

# 75-113-A 117 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Dorothy L. Thomas 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 1802.3C (1) to permit a front yard setback of 20 feet in lieu of the required 25 feet, and a setback of 40 feet from the centerline of Fourth Avenue in lieu of the required 50 feet, and 37.5' from the centerline of Center Street instead of the required 50 feet.

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

1. Center street is not improved.
2. Lot is too small to build needed house.
3. Woodlawn Terrace is a very old subdivision and has other homes built on similar lots.

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 Dorothy L. Thomas Legal Owner  
Address 608 Cargill Avenue  
Baltimore, Maryland 21228

Samuel A. Tucker Petitioner's Attorney  
Address 795 Equitable Bldg.

Protestant's Attorney

ORDERED: The Zoning Commissioner of Baltimore County, this 1st day of November, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of December, 1974, at 11:00 o'clock.

By [Signature]  
Zoning Commissioner of Baltimore County.

(over)

December 6, 1974

Samuel A. Tucker, Esquire  
Suite 735  
Equitable Building  
Calvert & Fayette Streets  
Baltimore, Maryland 21202

RE: Petition for Variances  
NE corner of Fourth Avenue & Center Street - 2nd District  
Dorothy L. Thomas - Petitioner  
NO. 75-113-A (Item No. 77)

Dear Mr. Tucker:

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

Very truly yours,

[Signature]  
JAMES E. DYER  
Deputy Zoning Commissioner

JED/me

Attachments

DESCRIPTION TO ACCOMPANY PETITION  
FOR VARIANCE - DOROTHY L. THOMAS

Beginning at a point at the Northeast corner of Fourth Avenue and Center Street, and being lot Nos. 1, 2, and 3 of Block "H", of "Woodlawn Terrace" recorded amongst the Land Records of Baltimore County in WPC Liber 7 folio 49.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 26, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-113-A. Northeast corner of Fourth Avenue and Center Street  
Petition for Variance for Front Yard and setbacks from the centerline of the street.  
Petitioner - Dorothy L. Thomas

2nd Dist, ice

HEARING: Wednesday, December 4, 1974 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.  
The granting of this request would not be inconsistent with the character of the surrounding development.

[Signature]  
William D. Fromm  
Director of Planning

WDF:REG:rv

NOV 27 74 AM

BALTIMORE COUNTY, MARYLAND  
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING  
EUGENE J. CLIFFORD, P.E. WM. T. MILLER  
DESIGNER SENIOR TRAFFIC ENGINEER

November 25, 1974

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

Re: Item 77 - ZAC - October 15, 1974  
Property Owner: Dorothy L. Thomas  
Location: NE/C of Fourth Ave. & Center Street  
Existing Zoning: DR 5.5  
Proposed Zoning: Variance from Sec. 1802.3C (1) to permit a front yard setback of 20 ft. in lieu of the required 25 ft. and a setback of 40 ft. from the centerline of the street in lieu of the required 50 feet.  
No. of Acres: 85 x 80  
District: 2nd

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance.

Very truly yours,

[Signature]  
Michael S. Flanigan  
Asso. Traffic Engineer

MSF/lb

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 14, 1974

COUNTY OFFICE BUILDING  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
\*\*\*\*\*  
JAMES B. BYRNES, III  
Chairman

M's. Dorothy L. Thomas  
608 Cargill Avenue  
Baltimore, Maryland 21228

RE: Variance Petition  
Item 77  
Dorothy L. Thomas - Petitioner

Dear M's. Thomas:

The Zoning Plans 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 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 at the northeast corner of Fourth Avenue and Center Street (both paper streets), in the Second Election District of Baltimore County, and is presently unimproved. Various residential uses exist to the north of the site opposite a paper alley, and to the rear of the site facing Third Avenue. The property on the southeast corner of the aforementioned intersection was recently submitted for a similar Variance request, (Case No. 75-95-A).

