

7-81-A #45 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edwin H. Howes 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 122.3.3.1 TO PERMIT LOT WIDTH 50'

TO PERMIT THUS FAR OF THE REQUIRED 55 FEET, and to permit a front setback of 10 feet instead of the required 25 feet.

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

THE EXISTING SUBDIVISION OF "LORRAINE" RECORDED IN THE LAND RECORDS IN 1928 100' X 125' SUBDIVIDED THE LOTS INTO 50 FT. WIDE LOTS. THE ENTIRE SUBDIVISION CONSISTED OF HOMES ON 50 FT. WIDE LOTS. THIS PETITIONER OWNS ONLY ONE 50 FT. WIDE LOT AND TO DENY THE RIGHT TO BUILD UPON THIS LOT WOULD CAUSE UNNECESSARY HARDSHIP.

See attached description

Property is in the 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 purchaser
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of September 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 106, County Office Building in Towson, Baltimore County, on the 18th day of October 1976, at 10:00 o'clock.

Eric D. DiMenna
Zoning Commissioner of Baltimore County.

(over)

Mr. Edwin H. Howes
Re: Item 45
October 13, 1976
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,

Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Planning & Zoning
Associate III

ENCLOSURE

Enclosure

B. D. Lynch Co., Inc.
4907 Harford Road
Baltimore, Md. 21214

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 484-3500

STEPHEN E. COLLINS
DIRECTOR

September 22, 1976

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

Re: Item 45 - ZAC - September 7, 1976
Property Owner: Edwin H. Howes
Location: 8W/8 Golden Ring Rd. 115' NW Akron Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of req. 55'
Acreage: 100 X 126.55
District: 14th

Dear Mr. DiMenna:

No traffic problems are anticipated by the requested variance to the lot widths.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

September 20, 1976

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

Dear Mr. DiMenna:

Comments on Item #45, Zoning Advisory Committee, September 7, 1976, are as follows:

Property Owner: Edwin H. Howes
Location: 8W/8 Golden Ring Rd. 115' NW Akron Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'
Acreage: 100/100 X 126.55/127.25
District: 14th

Since metropolitan water and sewer exist, no health board is anticipated.

Very truly yours,

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

TED:EMJ:ab

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1976

COUNTY OFFICE BLDG.
111 E. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Edwin H. Howes
3001 Suffolk Lane
Fallston, Maryland 21047

RE: Petition for Variance

Item 45

Edwin H. Howes - Petitioner

Dear Mr. Howes:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has had 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, zoned D.R. 5.5, and consisting of two 50 foot lots, is located on the southwest side of Golden Ring Road, 115 feet northwest of Akron Road, in the 14th Election District. It is currently improved with a single family brick dwelling, as are properties surrounding this site.

The variance is necessitated by the petitioner's proposal to construct an additional dwelling on this site. A revised site plan reflecting the comment of the State Highway Administration must be submitted to this office prior to the scheduled hearing date.

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

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 484-3610

JOHN D. SEYFFERT
DIRECTOR

August 31, 1976

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

Dear Mr. DiMenna:

Comments on Item #45, Zoning Advisory Committee Meeting, September 7, 1976, are as follows:

Property Owner: Edwin H. Howes
Location: 8W/8 Golden Ring Rd. 115' NW Akron Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'
Acreage: 100 X 126.55
District: 14th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction work begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

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, the Variance is permitted lot widths of 50 feet in lieu of the required 55 feet and a front yard setback of 10 feet in lieu of the required 25 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of October, 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 State Highway Administration, 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 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of October, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THOMSON M. MOURN, P.E.
DIRECTOR

October 4, 1976

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

Re: Item #45 (1976-1977)
Property Owner: Edwin H. Howes
8405 Golden Ring Rd., 115' NW Akron Rd.
Existing Zoning: D.R.S. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acres: 100 x 126.55 District: 14th
100 x 127.25

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:

Baltimore County highway and utility improvements are not involved. Golden Ring Road (MD. 588) is a State road; therefore, all improvements, intersections, entrances, and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #45 (1976-1977).

Very truly yours,

Edwin H. Howes
Edwin H. Howes, P.E.
Chief, Bureau of Engineering

END/EAM/PMB/BS

1-W My Sheet
14 NE 22 Pos. Sheet
ME 4 P Topo
89 Tax Map



Harry R. Hughes
Secretary
Baltimore County Office Building
Towson, Maryland 21204

September 20, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attention: Mr. Nicholas Commodari

Re: Z.A.C. Meeting, Sept. 7, 1976
ITEM #45.
Property Owner: Edwin H. Howes
Location: SW/S Golden Ring Rd.
(Route 588), 115' NW Akron Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acres: 100 x 126.55
100 x 127.25
District: 14th

Dear Mr. DiNenna:

The State Highway Administration has no objection to the proposed variance, however, there is a 75' right of way proposed for Golden Ring Road (35' from center) that should be indicated on the plan.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CLJ/EHV

By: John E. Meyers

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: September 2, 1976

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

Z.A.C. Meeting of September 5, 1976

Re: Item #45
Property Owner: Edwin H. Howes
Location: SW/S Golden Ring Rd., 115' N.W. Akron Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.

