

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

James B. Sullivan
I, or we, PATRICIA A. SULLIVAN, 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 1A99.3B(3) to permit side yard setbacks of six (6) feet and twelve (12) feet in lieu of the required fifty (50) feet.

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

- Existing development on two twenty-five foot wide lots. Lots are 25 x 266 feet.
- Reasons for rebuilding request:
 - House is over fifty years old and was constructed very poorly (does not meet any present requirements).
 - House is not insulated.
 - Electrical works are old and somewhat questionable.
 - House does not have central heat. See attached description.

Room sizes, shapes and arrangements are poor and impossible to work with.

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.

Contract purchaser James B. Sullivan Legal Owner

Address 6536 Blackhead Road

Baltimore County 21220

Petitioner's Attorney Franklin T. Hoggans, Jr. Protestant's Attorney

Address 1426th day of May 1976

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of May 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 108, County Office Building in Towson, Baltimore County, on 14th day of May 1976, at 10:30 o'clock A.M.

Franklin T. Hoggans, Jr.
Zoning Commissioner of Baltimore County

(over)

10:30A
10/5/1976

ORDER RECEIVED FOR FILING
DATE May 7, 1976
BY Shirley B. Hoggans

2-236A

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76-236A

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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

to permit side yard setbacks of 6 feet and 12 feet instead of the required 50 feet should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of June, 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 June, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



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

June 3, 1976

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

Dear Mr. DiNenna:

Comments on Item #199, Zoning Advisory Committee Meeting, April 6, 1976, are as follows:

Property Owner: James B. & Patricia A. Sullivan
Location: N/S Blackhead Rd. 300' W Landing Rd.
(Crooks Rd.)

Existing Zoning: RDP
Proposed Zoning: Variance to permit side yard setbacks of 6' and 12' in lieu of the required 50'

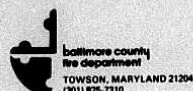
Acres: 50 x 266
50 x 266
District: 15th

Must install an approved septic system and water well before final approval.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:pb



Paul H. Heincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: James B. & Patricia A. Sullivan

Location: N/S Blackhead Rd. 300' W Landing Rd. (Crooks Rd.)

Item No. 199 Zoning Agenda April 6, 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 "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: [Signature] Noted and
Planning Group Approved: [Signature] Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

RE: PETITION FOR VARIANCE : BEFORE
from Section 1A00.3B(3) : COUNTY BOARD OF APPEALS
of the Baltimore County Zoning :
Regulations : OF
N/S of Blackhead Road 300' : BALTIMORE COUNTY
W. of Landing Avenue :
15th District :
James B. Sullivan, et ux : No. 76-236-A
Petitioners :
: : : : :
: : : : :

OPINION

This case comes before the Board on an appeal from an Order of the Deputy Zoning Commissioner dated June 7, 1976 granting the requested variance.

The property is located on the north side of Blackhead Road 300 feet west of Landing Avenue, in the 15th Election District of Baltimore County.

The variance requested is from the side yard setback requirements, which are as a result of the imposition of rural conservation zoning upon the subject property.

The improvements on the subject property are at least sixty years old and consist of what used to be a summer cottage which was constructed in four stages, which has since been converted into permanent living quarters. Testimony produced by the Petitioner in the case is that the plumbing is inadequate, that the electrical supply is old and of questionable value and safety, and that the entire house structure is of poor construction. The Petitioner proposes to remove the old building and build a new brick home as a permanent residence on the property. The problem arises, of course, that the setbacks now required are fifty feet on each side. This, of course, would prohibit any construction on the subject property, and in the mind of this Board imposes an unreasonable hardship upon the Petitioner.

Several neighbors of the Petitioner appeared and voiced their strong support of this proposal, and indicated that said proposal would be of substantial benefit to the neighborhood. The only opposition to this proposal was from one of the adjacent property owners, who indicated that he has no objection to the construction of the new house, but only objects to the proposed garage which is to be attached to the new construction, which he feels will impair his view to the rear of the road. The protestant



WILLIAM D. FROMM
DIRECTOR

April 20, 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 #199, Zoning Advisory Committee Meeting, April 6, 1976, are as follows:

Property Owner: James B. and Patricia A. Sullivan

Location: N/S Blackhead Road 300' W Landing Road "Crooks Road)

Existing Zoning: R.D.P.