The petitioner is requesting a Variance to permit a front yard setback of 20 feet instead of the required 25 feet, and a setback from the center line of the street of 40 feet instead of the required 50 feet for the front street. A side street Variance has been requested to permit 37-1/2 feet from the center of Center Street instead of the required 50 feet.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice

M's. Dorothy L. Thomas  
Item 77  
November 8, 1974

November 14, 1974

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,

[Signature]  
JAMES B. BYRNES, III  
Chairman,  
Zoning Plans Advisory Committee

JBB:JD

Enclosure

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 strictness of the Variances requested not adversely affecting the health, safety and general welfare of the community, to permit a front yard setback of 20 feet instead of the required 25 feet; a setback of 40 feet from the centerline of Fourth Avenue and 37.5 feet from the centerline of Center Street instead of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6th day of December, 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

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

## Baltimore County Fire Department

J. Austin Deitz  
Chief



Towson, Maryland 21204

833-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Dorothy L. Thomas

Location: NE/C of Fourth Ave. & Center Street

Item No. 77 Zoning Agenda October 15, 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

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.

(x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by J. Kelly Noted and Approved:

Planning Group Deputy Chief  
Special Inspection Division Fire Prevention Bureau

WILLIAM D. FROMM  
DIRECTOR

S. ERIC DINENNA  
ZONING COMMISSIONER



November 1, 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 #77, Zoning Advisory Meeting, October 15, 1974, are as follows:

Property Owner: Dorothy L. Thomas  
Location: NE/C of Fourth Avenue and Center Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance from Section 1802.3C.(1) to permit a front yard setback of 20 ft. in lieu of the required 25 ft. and a setback of 40 ft. from the centerline of the street in lieu of the required 50 ft.  
No. of Acres: 85 X 80  
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but we assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planning Specialist II  
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204  
AREA CODE 301 PLANNING 494-3231 ZONING 494-3231

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

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

November 4, 1974

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

Re: Item #77 (1974-1975)

Property Owner: Dorothy L. Thomas  
N/C corner of Fourth Ave. & Center Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance from Sec. 1802.3C.(1) to permit a front yard setback of 20' in lieu of the required 25' and a setback of 40' from the centerline of the street in lieu of the required 50'  
No. of Acres: 85 x 80 District: 2nd

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:

Fourth Avenue, a gravel surfaced road and Center Street, an unimproved "paper" street, are shown on the recorded plat of "Woodlawn Terrace" (W.P.C. 7, Folio 149), of which this site comprises Lots 1, 2 and 3 of Block "B". These roads, if improved in the future as public roads, would be as 30-foot closed section roadways on 50-foot and 40-foot rights-of-way, respectively. Highway improvements are not required at this time. Highway right-of-way widening, including a right-of-way for right distance at the intersection and any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

It is the responsibility of the Petitioner to ascertain and clarify his rights within the indicated 14-foot right-of-way "East Alley" shown on the aforesaid recorded plat, and to initiate such action as may be necessary to abandon, relocate, widen, extend, etc. such right-of-way.

### Sediment Control:

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

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING  
TOWSON, MARYLAND 21204

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

October 30, 1974

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

Dear Mr. DiNenna:

Comments on Item 77, Zoning Advisory Committee Meeting, October 15, 1974, are as follows:

Property Owner: Dorothy L. Thomas  
Location: NE/C of Fourth Ave. & Center Street  
Existing Zoning: D.R. 5.5  
Proposed Zoning: VARIANCE from Sec. 1802.3C.(1) to permit a front yard setback of 20 ft. in lieu of the required 25 ft. & a setback of 40 ft. from the centerline of the street in lieu of the required 50 ft.  
No. of Acres: 85 x 80  
District: 2nd

Metropolitan water and sewer are available.

Gwynne Falls Moratorium: 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 May 14, 1974; therefore approval may be withheld for this connection.

