

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or **Garn T. & Karleen Godwin**, legal owners 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 height of 22 feet instead of the required fifteen feet for an accessory structure.

See attached description.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons (indicate hardship or practical difficulty): Family of five residing in older three story home with only three closets in entire house. No other storage space available; no attic and basement wet. Need bottom portion of garage for storage of: (1) automobile, (2) pickup truck and (3) 20-foot boat with 160 hp. motor. Planned to use upper portion of garage for storage. When applied for and received permit submitted sketch (which is attached along with permit) showing structure as two-story. When informed of 16-foot limit structure already included support beam (costing \$600.00), floor for second floor, block laid to point of putting on roof, and delivery of trusses (costing \$420.00). Permit issued 4/9/73 - notified of limit about 6/8/73 - trusses delivered 6/7/73. Have over one-acre lot to accommodate building and believe structure planned will do nothing but improve appearance of neighborhood. If forced to decrease structure and put on a flat roof it will not be attractive in appearance.

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 Garn T. Godwin Jr.
Legal Owner
Address 420 Butler Road
Reisterstown, Md. 21136
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of July, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of September, 1973, at 2:15 o'clock

Eric DiMenna
Zoning Commissioner of Baltimore County.

(over)

Mr. Garn T. Godwin
Item 21
August 22, 1973

a height of 22 feet instead of the required 15 feet for an accessory structure. Since this request is involving a height variance, and the structure is not intended for living purposes, the various members of this Committee accept this petition for filing.

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.
JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJD:JJD
Enclosure

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
WILLIAM T. NELSON

August 7, 1973

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

Re: Item 21 - 27C - July 24, 1973
Property Owner: Garn T. Godwin, et al
SW corner Butler Road and Wabash Avenue
Variance from Section 400.1 to permit a height of 22 feet instead of the required 15 feet for an accessory structure
District 4

Dear Mr. DiMenna:

No traffic problems are anticipated by the requested variance to the height of a structure.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

NSF/pk

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



RETURN AND SITE PLAN
EXPLANATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Item 21

Mr. Garn T. Godwin
420 Butler Road
Reisterstown, Maryland 21136
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 2nd day of August, 1973.

S. Eric DiMenna
Zoning Commissioner

Petitioner: Garn T. & Karleen Godwin

Petitioner's Attorney: _____ Reviewed by: John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 22, 1973

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

Mr. Garn T. Godwin
420 Butler Road
Reisterstown, Maryland 21136

Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BOARD OF FIRE PROTECTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

ADDITIONAL DEVELOPMENT

RE: Variance Petition
Item 21
Garn T. & Karleen Godwin -
Petitioners

Dear Mr. Godwin:

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 southwest corner of Butler Road and Wabash Avenue, in the 4th District of Baltimore County.

This property was zoned DR 3.5 and is improved with a 2-1/2 story frame dwelling and a detached shed at the end of the driveway. Directly in back of the shed there is a garage that is currently under construction under Permit No. 46404. This garage is a two-story structure and is well shielded from Butler Road and Wabash Avenue by existing trees and shrubbery.

This case comes before this office as a result of a Building Inspector's discovery that the permit was apparently issued in error permitting

Item #21 (1973-1974)
Property Owner: Garn T. Godwin, et al
Page 2
August 14, 1973

Water and Sanitary Sewers

Public water supply and sanitary sewerage are available and serving this property.

Very truly yours,

Ellis N. Dwyer
ELLIS N. DWYER, P.E.
Chief, Bureau of Engineering

END/EN:PD/ies

cc: J. J. Trenner

W-SW Key Sheet
66 W 39 Pcs. Sheet
W 17 J Topo
45 Tax Map

Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DWYER, P. E. CHIEF

August 14, 1973

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

Re: Item #21 (1973-1974)
Property Owner: Garn T. Godwin, et al
SW cor. Butler Rd. and Wabash Ave.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 400.1 to permit a height of 22' instead of the required 15' for an accessory structure
District: 4th W. Acres: 1.151 acres

Dear Mr. DiMenna:

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.

