

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, George H. & Mary H. Webb, legal owner of the property situated 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 400.130, PERMIT AN ACCESSORY structure (antenna) to be located outside the required rear yard, and to allow guy wire to be located 12 feet from the side property line instead of the required 50 feet.

- (1) In order to conform to zoning laws, the antenna and tower would have to be situated in the middle of the driveway, thus interfering with the number of cars in the driveway.
- (2) Antenna is constructed so that it transmits and receives most efficiently.
- (3) Since it is already constructed so that it would necessitate the destruction of 1/2 of the structure, plus the cost of 21 yards of guy wire.

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
Address: 446 Burke Road, Route 15
Baltimore, MD 21220
Petitioner's Attorney
Petitioner's Attorney

RECEIVED By The Zoning Commissioner of Baltimore County, this 12th day of October, 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 24th day of November, 1976, at 10:30 o'clock.

Attest:
19 76 PM
10:30A
11/24/76

10:30A
11/24/76

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMSON M. MOURING, P.E.
DIRECTOR

November 19, 1976

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

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.

Highways:
Burke Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section 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.

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 #75 (1976-1977)
Property Owner: George H. & Mary H. Webb
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November 19, 1976

Water and Sanitary Sewer:

Public water supply is serving this property, which is utilizing private onsite sewage disposal.

Very truly yours,

Edmund W. Diver, P.E.
Chief, Bureau of Engineering

END:ZAR:FW:SS
CC: J. Somers
2-2W Key Sheet
3 NE 45 Pgs. Sheet
NE 115 Topo
98 Tax Map

Mr. George H. Webb
Re: Item 75
November 12, 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,

Nicholas B. Commodari
Acting Chairman, Zoning
Plans Advisory Committee

NBC:JD
Enclosure

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

November 12, 1976

Nicholas B. Commodari
Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
JUNIOR ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. George H. Webb
446 Burke Road, Route 15
Baltimore, Maryland 21220
RE: Variance Petition
Item 75
George H. & Mary H. Webb -
Petitioners

Dear Mr. Webb:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 will file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property, currently zoned R.D.P., is located on the south side of Burke Road approximately 40 feet east of Burke Road extension, in the 15th Election District. It is currently improved with a single family dwelling, garage, and an existing 48 foot high antenna, which is the subject of this petition. Adjacent properties to the east and west are improved with single family dwellings, while property to the north and south consists of vacant farm land and the waters of Galloway Creek, respectively.

This Variance is necessitated by the fact that the existing antenna is located in the side yard in lieu of the required rear yard, and the supporting guy wire is 12 feet from the side property line in lieu of the required 50 feet.

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

October 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 #75, Zoning Advisory Committee Meeting, October 19, 1976, are as follows:

Property Owner: George H. & Mary H. Webb
Location: S/R Burke Rd., 40' E. Burke Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit an accessory structure (antenna) to be located outside of the rear yard.
Acre: 15th
District: 15th

Since this is a variance for an antenna, no health hazard is anticipated.

Very truly yours,

Thomas E. Berlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TDR:WVB:G

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(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) to permit an accessory structure (antenna) to be located outside the required rear yard and set wire to be located 12 feet from the side property line in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of November, 1976, that the herein Petition for the aforementioned

Variance(s) 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, Zoning Commissioner of Baltimore County

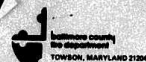
and Office of Planning and Zoning.

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 30th day of November, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



Paul H. Helacke
Chief

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

Attention: Rick Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: George H. & Mary H. Webb

Location: S/S Burke Rd. 40' E Burke Rd.

Item No. 75

Zoning Agenda October 19, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with "a" are applicable and required to be corrected or incorporated into the final plans for the property.

(1) A fire hydrant 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.

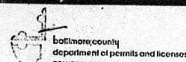
(4) The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(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.

(7) The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *St. G. Brady* Noted and Approved: *James M. Kagan*
Planning Group Special Inspection Division William Chief
Fire Prevention Bureau



JOHN D. SEVTER
DIRECTOR

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

October 25, 1976

Dear Mr. DiNenna:

Comments on Item # 75 Zoning Advisory Committee Meeting, October 19, 1976 are as follows:

Property Owner: George H. & Mary H. Webb
Location: S/S Burke Road 40' E. Burke Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit an accessory structure (antenna) to be located outside of the rear yard.

Acres: 15th

The items checked below are applicable:

☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.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 may 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. Durham
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 18, 1976

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

S.A.C. Meeting of: October 19, 1976

Re: Item 75.
Property Owner: George H. & Mary H. Webb
Location: S/S Burke Rd. 40' E Burke Rd.
Present Zoning: R.D.P.
Proposed Zoning/Variance to permit an accessory structure (antenna) to be located outside of the rear yard.

District: 15th
No. Acres:

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Sick Petrovich
W. Sick Petrovich,
Field Representative.



November 16, 1976

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

Dear Mr. DiNenna:

Comments on Item #75, Zoning Advisory Committee Meeting, October 19, 1976, are as follows:

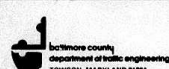
Property Owner: George H. & Mary H. Webb
Location: S/S Burke Road 40' E. Burke Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit an accessory structure (antenna) to be located outside of the rear yard
Acres: 15th
District: 15th

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
Planner III
Project and Development Planning



STEPHEN E. COLLINS
DIRECTOR

November 15, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 75 - SAC - October 19, 1976

Property Owner: George H. & Mary H. Webb
Location: S/S Burke Rd. 40' E Burke Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance to permit an accessory structure (antenna) to be located outside of the rear yard.

