

76-218-A #181 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, James R. & Dorothy J. 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 2200.351a to permit lot width of 50 feet for lots 194 and 195 instead of the required 55 feet and a front setback of 13' instead of the required 25 feet and a rear setback of 13' instead of the required 30' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

As the lot is an old subdivision and is 50' wide the house must be placed in lengthwise. Therefore, as the house is placed lengthwise and is of a split-foyer design, no entrance can be made directly off the road into the living room.

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 purchase: James Robert Thomas
Address: Rt. 10, Box 974, Shrewsbury, Md. 21158
Legal Owner: Dorothy Joan Thomas
Address: 7350 Hughes Avenue, Baltimore, Md. 21219

MR 16 76 AM Petitioner's Attorney Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

of March 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland, on the 15th day of April, 1976, at 10:45 o'clock

By: [Signature] Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
North side of Hughes Avenue 113 feet : OF BALTIMORE COUNTY
West of Lincoln Avenue, 15th District :
JAMES R. & DOROTHY J. THOMAS, : Case No. 76-218-A
Petitioners :

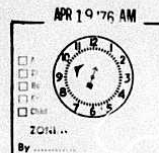
ORDER TO ENTER APPEARANCE

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 15th day of April, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. James R. Thomas, 7350 Hughes Avenue, Baltimore, Maryland 21219, Petitioners.



DESCRIPTION FOR VARIANCE

Beginning at a point on the North side of Hughes Ave., 113 feet West of Lincoln Ave., being known as lots 194 & 195 of Chesapeake Terrace, Section B, which is recorded in the land records of Baltimore County in Liber 5, Folio 36.
Lot 195 also known as 7350 Hughes Avenue.

April 23, 1976

Mr. & Mrs. James R. Thomas
7350 Hughes Avenue
Baltimore, Maryland 21219

RE: Petition for Variances
N/S of Hughes Avenue, 113' W of
Lincoln Avenue - 15th Election District
James R. Thomas, et ux - Petitioners
NO. 76-218-A (Item No. 181)

Dear Mr. & Mrs. Thomas:

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: Mr. & Mrs. Michael W. Downes
Route 10, Box 692, Shore Road
Baltimore, Maryland 21219

John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 5, 1976
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-218. Petition for Variance for Lot Widths, Front and Rear Setbacks.
North side of Hughes Avenue 113 feet West of Lincoln Avenue
Petitioner - James Robert Thomas and Dorothy Joan Thomas

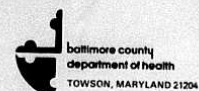
15th District

HEARING: Monday, April 19, 1976 (10:45 A.M.)

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

William D. Fromm
Director of Planning

WDF:JGH:rw



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

April 20, 1976

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

Dear Mr. DiNenna:

Comments on Item 181, Zoning Advisory Committee Meeting, March 2, 1976, are as follows:

Property Owner: James R. & Dorothy J. Thomas
Location: N/S Hughes Ave. 113' W Lincoln Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55' & front setback of 13' in lieu of required 25' & rear setback of 13' in lieu of required 30'.

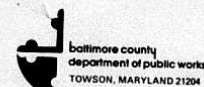
Acres: 50 X 200
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:pb6



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

April 9, 1976

Re: Item #181 (1975-1976)
Property Owner: James R. & Dorothy J. Thomas
N/S Hughes Ave., 113' W. Lincoln Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55' and front setback of 13' in lieu of required 25' and rear setback of 13' in lieu of required 30'.
Acres: 50 X 200 District: 15th
50 200

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:

Hughes Avenue, an existing public street, is proposed to be improved in the future as a 35-foot closed type 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 plan must be revised accordingly. The plan should also include a location plan.

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 #181 (1975-1976)
Property Owner: James R. & Dorothy J. Thomas
Page 2
April 9, 1976

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist adjacent to this property. Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:EAM:FWR:ss

cc: J. Somers
W. Munchel

A-NE Key Sheet
27 SE 31 Pos. Sheet
SE 7 H Topo
111 Tax Map

AUG 03 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 Petitioners

the above Variance should be granted; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety and general welfare of the community, Variances to permit lot width of 50 feet for Lots 194 and 195 instead of the required 55 feet; a front yard setback of 13 feet instead of the required 25 feet; and a rear yard setback of 13 feet instead of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of April, 1976, that the herein Petition for the aforementioned Variances should be and the same are 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.

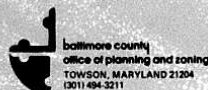
Deputy Zoning Commissioner of Baltimore County

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



WILLIAM D. FROMM
DIRECTOR

April 2, 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 #181, Zoning Advisory Committee Meeting, March 2, 1976, are as follows:

Property Owner: James R. and Dorothy J. Thomas
Location: N/S Hughes Ave. 113' W. Lincoln Avenue
Existing Zoning: D.R.S.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55' and front setback of 13' in lieu of required 25' and rear setback of 13' in lieu of required 30'
Acres: 50 x 200
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 ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. James Robert Thomas
7350 Hughes Avenue
Baltimore, Maryland 21220

Item 181

COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 9th day of 1976

S. Eric DiNenna,
Zoning Commissioner

Petitioner James Robert Thomas

Petitioner's Attorney

Reviewed by Franklin T. HOGANS, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 22, 1976

Mr. James Robert Thomas
7350 Hughes Avenue
Baltimore, Maryland 21219

RE: Variance Petition
Item 181
James R. & Dorothy J. Thomas -
Petitioners

Dear Mr. 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 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 Hughes Avenue, 113 feet west of Lincoln Avenue, and is currently an unimproved 50 foot lot on which a single family dwelling is proposed to be constructed. The petitioner is requesting a Variance to permit lot widths of 50 feet in lieu of the required 55 feet for both lots, and is requesting setback Variances for the proposed dwelling, necessary only in light of the front orientation of the house toward what is normally considered the site property line. Adjacent properties are improved with single family dwellings.

Mr. James Robert Thomas
Re: Item 181
March 22, 1976
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.
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 3, 1976

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

Z.A.C. Meeting of: March 2, 1976

Re: Item 181
Property Owner: James R. & Dorothy J. Thomas
Location: N/S Hughes Ave. 113' W. Lincoln Ave.
Present Zoning: D.R. S.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of required 55' & front setback of 13' in lieu of required 25' & rear setback of 13' in lieu of required 30'.

District: 15th
No. Acres: 50 x 200
50 200

Dear Mr. DiNenna:

No bearing on student population.

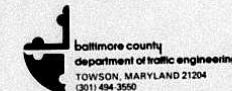
Very truly yours,

W. Nick Petrovich,
Field Representative.

H. EMBLE PARKS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BERRY

MARCUS H. BOYBARI
JOSEPH N. HIGGINS
ALVIN GREEN
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACY, Chairman
MRS. RICHARD K. MURFEL



STEPHEN L. COLLINS
DIRECTOR

March 4, 1976

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

Re: Item 181 - ZAC - March 2, 1976
Property Owner: James R. & Dorothy J. Thomas
Location: N/S Hughes Ave. 113' W. Lincoln Avenue
Existing Zoning: D.R. S.5
Proposed Zoning: Var. to permit lot widths of 50' in lieu of required 55' & front setback of 13' in lieu of req. 25' and rear setback of 13' in lieu of required 30'
No. of Acres: 50 x 200
50 200
District: 15th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to lot widths and the front and rear yard setbacks.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

AUG 03 1976

