

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **LESTER E. DAMUTH and Helen D. Damuth**, his wife, 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 208.1.1 (1. R92.3C1) To permit a lot width of 62 feet in lieu of the required 70 feet

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

The petitioner cannot acquire additional property to meet the 70 feet required by the Baltimore County Zoning Regulations, and since the area is over 10 acres and above the square footage required for 3, 3.5, a Variance will be necessary to construct a one family dwelling.

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.

Lester E. Damuth
LESTER E. DAMUTH
HELEN D. DAMUTH
305 W. Allegheny Avenue
Baltimore, Maryland 21204
Petitioner's Attorney
Address 296-2600

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day

of September 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 14th day of November, 1971, at 11:00 o'clock

[Signature]
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 27, 1971

Charles E. Brooks, Esq.,
305 W. Allegheny Avenue
Towson, Maryland 21204

RE: Type of Hearing: Variance
Location: 52/5 Chatsworth Ave., 137'
NE of Lampport Road
Petitioner: Lester E. and Helen D. Damuth
Committee Meeting of September 14, 1971
4th District
Item 44

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 located on the southeast side of Chatsworth Avenue which is north of Lampport Road. The entire property extending from Lampport Road to this property is vacant wooded lots. There is existing residential to the north and rear of this property and a school across the street. There is no curb and gutter at this location.

BUREAU OF ENGINEERING

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.

General:

A resubdivision plat appears to be required for this site and the development of other unimproved properties fronting on Chatsworth Avenue northeast of Lampport Road, which comprise portions of the plat of "Oyster's Subdivision" (M.P. 7, folio 159).

Highways:

Chatsworth Avenue (Md. 127) is a State road; therefore, all improvements, alterations and entrances on this road will be subject to State Highway Administration requirements.

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It is noted that the existing road is improved in the area as a 30-foot closed type highway cross section; however, concrete curb and gutter and sidewalks do not exist along the frontage of this site or the adjoining properties southerly to Lampport Road.

Sediment Control:

Development of this property through striping, 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.

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Stern Drains:

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

Chatsworth Avenue (Md. 127) is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

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

It is noted that drainage and utility easements may be required.

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are available to serve this property.

BOARD OF EDUCATION:

No bearing on student population.

Charles E. Brooks, Esq.,
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HEALTH DEPARTMENT:

Public water and sewer are available to the site.

DEPT. OF TRAFFIC ENGINEERING:

The subject variance should have no effect on traffic.

FIRE PREVENTION BUREAU:

This office has no comment on the proposed site.

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

STATE HIGHWAY ADMINISTRATION:

Access to the subject site will be subject to State Highway Administration approval and permit.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

This lot was created in violation of the subdivision and zoning regulations of Baltimore County. The remaining parcel from the tract that this lot came from is also 62,50' wide. This parcel must also receive a variance prior to recording a plat for both lots, a condition which must be met prior to obtaining any building permits.

STATE HIGHWAY ADMINISTRATION:

Access to the subject site will be subject to State Highway Administration approval and permit.

ZONING ADMINISTRATION DIVISION:

In view of the comments of Project Planning Division, we recommend that the petitioner withdraw his petition and refile with the owner of the adjacent property after this property is properly recorded.

Yours very truly,
[Signature]
OLIVER L. MYERS, Chairman

Charles E. Brooks, Esq.,
305 W. Allegheny Avenue
Towson, Maryland 21204

Item 44

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 27th day of September 1971

[Signature]
S. ERIC OZYENNA,
Zoning Commissioner

Petitioner: Lester E. and Helen D. Damuth

Petitioner's Attorney Charles E. Brooks Reviewed by *[Signature]*
Chairman of
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 276

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 4, 1971 ACCOUNT 01-662

AMOUNT \$42.50

DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER

Lester E. Damuth, Jr.,
4411 Chartley Park Road
Baltimore, Md. 21116
Advertising and sale of property #2-120-A

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 14, 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. on the 14th

day of November, 1971, before the 14th

day of November, 1971, the 14th publication

appearing on the 14th day of October

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

PETITION FOR VARIANCE

ON SUBJECT:

RE: Type of Hearing: Variance

Location: 52/5 Chatsworth Ave., 137'

NE of Lampport Road

Petitioner: Lester E. and Helen D. Damuth

Committee Meeting of September 14, 1971

4th District

Item 44

The Zoning Commission of Baltimore County, Maryland, has received and accepted for filing

this 27th day of September 1971

[Signature]
S. ERIC OZYENNA,
Zoning Commissioner

Petitioner: Lester E. and Helen D. Damuth

Petitioner's Attorney Charles E. Brooks Reviewed by *[Signature]*
Chairman of
Advisory Committee

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

BALTIMORE COUNTY, MARYLAND No. 208

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 12, 1971 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER

