

76-250-A #214 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **JOHN T. O'HARA AND DEBORAH J. O'HARA**, 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 202.3A.1 and R.1 and Section 202.3 (of the 1969 Zoning Regulations) and other applicable sections of the Regulations, to permit a side yard of six (6) feet in lieu of the required twenty (20) feet.

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

1. That the requested side yard variance is required to allow construction of a garage addition to an existing home built in an older subdivision "Summer Hill" under previous lot size regulations, and the proposed addition will be an improvement to the property and neighborhood.

2. That without the requested variance the Petitioners will sustain practical difficulty and unreasonable hardship since the existing house location will not accommodate the improvements due to the existing lot width, without a variance as requested.

3. That the requested variance is in strict harmony with the spirit and intent of the Regulations, and will be an improvement to the lot and area involving no injury to the public health, safety and general welfare.

Property is to be sold 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 of Baltimore County.

Contract purchaser

JOHN T. O'HARA
DEBORAH J. O'HARA
Address: 13702 Cripple Gate Road
Phoenix, Maryland 21131

Petitioner's Attorney

Protestant's Attorney

On June 27, 1976, By The Zoning Commissioner of Baltimore County, this.....27th.....day

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 through-out 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.....28th.....day of.....June.....1976, at 10:30 o'clock.

Alan W. Heaston, III
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCE
SE corner of Cripple Gate Road
and Dunscombe Court, 10th District
JOHN T. & DEBORAH J. O'HARA,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 76-250-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.

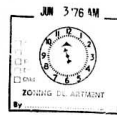
Charles E. Knealy, Jr.
Charles E. Knealy, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that a copy of the foregoing Order was mailed on the 2nd

day of June, 1976 to John T. O'Hara, Esquire, 13702 Cripple Gate Road, Phoenix, Maryland 21131, Petitioner.

John W. Heaston, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
TO... Zoning Commissioner Date... May 19, 1976
FROM... William D. Fromm
Director of Planning
SUBJECT: Petition 76-250-A - Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard of six (6) feet instead of the required twenty (20) feet. Petitioner - John T. O'Hara and Deborah J. O'Hara.

10th District

Hearing: Monday, June 7, 1976 at 10:30 A.M.

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

William D. Fromm
William D. Fromm
Director of Planning

WDF/JGH/mac

June 9, 1976

Mr. & Mrs. John T. O'Hara
13702 Cripple Gate Road
Phoenix, Maryland 21131

RE: Petition for Variance
SE corner of Cripple Gate Road and
Dunscombe Court - 10th Election
District
John T. O'Hara, et ux - Petitioners
NO. 76-250-A (Item No. 214)

Dear Mr. & Mrs. O'Hara:

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

Very truly yours,
George J. Tynak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

13702 Cripple Gate Road
Phoenix, Maryland 21131
667-1332

June 1, 1976

Dear Neighbors:

As you can see from the funny looking white sign in front of our house, Debby and I have requested a zoning hearing to allow for a zoning variance from the required 20 feet to 6 feet distance between property line and building. This will allow us to build a garage to house our cars, bikes, and miscellaneous hardware associated with the six O'Hara children.

The hearing is scheduled for 10:30 a.m., Monday, June 7. Should you have any questions regarding our plans, please talk to Debby or myself. A crude sketch of the addition is attached to this memo.

Regards,

Debby and Jack O'Hara

ENCLOSURE 3
EXHIBIT 4



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

June 18, 1976

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

Dear Mr. DiNenna:

Comments on Item #214, Zoning Advisory Committee Meeting, April 22, 1976, are as follows:

Property Owner: John T. & Deborah J. O'Hara
Location: SE/C Cripple Gate Rd. & Dunscombe Ct.
Existing Zoning: R-5-C
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 20'.
Acres:
District: 10th

Since this is a variance for a side yard setback for an addition to an existing building and the water well and septic system are apparently functioning properly, no health hazard is anticipated.

Very truly yours,

Thomas R. Devlin
Thomas R. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HER:pb

UNDER REQUIRES FOR FILING

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 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 a side yard of six feet instead of the required

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th 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.