Highways

Butler Road (Md. 128) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Wabash Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed-type roadway cross-section on a 60-foot right-of-way (minimum). Highway improvements are not required at this time. Highway right-of-way, including reversible easements for slopes will be required from this property in the future in connection with widening and probable horizontal realignment of Wabash Avenue to provide improved sight distance at the Butler Road intersection. Further information may be obtained from the Baltimore County Bureau of Engineering.

Storm Drains

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.

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 be had; and it further appearing that by reason of the ~~ATTENTION OF~~ the Variance requested not adversely affecting the health, safety and general

Welfare of the community

to permit a height of 22 feet instead of the required 15 feet. ~~AN ACCESSORY STRUCTURE~~ should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 18th day of September, 1973, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order, subject to the approval of a site plan by the State Highway Administration, 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 above Variance should NOT BE GRANTED.

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

Zoning Commissioner of Baltimore County

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
873-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Garn T. Godwin, et al

Location: SW/Cor. Butler Rd. & Wabash Ave.

Item No. 21 Zoning Agenda July 24, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" 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.
- () 3. The vehicle dead-end condition shown at
- () 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.
- (X) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *[Signature]* Moved and Approved: *[Signature]*
Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 2, 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 21, Zoning Advisory Committee Meeting
July 24, 1973, are as follows:

Property Owner: Garn T. Godwin, et al
Location: SW Cor. Butler Rd. & Wabash Ave.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure height of 22' instead of required 15'
District: 4
No. Acres: 1.181

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

[Signature]
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mng

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



August 3, 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 #21, Zoning Advisory Committee Meeting, July 24, 1973, are as follows:

Property Owner: Garn T. Godwin, et al
Location: SW/Cor Butler Road and Wabash Ave.
Existing Zoning: D.R.3.5
Proposed Zoning: Variance from Section 400.1 to permit a height of 22 ft. instead of the required 15 ft. for an accessory structure
Election District: 4
No. Acres: 1.181 acres

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

Very truly yours,

[Signature]
John L. Winkley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 108 WEST CHEESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 480-3811 ZONING 480-3821

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 2, 1973

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

Re: Item 21 Z.A.C. Meeting of: July 24, 1973

Property Owner: Garn T. Godwin, et al
Location: see agenda
Present Zoning: D.R. 3.5
Proposed Zoning: Variance

District: 4
No. Acres: 1.181

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
[Signature]
W. Nick Petrovich
Field Representative

WHP/m

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 15, 1973
FROM: William D. Fromm, Director
Office of Planning and Zoning
SUBJECT: Petition #74-85-A. Southwest corner of Wabash Avenue and Butler Road.
Petition for a Variance for an Accessory Structure.
Petitioners-Garn T. and Karleen Godwin

4th District

HEARING: Tuesday, September 18, 1973 (9:15 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and will offer no comment at this time.

[Signature]
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEG:rv

DESCRIPTION TO ACCOMPANY PETITION FOR VARIANCE

BEGINNING at the northwest end of the gusset line connecting the southeast side of Butler Road and the southwest side of Wabash Avenue (as shown on S.R.C. Plat No. 5409), and thence running and binding on the southeast side of Butler Road South 20 degrees 50 minutes 30 seconds West 104.18 feet to a point, thence leaving said Butler Road and running the following courses and distances: South 8 degrees 08 minutes 40 seconds East 261.51 feet, thence North 70 degrees 50 minutes 30 seconds East 265.41 feet to the southwest side of Wabash Avenue, thence North 34 degrees 56 minutes 30 seconds West 214.64 feet along the said Wabash Avenue to the southeast end of the aforementioned gusset line, and thence North 65 degrees 40 minutes 50 seconds West 72.90 feet to the Point of BEGINNING.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well 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: <i>[Signature]</i>	Revised Plans: Change in outline or description Yes _____ No _____									
Previous case:	Map # _____									



