

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Lorraine A. (Guelta) Whitney, 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 1.00.3B.(3). to permit side yard setback of 18.5 inches instead of the required 37.5 feet for an open porch.

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

The other door is a sliding door and it freezes shut in winter. Due to the heat from the sun and the cold from the winter, I have to keep the drapes closed and it is very hard to get in and out of this door.

**See attached description**

Property is to be posted and advertised as prescribed by Zoning Regulations. I 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: Lorraine A. (Guelta) Whitney  
 Address: Address Rtd. 15, Box 561  
 Baltimore, Maryland 21220

Petitioner's Attorney: \_\_\_\_\_  
 Address: \_\_\_\_\_

ORDERED BY The Zoning Commissioner of Baltimore County, this 22nd day of February, 1974 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 26th day of March, 1974, at 10:15 o'clock.

Zoning Commissioner of Baltimore County.  
 (over)

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

February 21, 1974

COUNTY CLERK  
 JOHN J. DILLON, JR.  
 Chairman

MEMBERS  
 JAMES B. BYRNES, III  
 Chairman, Zoning Advisory Committee

Mrs. Lorraine A. (Guelta) Whitney  
 Rte. 15, Box 561  
 Baltimore, Maryland 21220

RE: Variance Petition  
 Item 135  
 Lorraine A. Guelta) Whitney

Dear Mrs. Whitney:

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 New Section Road, approximately eight hundred and thirty (830) feet east of Seneca Road, and is improved with a one-story frame residence. Similar dwellings exist both to the east and west and all are waterfront lots. There are no curbs or gutters in this area.

The petitioner is requesting a Variance to permit a side yard setback for an open porch of eighteen and five tenths (18.5) inches instead of the required thirty-seven and one-half (37.5) feet. The dwelling is presently situated just over five (5) feet from the subject property line.

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

Mrs. Lorraine A. (Guelta) Whitney  
 Re: Item 135  
 Page 2  
 February 21, 1974

date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,  
 James B. Byrnes, III  
 Chairman,  
 Zoning Advisory Committee

JBB:JD  
 Enclosure

**Baltimore County Fire Department**

J Austin Deitz  
 Chief



Towson, Maryland 21204  
 875-7310

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

Attention: Mr. Jack Dillon, Chairman  
 Zoning Advisory Committee

Re: Property Owner: Lorraine A. (Guelta) Whitney

Location: N/S of New Section Road, 830 feet E of Seneca Road

Item No. 135 Zoning Agenda February 5, 1974

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 maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 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", 1973 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: J. J. Dillon, Jr. Noted and Approved: Paul H. Reincke  
 Planning Group Special Inspection Division Deputy Chief  
 Fire Prevention Bureau

mls  
 4/16/73

**BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH**

JEFFERSON BUILDING TOWSON, MARYLAND 21204 February 8, 1974 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 135, Zoning Advisory Committee Meeting February 5, 1974, are as follows:

Property Owner: Lorraine A. (Guelta) Whitney  
 Location: N/S New Section Rd., 830' E of Seneca Rd.  
 Present Zoning: R.D.P.  
 Proposed Zoning: Variance to permit side yard setback of 18-1/2" instead of required 37-1/2' for an open porch

No. of acres: 50' x 198'  
 District: 15

Metropolitan water is available.  
 Proposed porch will not affect existing disposal system.

Very truly yours,  
 Thomas H. Davlin, Director  
 BUREAU OF ENVIRONMENTAL SERVICES

WILLIAM D. FROMM  
 DIRECTOR  
 S. ERIC DINENNA  
 ZONING COMMISSIONER



February 15, 1974

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 #135, Zoning Advisory Committee Meeting, February 5, 1974, are as follows:

Property Owner: Lorraine A. (Guelta) Whitney  
 Location: N/S of New Section Road, 830 feet E. of Seneca Road  
 Existing Zoning: R.D.P.  
 Proposed Zoning: Variance to permit a side yard setback of eighteen and one half (18 1/2) inches instead of the required thirty-seven and one half (37 1/2) feet for an open porch  
 No. of Acres: 50 feet X 198 feet  
 District: 15th

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

Very truly yours,  
 John L. Wimbley  
 John L. Wimbley  
 Planning Specialist II  
 Project and Development Planning Division

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: March 19, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #74-212-A, North side of New Section Road 830 feet East of Seneca Rd. Petition for a Variance for a Side Yard. Petitioner - Lorraine A. (Guelta) Whitney

15th District

HEARING: Tuesday, March 26, 1974 (10:15 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

There are no planning issues in this petition which would directly affect the master plan.

