

# 76-12-A (26-11-222) **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Dathleen P. James

I, or we, Charles J. James, Jr. & Kathleen P. James, 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 1802.30 (303.1) to permit setbacks of nineteen (19) feet from front property line and forty-four (44) feet to centerline of front street in lieu of the required twenty-five (25) feet and fifty (50) feet respectively.

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

We are unable to meet the front yard setback and add the front addition to our home. The living room is an 11'x13' and by most standards this is an insufficient living area with a family. A front porch would be convenient also for the family.

See attached description

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

If 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 Charles J. James, Jr.  
Address 2525 McComas Ave  
BALTO. 21222, Md.  
Petitioner's Attorney \_\_\_\_\_  
Protestant's Attorney \_\_\_\_\_

ORDERED BY The Zoning Commissioner of Baltimore County, this 3rd day of June, 1975 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 June 10th day of July, 1975, at 10:15 o'clock.

S. Eric DiNenna  
Zoning Commissioner of Baltimore County.

(over)

July 10, 1975

Mr. & Mrs. Charles J. James, Jr.  
2525 McComas Avenue  
Baltimore, Maryland 21222

RE: Petition for Variances  
S/S of McComas Avenue, 100' W  
of Parkwood Road - 12th Election  
District  
Charles J. James, Jr., et ux -  
Petitioners  
NO. 76-12-A (Item No. 222)

Dear Mr. & Mrs. James:

I have this date passed my Order in the above referenced matter.  
Copy of said Order is attached.

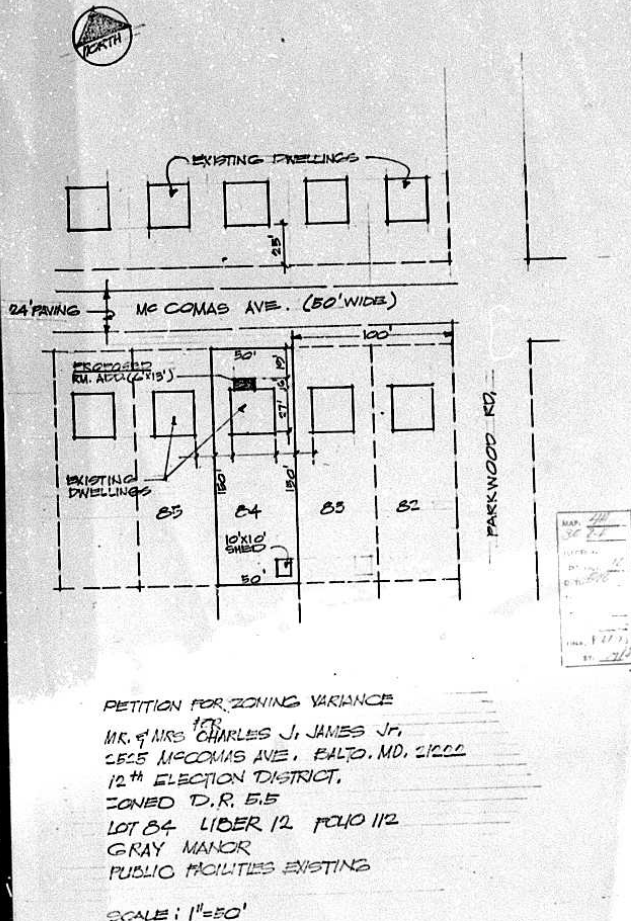
Very truly yours,

S. ERIC DI NENNA  
Zoning Commissioner

SED/eri

Attachments

cc: John W. Hession, III, Esquire  
People's Counsel



IN RE: PETITION FOR VARIANCE to permit setbacks of 19 feet from front property line and 44 feet to centerline of front street instead of the required 25 feet and 50 feet. South side of McComas Avenue 100 feet West of Parkwood Road 12th District.

CHARLES J. JAMES, JR.

BEFORE THE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY

Case No. 76-12-A, Item #222

## **ORDER TO ENTER APPEARANCE**

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.



John W. Hession, III  
John W. Hession, III  
People's Counsel

Charles E. Kountz, Jr.  
Charles E. Kountz, Jr.  
Deputy People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 23rd day of June, 1975 to Charles J. James, Jr. 2525 McComas Avenue, Baltimore, Maryland 21222, Legal Owner.

John W. Hession, III  
John W. Hession, III

I will not attend. JWH.

## **BALTIMORE COUNTY, MARYLAND**

### **INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: July 1, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-12-A. Petition for Variance for Front Yard.  
South side of McComas Avenue 100 feet West of Parkwood Road.  
Petitioner - Charles J. James, Jr. and Kathleen P. James

12th District

HEARING: Wednesday, July 9, 1975 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition at this time.

William D. Fromm  
William D. Fromm  
Director of Planning

WDF:NEG:rw

## **BALTIMORE COUNTY**

### **ZONING PLANS**

### **ADVISORY COMMITTEE**



### **PETITION AND SITE PLAN**

### **EVALUATION COMMENTS**

### **Item 222**

Mr. Charles J. James, Jr.  
2524 McComas Avenue  
Baltimore, Md. 21222  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 3rd day of June, 1975.

