

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

James E. Matthews and
Nancy K. Matthews, 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 1802.3C1 to permit a total of side yards of thirty (30) feet in lieu of the required forty (40) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
This property was on a plat recorded in 1946. It is the only lot in the subdivision owned by your petitioners. The purpose of the requested variance is to allow the construction of an attached garage. Numerous other properties in the subdivision have yards of thirty (30) feet or less. It would be to the best interest of the community that the subject property have a garage attached to the house.

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
James E. Matthews
Nancy K. Matthews Legal Owner
Address 15 Glenbrook Road
Phoenix, Maryland
Protestant's Attorney
Robert E. Carney, Esquire
406 Jefferson Bldg.
Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September 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 a copy 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 3rd day of November 1975, at 1:00 o'clock.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

North side of Southwind Road
215 feet East of Northwind Road,
9th District

: OF BALTIMORE COUNTY

JAMES E. MATTHEWS, Petitioner

: Case No. 76-101-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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.

Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
494-2188

I hereby certify that on this 1st day of November, 1975, a copy of the foregoing

Order was mailed to Robert E. Carney, Esquire, 406 Jefferson Building, Towson, Maryland 21204, Attorney for Petitioner.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 3, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-101-A. Petition for Variance for a Side Yard
North side of Southwind Road 215 feet East of Northwind Road.
Petitioner - James E. Matthews and Nancy K. Matthews

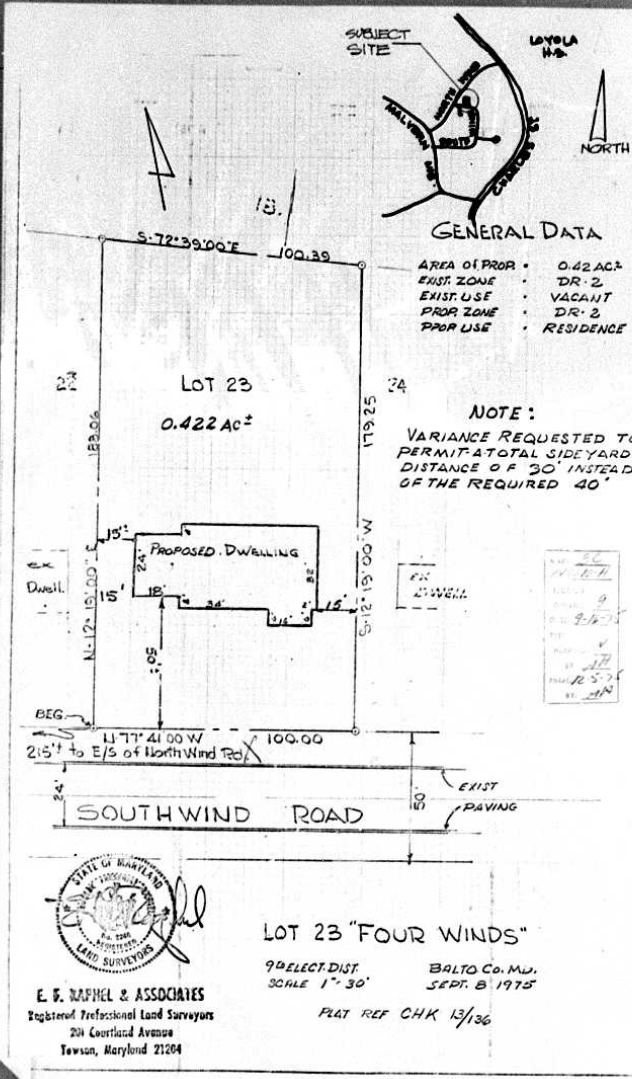
9th District

HEARING: Monday, November 3, 1975 (1:00 P.M.)

There are no Comprehensive Planning factors requiring comments on this petition at this time.

William D. Fromm
Director of Planning

WDF:NEG:rw



DESCRIPTION FOR VARIANCE JAMES E. & NANCY K. MATTHEWS

BEGINNING AT A POINT ON THE NORTH SIDE OF SOUTHWIND ROAD 215 FEET MORE OR LESS EASTERLY FROM NORTHWIND ROAD AND KNOWN AMONG THE BALTIMORE COUNTY LAND RECORDS AS LOT 23 OF "FOUR WINDS" IN LIBER 13, FOLIO 136.

November 4, 1975

Robert E. Carney, Esquire
406 Jefferson Building
Towson, Maryland 21204

RE: Petition for Variance
N/S of Southwind Road, 215' E of
Northwind Road - 9th Election District
James E. Matthews - Petitioner
NO. 76-101-A (Item No. 62)

Dear Mr. Carney:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

BALTIMORE COUNTY, MARYLAND **DEPARTMENT OF HEALTH**

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 10, 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 #62, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: James E. & Nancy K. Matthews
Location: N/S of Southwind Rd. 215' E of Northwind Rd.
Existing Zoning: DR 2
Proposed Zoning: Variance from Sec. 1802.3C1 to permit a total of side yards of 30' in lieu of the required 40'.

