

77-85-A #55 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or W.M.S. & Ann P. Jackson, 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, 1902-3 G.1 hereby petition for a Variance from Section 102.3 G.1 to permit a side setback of 8 ft. instead of the required 15 ft.

For the following reasons (indicate hardship, or practical difficulty):

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.

Contract purchaser: *W.M.S. & Ann P. Jackson*
Address: 933 Dunellen Drive, Towson, Md. 21204
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of October, 1975 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of November, 1975, at 10:15 o'clock.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item 55
Your Petition has been received and accepted for filing this 24th day of September, 1976.

E. Eric DiMenna
Zoning Commissioner

Petitioner: *W. S. Jackson*
Petitioner's Attorney: _____
Reviewed by: *Michael S. Planigan*
Planning & Zoning Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 1, 1976

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

Nicholas B. Commodari
Acting Chairman

MEMBERS:

R. EARL W. FINE
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

DEVELOPMENT

Mr. V. S. Jackson
933 Dunellen Drive
Towson, Maryland 21204

RE: Variance Petition
Item 55
William S. & Ann P. Jackson -
Petitioners

Dear Mr. Jackson:

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 plan or problems with regard to the development. Plans in this case 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, currently zoned D.F.2, and improved with a large frame and stone dwelling and shed to the rear, is located on the southeast side of Dunellen Drive approximately 300 feet northwest of Providence Road, in the 9th Election District. Adjacent properties surrounding this site are also zoned D.F. 2 and improved with similar type dwellings.

The Variance is necessitated by the petitioner's proposal to construct an addition to the side of the existing dwelling 8 feet from the side property line in lieu of the required 15 feet.

The site plan should be revised to indicate the proposed use of the above mentioned addition, and

Mr. W. S. Jackson
Re: Item 55
November 1, 1976
Page 2

The Variance forms should be completed to indicate the reasons supporting this request.

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,

Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman,
Zoning Plans Advisory
Committee

NBC:JD
Enclosure

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

October 26, 1976

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

Re: Item 55 (1976-1977)
Property Owner: William S. & Ann P. Jackson
S/ES Dunellen Dr. 500' W/W Providence Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 125' x 300' District: 9th

Dear Mr. DiMenna:

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.

General:

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 55 (1976-1977).

Very truly yours,

Elsworth R. Driver, P.E.
ELSWORTH R. DRIVER, P.E.
Chief, Bureau of Engineering

END:KAR PWS:SS
R-PM Pay Sheet
47 BT 10 Post. Sheet
NE 12 C Topo
61 Tax Map

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
STEPHENE COLLINS
DIRECTOR

September 23, 1976

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

Re: Item 55 - ZAC - September 20, 1976
Property Owner: William S. & Ann P. Jackson
Location: S/ES Dunellen Dr. 500' W/W Providence Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of req. 15'.
Acres: 125' x 300' District: 9th

Dear Mr. DiMenna:

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

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate

NSP:INC

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
JOHN D. SEVRYER
DIRECTOR

September 21, 1976

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

Dear Mr. DiMenna:

Comments on Item 55 Zoning Advisory Committee Meeting, 9-21-76 are as follows:

Property Owner: William S. & Ann P. Jackson
Location: S.E. S. Dunellen Dr. 500' W/W Providence Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.

Acres: 125' x 300'
District: 9th

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 can 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 conform with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burrows
Charles E. Burrows
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

to permit a side setback of 8 feet instead of the variance required 15 feet should be granted.
Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9TH day of November, 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
Department of Health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 29, 1976

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

Dear Mr. DiNenna:

Comments on Item #55, Zoning Advisory Committee Meeting, September 28, 1976, are as follows:

Property Owner: William S. & Ann P. Jackson
Location: 567 1/2 Dunellen Drive 500' NW Providence Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'
Acre: 1.25 x 300'
District: 9th

Since the water supply and septic system appears to be functioning satisfactorily, no health hazard is anticipated.

Very truly yours,

Thomas H. Javlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TJS:JH

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
1001-494-2211
Norman E. Gerber
Acting Director

October 15, 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 #55, Zoning Advisory Committee Meeting, September 28, 1976, are as follows:

Property Owner: William S. & Ann P. Jackson
Location: 567 1/2 Dunellen Drive 500' NW Providence Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8 feet in lieu of the required 15'
Acre: 1.25 x 300'
District: 9th

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 advise 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 II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: Sept. 24, 1976

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

Z.A.C. Meeting, 27 Sept. 28, 1976

Re: Item 55
Property Owner: William and Ann Jackson
Location: 567 Dunellen Ave & 500' NW Providence Rd.
Present Zoning: DR 2
Proposed Zoning: Vars.

District: 9
No. Acres: 125 x 300

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrich, Jr.
W. Nick Petrich, Jr.
Field Representative.

NNP/al

JOSEPH M. WHELAN, PRESIDENT
F. BRADY WHELAN, JR., PRESIDENT
WHELAN & SONS, INC.

MARSHALL B. BOLLINGER
THOMAS H. BOLLINGER
BOLLINGER & SONS, INC.

ROBERT E. WATSON
ALVIN L. WATSON
WATSON & SONS, INC.

JOSEPH A. WHELAN, SUPERINTENDENT

DESCRIPTION FOR VARIANCE PROPERTY OF WILLIAM S. & ANN P. JACKSON 9TH ELECTION DISTRICT

Beginning at a point on the Southeast side of Dunellen Drive, 500 feet Northwest of Providence Road and known as Lot 82 and the Southeastmost 25 feet of Lot 83, Plat No. 3 of "Dunellen" as recorded in the Land Records of Baltimore County in Liber 14, Folio 80.

