# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

76-113-A
#76

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Walter McDonough 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 400.1 to locate a garage outside of the rear third l ot furthest removed from side street.

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

The space allotted by the Zoning Board is not sufficient for housing our two vehicles (a station wagon and a 1/2 ton pickup truck). We wish to erect a 24' x 2' garage, and the zoning regulations of 15' x 24' is not adequate for storing our vehicles, particularly the truck, which is 17' long.

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.

Walter E. McDonough
Legal Owner

Address 601 Delaware Ave.
Essex, Md. 21221

Contract purchaser

Address

Petitioner's Attorney

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of October, 197 5, 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 19th day of November, 197 5 at 10:30 o'clock

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE November 20, 1975
BY Walter E. McDonough

OFFICE OF PLANNING & ZONING

10/7/75

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RE: PETITION FOR VARIANCE
North side of Delaware Avenue 60 feet East of Woodward Avenue, 15th District
WALTER McDONOUGH, Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 76-113-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. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 17th day of November, 1975, a copy of the foregoing Order was mailed to Mr. Walter McDonough, 601 Delaware Avenue, Essex, Maryland 21221, Petitioner.

John W. Hessian, III

NOV 19 '75 PM
ZONING DEPARTMENT

---

November 20, 1975

Mr. Walter E. McDonough
601 Delaware Avenue
Essex, Maryland 21221

RE: Petition for Variance
N/S Delaware Avenue, 60' E of Woodward Avenue - 15th Election District
Walter McDonough - Petitioner
NO. 76-113-A (Item No. 76)

Dear Mr. McDonough:

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. Hessian, III, Esquire
People's Counsel

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DESCRIPTION FOR VARIANCE

WALTER McDONOUGH

LOCATED ON THE NORTH SIDE OF DELAWARE AVENUE APPROXIMATELY 60 FEET EAST OF THE CENTERLINE OF WOODWARD AVENUE AND RUNNING S 71° 10' W 20 FEET, THENCE WITH A CURVE HAVING A RADIUS OF 15 FEET, THENCE S 18° 50' EAST 130.12 FEET, THENCE N 71° 10' WEST 36.09 FEET, THENCE N 18° 50' WEST 145 FEET TO POINT OF BEGINNING.

ALSO KNOWN AS 601 DELAWARE AVENUE.

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baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3351

S. ERIC DINENNA
ZONING COMMISSIONER

On 7/or. 19, 1975 we were granted a variance to build our garage. And so that we may start building we will assume any responsibility that may arise with in the next 30 days.

Thank You.

Walter E. McDonough
Jane Lenhart

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

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

November 6, 1975

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

Re: Item #76 (1975-1976)
Property Owner: Walter McDonough
N/S of Delaware Ave., 60' E. of the centerline of Woodward Drive
Existing Zoning: DR 16
Proposed Zoning: Variance from Sec. 400.1 to locate garage outside of the rear third lot farthest removed from side street.
No. of Acres: 35.00 / 36.09 x 130.12 / 145.00
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.

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 #76 (1975-1976).

Very truly yours,

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

END:EAM:FWR:ss

I-SW Key Sheet
4 SE 28 Pos. Sheet
NE 1 G Topo
97 Tax Map

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BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

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Item #76

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Mr. Walter McDonough
601 Delaware Avenue
Essex, Maryland 21221

Your Petition has been received and accepted for filing this 16th day of October 1975.

S. Eric DiNenna,
Zoning Commissioner

Petitioner Walter McDonough

Petitioner's Attorney

Reviewed by Franklin T. Hoffans, Jr.
Franklin T. Hoffans, Jr.
Chairman,
Zoning Plans
Advisory Committee

FEB 2 1976

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 granting of the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit an accessory structure (garage) to be located outside of the rear third of the lot farthest removed from side street should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20th 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.

Deputy Zoning Commissioner of Baltimore County

DATE 11/20/75

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 ....., 197 ..., that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hogans, Jr.
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

November 10, 1975

Mr. Walter McDonough
661 Delaware Avenue
Essex, Maryland 21221

RE: Variance Petition
Item 76
Walter McDonough - Petitioner

Dear Mr. McDonough:

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 Delaware Avenue, 60 feet east of the center line of Woodward Drive, and is currently improved with a single family semi-detached dwelling.

The petitioner is requesting a Variance to permit a freestanding garage to be located outside of the rear third of the lot farthest removed from both streets.

Adjacent properties in the immediate environs of this site are improved with residential housing in the form of one and two family dwellings.

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

Mr. Walter McDonough
Re: Item 76
November 10, 1975
Page 2

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. J.D.

FRANKLIN T. HOGANS, JR.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

baltimore county
department of health
TOWSON, MARYLAND 21204

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

October 17, 1975

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

Dear Mr. DiNenna:

Comments on Item #76, Zoning Advisory Committee Meeting, October 14, 1975, are as follows:

Property Owner: Walter McDonough
Location: N/S of Delaware Ave. 60' E of the centerline of Woodward Drive.
Existing Zoning: DR 16
Proposed Zoning: Variance from Sec. 400.1 to locate garage outside of the rear third lot furthest removed from side street.
No. of Acres: 35.00 / 36.09 x 130.12 / 145.00
District: 15th

Public water and sewer existing.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THVB:dls

## Baltimore County Fire Department

Towson, Maryland 21204
825-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Walter McDonough

Location: N/S of Delaware Avenue 60' E of the centerline of Woodward Drive

Item No. 76 Zoning Agenda October 14, 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.