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 ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
101 N. CHARLES ST.
TOWSON, MARYLAND 21204

Franklin T. Hogan, Jr.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE BOARD OF COMMISSION

BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION

ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

May 24, 1976

John T. O'Hara, Esq.
13702 Cripple Gate Road
Phoenix, Maryland 21131

RE: Variance Petition
Item 214
John T. & Deborah J. O'Hara -
Petitioners

Dear Mr. O'Hara:

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 southeast corner of Cripple Gate Road and Dunscombe Court, and is currently improved with a single family dwelling. The petitioner is requesting a Variance in order that a garage may be constructed on the side of the house.

Adjacent properties are improved with single family dwellings as well as on larger than average lots.

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

John T. O'Hara, Esq.
Re: Item 214
Page 2
May 24, 1976

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. Hogan, Jr.
FRANKLIN T. HOGAN, JR.,
Chairman, Zoning Plans
Advisory Committee

FTH:JD

Enclosure



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

May 28, 1976

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The submitted plan should be revised to indicate the existing shed on the westerly portion of this property, and that this property, lot 45, Block "B" is as shown on the recorded subdivision "Plat 1, 20-1-1, Sub. 111" (H&C, 29, P. 110).

Baltimore County highway and utility 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 #214 (1976-1976).

Very truly yours,

ELLENOR M. LIVES, P.E.
Chief, Bureau of Engineering

EMH:KAM;PWH:dd

V-M Key Sheet
74 NE 4 & 5 Top. Sheet
NE 19 A & 9 Topo
43 Tax Map



May 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 #214, Zoning Advisory Committee Meeting, April 27, 1976, are as follows:

Property Owner: John T. & Deborah J. O'Hara
Location: SE/C Cripple Gate Road and Dunscombe Court
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit a side yard setback of 6' in lieu of the required 20'
Acres
District: 10th

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



STEPHEN E. COLLINS
DIRECTOR

May 17, 1976

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

Re: Item 214 - SAC - April 27, 1976
Property Owner: John T. & Deborah J. O'Hara
Location: SE/C Cripple Gate Rd. & Dunscombe Ct.
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit a side setback of 6' in lieu of req. 20'
Access
District: 10th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:MC

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 28, 1976

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

Z.A.C. Meeting of: April 27, 1976

Re: Item 214
Property Owner: John T. & Deborah J. O'Hara
Location: SE/C Cripple Gate Rd. & Dunscombe Ct.
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 20'.

District: 10th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

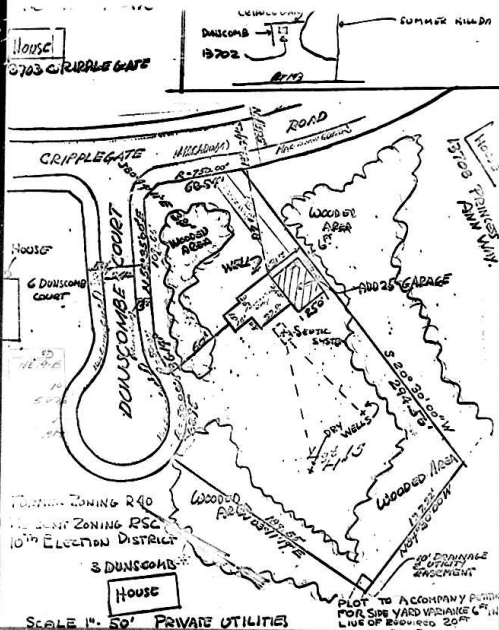
Walter H. ...
Walter H. ...
Lead representative