Also known as 933 Dunellen Drive.

November 9, 1976

Mr. & Mrs. W. S. Jackson
933 Dunellen Drive
Towson, Maryland 21204

RE: Petition for Variance
SE 1/4 of Dunellen Drive, 500' NW of
Providence Road - 9th Election District
W. S. Jackson, et ux - Petitioners
NO. 77-85-A (Item No. 55)

Dear Mr. & Mrs. Jackson:

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

Very truly yours,

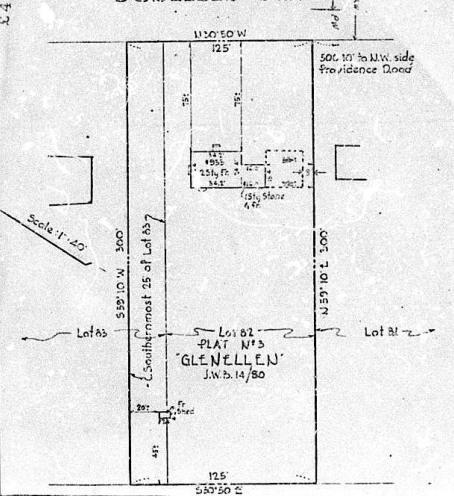
George A. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

DUNELLEN DRIVE



- Garage with storage room overhead.
- 9th Election District
- Zoned DR 2 - Public utilities exist
- Public utilities exist
- No additional paving
- All buildings within 200 ft. are residential

RE: PETITION FOR VARIANCE
SE 1/4 of Dunellen Drive 500 feet NW of
Providence Road, 9th District
WILLIAM S. JACKSON, et ux, Petitioners : Case No. 77-85-A

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
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. Kowitz, Jr.
Charles E. Kowitz, Jr.
Deputy People's Counsel

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

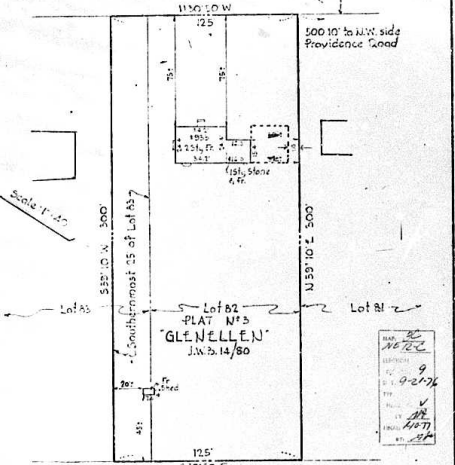
I HEREBY CERTIFY that on this 20th day of October, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. William S. Jackson, 933 Dunellen Drive, Towson, Maryland 21204, Petitioners.

John W. Hession, III

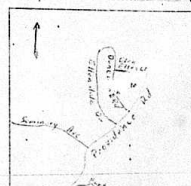


CALL

DONELLEN DRIVE



1. Garage with storage room overhead.
2. 9th Election District
3. Zoned BR 2 - Public Utilities exist
4. Public Utilities exist
5. No additional paving
6. All buildings within 200 ft. are residential



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#77-85

District: 9th Date of Posting: Oct 21-76
Posted for: Henry J. Jackson at 8:12 PM on 10-15-76
Petitioner: W. S. Jackson
Location of property: SE 1/4 of Donellen Dr. 500' N. of Providence Road
Location of Signer: 1 Sign Posted on Donellen Dr. No. 733
House No. 111 Forest View
Remarks: _____
Posted by: Mark H. Shaver Date of return: Oct 22-76



THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Jackson
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
11th day of November, 1976, that is to say, the same
was inserted in the issues of October 21, 1976.

STROMBERG PUBLICATIONS, INC.
BY Pete Smith

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 21, 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 October 21, 1976
at one time before the 11th
day of November, 1976, the last publication
appearing on the 21st day of October
1976.

THE JEFFERSONIAN
John L. Smith
Manager

Cost of Advertisement, \$ _____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: October 20, 1976
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition #77-85-A
Petition for Variance for a Side Yard
Southeast side of Donellen Drive 500 feet North-west of Providence Road.
Petitioner - W.S. Jackson and Ann P. Jackson

9th District

HEARING: Monday, November 8, 1976 (10:15 A.M.)

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

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

NEG:JDR:rw

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 3 day of
Sept 1976. Filing Fee \$ 25 Received check
Cash
Other

S. Eric DiMenna
S. Eric DiMenna
Zoning Commissioner

Petitioner: William S. Jackson Submitted by Ann P. Jackson 821-9317
Petitioner's attorney: _____ Reviewed by DiMenna

* 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

DATE: Oct 15, 1976 ACCOUNT: 03-669
AMOUNT: \$25.00
RECEIVED BY: William S. Jackson, S. Eric DiMenna, Norman E. Gerber
FOR: Petition for Variance #77-85-A
BALANCE FORWARD: 250.00

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

DATE: Nov 8, 1976 ACCOUNT: 03-669
AMOUNT: \$40.75
RECEIVED BY: W.S. Jackson, 533 Donellen Dr., Towson, Md. 21204
FOR: Advertising and posting of property #77-85-A
BALANCE FORWARD: 4075.00