

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Francis J. Flaherty and
Donna J. Flaherty, 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,

herby petition for a Variance from Section 1802.3C(1) to permit a rear yard setback of 23 feet in lieu of the required 30 feet

setback of 23 feet in lieu of the required 30 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Applicants desire to construct an addition to the existing dwelling to be used as a bedroom. The addition is 14 feet 6 inches wide and 15 feet in length. Applicants occupy a four room and one bath house and have two children who share one bedroom. It is the applicants' desire to house their son and daughter in a separate bedroom. Applicants are without sufficient funds to purchase a three bedroom residence and desire to construct the proposed addition in lieu thereof.

see attached description

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

Francis J. Flaherty
Donna J. Flaherty Legal Owner
Address: 5340 Oakleigh Road
Baltimore, Maryland 21204
Contact purchaser
Address: 5340 Oakleigh Road
Baltimore, Maryland 21204
Leonard J. Grossman
Goodman, Meagher & Enoch
111 N. Charles Street, 7th Fl.
Baltimore, Maryland 21201
Petitioner's Attorney
Protestant's Attorney
Address: Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

August 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 106, County Office Building in Towson, Baltimore County, on the 15th day of August, 1973, at 10:00 o'clock

Witness my hand and the seal of Baltimore County, this 10th day of August, 1973.
Zoning Commissioner of Baltimore County.

(over)

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

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

August 20, 1973

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

Re: Item #29 (1973-1974)
Property Owner: Francis J. and Donna J. Flaherty
W/S Oakleigh Rd., 250' N. Clearwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C(1) to permit a rear yard setback of 23' in lieu of the required 30'
District: 9th No. Acres: 0.0545 Ac.

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.

General:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #29 (1973-1974).

Very truly yours,

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

END:RAM:PH:iss

11-18 Key Sheet
3d 18 11 Pos. Sheet
US 9 C Topo
70 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. DIRECTOR
Wm. T. MILLER DEPUTY TRAFFIC ENGINEER

August 9, 1973

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

Re: Item 29 - 2AC - August 7, 1973
Property Owner: Francis J. and Donna J. Flaherty
W/S Oakleigh Road, 250' N of Clearwood Road
Variance from Section 1802.3C(1) to permit a rear yard setback of 23 feet in lieu of the required 30 feet
District 9

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the rear yard.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

NSF/pk

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 14, 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 29, Zoning Advisory Committee Meeting August 7, 1973, are as follows:

Property Owner: Francis J. and Donna J. Flaherty
Location: W/S Oakleigh Rd., 250' N of Clearwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C(1) to permit a rear yard setback of 23' instead of req. 30'
District: 9
No. Acres: 0.0545

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:ms

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



August 9, 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 #29, Zoning Advisory Committee Meeting, August 7, 1973, are as follows:

Property Owner: Francis J. and Donna J. Flaherty
Location: W/S Oakleigh Road, 250' N. Clearwood Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C(1) to permit a rear yard setback of 23 feet in lieu of the required 30 feet.

Election District: 9th
No. Acres: 0.0545 acres

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

Very truly yours,

John L. Wimbley
Planning Specialist II
Project & Development Planning Division

ORDER RECEIVED FOR FILING

DATE October 23, 1973
BY John J. Flaherty

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 granted and it further appearing that by reason of the findings of the Variance requested not adversely affecting the health, safety and general welfare of the community.

It is ORDERED by the Zoning Commissioner of Baltimore County this 23rd day of October, 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 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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 10, 1973

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

Z.A.C. Meeting of: August 7, 1973

Re: Item 29
Property Owner: Francis and Donna J. Flaherty
Location: see agenda
Present Zoning: D.S. 5-5
Proposed Zoning: variance

District: 9
No. Across: 0.0545

Dear Mr. DiMenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/ml

JAMES PETRICA, P.E.
WALTER S. WEIGAND, JR., P.E.