No. of Acres: 0.42
District: 9th

This property is located within an existing sewer service area in accordance with the Comprehensive Water and Sewer Plan; therefore, an exception must be obtained in order to install a septic tank system. The lot has been incorporated in the 1975 amendments to the Plan; however, a building permit cannot be approved until the County Council adopts the plan.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:dla

DEC 18 1975

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, a Variance to permit a total of 30 feet for side yards
instead of the required 40 feet should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 4th day of November, 197 5, that the herein Petition for the aforementioned 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 1971, that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

TOWSON, MD. October 16 1975

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~~
~~one time~~ ~~annually~~ before the 3rd
day of November, 19 75, the ~~last~~ publication
appearing on the 16th day of October
19 75

THE JEFFERSONIAN,
L. Frank Smith
 Manager

Cost of Advertisement, \$ _____

PETITION FOR VARIANCE
IN A DISTRICT

LOCATION: Petition for variance for zoning and subdivision of 1.0 acre of land located in the North side of Southwood Road 1/2 mile east of Southwood Road.

DATE & TIME: Monday, November 2, 1970 at 10:00 P.M.

PLACE OF HEARING: on the Petition for Variance from the Zoning Regulations at the Planning Commission of the County of Baltimore, Maryland, at the County Office Building, 100 W Chesapeake Avenue, Baltimore, Maryland.

The Zoning Commission of Baltimore County, by either its own action or by the action of the Planning Commission of the County of Baltimore, Maryland, is hereby petitioned to grant a variance from the Zoning Regulations as follows:

The Zoning Regulations require that a minimum of 30 feet yards in total of 30 feet for side yards in total of 30 feet for the required front yard.

The Zoning Regulations require that the minimum front yard be accepted as follows:

Front Yard: 30 feet
Side Yard: 0 feet
Rear Yard: 0 feet

All that parcel of land in the County of Baltimore, Maryland, is hereby petitioned to be accepted as a point on the North Side of Southwood Road 1/2 mile east of Southwood Road 1/2 mile east of Southwood Road.

Being the property of J. M. Matthews and Nancy Matthews, who are the owners of the property, they hereby petition the Planning Commission of the County of Baltimore, Maryland, to grant a variance from the Zoning Regulations as follows:

Front Yard: 30 feet
Side Yard: 0 feet
Rear Yard: 0 feet

DATE: Monday, November 2, 1970 at 10:00 P.M.

County Office Building, 100 W Chesapeake Avenue, Baltimore, Maryland.

BY ORDER OF THE
PLANNING COMMISSION OF THE
BALTIMORE COUNTY

TOWSON, MD. 21204

Oct. 16, 1975

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for Variance- James F. Matthew

was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one ~~week~~
week before the 3rd day of Nov. 19 75 that is to say, the same
was inserted in the issues of October 16, 1975.

STROMBERG PUBLICATIONS, Inc.

By E. P. Smink

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District Yuba Date of Posting OCT. 18, 1975
 Posted for: PETITION FOR VARIANCE.
 Petitioner: JAMES E. MATTHEWS.
 Location of property: N.E. of Southwind Road 215' E of
NORTHWIND RD.
 Location of Signs: N.S. of Southwind Rd. 265' +/- E of
NORTHWIND Rd.
 Remarks:
 Posted by: Thomas E. Polansky Date of return: OCT. 24, 1975
 Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11th day of

September 1975 Filing Fee \$ 25.00 Received 1 Check
Cash
Other

S. Eric DiNenna,
Zoning Commissioner

Petitioner James Matthew Submitted by James Matthew
Petitioner's Attorney Robert C. Canning Reviewed by 2/2/8

* 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

DATE Oct. 14 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED
FROM Robert F. Carney, Jr., Esq. 406 Jefferson Bldg.
TOWSON, MD. 21204 Petition for Variance for James E.
FOR Matthews—876-189A

482K01 15 25.0087

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
No. 25961

DATE Nov. 5, 1975 ACCOUNT 01-662

AMOUNT \$40.50

RECEIVED FROM: Robert E. Carney, Jr. 406 Jefferson Building
TOWSON, MD. 21204
FOR: Advertising and posting of
property for James E. Matthews
#76-101-A

811 944 5 40.50

VALIDATION OR SIGNATURE OF CASHEIR

DEC 18 1975

Baltimore County Fire Department

J. Austin Ortiz
Chief



Towson, Maryland 21204

878-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: James E. & Nancy K. Matthews