S. Eric DiNenna  
S. Eric DiNenna,  
Zoning Commissioner

Petitioner Charles J. & Kathleen P. James

Petitioner's Attorney \_\_\_\_\_ Reviewed by Franklin T. Hogans, Jr.  
Chairman,  
Zoning Plans  
Advisory Committee

AUG 27 1975



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 Petitioners.

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested, not adversely affecting the health, safety, and general welfare of the community, the Variance to permit setbacks of 19 feet from the front property line and 44 feet to the center line of the front street in lieu of the required 25 feet and 50 feet, respectively, should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County, this 10<sup>th</sup> day of July, 1975, that the herein Petition for a Variance to permit setbacks of 19 feet from the front property line and 44 feet to the center line of the front street in lieu of the required 25 feet and 50 feet, respectively, 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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 18, 1975

COUNTY OFFICE BUILDING  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
Franklin T. Hogans,  
Chairman

Mr. Charles J. James, Jr.  
2525 McComas Avenue  
Baltimore, Maryland 21222

RE: Petition for Variance  
Item 222  
Charles J. & Kathleen P. James -  
Petitioners

Dear Mr. James:

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 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 south side of McComas Avenue, 100 feet west of Parkwood Road, and is currently improved with a single family dwelling and shed.

The petitioner is requesting a Variance to permit a setback from the front street, in order that a room addition may be constructed on the front of this dwelling.

Adjacent properties along both sides of McComas Avenue are improved with single family dwellings remarkably yet not interestingly similar in their construction, size and setback. None of the houses along the subject side of McComas Avenue on this block has an enclosed porch or other front additions.

Mr. Charles J. James, Jr.  
Re: Item 222  
June 19, 1975  
Page 2

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,

Franklin T. Hogans,  
Chairman,  
Zoning Plans Advisory Committee

FTH:JD

Enclosure

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 2, 1975

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

Z.A.C. Meeting of: June 3, 1975

Re: Item 222  
Property Owner: Charles J. & Kathleen P. James  
Location: S/S of McComas Ave. 100' W. of Parkwood Road  
Present Zoning: D.R. 5.5  
Proposed Zoning: Variance from Section 1802.3C(303.1) to permit setbacks of 19' from front property line and 44' to centerline of front street in lieu of the required 25' and 50' respectively.

District: 12th  
No. Acres: 150 x 50

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich,  
Field Representative.

WEP/ml

H. ERNIE PARKS, MEMBER  
EUGENE C. HESS, MEMBER  
MRS. ROBERT L. BERNY

MARCUS M. BOISANIS  
JOSEPH N. MCDONALD  
ALVIN A. DRECK

T. HAROLD WILLIAMS, JR.  
RICHARD W. TRACEY, V.M.O.  
MRS. RICHARD E. WILSON

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING  
TOWSON, MARYLAND 21204

May 29, 1975

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 #222, Zoning Advisory Committee Meeting, June 3, 1975, are as follows:

Property Owner: Charles J. & Kathleen P. James  
Location: S/S of McComas Ave. 100' W of Parkwood Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance from Sec. 1802.3C(303.1) to permit setbacks of 19' from front property line & 44' to centerline of front street in lieu of the required 25' & 50' respectively.

No. of Acres: 150 x 50  
District: 12th

Metro water and sewer existing.

Very truly yours,

Thomas H. Devlin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

CHVB/pje

## BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

### DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. DIRECTOR  
WM. T. MELSER DEPUTY TRAFFIC ENGINEER

June 9, 1975

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

Re: Item 222 - ZAC - June 3, 1975

Property Owner: Charles J. & Kathleen P. James  
Location: S/S of McComas Ave. 100' W of Parkwood Road  
Existing Zoning: D. R. 5.5  
Proposed Zoning: Variance from Sec. 1802.3C (303.1) to permit setbacks of 19' from front property line & 44' to centerline of front street in lieu of the required 25' & 50' respectively.

No. of Acres: 150 x 50  
District: 12th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the front yard setback.

Very truly yours,

Michael S. Flanagan  
Traffic Engineering Associate

MSF/bza

WILLIAM D. FROMM  
DIRECTOR  
S. ERIC DINENNA  
ZONING COMMISSIONER



June 17, 1975

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 #222, Zoning Advisory Committee Meeting, June 3, 1975, are as follows:

Property Owner: Charles J. and Kathleen P. James  
Location: S/S of McComas Avenue 1-0' W of Parkwood Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance from Sec. 1802.3C(303.1) to permit setbacks of 19' from front property line and 44' to centerline of front street in lieu of the required 25' and 50' respectively.  
No. of Acres: 150 X 50  
District: 12th

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 are to 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 comment.

Very truly yours,

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 494-3311 ZONING 494-3311

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

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

June 25, 1975

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

Re: Item #222 (1974-1975)  
Property Owner: Charles J. & Kathleen P. James  
S/S of McComas Ave., 100' W. of Parkwood Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance from Sec. 1802.3C(303.1) to permit setbacks of 19' from front property line and 44' to centerline of front street in lieu of the required 25' and 50' respectively.  
No. of Acres: 150 x 50 District: 12th

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 #222 (1974-1975).

Very truly yours,

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

END:SAN:PMR:es

5-W Key Sheet  
7 SE 23 & 24 Pos. Sheets  
SE 2 P Topo  
103 Tax Map

AUG 27 1975



AUG 27 1975