Proposed Zoning: Variance to permit side yard setbacks of 6' and 12' in lieu of the required 50'

Acres: 50 x 266
50 x 266

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

James B. Sullivan, et ux - No. 76-236-A

also indicated that the proposed garage would also block his air, and possibly present a fire hazard. The Board feels that the objections of this protestant are unfounded and that, if anything, the new construction would create less of an obstruction to his view and be less of a hazard than is the existing outbuilding presently located on the rear of the subject property.

Consequently the Board feels that to impose the existing side yard setback requirements on the Petitioner would be creating an unreasonable hardship and not only practical difficulty, but an impossibility upon him. Furthermore, the Board feels that the deterioration and damage to the existing structure from the ravages of time may be within the conditions contemplated by Section 305 of the Zoning Regulations, which would permit reconstruction to the same setbacks, abolishing the necessity of obtaining a variance.

The Board, therefore, concludes that the variance petitioned for, which will give the proposed structure the same setbacks as the existing building, should be granted, and the Board will, therefore, affirm the Order of the Deputy Zoning Commissioner in this case.

ORDER

For the reasons set forth in the foregoing Opinion, the Board affirms the Order of the Deputy Zoning Commissioner dated June 7, 1976, and ORDERS, this 17th day of December, 1976, that the variance petitioned for be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman
Robert L. Gilliland
John A. Miller

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 8, 1976

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

Z.A.C. Meeting of: April 6, 1976

Re: Item 199
Property Owner: James B. & Patricia A. Sullivan
Location: N/S Blackhead Rd. 300' W. Landing Rd. (Crooks Rd.)
Present Zoning: R.D.P.
Proposed Zoning: Variance to permit side yard setbacks of 6' and 12' in lieu of the required 50'.

District: 15th
No. Acres: 50 x 266
50 x 266

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative.

JOSEPH W. MCCORMACK, PRESIDENT
J. ARNOLD WILLIAMS, DEPUTY PRESIDENT
WILLIAM L. GIBSON

MARION W. STEPHENS
THOMAS S. STARR
WILLIAM L. GIBSON

JOHN B. HARTLEY
ALAN D. GRIFFIN
WILLIAM L. GIBSON

DESCRIPTION FOR VARIANCE

BEGINNING at a point on the North side of Blackhead Road approximately 300 feet West of Landing Avenue (Crooks Rd.) and known as lots 25 and 26 of Bird River Beach and recorded among Baltimore County Land Records in Liber 7 Folio 70.

Also known as 6536 Blackhead Road.

Appeal
✓
#76-236-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 7/29/76
Posted for: _____
Petitioner: James B. Sullivan
Location of property: N/S of Blackhead Rd. 300' W. of Landing Ave.
Location of Signs: 1 Sign Post # 6536 Blackhead Rd
Remarks: _____
Posted by: Mark H. Huse Date of return: 8/5/76
Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 4-29-76
Posted for: Meeting Monday May 12th @ 10:30 A.M. 1976
Petitioner: James B. Sullivan
Location of property: N/S of Blackhead Rd. 300' W. of Landing Ave.
Location of Signs: 1 Sign Post # 6536 Blackhead Rd
Remarks: _____
Posted by: Mark H. Huse Date of return: 5-6-76
Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 29 day of
March 1976. Filing Fee \$ 25.00 Received ☒ Check
Cash
Other
S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner James B. Sullivan Submitted by James B. Sullivan
Petitioner's Attorney _____ Reviewed by STH
* 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. 33355

DATE April 26, 1976 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED FROM James B. Sullivan, 6536 Blackhead Rd., Balto., Md. 21220
FOR Petition for Variance #76-236-A
8563224 27 25.00

VALIDATION OR SIGNATURE OF CASHIER

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

No. 33391

DATE May 17, 1976 ACCOUNT 01-662
AMOUNT \$37.75
RECEIVED FROM James B. Sullivan, 6536 Blackhead Rd., Balto., Md. 21220
FOR Advertising and posting of property #76-236-A
8713224 17 37.75

VALIDATION OR SIGNATURE OF CASHIER

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

No. 33493

DATE July 6, 1976 ACCOUNT 01-662
AMOUNT \$40.00
RECEIVED FROM Mr. Marvin G. Jones
FOR Cost of Filing of an Appeal and Posting of Property on Case No. 76-236-A (Item No. 199)
N/S of Blackhead Road, 300' W of Landing Avenue -
15th Election District
James B. Sullivan, et ux - Petitioners 4000

VALIDATION OR SIGNATURE OF CASHIER