Very truly yours,

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

END/ncc

Item #77 (1974-1975)  
Property Owner: Dorothy L. Thomas  
Page 2  
November 4, 1974

### 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 exist in Fourth Avenue. This property is tributary to the Gwynne Falls Sewerage System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

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

END:RAM:PMR:as

cc: J. Scowen

1-NE Key Sheet  
14 NW 25 Pos. Sheet  
NW & O Topo  
87 Tax Map

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: Nov. 16, 1974

Posted for: PETITION FOR VARIANCE

Petitioner: Dorothy L. Thomas

Location of property: NE/COR. OF FOURTH AVE. & CENTER ST.

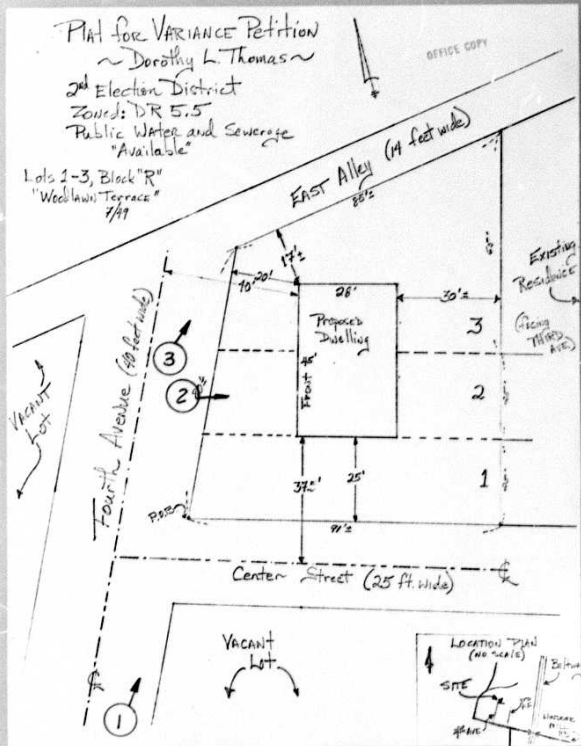
Location of Signs: NE/COR. OF FOURTH AVE. & CENTER ST.

Remarks:

Posted by: Thomas H. Devlin

Date of return: Nov. 23, 1974





### CERTIFICATE OF PUBLICATION

TOWSON, MD., November 14, 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, one time before the 2nd day of December, 1974, the first publication appearing on the 14th day of November, 1974.

THE JEFFERSONIAN  
D. L. Thomas  
Manager

Cost of Advertisement, \$

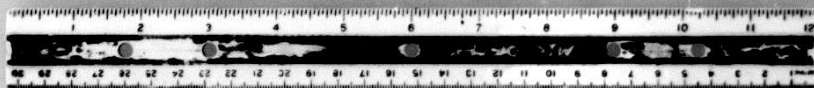
### CERTIFICATE OF PUBLICATION

Pikeville, Md., Nov. 14, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper published in Pikeville, Baltimore County, Maryland, once in each of one time before the 2nd day of December, 1974, the first publication appearing on the 14th day of November, 1974.

THE NORTHWEST STAR  
D. L. Thomas  
Manager

Cost of Advertisement, \$ 14.00



### 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<br>ZC, BA, CC, CA                    |          |    |          |    |           |    |         |    |           |    |
| Reviewed by: J. P. H.                           |          |    |          |    |           |    |         |    |           |    |
| Previous case:                                  |          |    |          |    |           |    |         |    |           |    |

Revised Plans:  
Change in outline or description Yes ☐ No ☐

Map #

### BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 7<sup>th</sup> day of Oct 1974. Item #

S. Eric Dillman  
Zoning Commissioner

Petitioner Thomas Submitted by

Petitioner's Attorney: Reviewed by F. J. H. H. H. H.

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

### BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 17171

DATE Dec. 14, 1974 ACCOUNT 01-662

AMOUNT \$44.25

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Dorothy L. Thomas  
600 Gargill Ave.  
Baltimore, Md. 21228  
Advertising and posting of property 4425.00  
#75-113-A

### BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 16978

DATE Oct. 20, 1974 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Dorothy L. Thomas  
600 Gargill Ave.  
Baltimore, Md. 21228  
Petition for Variance 25.00