( ) 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.

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

Reviewer: [signature] Noted and Approved: [signature]
Planning Group
Special Inspection Division
Deputy Chief
Fire Prevention Bureau

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 21, 1975

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

Z.A.C. Meeting of: October 14, 1975

Re: Item 76

Property Owner: Walter McDonough

Location: N/S of Delaware Ave. 60' E. of the centerline of Woodward Drive.

Present Zoning: D.R. 16

Proposed Zoning: Variance from Section 400.1 to locate garage outside of the rear third lot furthest removed from side street.

District: 15th

No. Acres: 35.00 / 36.09 x 130.12 / 145.00

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMSLIE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNEY
MARCUS M. BOTSARIS
JOSEPH N. McGOWAN
ALVIN LOREck
JOSHUA W. WHEELER, SUPERINTENDENT
T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. GUEMPEL

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner — Date November 14, 1975

FROM William D. Fromm, Director of Planning

SUBJECT Petition #76-113-A, Petition for Variance for an Accessory Structure
North side of Delaware Avenue 60 feet East of Woodward Ave.
Petitioner - Walter McDonough

15th District
HEARING: Wednesday, November 19, 1975 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has determined that there are no comprehensive planning factors requiring comments on this petition at this time.

William D. Fromm
Director of Planning

WDF:NEG:rw

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

WILLIAM D. FROMM
DIRECTOR

November 13, 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 #76, Zoning Advisory Committee Meeting, October 14, 1975, are as follows:

Property Owner: Walter McDonough
Location: N/S of Delaware Ave. 60' E of the centerline of Woodward Drive
Existing Zoning: D.R.16
Proposed Zoning: Variance from Sec. 400.1 to locate garage outside of the rear third lot furthest removed from side street
No. of Acres: 35.00 / 36.09 x 130.12 / 145.00
District: 15th

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

November 10, 1975

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

Re: Item 76 - ZAC - October 14, 1975
Property Owner: Walter McDonough
Location: N/S of Delaware Ave. 60' E. of centerline of Woodward Drive
Existing Zoning: DR 16
Proposed Zoning: Var. from Sec. 400.1 to locate garage outside of the rear third lot furthest removed from side street
No. of Acres: 35.00 130.12 / 36.09 145.00
District: 15th

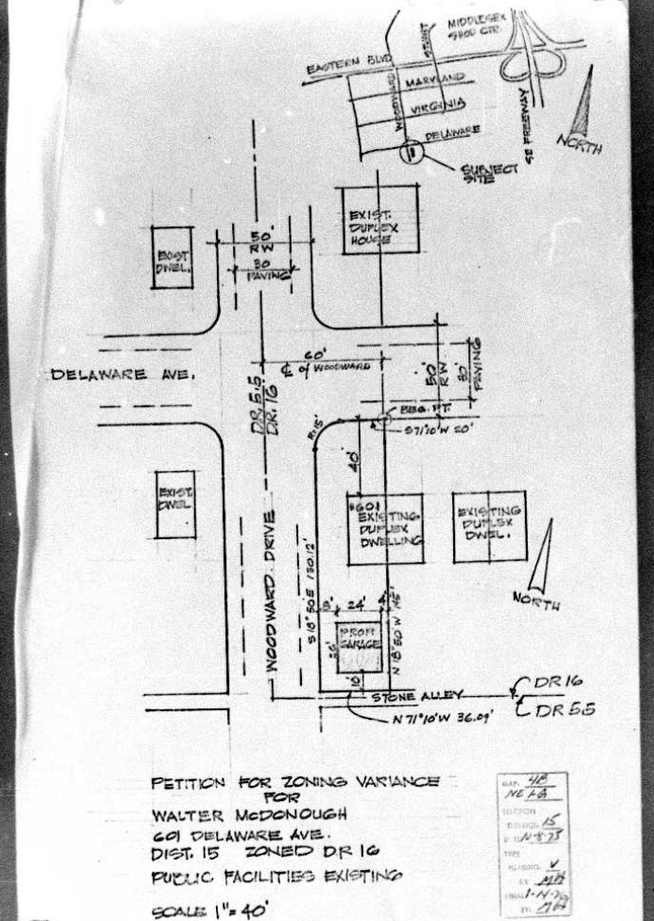
Dear Mr. DiNenna:

The proposed variance to allow a garage on the outside of the rear third of the lot is not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc




PETITION FOR ZONING VARIANCE
FOR
WALTER McDONOUGH
601 DELAWARE AVE.
DIST. 15 ZONED DR 16
PUBLIC FACILITIES EXISTING
SCALE 1" = 40'

MAP 41B NE 4-B
SUBDIVISION 15
DATE 11-5-75
TYPE V
REVISED
BY MJB
DATE 11-19-75
BY MJB

## PETITION MAPPING PROGRESS SHEET

| FUNCTION | Wall Map date | Wall Map by | Original date | Original by | Duplicate date | Duplicate by | Tracing date | Tracing by | 200 Sheet date | 200 Sheet by |
|---|---|---|---|---|---|---|---|---|---|---|
| Descriptions checked and outline plotted on map | | | | | | | | | | |
| Petition number added to outline | | | | | | | | | | |
| Denied | | | | | | | | | | |
| Granted by ZC, BA, CC, CA | | | | | | | | | | |

Reviewed by: NBC / DAS
Revised Plans:
Change in outline or description ___Yes ___No
Previous case: _____
Map # _____

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#76-113-A

District 15th
Date of Posting 10-31-75
Posted for: Hearing Wed. Nov. 19, 1975 @ 10:30 A.M.
Petitioner: Walter McDonough
Location of property: N/S of Delaware Ave. 60' E. of Woodward Dr.
Location of Signs: Wkpr. Posted on Woodward Dr. # 601
Remarks:
Posted by Michael H. Hess (Signature) Date of return: 11-6-75

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

No. 23375

DATE Sept. 23, 1975 ACCOUNT 01-662
AMOUNT $25.00
RECEIVED Walter McDonough, 601 Delaware Ave., Balto., Md.
FROM 21201
FOR Petition for Variance

B 962RMU 23 25.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR A VARIANCE
15th DISTRICT
ZONING: Petition for Variance for an Accessory Structure.
LOCATION: North side of Delaware Avenue 60 feet East of Woodward Avenue
DATE & TIME: WEDNESDAY, NOVEMBER 19, 1975 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and regulations of Baltimore County, will hold a public hearing:
Petition for Variance from the Zoning Regulations of Baltimore County to permit an accessory structure (garage) to be located outside of the rear third of the lot farthest removed from side street.
The Zoning Regulation to be excepted as follows:
Section 400.1 - Accessory Buildings - On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 30% of such third.
All that parcel of land in the Fifteenth District of Baltimore County.
LOCATED ON THE NORTH SIDE OF DELAWARE AVENUE APPROXIMATELY 60 FEET EAST OF THE CENTERLINE OF WOODWARD AVENUE AND RUNNING S 71° 10' W 36 FEET, THENCE WITH A CURVE HAVING A RADIUS OF 15 FEET, THENCE S 18° 50' EAST 130.12 FEET, THENCE N 71° 10' WEST 36.09 FEET, THENCE N 18° 50' WEST 145 FEET TO POINT OF BEGINNING.
ALSO KNOWN AS 601 DELAWARE AVENUE.
Being the property of Walter McDonough, as shown on plat plan filed with the Zoning Department.
Hearing Date: Wednesday, November 19, 1975 at 10:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY
Oct. 30 (728)

OFFICE OF
THE ESSEX TIMES

ESSEX, MD. 21221 Oct. 30, 1975

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for Variance- Walter McDonough

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 19th day of Nov. 1975 that is to say, the same was inserted in the issue of October 30, 1975.

STROMBERG PUBLICATIONS, Inc.

By Patty Smink

PETITION FOR A VARIANCE
15th DISTRICT
ZONING: Petition for Variance for an Accessory Structure.
LOCATION: North side of Delaware Avenue 60 feet East of Woodward Avenue
DATE & TIME: Wednesday, November 19, 1975 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance from the Zoning Regulations of Baltimore County to permit an accessory structure (garage) to be located outside of the rear third of the lot farthest removed from side street.
The Zoning Regulation to be excepted as follows:
Section 400.1 - Accessory Buildings - On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 30% of such third.
All that parcel of land in the Fifteenth District of Baltimore County.
Located on the North side of Delaware Avenue approximately 60 feet East of the centerline of Woodward Avenue and running S 71° 10' W 36 feet, thence with a curve having a radius of 15 feet, thence S 18° 50' East 130.12 feet, thence N 71° 10' West 36.09 feet, thence N 18° 50' West 145 feet to point of beginning.
Also known as 601 Delaware Avenue.
Being the property of Walter McDonough, as shown on plat plan filed with the Zoning Department.
Hearing Date: Wednesday, November 19, 1975 at 10:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County
Oct. 30

## CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30, 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 of one time successive weeks before the 19th day of November, 1975, the first publication appearing on the 30th day of October, 1975.

THE JEFFERSONIAN,
L. Leland Schneider
Manager.

Cost of Advertisement, $_____

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 23rd day of Sept. 1975. Filing Fee $ 25.00. Received ___Check ✓Cash ___Other

S. Eric DiNenna,
Zoning Commissioner

Petitioner Walter McDonough Submitted by Walter McDonough
Petitioner's Attorney _____ Reviewed by NBC / DAS

* 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. 25984

DATE Nov. 18, 1975 ACCOUNT 01-662
AMOUNT $50.00
RECEIVED Walter H. McDonough, 601 Delaware Ave.
FROM Baltimore, Md. 21201
FOR Advertising and posting of property #76-113-A

B 929RMU 18 50.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

FEB 2 1976