Acres: 15th
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit an antenna to be located outside of the rear yard.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:INC

November 30, 1976

Mr. & Mrs. George H. Webb
446 Burke Road, Room 15
Baltimore, Maryland 21220

RE: Petition for Variances
S/S of Burke Road, 40' SE
of Burke Road - 15th Elec-
tion District
George H. Webb, et al -
Petitioners
NO. 77-56-A (Item No. 75)

Dear Mr. & Mrs. Webb:

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

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED/scw

Attachments

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

NOTE: When Purchase of the antenna and tower was transacted, we asked the retailer (Lafayette Radio Electronics Inc.), if there was a need for a building permit. He responded that there was no need for any such permit, as long as the manufacture's specifications were met.

The use of this Citizen's Band radio at this address is a hobby of the family residing at this address. It is also used for monitor emergencies or mishaps on the water as well in the neighborhood.

We found out that we were in fact violating the law after neighbor first contacted the Army Corps of Engineer in response to a public notice for a permit concerning a construction of a broadcaster in order to save the erosion of our bulkhead. He then contacted the Baltimore County Permit Department. He contacted both agencies without conferring with us about the problem. If he would had conferred with with us before and during construction, none of these problems would have ever of arose.

RE: PETITION FOR VARIANCE
SW/3 of Burke Road 40' SE of
Burke Rd., 15th District
GEORGE H. WEBB, et al, Petitioners : Case No. 77-96-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. Kountz, Jr. John W. Hession, III
Charles E. Kountz, Jr. John W. Hession, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 9th day of November, 1976, a copy of the aforesaid Order was mailed to Mr. & Mrs. George H. Webb, 446 Burke Road, Route 15, Baltimore, Maryland 21220, Petitioners.

John W. Hession, III
John W. Hession, III

NOV 9 76 AM



Item #75 (1976-1977)
Property Owner: George H. & Mary H. Webb
Page 2
November 19, 1976

Water and Sanitary Sewer

Public water supply is serving this property, which is utilizing private onsite sewage disposal.

Very truly yours,

Edmund H. Diver, P.E.
Edmund H. Diver, P.E.
Chief, Bureau of Engineering

END:ZAM:FW:iss

cc: J. Somers
2-SW Key Sheet
5 NE 45 Pos. Sheet
NE 1 L 7090
98 The Map

Re: Item #75 (1976-1977)
Property Owner: George H. & Mary H. Webb
S/S Burke Rd., 40' E. Burke Rd.
Existing Zoning: RDP
Proposed Zoning: Variance to permit an accessory structure (Antenna) to be located outside of the rear yard.
District: 15th

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

Burke Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section 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.

Sediment Control

Development of this property through striping, 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 striping 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.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Posted for: Henry M. M. 34, 1976 (16-30-10-11)
Petitioner: George H. Webb
Location of property: SW/3 of Burke Rd. 40' E. of Burke Rd.
Location of Sign: 14690 Burke Rd. 40' E. of Burke Rd.
Remarks: 14690 Burke Rd. 40' E. of Burke Rd.
Posted by: John W. Hession, III Date of return: 11-11-76

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 16, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-96-A. Petition for Variance for an Accessory Structure (Antenna).
Southwest side of Burke Road 40 feet Southeast of Burke Road.
Petitioner - George H. Webb and Mary H. Webb.

15th District

Wednesday, November 24, 1976 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition. It is assumed that the requested variance will not be granted if this placement of the antenna could in any way endanger the adjacent dwelling.

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

NEG:JGH:rw

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 4, 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 or about the 11th day of November, 1976, the 11th day of November, 1976, appearing on the 11th day of November, 1976.

THE JEFFERSONIAN

John L. Smith
John L. Smith
Manager

Cost of Advertisement, \$.....



Nov. 4, 1976

THIS IS TO CERTIFY that the annexed advertisement of Petition for a Variance-- Webb was inserted in THE JEFFERSONIAN, a weekly newspaper printed and published in Baltimore County, Maryland, once a week for one successive weeks before the 24th day of Nov. 1976 that is to say the same was inserted in the issues of Nov. 4, 1976.

STROMBERG PUBLICATIONS, Inc.

John L. Smith

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 6th day of

October 1974 Filing Fee \$ 2500 Received Check

Cash

Other

Eric D. Hanna
S. Eric D. Hanna,
Zoning Commissioner

Petitioner Geo Webb Submitted by Geo Webb

Petitioner's Attorney _____ Reviewed by Edum

* 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 Nov. 26, 1976 ACCOUNT 03-662

AMOUNT \$44.00

RECEIVED FROM George H. Webb, 446 Burke Rd., Rt. 15, Baltimore, Md.

FOR Advertising and setting of property - #77-96-4

US304281V 26 44.00 PSE

VALIDATION OR SIGNATURE OF CASHIER

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

DATE Oct. 27, 1976 ACCOUNT 03-662

AMOUNT \$25.00

RECEIVED FROM George H. Webb, 446 Burke Rd., Rt. 15, Baltimore, Md.

FOR Petition for Variance For George H. Webb

#77-96-4

US304281V 27 25.00 PSE

VALIDATION OR SIGNATURE OF CASHIER

