

24-215-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Catherine Lynch, 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, 18023C1

hereby petition for a Variance from Section 10 to permit a side yard setback of 4 feet for an enclosed patio addition in lieu of the required 10 feet.

the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) We would like to enclose the already standing structure consisting of a roof and one side, of three years standing. The sides to enclose would consist of screens, storm windows and doors. Our house sits on lower ground and when it rains and snows the water runs off the other property into our yard, thence into our cellar windows keeping our cellar damp and wet. Also, the water runs down into my foundation causing my sump pump to work much more. It is damaging my property, by doing the above mentioned it would eliminate this problem. Thank you.

See attached description

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

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 Legal Owner
Address 5919 Baltimore Street

Catonsville Manor, Baltimore, Md. 21207

Petitioner's Attorney
Address 10 Light Street, Baltimore, Md. 21202

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 11:00 o'clock.

A. M.

Zoning Commissioner of Baltimore County.

(over)

11047
3/24/74

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DATE 2/27/74
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RE: PETITION FOR VARIANCE
SW/S of Baltimore Street, 65'
Southeast of Dorchester Avenue -
1st District
Catherine Lynch - Petitioner
NO. 74-215-A (Item No. 124)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a side yard Variance that would permit the complete enclosure of an existing patio that is attached to the side of a dwelling. The property is improved with a dwelling, has 60 foot of frontage on Baltimore Street with a rectangular depth of 125 feet, is situated 65 feet southeast of the intersection of Dorchester Avenue, and is in the First Election District of Baltimore County.

Testimony indicated that the Petitioner purchased the subject dwelling about seven years ago and has had problems with rain water seeping into the basement through windows and foundation walls since that time. The Petitioner felt that a major part of the problem was brought about by the fact that their property is lower than the neighboring property and, as such, collects water run-off from that direction.

During the seven years that the Petitioner has had the water problem, she has constructed a six inch high cinder block barrier along the property line, extended underground drainage lines from the downspouts to the front of the property, raised the elevation of the ground along the side foundation wall by constructing a concrete slab or patio, constructed a roof over the patio, and constructed a wall along the side of the patio at the bottom of the terrace. During heavy rains, water still runs around the wall, across the patio and into the basement. They now plan to take the final step of enclosing the front. The enclosed room will not have any heat and is planned to be utilized in the summer only.

M's. Catherine Lynch
Re: Item 124
Page 2
February 22, 1974

is actually near completion.

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,
James B. Pyrites, III
Chairman,
Zoning Advisory Committee

JBB:JD
Enclosure

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

February 15, 1974

Re: Item #124 (1973-1974)
Property Owner: Catherine Lynch
S/W of Baltimore St., 65' S/E of Dorchester Ave.
Existing Zoning: D.R. S-5
Proposed Zoning: Variance to permit a side yard setback of 4' for an enclosed patio addition instead of the required 10'
No. of Acres: 125' x 60' District: 1st

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:
Baltimore Street and Dorchester Avenue, existing County streets, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on the existing 40-foot right-of-way. Highway improvements are not required at this time.

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.

Water and Sanitary Sewer:
Public water supply and sanitary sewerage are serving the present dwelling. It appears that additional fire hydrant protection may be required in the vicinity.

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

END:RAM:PM:iss
L-SF Key Sheet
2 NW 21 Pos. Sheet
NW 1 P Copy
95 Tax Map

The adjoining neighbors opposed the Variance on the basis that it would infringe on their rights, create a fire hazard, crowd the land, hinder the resale of their homes, and is something of an eye sore. They do agree that the Petitioner has a water problem but felt that it is caused by the grade of the Petitioner's driveway, overflowing gutters, and/or damaged downspouts on the Petitioner's dwelling.

Without reviewing all the testimony submitted but based on all testimony and evidence presented, it is the opinion of the Deputy Zoning Commissioner that the Petitioner does have a genuine difficulty or hardship with regard to a water problem. Testimony did differ as to the direction of flow and cause of the water problem. However, said testimony was uncontested with regard to the fact that there was a water problem. The patio has been roofed over and the side facing the Protestant's side property line has been completely enclosed for a period of more than one year. Pictures submitted by both parties do not uphold the Protestants' contention that the proposed addition will be an eye sore. The enclosure of the front and rear of the patio, which is partially obstructed at the present time by ivy covered chain link fence, should not have a detrimental effect on the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of May, 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.

Deputy Zoning Commissioner of Baltimore County

Baltimore County Fire Department

J. Austin Deitz
Chief
Towson, Maryland 21204
829-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Catherine Lynch

Location: SW/S of Baltimore St., 65 feet SE of Dorchester Ave.

