	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	\$39.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
 MAIL TO OFFICE OF FINANCE, REVENUE DIVISION  
 COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE 488-2413

INVOICE  
**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF FINANCE**  
 Revenue Division  
 COURT HOUSE  
 TOWSON, MARYLAND 21204

No 78305  
 DATE Feb. 1, 1971

To: Andrew P. Szanki  
 1517 Grammie Road  
 Baltimore, Md. 21218

Zoning Dept. of Baltimore County

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
1	Petition for Variance for Guy H. McDonald #71-216-A	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	\$25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
 MAIL TO OFFICE OF FINANCE, REVENUE DIVISION  
 COURTHOUSE, TOWSON, MARYLAND 21204

### BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 18, 1971

Herbert H. Miller, Esq.,  
 660 Keshiworth Drive  
 Towson, Maryland 21204

RE: Type of Variance: Variance for a swimming pool  
 Locations: SW Cor. of Southridge Rd. and Johnnycake Road  
 Petitioners: Guy H. & Erma McDonald  
 Committee Meeting of January 5, 1971  
 Item 86

Dear Sirs:

The Zoning 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 a result of this review and inspection.

The subject property is presently improved with a dwelling, with the surrounding properties being improved with dwellings, 10 to 15 years of age, in good repair. Southridge Road and Johnnycake Road are improved insofar as concrete curb and gutter are concerned in this location.

#### BUREAU OF ENGINEERING:

No public highway improvements or utilities are involved; therefore, this office has no further comment in regard to the plat submitted for Zoning Advisory Committee review in connection with the subject item.

#### DEPARTMENT OF TRAFFIC ENGINEERING:

The subject variance should have no effect on traffic.

#### BOARD OF EDUCATION:

No bearing on student population.

#### FIRE DEPARTMENT:

This office has no comment on the proposed site.

#### PROJECT PLANNING DIVISION:

This plan has been reviewed and the storage shed will have to be indicated as it is also in violation.

Herbert H. Miller, Esq.,  
 Item 86  
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January 19, 1971

#### HEALTH DEPARTMENT:

The petitioner must comply with the Department of Health Regulations regarding private swimming pools.

#### BUILDINGS ENGINEER'S OFFICE:

No comment from this office at this time.

#### ZONING ADMINISTRATION DIVISION:

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,

Oliver L. Myers  
 OLIVER L. MYERS, Chairman

OLM:JD  
 Enc.

Herbert H. Miller, Esq.,  
 660 Keshiworth Drive  
 Towson, Maryland 21204

Item 86

### BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing this  
5th day of January, 1971

Edward D. Hardesty  
 EDWARD D. HARDESTY  
 Zoning Commissioner

Petitioner: Guy H. & Erma McDonald

Petitioner's Attorney: Herbert H. Miller

Reviewed by Oliver L. Myers  
 Chairman of the  
 Advisory Committee

UNDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that denial of the variance would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without substantial injury to the public health, safety or general welfare of the locality involved,

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24 day of FEBRUARY, 1971, 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 (Swimming Pool) to be located outside of the 1/3 of the lot farthest removed from any street, subject to approval of the plot plan by the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the following finding of facts that denial of the variance would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without substantial injury to the public health, safety or general welfare of the locality involved,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24 day of FEBRUARY, 1971, that the above Variance be and the same is hereby DENIED.

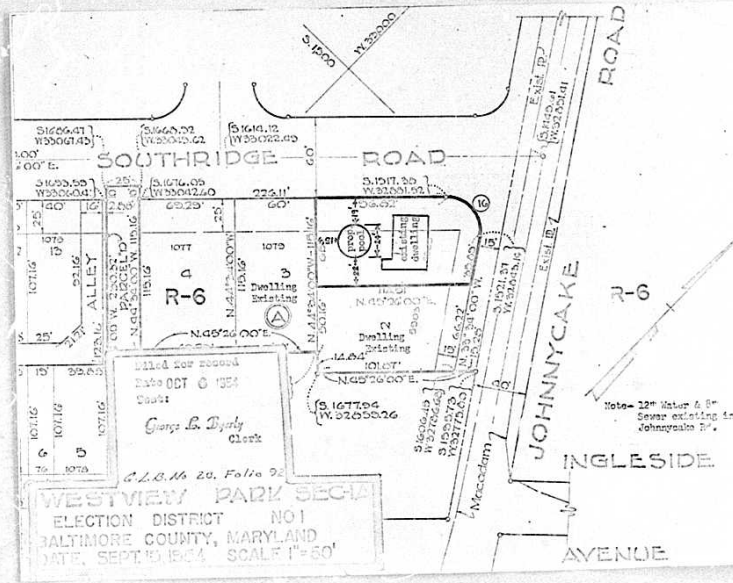
Zoning Commissioner of Baltimore County

71-216-4  
71-216-4  
71-216-4

MICROFILMED

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 1ST Date of Posting FEB. 9 - 1971  
Posted for VARIANCE  
By GUY H. McDONALD  
Location of property: SW COR. OF JOHNNYCAKE & SOUTHRIDGE RDS.  
Location of Signs: 5705 JOHNNYCAKE RD.  
Remarks:  
Posted by Charles H. Mead Date of return FEB. 12 - 1971



CERTIFICATE OF PUBLICATION

TOWSON, MD., February 4, 1971  
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 each of one time before the 24th day of February, 1971, the first publication appearing on the 4th day of February, 1971.

THE JEFFERSONIAN  
L. Frank Strickland  
Manager

Cost of Advertisement, \$.....

OFFICE OF THE  
THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 Feb. 5, 1971

THIS IS TO CERTIFY that the annexed advertisement of Edward D. Hardisty, Zoning Commissioner of Baltimore County, was published in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 5th day of Feb., 1971, that is to say, the same was inserted in the issue of February 4, 1971.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR VARIANCE  
I, EDWARD D. HARDISTY, Zoning Commissioner of Baltimore County, do hereby certify that the following advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 5th day of Feb., 1971, that is to say, the same was inserted in the issue of February 4, 1971.

PETITION FOR VARIANCE  
I, EDWARD D. HARDISTY, Zoning Commissioner of Baltimore County, do hereby certify that the following advertisement was published in the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time before the 24th day of Feb., 1971, that is to say, the same was inserted in the issue of February 4, 1971.