Location: N/S of Southwind Rd. 215' E. of Northwind Road

Item No. 62

Zoning Agenda September 30, 1975

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.
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: HJP/ella Noted and Approved: Paul H. Rains
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 10, 1975

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

Z.A.C. Meeting of: September 30, 1975

Re: Item 62
Property Owner: James E. & Nancy K. Matthews
Location: N/S of Southwind Rd. 215' E. of Northwind Rd.
Present Zoning: D.R. 2
Proposed Zoning: Variance from Section 1802.3C1 to permit a total of side yards of 30' in lieu of the required 40'.

District: 9th
No. Acres: 0.42

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich,
Field Representative.

WNP/ml

H. CHLOE PARRIS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BERNY

MARCUS M. ROTARIS
JOSEPH H. MUDGOWAN
ALVIN LORECK
JOSHUA E. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRADEY, V.M.D.
MRB, RICHARD E. WUCHTEL

JUN 13 1978

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

Item 62
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Robert E. Carney, Esq.,
406 Jefferson Building
Towson, Maryland 21204
Your Petition has been received and accepted for
filing this 30th day of September 1975
S. Eric DiNenna,
Zoning Commissioner
Petitioner: James E. & Nancy E. Matthews
Petitioner's Attorney: Reviewed by Franklin T. Hogans, Jr.,
Chairman,
Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204
Franklin T. Hogans, Jr.
CHAIRMAN

October 27, 1975

Robert E. Carney, Esq.,
406 Jefferson Building
Towson, Maryland 21204

RE: Variance Petition
Item 62
James E. & Nancy E. Matthews -
Petitioners

Dear Mr. Carney:

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 north side of Southwind Road, 215 feet east of Northwind Road, and is currently a vacant lot. This lot apparently is the only remaining parcel on which development could occur in this subdivision.

Adjacent properties are improved with single family detached dwellings.

The petitioner is requesting a Variance to permit a total side yard distance of 30 feet instead of the required 40 feet that a single family dwelling may be constructed.

Robert E. Carney, Esq.
Re: Item 62
October 27, 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, Jr.
FRANKLIN T. HOGANS, JR.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

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

Director of Engineering
ELLSWORTH H. DIVER, P.E. CHIEF

October 17, 1975

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

Re: Item #62 (1975-1976)
Property Owner: James E. and Nancy K. Matthews
N/S of Southwind Rd., 215' E. of Northwind Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance from Sec. 1802.3C1 to permit a total of side yards of 30' in lieu of the required 40'.
No. of Acres: 0.42 District: 9th

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:

Southwind Road, an existing County road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Further highway improvements are not required at this time.

The construction and/or reconstruction of sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner in connection with the improvements of this lot.

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.

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.

A 10-foot drainage and utility easement is required across the rear of this property for future utilities. The submitted plan should be revised to indicate this future right-of-way.

Item #62 (1975-1976)
Property Owner: James E. and Nancy K. Matthews
Page 2
October 17, 1975

Water:

Public water supply exists in Southwind Road. Additional fire hydrant protection may be required in the vicinity.

Sanitary Sewers:

The Baltimore County Comprehensive Sewerage Plan, amended August 1974, indicates this property to be in an Existing Service Area. However, public sanitary sewerage is not available to serve the area of which this property is a part. Therefore, permission must be obtained from the Health Department to utilize a private onsite sewage disposal system. Further, this property is tributary to the Roland Run - Jones Falls sanitary sewer system, subject to State Health Department imposed restrictions.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EHM:FWH:SS

cc: W. Minchel

ONE Key Sheet
37 NW 3 Pos. Sheet
NW 10 A Topo
69 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

October 22, 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 #62, Zoning Advisory Committee Meeting, September 30, 1975, are as follows:

Property Owner: James E and Nancy K. Matthews
Location: N/S of Southwind Road 215' E. of Northwind Road
Existing Zoning: D.R.2
Proposed Zoning: Variance from Sec. 1802.3C1 to permit a total of side yards of 30' in lieu of the required 40'.
No. of Acres: 0.42
District: 9th

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
John L. Wimbley
Planning Specialist II
Project and Development Planning

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

October 8, 1975

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

Re: Item 62 - ZAC - Sept. 30, 1975
Property Owner: James E. & Nancy K. Matthews
Location: N/S Southwind Rd. 215' E. of Northwind Rd.
Existing Zoning: DR 2
Proposed Zoning: Var. from Sec. 1802.3C1 to permit a total of side yards of 30' in lieu of required 40'.
No. of Acres: 0.42
District: 9th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc