

76-179-A #136 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Estate of John Paul Doemling, 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, I, or we, Paul Doemling, 1A00, J.B.3 hereby petition for a Variance from Section 524.1 of the Zoning Law of Baltimore County to permit a side yard setback of 5' instead of the required 50'.

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

It is imperative that we have a variance for a side set-back because we are remodeling the present one-bedroom home to accommodate a family of nine. The room to the said side will house utilities. It is impossible to dig a basement area for these utilities because the water table is high. It is most practical to house the utilities in this area because they presently enter the house here. Lastly, by adding the room to the side, it will add to the general appearance.

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.

Estate of John Paul Doemling

Contract purchaser Norman G. Lacher, Sr., P.B.

Address 320 Dark Head Rd.

Baltimore 21220 MD

Petitioner's Attorney

Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of January, 1976, 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 104, County Office Building in Towson, Baltimore County, on the 3rd day of March, 1976, at 10:00 o'clock.

A.M.

John W. Hession, III
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
Southwest side of Seneca Road 582.9 feet
Southeast of Chestnut Road, 15th District : OF BALTIMORE COUNTY
ESTATE OF JOHN P. DOEMLING, : Case No. 76-179-A
Petitioner

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

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of February, 1976, a copy of the foregoing Order was mailed to Mr. Norman G. Lacher, Sr., 320 Dark Head Road, Baltimore, Maryland 21220, and Mr. David W. Dallas, Jr., Civil Engineer, 8713 Old Harford Road, Baltimore, Maryland 21234.

John W. Hession, III



March 5, 1976

Mr. Norman G. Lacher, Sr.
320 Dark Head Road
Baltimore, Maryland 21220

RE: Petition for Variance
SW/S of Seneca Road, 582.9' SE of
Chestnut Road - 15th Election District
Estate of John P. Doemling - Petitioner
NO. 76-179-A (Item No. 136)

Dear Mr. Lacher:

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

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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



STATE OF MARYLAND LETTERS OF ADMINISTRATION

Estate No. 32457

To all persons who may be interested in the Estate of _____

JOHN PAUL DOEMLING, deceased:

Administration of the Estate of the deceased has been granted on August 15, 1975

to NORMAN G. LACHER

The appointment is in full force and effect as of this date.

(SEAL)

WITNESS:

Louis Davis

Register of Wills for BALTIMORE
County, Maryland.

VALID ONLY WITH IMPRINTED SEAL

DATED: OCTOBER 16, 1975

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 23, 1976

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-179-A. Petition for a Variance for Side Yard.
Southwest side of Seneca Road 582.9 feet Southeast of Chestnut Road.
Petitioner - Estate of John Paul Doemling

15th District

Hearing: Wednesday, March 3, 1976 at 10:00 A.M.

There are no comprehensive planning factors requiring comment of this petition.

William D. Fromm
William D. Fromm
Director of Planning

WDF:JGH:nb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

ZONING DESCRIPTION

NORMAN G. LACHER, ET AL., SENECA ROAD

SIDE YARD VARIANCE

BEGINNING for the same on the southwest side of Seneca Road (30 feet wide) at a point distant 582.9 feet southeasterly from the southeast intersection of Chestnut Road (30 feet wide) and Seneca Road, thence running with and binding on said southwest side of Seneca Road south 62 degrees 59 minutes east 75.00 feet, thence leaving said road and running south 34 degrees 19 minutes west 414.7 feet, thence north 55 degrees 41 minutes west 74.19 feet, thence north 34 degrees 19 minutes east 405.17 feet to the place of beginning.

CONTAINING 0.700 acres of land more or less.

November 7, 1975

DAVID W. DALLAS, JR.

July 25, 1975



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Norman G. Lacher, Sr.
Norman G. Lacher, Sr.
Baltimore, MD. 21220

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

Your Petition has been received and accepted for filing this 27th day of January, 1976

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Estate of John Paul Doemling

Petitioner's Attorney Norman G. Lacher, Sr.

Reviewed by Franklin T. Rogers, Jr.

David W. Dallas, Jr.
David W. Dallas, Jr.
Civil Engineer
8713 Old Harford Road
Baltimore, MD. 21234

Chairman,
Zoning Plans
Advisory Committee

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

to permit a side yard setback of five feet instead of the required fifty feet

IS ORDERED by the Zoning Commissioner of Baltimore County this 5TH

day of March 1976, 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

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 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 11, 1976

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

Franklin T. HOGANS,
XXXXXXXXXXXXXXXXXXXX
Chairman, Jr.

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

Mr. Norman G. Lacher, Sr.
320 Dark Head Road
Baltimore, Maryland 21220

RE: Variance Petition
Item 136
Estate of John Paul Doemling -
Petitioner

Dear Mr. Lacher:

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 Seneca Road, 528 feet east of Chestnut Road, and is currently improved with a single family residence. The petitioner is requesting a Variance to permit a side yard setback of 5 feet in lieu of the required 50 feet, in order that a one-story addition may be added to the rear of the existing building. Adjacent properties are improved with single family residences.

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

Mr. Norman G. Lacher, Sr.
Re: Item 136
February 11, 1976
Page 2

date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

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

PTH:JD

Enclosure

cc: David W. Dallas, Jr.
Civil Engineer
8713 Old Harford Road
Baltimore, Md. 21234

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Estate of John P. Doemling

Location: S/S Seneca Rd. 528' E. of Chestnut Rd.