William D. Fromm  
 William D. Fromm  
 Director of Planning

WDF:NEG:rv

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

February 27, 1974

Mrs. Lorraine A. (Guelta) Whitney  
 Rte. 15, Box 561  
 Baltimore, Maryland 21220

RE: Variance Petition  
 Item 135  
 Lorraine. (Guelta) Whitney -  
 Petitioner

Dear Mrs. Whitney:

I am in receipt of additional or revised comments from the enclosed Zoning Advisory Committee member(s) with regard to your petition. Please read and add these comments to those previously sent to you. Should revised site plans be required as a result of these comments, please endeavor to have them filed prior to the hearing.

Very truly yours,  
 John J. Dillon, Jr.  
 JOHN J. DILLON, JR., Chairman  
 Zoning Advisory Committee

JDDjr:JD  
 (Enclosure(s))

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 the existing dwelling was situated on a 50 foot wide lot many years prior to the establishment of the R. D. P. Zone, which now requires 50 feet for each of the side yards and, as such, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, therefore,

the above Variance should be had; and it further appearing that by reason of the EXISTENCE OF the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit a side yard setback of 18.5 inches instead of the required 37.5 feet for an open porch should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of April, 1974, 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.

*James G. Ryan*  
Deputy 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 \_\_\_\_\_, 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Beginning for the same at north corner of Patapsco Avenue and Popular Avenue and running thence northeasterly along the northwest side of Popular Avenue 70 feet; thence northeasterly parallel with Patapsco Avenue 100 feet to lot no. 115; thence southeasterly along Lot No. 115, 70 feet to the northwest side of Patapsco Avenue; and thence southeasterly along the northeast side of Patapsco Avenue 100 feet to the place of beginning.  
Being a portion of Lots Nos. 111, 112, 113, and 114 on Plan C of Chesaco Park, filed for record among the Land Records of Baltimore County in Plat Book 992 No. 3, Folio 111. The improvements thereon being known as No. 300 Patapsco Avenue.

Baltimore County, Maryland  
Department of Public Works  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21284

Branch of Engineering  
EILSWORTH N. DYER, P. E. CHIEF

February 22, 1974

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21284

Re: Item #135 (1973-1974)  
Property Owner: Lorraine A. (Guelta) Whitney  
N/S of New Section Rd., 830' E. of Seneca Rd.  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance to permit a side yard setback of 18 1/2" instead of the required 37 1/2" for an open porch  
No. of Acres: 50' x 198' District: 15th

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.

Highways:

New Section Road, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements are not required at this time.

Storm Drainage:

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

Water and Sanitary Sewer:

Public water supply is serving this residence. Public sanitary sewerage is not available to serve this property which is utilizing private onsite sewage disposal.

Very truly yours,  
*Eilsworth N. Dyer*  
EILSWORTH N. DYER, P.E.  
Chief, Bureau of Engineering

END:RAM:908:ass

cc: J. Soerens  
2-5W Key Sheet  
7 & 8 NE L6 Pos. Sheet  
NS 2 L Topo  
91 Tax Map

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 29, 1974

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21284

Z.A.C. Meeting of: February 5, 1974

Re: Item 135  
Property Owner: Lorraine A. (Guelta) Whitney  
Location: N/S of New Section Rd., 830 Ft. E. of Seneca Rd.  
Present Zoning: R.D.P.  
Proposed Zoning: Variance to permit a side yard setback of eighteen and one half (18 1/2) inches instead of the required thirty-seven and one half (37 1/2) ft. for an open porch.

District: 15th  
No. Acres: 50 ft. x 198 ft.

Dear Mr. DiNenna:

No bearing on student population.

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

WNP/ml

51 EMMETT PARK, BALTIMORE, MARYLAND  
EUGENE C. WILSON, PRESIDENT  
WMS HOUSING & DEVELOPMENT  
1000 W. WASHINGTON ST., BALTIMORE, MARYLAND 21201  
MARGARET M. HILLMAN, SECRETARY  
JERRY D. W. MULLIN, TREASURER  
ALVIN E. GIBSON, CHAIRMAN  
STROMBERG PUBLICATIONS, INC.

BALTIMORE COUNTY, MARYLAND  
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING  
EUGENE J. CLYBORN, P.E. CHIEF  
Wm. T. MILLER DEPUTY TRAFFIC ENGINEER

March 1, 1974

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

Re: Item 135 - ZAC - February 5, 1974  
Property Owner: Lorraine A. (Guelta) Whitney  
4/5 New Section Road, 830 feet E of Seneca Road  
Variance to permit a side yard setback of 18-1/2 inches instead of the required 37-1/2 feet for an open porch  
District 15

Dear Mr. DiNenna:

The requested variance to the side yards is not expected to cause any traffic problems.

Very truly yours,  
*Michael S. Fianigan*  
Michael S. Fianigan  
Traffic Engineer Associate

MSF/pk

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 7, 1974

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 week, on one time, \_\_\_\_\_ before the \_\_\_\_\_ day of \_\_\_\_\_, 1974, the \_\_\_\_\_ day of \_\_\_\_\_, 1974.

