

**BALTIMORE COUNTY, MARYLAND**

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.

DIRECTOR

WM. T. MÜLZER

DEPUTY TRAFFIC ENGINEER

May 30, 1973

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

Re: Item 184 - ZAC - March 27, 1973
Property Owner: Donald A. Monaghan, Jr.
N/S of Dogwood Road, 45' N/E of Ridge Road
Variance from Section 421.1 to permit an animal boarding place and
kennel within 75' of property lines instead of required 200'
District 1

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested variance to the side yard for a kennel. The petitioner must provide a parking area that will permit vehicles to turn around on site prior to exiting from the site. The petitioner is also cautioned as to the sight distance on Dogwood Road to the west of the site and it is recommended that the driveway to the site be located as far east as practical.

Very truly yours,

A handwritten signature in cursive script, reading "Michael S. Flanigan".

Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

ORDER RECEIVED FOR FILING

DATE May 24, 1973
Jella R. Conway, etc.

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 hardship upon the Petitioner,

~~the above~~ Variances should be had; and it further appearing that by reason of ~~the~~ granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit an animal boarding place and kennel one hundred and fifty-five (155) feet from the west property line and one hundred and thirty (130) feet from the south property line instead of the required two hundred (200) feet ~~should be granted.~~ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of May, 1973, that the herein Petition for ~~a~~ Variances should be and the same ~~is~~ Granted, from and after the date of this Order, to permit an animal boarding place and kennel one hundred and fifty-five (155) feet from the west property line and one hundred and thirty (130) feet from the south property line instead of the required two hundred (200) feet, subject to the approval of a site plan by the Department of Health, Department of Public Works, and the Office of Planning and Zoning.

Philip H. [Signature]
Zoning Commissioner of Baltimore County

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 _____, 197__, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **DONALD A. MONAGHAN, Jr.**, 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 421.1, to permit an animal boarding place and kennel within 75 feet from the west property line and 130 feet from the south property line instead of the required 200 feet.

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

1. That due to the irregular shape of the Petitioner's 2.69 acre tract, it is not possible to locate the proposed improvements in strict accordance with the Regulations, and strict enforcement will produce practical difficulty and unreasonable hardship upon the Petitioner.
2. That the character of the area is semi-rural in nature and very lightly developed, with neighboring property in part owned by the Petitioner's family, and the requested variance will disturb no one, and not in any way be harmful to the public welfare.
3. For such other and further reasons as may be shown at the time of the hearing hereon.

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 **Donald A. Monaghan, Jr.**
Address **Dogwood Road at Ridge Road**
Baltimore County, Maryland 21207

Petitioner's Attorney
James D. Nolan
Address **204 West Pennsylvania Avenue**
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of April 1973, 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 104, County Office Building in Towson, Baltimore County, on the 23rd day of May, 1973, at 10:15 o'clock

S. Eric DiNenna
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

James D. Nolan, Esq.
204 West Pennsylvania Avenue
Towson, Maryland 21204

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

Your Petition has been received and accepted for filing
this 20th day of March 1973.

S. Eric DiNenna
Zoning Commissioner

Petitioner **Donald A. Monaghan**
Petitioner's Attorney **James D. Nolan**
Old Court Road (21204)

Reviewed by **John J. Dillon, Jr.**
Chairman
Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 17, 1973

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

James D. Nolan, Esq.
204 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Variance Petition
Item 184
Donald A. Monaghan - Petitioner

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Dear Mr. Nolan:

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.

These 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 appropriateness of the requested zoning.

The subject property is located on the north side of Dogwood Road, 45 feet northeast of Ridge Road, in the 1st District of Baltimore County. The subject property is zoned RDP and is requesting a Variance to allow an animal boarding place within 75 feet of the property line instead of the required 200 feet. The property is currently improved with a two-story frame dwelling and at least three other outbuildings. The existing frame shed on the east side of the property is already used as a kennel building and this should be incorporated in the Variance request. Revised plans will be necessary to indicate all structures as they exist in the field and the existing parking area, plus indicating a revised parking area that meets the minimum standards of Baltimore County Traffic Engineering. There is no curb and gutter existing along Dogwood Road at this location.

The petitioner is advised to pay particular attention to the Health Department comments, and we recommend that the Zoning Commissioner consider these as restrictions should he decide to grant the petition.

James D. Nolan, Esq.
Item 184
Page 2
May 17, 1973

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,

John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

JJDJR:JD

(Enclosure)

cc: Robert C. Norris (Surveyor)
Old Court Road
Baltimore, Maryland 21207

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Branch of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF

April 23, 1973

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

Re: Item #184 (1972-1973)
Property Owner: **Donald A. Monaghan, Jr.**
N/S of Dogwood Road, 45' N/E of Ridge Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 421.1 to permit an animal boarding place and kennel within 75' of property lines instead of required 200'
District: 1st No. Acres: 2.69 acres

Dear Mr. DiNenna:

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.