Item No. 136

Zoning Agenda January 20, 1976

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.

Reviewed: H. Kelly Noted and Approved: Louis H. Murphy
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

baltimore county
department of health
TOWSON, MARYLAND 21204

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

February 17, 1976

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

Dear Mr. DiNenna:

Comments on Item #136, Zoning Advisory Committee Meeting, January 20, 1976, are as follows:

Property Owner: Estate of John P. Doemling
Location: S/S Seneca Road 528' E of Chestnut Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Side-yard Var. of 5' instead of the req. 50'

No. Acres: 0.7
District: 15th

Revised plot plan required indicating method of sewage disposal and water supply.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:pb6

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

WILLIAM D. FROMM
DIRECTOR

February 11, 1976

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 #136, Zoning Advisory Committee Meeting, January 20, 1976, are as follows:

Property Owner: Estate of John P. Doemling
Location: S/S Seneca Road 528' E. of Chestnut Road
Existing Zoning: R.D.P.
Proposed Zoning: Side yard Var. of 5' instead of the req. 50'
No. Acres: 0.7
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
Planning Specialist II
Project and Development Planning

baltimore county
department of public works
TOWSON, MARYLAND 21204

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

March 4, 1976

Re: Item #136 (1975-1976)
Property Owner: Estate of John P. Doemling
S/S Seneca Rd., 528' E. of Chestnut Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Side yard Var. of 5' instead of the required 50'
No. of Acres: 0.7 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.

Highways:

Seneca Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

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.

Item #136 (1975-1976)
Property Owner: Estate of John P. Doemling
Page 2
March 4, 1976

Water and Sanitary Sewer:

The submitted plan when revised must indicate the 8-inch water main in Seneca Road which serves this property, the location of the fire hydrant in relation to this site, and the location of the private onsite sewage disposal system employed, as public sanitary sewerage is not available to serve this property.

It appears that additional fire hydrant protection may be required in the vicinity.

The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "Planned Service" in 3 to 5 years.

Very truly yours,

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

END:EAM:FWR:ss

cc: J. Trenner
W. Munchel
J. Somers

2-SW Key Sheet
S NE 45 Pos. Sheet
NE 2 L Topo
91 Tax Map

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 23, 1976

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

Z.A.C. Meeting of: January 20, 1976

Re: Item 136
Property Owner: Estate of John P. Dowling
Location: S/S Seneca Rd. 528' E. of Chestnut Rd.
Present Zoning: R.D.P.
Proposed Zoning: Side yard Variance of 5' instead of the required 50'.

District: 15th
No. Acres: 0.7

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNY

MARCUS M. ROTENBERG
JOSEPH N. MCGOWAN
ALVIN LORECK
JOSHUA R. WHEELER, SUPERINTENDENT

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. WUERFEL

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 2-11-76
Posted for: Hearing held Mon. 3-1-76 @ 10:00 A.M.
Petitioner: Estate of John P. Dowling
Location of property: S/S of Seneca Rd. 528' E. of
Chestnut Rd.
Location of sign: 1 sign posted on front of 528' E. of
Chestnut Rd. on Seneca Rd. front of John P. Dowling
Remarks: *Michael H. Hess*
Posted by: *Michael H. Hess* Date of return: 2-19-76

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map	Original	Duplicate	Tracing	500 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, CC, CA					
Reviewed by:					
Previous case:					
Revised Plans: Change in outline or description					
Map #					

ICE OF THE TIMES NEWSPAPERS RANDALLSTOWN, MD. 21133 Feb. 12, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance- Dowling
was inserted in the following:

☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☒ Essex Times ☐ Community Times

weekly newspapers published in Baltimore County, Maryland, once a week for _____ week before the _____ day of _____ 1976, that it to say, the same was inserted in the issues of Feb. 12, 1976.

STROMBERG PUBLICATIONS, INC.

BY *John Smulk*

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 12, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing at one time _____ week before the _____ day of _____ 1976, the first publication appearing on the _____ day of _____ FEBRUARY 1976.

THE JEFFERSONIAN

L. L. Smith
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 15th day of

Jan 1976. Filing Fee \$ 25.00 Received ☒ Check
Cash ☐
Other ☐

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Estate of John P. Dowling* Submitted by *J. Louis Davis*
Petitioner's Attorney Reviewed by *OTS*

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

31643
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE
MISCELLANEOUS CASH RECEIPT
DATE: Mar. 1, 1976
AMOUNT: \$25.00
2500 MC

31643
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE
MISCELLANEOUS CASH RECEIPT
DATE: Mar. 1, 1976
AMOUNT: \$25.00
2500 MC



ZONING PLAT
Variance From Side Yard Setback
Property of
Norman G. Lacher et al
15th Election District
Scale 1" = 70'
October 23, 1975

LOT 11-B PLAT 4
UNRECORDED PLAT OF
THE PROPERTY OF BOWLEY'S
QUARTER COMPANY OF
BALTIMORE COUNTY

DAVID W. DALLAS, JR.
CIVIL ENGINEER
8713 OLD HARFORD RD.
BALTIMORE, MD. 21234
(301) 665-7422