District: 14th
No. Acres: 100 x 126.55
100 x 127.25

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrosich
W. Nick Petrosich, Jr.
Field Representative

WNP/ml

THOMSON M. MOURN, P.E.
DIRECTOR

CHARLES LEE, CHIEF
BUREAU OF ENGINEERING

JOHN E. MEYERS
ACCESS PERMITS

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



NORMAN E. GERBER
DIRECTOR

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 #45, Zoning Advisory Committee Meeting, September 7, 1976, are as follows:

Property Owner: Edwin H. Howes
Location: SW/S Golden Ring Road 115' NW Akron Road
Existing Zoning: D.R.S. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'.
Acres: 100 x 126.55
100 x 127.25
District: 14th

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
Planner III
Project and Development Planning

Project and Development Planning

Howes Construction Co.
2009 Burkland Lane
Pallaton, MD. 21047

November 4, 1976

Baltimore Co., MD.
Dept. of Permits and Licenses
County Office Bldg.
Towson, MD. 21204

RE: Variance 77-814 Item 45

Baltimore:

I am aware that the 25 day appeal period is not over as the lot is still pending. I am prepared to take full responsibility to make an appeal for a continuing variance.

Very truly yours,

Edwin H. Howes
Edwin H. Howes

October 27, 1976

Mr. Edwin H. Howes, President
Howes Construction Company
3002 Jethro Lane
Pallaton, Maryland 21047

RE: Petition for Variance
8/8 of Golden Ring Road, 115'
W of Akron Road - 14th Elec-
tion District
Howes Construction Company -
Petitioner
NO. 77-814 (Item No. 45)

Dear Mr. Howes:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SKD/ew

Attachments

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

B. D. LYNCH CO., INC.

CONSTRUCTION LAYOUT
4807 HANFORD ROAD
BALTIMORE, MARYLAND 21214
TEL. 254-4236

RE: VARIANCE
PETITION FOR VARIANCE
TO SECTION 1801.20.4
TO PERMIT A LOT WIDTH
OF 50 FT. INSTEAD OF THE
REQUIRED 55 FT.
#6613 & 6615 GOLDEN RING ROAD

Beginning for the same at a point located on the South Side of Golden Ring Road, said point being 115.00 feet distant from the center line of AKRON Road thence running the following courses and distances:

- 1) SOUTH 45 degrees 30 minutes West 127.25 feet
- 2) NORTH 45 degrees 30 minutes West 100.00 feet
- 3) NORTH 45 degrees 30 minutes East 126.55 feet
- 4) SOUTH 45 degrees 30 minutes East 100.00 feet to the place of beginning.

Continuing of two lots of record in the "Wenigke" Subdivision as recorded in the Land Records of Baltimore County in Plat Book 12 Folio 92.



RE: PETITION FOR VARIANCE
S/S of Golden King Rd. 115 feet W of
Akron Rd., 14th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

HOWES CONSTRUCTION CO.,
Petitioners

Case No. 77-81-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 the referee, and of the passage of any preliminary or final Order in connection therewith.

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

John W. Heslon, III
John W. Heslon, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-7188

I HEREBY CERTIFY that on this 13th day of October, 1976, a copy of the foregoing Order was mailed to Mr. Edwin H. Howes, President, Howes Construction Co., 3002 Suffolk Lane, Fallston, Maryland 21047, Petitioners.

John W. Heslon, III
John W. Heslon, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNemio, Zoning Commissioner Date: October 18, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-81-A
Petition for Variance for Lot Widths and Front Yard
South side of Golden King Road 115 feet West of Akron Road
Petitioner - Howes Construction Company

14th District

HEARING: Monday, October 18, 1976 (11:00 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NEG:JWH

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 7, 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., on the 18th day of October, 1976, before the 18th day of October, 1976, the 18th publication appearing on the 7th day of October, 1976.

18.76

THE JEFFERSONIAN

Edmund J. Stroh
Manager

Cost of Advertisement, \$

OFFICE OF THE
TIMES
NEWSPAPERS

TOWSON, MD. 21204 Oct. 6, 1976

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

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

weekly newspapers published in Baltimore County, Maryland, once a week for 28 successive weeks before the 18th day of October, 1976, that is to say, the same was inserted in the issues of October 6, 1976.

STROMBERG PUBLICATIONS, INC.

BY *John Stroh*



CERTIFICATE OF POSTING
TOWSON DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-81-A

District: 14th Date of Posting: Oct. 2, 1976
Posted to: *Heslon* Oct. 18, 1976
Petitioner: *Howes Construction Co.*
Location of property: *3444 Golden King Rd. 115 ft. W. of Akron Rd.*
Location of sign: *1 sign posted on Wood St. at 6615 Golden King Rd.*
Remarks: *Howes Construction Co.*
Posted by: *Michael H. Howes* Date of return: *10-14-76*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27 day of Nov. 1976. Filing Fee \$ 25. Received ☒ Cash ☐ Other

S. Eric DiNemio
S. Eric DiNemio
Zoning Commissioner

Petitioner: *Howes* Submitted by: *E. Howes*
Petitioner's Attorney: Reviewed by: *Howes*

* 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. 40429
DATE: Oct. 4, 1976 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED: Howes Construction Co., 3129 West Ave., Balto.
FOR: Petition for Variance #77-81-A
25.00 CASH
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 40457
DATE: Oct. 22, 1976 ACCOUNT: 01-662
AMOUNT: \$17.25
RECEIVED: Howes Construction Co., 3129 West Ave., Balto.
FOR: Advertising and posting of property #77-81-A
17.25 CASH
VALIDATION OR SIGNATURE OF CASHIER