Highway:

Dogwood Road, an existing public road, is proposed to be realigned through this property in the vicinity of Ridge Road and improved in the future as a 40-foot closed-type roadway cross-section on a 60-foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way and widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The plan must be revised to indicate the proposed highway alignment and right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public buildings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drain:

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

S. Eric DiNenna
Page 2 - Item #184
April 23, 1973

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.

A drainage study is required to determine the flood plain for the Dogwood Run through this property, on the basis of a 100-year storm frequency. The plan must be revised to indicate the existing stream (Dogwood Run) within this site and the 100-year flood plain. Further information may be obtained from the Baltimore County Bureau of Engineering.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which is assumed to be utilizing private on-site facilities.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:PW:RLLW

L-SW Key Sheet
9 NW 31 Top. Sheet
NW 3 H Topo
87 Tax Map

Encls:

cc: J. Tremmer
J. Somers
D. Grise
File

Baltimore County Fire Department



Towson, Maryland 21204

812-7310

J. Austin Dantz
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. **JOHN J. DILLON, JR.**, Chairman
Zoning Advisory Committee

Re: Property Owner: **Donald A. Monaghan, Jr.**

Location: N/S of Dogwood Road, 45' N/E of Ridge Road

Item No. 184

Zoning Agenda Tuesday, March 27, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and their comments below noted with an "a" 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 of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site. The vehicle dead-end condition shown at _____
- () 3. EXCEEDS 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.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by **John J. Dillon, Jr.** Noted and Approved: **Deputy Chief**
Special Inspection Division Fire Prevention Bureau

mls
4/25/72

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 hardship upon the Petitioner,

the Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, Variance to permit an animal boarding place and kennel one hundred and fifty-five (155) feet from the west property line and one hundred and thirty (130) feet from the south property line instead of the required two hundred (200) feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of May, 1973, that the herein Petition for Variance should be and the same is granted from and after the date of this Order, to permit an animal boarding place and kennel one hundred and fifty-five (155) feet from the west property line and one hundred and thirty (130) feet from the south property line instead of the required two hundred (200) feet, subject to the approval of a site plan by the Department of Health, Department of Public Works, 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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner,

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of May, 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

March 30, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 184, Zoning Advisory Committee Meeting
March 27, 1973, are as follows:

Property Owner: Donald A. Monaghan, Jr.
Location: N/S of Dogwood Rd. 45' N/E of Ridge Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 421.1 to permit an animal boarding place and kennel within 75' of property lines instead of required 200'
District: 1
No. Acres: 2.69

Private water supply exists on property.

Complete soil evaluation must be conducted and approved prior to Health Department approval being granted for this operation.

Community Hygiene Comments: Health Department approval is predicated on the following:

1. The animal structure is a reasonable distance from the adjoining residential property.
2. The corral is cleaned daily and manure is not permitted to accumulate on the ground.

(continued)

Mr. S. Eric DiNenna

- 2 -

March 30, 1973

Community Hygiene Comments (cont.):

3. Manure is either removed from the premises daily or stored in suitable covered receptacles prior to removal within a reasonable time.
4. Animal food is stored in covered ratproof containers.
5. Rodent, insect and odor control is maintained.
6. No animal shall be permitted within 75 feet of a potable water supply (well or spring).

Failure to maintain the property in accordance with the aforementioned provisions may make it necessary for the Health Department to request revocation of the permit and removal of the structure and the animals.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

NVB:mng

cc: J.A. Messina

William D. Fromm
Director
Jefferson Building
2nd Floor
Towson, Md. 21204
(410) 381-1111



S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesaapeake Ave.
Towson, Md. 21204
(410) 381-1111

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

April 17, 1973

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 184, Zoning Advisory Committee Meeting, March 27, 1973, are as follows:

Property Owner: Donald A. Monaghan, Jr.
Location: N/S of Dogwood Road, 45' N/E of Ridge Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 421.1 to permit an animal boarding place and kennel within 75' of property lines instead of required 200'
District: 1
No. Acres: 2.69 acres

The site plan must be revised to show all existing and proposed improvements to the property.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 27, 1973

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

Z.A.C. Meeting of: March 27, 1973

Re: Item 184
Property Owner: Donald A. Monaghan, Jr.
Location: N/S of Dogwood Road, 45' N/E of Ridge Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 421.1 to permit an animal boarding place and kennel within 75' of property lines instead of required 200'

District: 1
No. Acres: 2.69 acres

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
Field Representative

MNP/ml

H. EMBLE PARKER, President
EUGENE C. WISE, Vice President
MRS. ROBERT L. BERNY

MARCUS W. BOWMAN
JOSEPH W. HUGHES
ALVIN LORECK
JOSHUA W. WHEELER, Treasurer

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACY, VMD
MRS. RICHARD A. ALBERT

Robert C. Morris, Reg. Surveyor
Old Court Road, Balto. Md. 21207

Jan. 20, 1973

Description for a parcel of land owned by Donald Monaghan, on the Dogwood Road.