Item No. 124 Zoning Agenda 1/22/74

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 100 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.

Reviewer: Lt. Thomas E. Kelly
Planning Group
Special Inspection Division

Noted and Approved: Paul H. Reinhardt
Deputy Chief
Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 22, 1974

M's. Catherine Lynch
5919 Baltimore Street
Catonsville Manor
Baltimore, Maryland 21207

RE: Variance Petition
Item 124
Catherine Lynch - Petitioner

Dear M's. Lynch:

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 side of Baltimore Street, approximately sixty-five (65) feet southeast of Dorchester Avenue, and is presently improved with a one-story brick residence. The surrounding properties are similarly improved, with the dwelling most directly affected by the requested Variance being approximately ten (10) feet from the subject property line, which is in common.

The petitioner's request is for a Variance to permit a four (4) foot side yard instead of the required ten (10) feet to allow a thirteen and one-half (13.5) foot by fourteen and one-half (14.5) foot enclosed patio. The proposed structure

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DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MALLON
DIRECTOR DEPUTY TRAFFIC ENGINEER

January 31, 1974

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

Re: Item 124 - ZAC - January 22, 1974
Property Owner: Catherine Lynch
SW/S of Baltimore Street, 65 feet SE of Dorchester Avenue
Variance to permit a side yard setback of 4 feet for an enclosed patio
addition instead of the required 10 feet
District 1

Dear Mr. DiNenna:

The requested variance for a side yard setback is not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF/pk

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

January 25, 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 124, Zoning Advisory Committee Meeting
January 22, 1974, are as follows:

Property Owner: Catherine Lynch
Location: SW/S Baltimore St., 65' SE of Dorchester Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit side yard setback
of 4' instead of required 10'
No. Acres: 125' x 60'
District: 1

Metropolitan water and sewer are available.

A moratorium was placed on new sewer connections in the
Gwynne Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health
and Mental Hygiene, on 1/13/73; therefore approval may be
withheld for any such connection.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mng

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



January 29, 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 #124, Zoning Advisory Committee Meeting, January 22, 1974, are as follows:

Property Owner: Catherine Lynch
Location: SW/S of Baltimore St., 65 feet SE of Dorchester Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side yard setback of four (4) feet for an enclosed patio
addition instead of the required ten (10) feet
No. of Acres: 125 feet X 60 feet
District: 1st

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 & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3811 ZONING 484-3881

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 23, 1974

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

Z.A.C. Meeting of: January 22, 1974

Re: Item 124
Property Owner: Catherine Lynch
Location: SW/S of Baltimore St., 65 feet SE of Dorchester Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side yard setback of four (4) feet for an
enclosed patio addition instead of the required ten (10) feet.

District: 1st
No. Acres: 125 ft. x 60 ft.

Dear Mr. DiNenna:

No bearing on student population.

WNP/ml

Very truly yours,

W. Mark Petrovich
W. Mark Petrovich
Field Representative

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 274-215-A. Southwest side of Baltimore Street 65 feet
southeast of Dorchester Avenue.
Petition for Variance for a Side Yard.
Petitioner - Catherine Lynch

1st District

HEARING: Tuesday, March 26, 1974 (11 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:NBG:rw

May 21, 1974

Edward G. Wyatt, Esquire
10 Light Street
Baltimore, Maryland 21202

RE: Petition for Variance
SW/S of Baltimore Street, 65'
Southeast of Dorchester Avenue -
1st District
Catherine Lynch - Petitioner
NO. 74-215-A (Item No. 124)

Dear Mr. Wyatt:

I have this date passed my Order in the above captioned matter in
accordance with the attached.

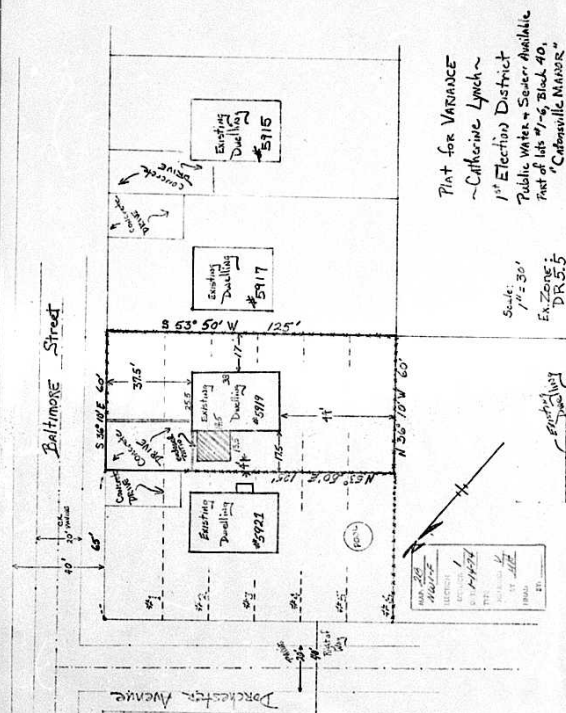
Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: Mr. Robert M. Meluh
5921 Baltimore Street
Baltimore, Maryland 21207