JAMES PETRICA AND ASSOCIATES, INC.
Consulting Engineers
409 JEFFERSON BUILDING
TOWSON, MARYLAND 21204

August 1, 1973

DESCRIPTION OF PROPERTY TO ACCOMPANY PETITION FOR VARIANCE FOR REAR YARD SETBACK

Beginning for the same on the west side of Oakleigh Road approximately 250 feet north of the north side of Clearwood Road. (1) Thence binding on said west side of Oakleigh Road north 2 degrees 42 minutes east 25 feet, (2) thence leaving said Oakleigh Road north 87 degrees 18 minutes west 95 feet, (3) thence south 2 degrees 42 minutes west 25 feet, (4) thence south 87 degrees 18 minutes east 95 feet to the place of beginning.

The improvements thereon being known as 8340 Oakleigh Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: October 12, 1973
FROM: William D. Fromm, Director
Office of Planning
SUBJECT: Petition #7-94-A, West side of Oakleigh Road 250 feet North of Clearwood Rd.
Petition for Variance for a Rear Yard.
Petitioner - Francis J. Flaherty and Donna J. Flaherty

9th District

HEARING - Monday, October 15, 1973 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the above petition and have no comments at this time.

William D. Fromm
William D. Fromm, Director
Office of Planning

WDF:REG:rv



CERTIFICATE OF PUBLICATION

TOWSON, MD., September 22, 1973

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 _____ day of _____, 1973, the first publication appearing on the _____ day of _____, 1973.

L. Frank Shuster
Manager

Cost of Advertisement, \$ _____

PETITION FOR A VARIANCE
S. Eric DiMenna, Zoning Commissioner
County Office Building
Towson, Maryland 21204
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 _____ day of _____, 1973, the first publication appearing on the _____ day of _____, 1973.

OFFICE OF THE TOWSON TIMES

TOWSON, MD. 21204 October 1 - 1973

THIS IS TO CERTIFY that the annexed advertisement of S. Eric DiMenna, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 1st day of October 1973 that is to say, the same was inserted in the issue of September 27, 1973.

STROMBERG PUBLICATIONS, Inc.

By Chuck Morgan

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this _____ day of _____, 1973.

S. Eric DiMenna
Zoning Commissioner
Petitioner: Flaherty Submitted by: Chasman
Petitioner's Attorney: Chasman Reviewed by: John

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 29

James J. Chasman, Inc., County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this _____ day of _____, 1973.

S. Eric DiMenna
Zoning Commissioner
Petitioner: Francis J. and Donna J. Flaherty
Petitioner's Attorney: James J. Chasman, Inc. Reviewed by: John
409 Jefferson Building
Towson, Maryland 21204
Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 12426

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Sept. 24, 1973 ACCOUNT: 01-662

AMOUNT: \$95.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. Goodman, Mather and Birch
111 W. Charles St.
Baltimore, Md. 21201
Petition for Variance for Francis J. Flaherty
Filed
\$95.00 24 25.00 NC

BALTIMORE COUNTY, MARYLAND No. 12472

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Oct. 15, 1973 ACCOUNT: 01-662

AMOUNT: \$42.50

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Messrs. J. Flaherty
150 Oakleigh Road
Baltimore, Md. 21234
Advertising and posting of property #7-94-A
Filed
\$42.50 15 42.50 NC