Beginning for the same at a point on the North side of the Dogwood Road, 45 feet measured Northeasterly from the center line of the Ridge Road, thence running and binding on the outlines of the land described in a deed from Margaret R. Wilderman to Donald C. Monaghan, dated Oct. 19, 1971 and recorded among the Land Records of Balto. Co. in Liber No. 5226 folio 912 etc., South 06 degrees 00 East 346.5 ft. and North 72 degrees 00 minutes East 693 ft. to a point on the North side of Dogwood Road, thence running along and in the bed of Dogwood Road North 87 degrees 30 minutes West 169.9 ft. and North 71 degrees 30 minutes West 330 ft. and North 80 degrees 30 minutes West 247.5 ft. to the point of beginning. Containing 2.69 acres more or less. Saving and excepting therefrom all that part of said land now covered by the paving of Dogwood Road. The courses used in the above description are cited in the above mentioned deed as defining the boundaries of the property.

Robert C. Morris
Robert C. Morris



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 15, 1973

FROM: William D. Fromm, Director

SUBJECT: Petition 673-285-A, South side of Dogwood Road 45 feet East of Ridge Road. Petition for Variance for Side and Rear Yards. Petitioner - Donald A. Monaghan, Jr.

1st District

HEARING: Wednesday, May 23, 1973 (10:15 A.M.)

The staff of the Office of Planning and Zoning will offer no comments on this petition at this time.

SIGNED: William D. Fromm
William D. Fromm, Director

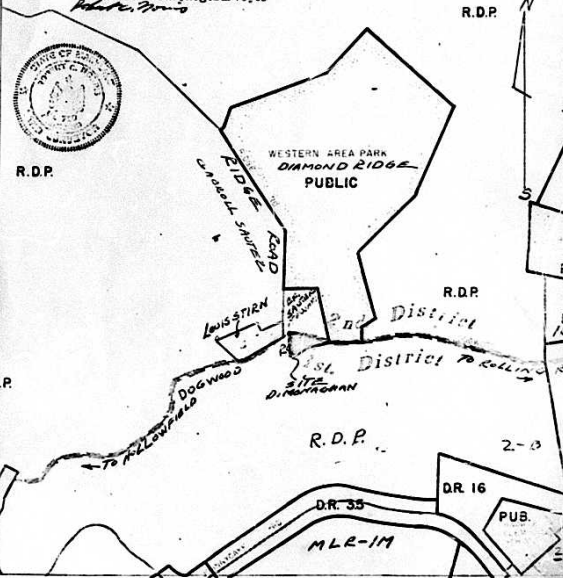
WDF:WEG:rv



R.D.P.

Plot showing a parcel of land owned by Donald Monaghan, First District, Baltimore County, Maryland. Scale 1 in. to 1000 ft. Dec. 26, 1972. Part of the Planning Map No. 2-B.

Robert C. Morris, Reg. Surveyor



Zoning Commissioner of
Baltimore County
May 1

Cost of Advertisement, \$.....

Hearing Date: Wednesday,
22, 1973 at 10:15 A.M.
Public Hearing: Room
County Office Building, 111

By Ruth Morgan

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:					Revised Plans: Change in outline or description _____ Yes _____ No					
Previous case:					Map # _____					

District 12 Date of Posting May 11, 1973
 Posted for: KARAMEE
 Petitioner: RONALD A. KACHANIAN
 Location of property: Sp. of Redwood Rd. 45 ft. E. of Redwood Rd.
 Location of Signs: Sp. of Redwood Rd. 700 ft. E. of Redwood Rd.
 Remarks:
 Posted by: Charles H. Hall Date of return: May 11, 1973

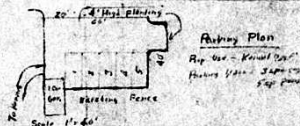
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Reviewed by H. J. Dill Jr.
Chairman,
Zoning Advisory Committee

28235 REF 23 56.00

Petition for Writ of Habeas Corpus for Donald A. Munaghan, Jr.
#73-305-A 468610 K2181 2 2500

H. EDWARDS
CUB SAUTER
R.D.P.



BALTIMORE COUNTY
DIAMOND RIDGE
PUBLIC PARK

DOGWOOD ROAD

2.67 ACRES

R.D.P.

CHAS. GRILL
UNIMPROVED
R.D.P.

PROPOSED VARIANCE FOR EASEMENT
WITHIN 100' OF EXISTING EASEMENT
DISTANCE OF 200' REQUIRED
PROPOSED VARIANCE DISTANCE WITHIN
100' OF EXISTING EASEMENT
DISTANCE OF 200' REQUIRED



RECORD PLANS

OFFICE COPY

#184

DONALD C. MONAGHAN, OWNER
100 DOGWOOD RD, BALTO, 21207
BRAND BLDG. 12/26/77

FIRST DIST. BALTO. CO., MD.
SCALE 1" = 50' DEC. 1972

PRIVATE SEWER & WATER SYSTEMS

UNL. T. PUBLIC WATER SUPPLY

ROBERT C. NICKS, JR., SUEVER
OLD COURT RD, BALTO, 21207