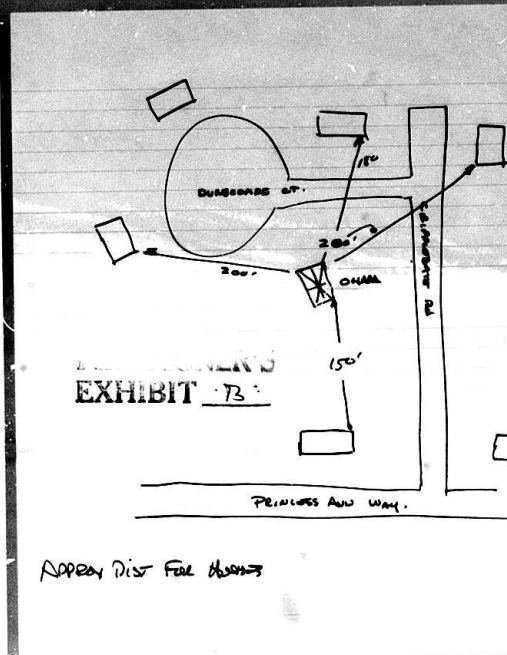
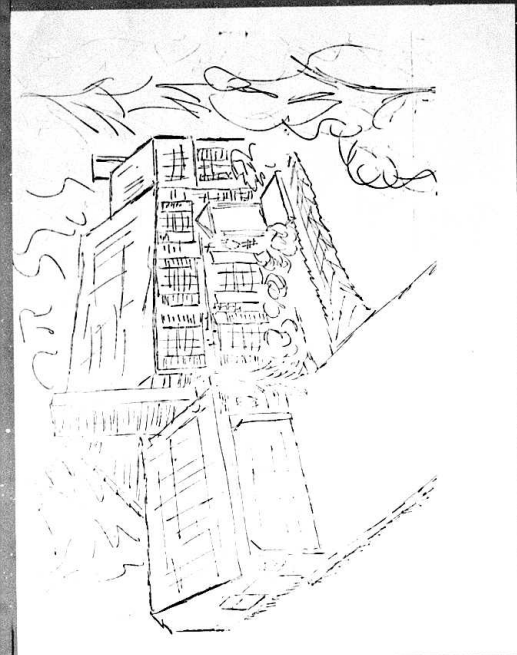
WHE:el

JOHN M. HOGAN, JR.
JOHN M. HOGAN, JR.
JOHN M. HOGAN, JR.

MARION M. HOGAN
MARION M. HOGAN
MARION M. HOGAN

JOHN M. HOGAN
JOHN M. HOGAN
JOHN M. HOGAN





APPEAR DIS FOR HOURS

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 20 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. at one time ~~consecutively~~ before the 7th day of June 1976 the time publication appearing on the 20th day of May 1976

THE JEFFERSONIAN,
Manager

Cost of Advertisement \$

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THE JEFFERSONIAN,
Manager

Cost of Advertisement \$

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 May 19, 1976

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

☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 21st day of June 1976, that is to say, the same was inserted in the issues of May 19, 1976.

STROMBERG PUBLICATIONS, INC.
BY: *E. J. Stroman*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 22 day of April 1976. Filing Fee \$ 25. Received ☒ Cash ☐ Other

S. Eric Dineen
S. Eric Dineen
Zoning Commissioner

Petitioner *H. T. O'Hara* Submitted by *H. T. O'Hara*
 Petitioner's Attorney *H. T. O'Hara* Reviewed by *H. T. O'Hara*

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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District *16th* Date of Posting *June 2nd 1976*

Posted for: *Henry Dineen, June 2nd 1976, 1426 S. 16th St. B.D.*

Petitioner: *John T. O'Hara*

Location of property *1426 S. 16th St. Crispin, Md. & Lawrenceville, Md.*

Location of Signs: *1426 S. 16th St. Crispin, Md. & Lawrenceville, Md.*

Remarks:

Posted by *Mike H. Hase* Date of return *5/22/76*

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

No. 33430

DATE: June 1, 1976 ACCOUNT: 01-662

AMOUNT: \$37.25

RECEIVED: John T. O'Hara, Crispin Road 13702
 Phoenix, Md. 21131
 Advertising and posting of property \$16.75-4

39250

VALIDATION & SIGNATURE OF CASHIER

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

No. 33390

DATE: May 17, 1976 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: John T. O'Hara, 13702 Crispin Rd. Md., Phoenix
 No. 21131
 Petition for a Variance \$16.75-4

39250

VALIDATION & SIGNATURE OF CASHIER