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: PETITION FOR VARIANCE Date of Posting: MARCH 3, 1974
Petitioner: CATHERINE LYNCH
Location of property: SW/S of BALTIMORE ST. 65' SE of
DORCHESTER AVE.
Location of Sign: FRONT 5919, CATHYMANOR
Remarks: *Thomas E. Meluh*
Signed by: *Thomas E. Meluh* Date of return: MARCH 15, 1974

PETITION FOR VARIANCE
No. 13114
The undersigned, Catherine Lynch, of Baltimore County, do hereby certify that the annexed advertisement of the proposed variance is in accordance with the provisions of the Baltimore County Zoning Ordinance, Chapter 11, Section 11-101, and that the same has been duly posted in accordance with the provisions of said Ordinance.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 18, 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., on one time ~~on or about~~ before the 16th day of May, 1974, the first publication appearing on the 18th day of April, 1974.

THE JEFFERSONIAN,
H. Leach, Jr.,
Manager.

Cost of Advertisement, \$.....

PETITION FOR VARIANCE
No. 13114
The undersigned, Catherine Lynch, of Baltimore County, do hereby certify that the annexed advertisement of the proposed variance is in accordance with the provisions of the Baltimore County Zoning Ordinance, Chapter 11, Section 11-101, and that the same has been duly posted in accordance with the provisions of said Ordinance.

THE CATONVILLE TIMES

OFFICE OF
CATONVILLE, MD. 21228 March 11, 1974

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dilemma, Zoning Commissioner of Baltimore County was inserted in THE CATONVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 11 day of March 1974 that is to say, the same was inserted in the issue of March 7, 1974.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

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., on one time ~~on or about~~ before the 26th day of March, 1974, the first publication appearing on the 7th day of March, 1974.

THE JEFFERSONIAN,
H. Leach, Jr.,
Manager.

Cost of Advertisement, \$.....

PETITION FOR VARIANCE
No. 13114
The undersigned, Catherine Lynch, of Baltimore County, do hereby certify that the annexed advertisement of the proposed variance is in accordance with the provisions of the Baltimore County Zoning Ordinance, Chapter 11, Section 11-101, and that the same has been duly posted in accordance with the provisions of said Ordinance.

THE CATONVILLE TIMES

OFFICE OF
CATONVILLE, MD. 21228 April 22, 1974

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dilemma, Zoning Commissioner of Baltimore County was inserted in THE CATONVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 22 day of April, 1974, that is to say, the same was inserted in the issue of April 18, 1974.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

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, CG, CA					
Reviewed by: FTH		Revised Plans:			
Previous case:		Change in outline or description	Yes		
		Map #	No		

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 128 Date of Posting: APRIL 21, 1974
Posted for: PETITION FOR VARIANCE
Petitioner: CATHERINE LYNCH
Location of property: SW 1/4 OF BALTO. ST. 65' SE. OF DORCHESTER AVE.
Location of Sign: F.B.M. 5918 BALTIMORE ST.
Remarks: THOMAS R. PALAUZ
Posted by: THOMAS R. PALAUZ Date of return: APRIL 26, 1974

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 9 day of Jan 1974, Item #

S. Eric Dilemma
Zoning Commissioner

Petitioner: Lynch Submitted by: FTH
Petitioner's Attorney: Reviewed by: FTH

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

Catherine Lynch
219 Baltimore Street
Baltimore, Md. 21207

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

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

S. Eric Dilemma
Zoning Commissioner

Petitioner: Catherine Lynch

Petitioner's Attorney:

Reviewed by: FTH
Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 13114

DATE Feb. 27, 1974 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Money Order 190 1600 103
Petition for Variance for Catherine Lynch
#74-215-A

18364 AR12 26 250.00

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 13161

DATE March 21, 1974 ACCOUNT 01-662

AMOUNT \$2.25

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Money Order #748331
Advertising and posting for Catherine Lynch
#74-215-A 21 4225

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 14794

DATE May 6, 1974 ACCOUNT 01-662

AMOUNT \$2.25

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Cash
Advertising & posting of property for Catherine Lynch - 2nd time
#74-215-A 6 4225