Hessrs. Brooks & Turnbul
305 W. Allegheny Ave.
Towson, Md. 21204

Petition for Variance for Lester E. Damuth - #2-120-A

Advertising and sale of property #2-120-A

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

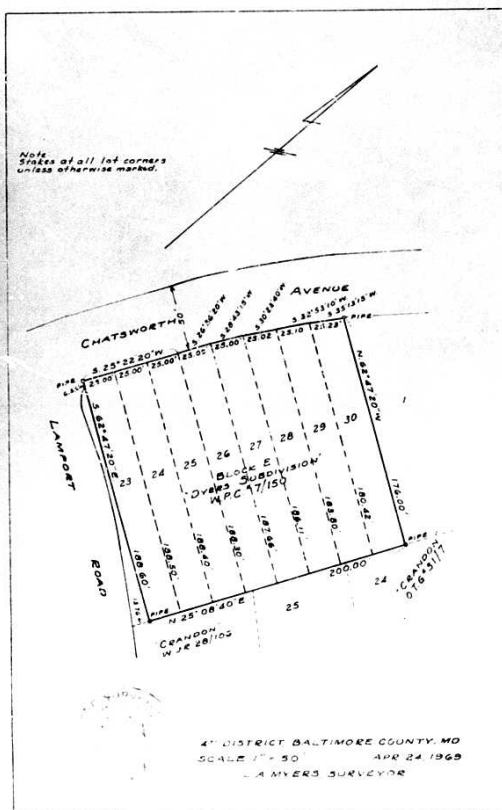
THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$

1971

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement \$



ORDER 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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardships upon the Petitioners and the Variance requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved,

the above Variance should be had, ~~and it is further ordered that the said Variance be granted~~

to permit a lot width of sixty-two (62) feet instead of the a Variance required seventy (70) feet should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this

day of November 1961, that the herein Petition for a Variance should be and the same is granted from and after the date of this Order, to permit a lot width of sixty-two (62) feet instead of the required seventy (70) feet, subject to the approval of the site plan by the State Highway Administration, Bureau of Engineering 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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

day of 1961, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>OLM</u>	Revised Plans:				Change in outline or description _____ Yes					
Previous case: <u>0</u>	Map # <u>4-1D</u>				_____ No					

PETITION FOR VARIANCE
4th DISTRICT
ZONING: Petition for Variance
for Lot Width
LOCATION: Southeast side of
Chapman Avenue 187.5 feet
North of Landon Road
DATE & TIME: THURSDAY,
NOVEMBER 4, 1971 at 11:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake 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.
Petition for Variance from the
Zoning Regulations of Baltimore
County to permit a lot width of 62
feet instead of the required 70 feet.
The Zoning Regulation to be
varied is as follows:
Section 1802.01 Minimum Lot
Width: 70 feet.
All that parcel of land in the
Fourth District of Baltimore
County
BEGINNING for the same on
Avenue 187.5 feet North of
Chapman Avenue, bounded by the
intersection formed by Chapman
Avenue and Landon Road,
thence bearing the Southeast side
of Chapman Avenue and
returning the site following courses
and distances viz (1) 96.0° 47' 20" E
184.12; (2) N 25° 00' 40" E 62.50;
(3) N 62° 47' 20" W 178.00; (4) S 30°
12' 18" W 25.30; (5) 21° 17' W
25.10; (6) S 30° 22' 40" E 122.00 to
the place of beginning.
Containing 261 acres more or
less.
Being the property of Lester E.
Lynch and Helen D. Danuth, as
shown on plat filed with the
Zoning Department.
Hearing Date: Thursday, November
4, 1971 at 11:00 A.M.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DANUTH, A
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Oct 14



RANDALLSTOWN, MD. 21133 October 18 - 1971

THIS IS TO CERTIFY, that the enclosed advertisement of
S. Eric Danuth
Zoning Commissioner of Baltimore County
was inserted in THE COMMUNITY TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one week
before the 18 day of October 1971 that is to say, the same
was inserted in the issue of October 14, 1971.

STRONBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District A-2
Posted for VARIANCE
Petitioner LESTER E. DANUTH
Location of property SE 1/4 OF CHATSWORTH AVE 187.5 FEET OF
LAMPART RD
Location of Signs S 1/2 OF CHATSWORTH AVE 180 FT. + OF
OF LAMPART RD
Remarks
Posted by Charles M. Neal Date of return OCT 22 1971



- LOT #30, #29, & NORTH-624 MOOT SUB HALF OF #20 BLOCK E; PLAT OF DYER'S SUBDIVISION ON CHATSWORTH AVE. PLAT BOOK W.F.C. #7, ROLL 150
- THIS SITE PLAN WAS DRAWN FROM INFORMATION FURNISHED FROM SURVEY PREPARED BY CHARLES ALVAN MYERS DATED APRIL 29, 1969
- ALL UTILITIES SHOWN SHALL BE IN ACCORDANCE WITH ALL GOVERNING CODES, LAWS, ORDINANCES, AGREEMENTS, ETC.

RESIDENCE FOR
MR. & MRS. LESTER E. DAMUTH, JR.
CHATHAM AVE. REISTERSTOWN, MD.
MAY 1971 DRAWING NO. 341