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

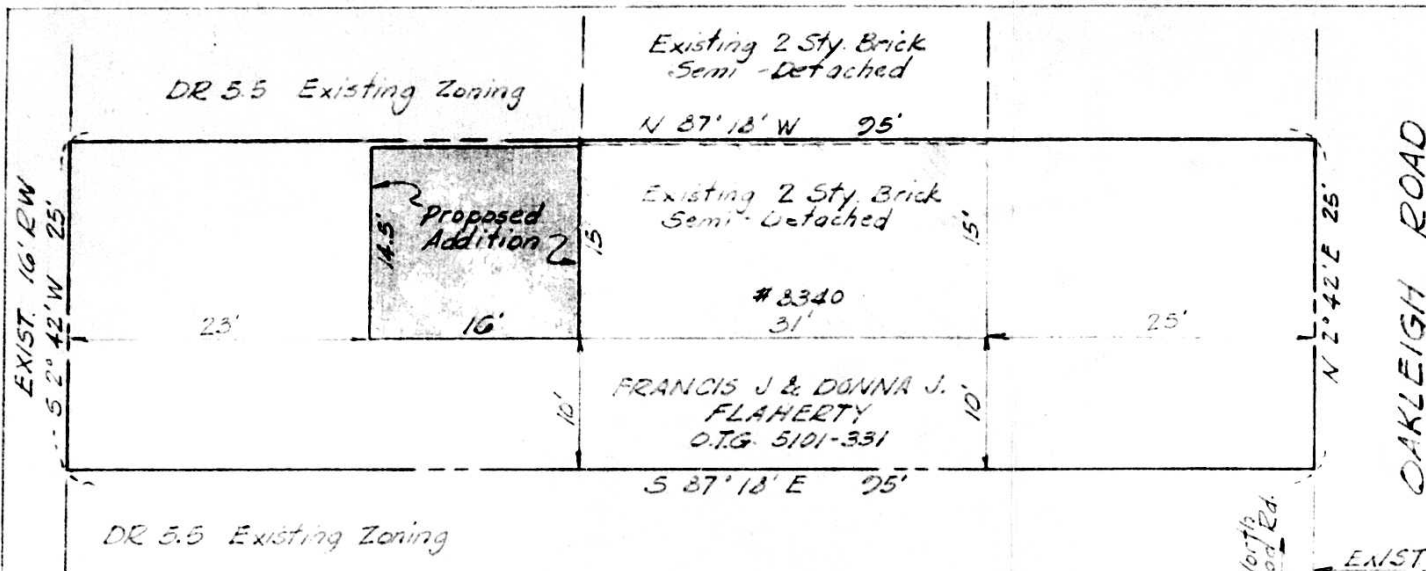
74-94-A

District: 9th Date of Posting: 9/28/73
Posted for: Hearing Monday Oct. 15, 1973 at 10:00 A.M.
Petitioner: Francis J. Flaherty
Location of property: W/S of Oakleigh Rd. 250 ft. N. of Clearwood Rd.
Location of Sign: 1 sign posted on No. 5340 Oakleigh Road
Remarks: Good H. News
Posted by: Good H. News Date of return: 10/14/73

PETITION MAPPING PROGRESS SHEET

FUNCTION	Web 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>ETH/JBB III</u>	Revised Plans:				Change in outline or description _____ Yes					
Previous case:	Map # _____				_____ No					

JAN 17 1974



PLAN
Scale: 1"=10'

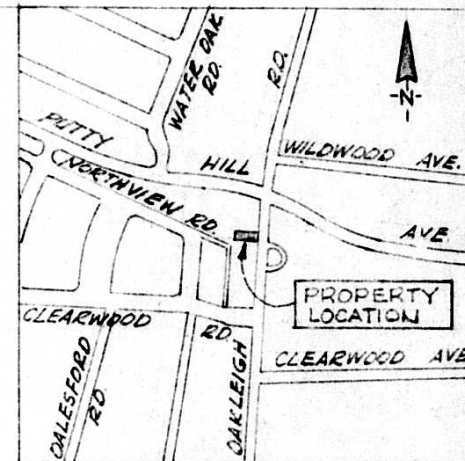
EXISTING USE OF PROPERTY
PROPOSED USE OF PROPERTY
EXISTING ZONING
GROSS AREA OF PROPERTY

RESIDENTIAL
RESIDENTIAL
DR 5.5
0.0545 A.C.S.

UTILITIES:

Water Service - OAKLEIGH ROAD
Sanitary Sewer Service - OAKLEIGH ROAD

OWNERS: FRANCIS J. & DONNA J. FLAHERTY
8340 OAKLEIGH ROAD
BALTO. MD., 21234



LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. Bearings and distances shown on this plat are taken from survey work prepared by Dallenberg Brothers, dated June 9, 1970.
2. Section reference from Baltimore County Zoning Regulations
Rear Yard Variance (23' in lieu of 30') Sect. 1802.3B (2114)

MAP:	30
SECTION:	NE 9-C
DISTRICT:	9
D. T.:	844-73
TYPE:	
HEARD:	1
EY:	1/14
FINAL:	1-4-74
EY:	1/14

PLAT TO ACCOMPANY PETITION
FOR
VARIANCE FOR REAR YARD SETBACK

ELECTION DISTRICT #9
SCALE: AS SHOWN

BALTO. CO., MD.
JULY, 1973

JAMES PETRICA & ASSOCIATES, INC.
CONSULTING ENGINEERS
409 JEFFERSON BLDG., TOWSON, MD.