THE JEFFERSONIAN,  
*Richard M. Stromberg*  
Manager.

Cost of Advertisement, \$\_\_\_\_\_

PETITION FOR A VARIANCE  
15th DISTRICT  
SIGNED: Petition for a Variance for a Side Yard.  
Caption: 50' Side Yard of Seneca Road, 830 feet East of New Section Road, 830 feet East of Seneca Road.  
DATE & TIME: Tuesday, March 14, 1974 at 10:15 A.M.  
PUBLIC HEARING: Room 184, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commissioner of Baltimore County, will hold a public hearing on the Variance at the Public Hearing of Baltimore County, Maryland, on Tuesday, March 14, 1974, at 10:15 A.M. at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The hearing shall be held at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, at 10:15 A.M. on Tuesday, March 14, 1974.  
Also known as No. 111 New Section Road, and Part of Lot No. 111, 112, 113, and 114 on Plan C of Chesaco Park, filed for record among the Land Records of Baltimore County in Plat Book 992 No. 3, Folio 111.  
Hearing Date: Tuesday, March 14, 1974 at 10:15 A.M.  
Public Hearing: Room 184, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
By Order of:  
S. ERIC DINENNA  
Zoning Commissioner of Baltimore County  
Mar. 7.

PETITION FOR A VARIANCE  
15th DISTRICT  
SIGNED: Petition for a Variance for a Side Yard.  
Caption: 50' Side Yard of Seneca Road, 830 feet East of New Section Road, 830 feet East of Seneca Road.  
DATE & TIME: TUESDAY, MARCH 14, 1974 at 10:15 A.M.  
PUBLIC HEARING: Room 184, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commissioner of Baltimore County, will hold a public hearing on the Variance at the Public Hearing of Baltimore County, Maryland, on Tuesday, March 14, 1974, at 10:15 A.M. at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The hearing shall be held at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, at 10:15 A.M. on Tuesday, March 14, 1974.  
Also known as No. 111 New Section Road, and Part of Lot No. 111, 112, 113, and 114 on Plan C of Chesaco Park, filed for record among the Land Records of Baltimore County in Plat Book 992 No. 3, Folio 111.  
Hearing Date: Tuesday, March 14, 1974 at 10:15 A.M.  
Public Hearing: Room 184, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
By Order of:  
S. ERIC DINENNA  
Zoning Commissioner of Baltimore County  
Mar. 7.

ORIGINAL  
OFFICE OF  
THE ESSEX TIMES  
ESSEX, MD. 21221 March 11 - 1974  
THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 11th day of March 1974 that is to say, the same was inserted in the issue of March 7, 1974.  
STROMBERG PUBLICATIONS, Inc.  
*Richard M. Stromberg*

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland  
District: 15th  
Date of Posting: 3-7-74  
Posted for: *Henry J. Sweeney, David B. Sweeney, David H. Sweeney*  
Petitioner: *Henry J. Sweeney*  
Location of property: *111 W. Chesapeake Avenue, Towson, Md.*  
Location of Signs: *Signs placed on both sides of street*  
Remarks:  
Posted by: *Michael S. Fianigan*  
Date of return: 3-14-74

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>STH</u>	Revised Plans:		Change in outline or description <input type="checkbox"/> Yes <input type="checkbox"/> No								
Previous case: _____	Map # _____										

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING **Item 135**

Mrs. Lorraine A. (Gault) Whitney  
Rte. 15, Box 661  
Baltimore, Maryland 21220

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

*Bla*

Your Petition has been received and accepted for filing  
this 22nd day of February 1973.

*S. Eric DiNanna*  
S. ERIC DINANNA  
Zoning Commissioner

Petitioner Lorraine A. (Gault) Whitney

Petitioner's Attorney \_\_\_\_\_ Reviewed by *John J. Dutton Jr.*  
Chairman  
Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received\* this 17th day of

Jan 1973. Item # \_\_\_\_\_

*S. Eric DiNanna*  
S. ERIC DINANNA  
Zoning Commissioner

Petitioner Whitney Submitted by same

Petitioner's Attorney \_\_\_\_\_ Reviewed by STH

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

BALTIMORE COUNTY, MARYLAND No. 13111  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE Feb. 27, 1974 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Louis C. Whitney  
Route 15 Box 661  
Baltimore, Md. 21220  
Petition for Variance  
#74-212-A

25.00

BALTIMORE COUNTY, MARYLAND No. 13168  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE March 26, 1974 ACCOUNT 01-662

AMOUNT \$43.00

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Louis C. Whitney  
Rt. 15 Box 661  
Baltimore, Md. 21220  
Advertising and posting of property  
#74-212-A

43.00