

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Jacob R. Butler, 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 1802.38 (208.3) to permit a side yard setback of 4 feet in lieu of the required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
The proposed garage could not be placed at the rear of the property due to poor drainage.

See attached Assumption

Property is to be owned 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 not be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser Charles E. Burnham Legal Owner
Address 1406 E. Johns Hopkins Rd.
Petitioner's Attorney Charles E. Burnham President's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

of November, 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 17th day of November, 1976, at 10:00 o'clock

..A.M.
By Charles E. Burnham
Zoning Commissioner of Baltimore County.

(over)

Mr. Jacob R. Butler
Re: Item 91
January 4, 1977
Page 2

Particular attention should be afforded the comments of Charles E. Burnham, Plans Review Chief, Department of Permits and Licenses, concerning the type of construction of this garage.

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. Comodori
NICHOLAS B. COMODORI,
Acting Chairman, Zoning
Plans Advisory Committee

ENCLOSURE

Enclosure

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

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 494-2610

JOHN D. SEEVERT
DIRECTOR

November 9, 1976

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

Dear Mr. DiNenna:

Comments on Item # 91 Zoning Advisory Committee Meeting, November 16, 1976 are as follows:

Property Owner: Jacob R. Butler
Location: 3/4 S Johns Hopkins Road - 296' S/W Inwood Rd
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'.

Acres: 75' x 120'
District: 2nd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.G.C.) 1970 Edition and the 1971 Supplement and a later applicable code.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings shall 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
(208) 173

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 828-7210

Paul H. Heinke
CHIEF

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

Attention: Mr. Nicholas B. Comodori
Zoning Advisory Committee

Re: Property Owner: Jacob R. Butler

Location: NW/4 Johns Hopkins Rd. 296' SW Inwood Rd.

Item No. 91

Zoning Agenda: 11/16/76

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

APPROVED: Charles E. Burnham Acting Chairman, Zoning Plans Advisory Committee
Special Inspection Division
Noted by: Boyer, C. Neekes, J.
Approved: _____
Acting Battalion Chief
Fire Prevention Bureau

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 4, 1977

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

Nicholas B. Comodori,
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
TRAFFIC ENGINEERING

BUREAU OF ENGINEERING
TRAFFIC ENGINEERING

STATE BOARD OF COMMISSIONERS
FIRE PREVENTION

HEALTH DEPARTMENT
PLANNING & ZONING
ASSOCIATE III

BOARD OF EDUCATION
ZONING ADMINISTRATION
DEVELOPMENT

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Mr. Jacob R. Butler
7106 Johns Hopkins Road
Baltimore, Maryland 21228

RE: Variance Petition
Item 91

Jacob R. Butler - Petitioner

Dear Mr. Butler:

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 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.R. 3.5 and improved with a two-story dwelling and shed in the rear yard, is located on the north side of Johns Hopkins Road, 296 feet southwest of Inwood Road, in the Second Election District. Adjacent properties on either side are similarly zoned and are also improved with dwellings, while vacant wooded land abuts to the rear of this site.

This Variance is necessitated by your proposal to construct a garage on the side of your existing dwelling, four feet from the side property line in lieu of the required 10 feet.

December 30, 1976

Mr. E. 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 #91, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

Property Owner: Jacob R. Butler
Location: NW/4 Johns Hopkins Road 296' SW Inwood Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'
Acres: 75' x 120'
District: 2nd

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. Windley
John L. Windley
Planner III
Project and Development Planning

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 yard setback of four (4) feet instead of a Variance, the required ten (10) feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of January, 1977, 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 11th day of January, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 10, 1976

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

Z.A.C. Meeting of: November 10, 1976

Re: Item 91
Property Owner: Jacob R. Butler
Location: NW/4 Johnnycake Rd., 296' SW Inwood Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'.

District: 2nd
Ac. Acres: 75' x 120'

Dear Mr. DiNenna:

This has no bearing on the student population.

Very truly yours,

Edith H. Slick
Edith H. Slick
Field Representative.

ESP/ml

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(410) 384-2650
STEPHENE COLLINS
DIRECTOR

November 19, 1976

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

Re: Item 91 - ZAC - November 16, 1976
Property Owner: Jacob R. Butler
Location: NW/4 Johnnycake Rd., 296' SW Inwood Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'.
Acres: 75' x 120'
District: 2nd

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:hv

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
DONALD J. RUPP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

November 24, 1976

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

Dear Mr. DiNenna:

Comments on Item #91, Zoning Advisory Committee Meeting, November 16, 1976, are as follows:

Property Owner: Jacob R. Butler
Location: NW/4 Johnnycake Rd., 296' SW Inwood Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'.
Acres: 75' x 120'
District: 2nd

Since this is a variance for side setback of a garage and public water and sewer exist, no health hazards are anticipated.

Very truly yours,

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

TED/AN/rth

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

December 7, 1976

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

Re: Item #91 (1976-1977)
Property Owner: Jacob R. Butler
NW/4 Johnnycake Rd., 296' SW Inwood Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 10'.
Acres: 75' x 120' District: 2nd

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.

General:

Baltimore County highway and utility improvements are not directly involved and are as required by Public Works Agreement #17004 executed in connection with the development of "Woodbridge Valley, Section 4".

There is an existing 10-foot utility easement across the rear of this property, Lot 6, Block "AA", Plat 3, Section 4 of Woodbridge Valley recorded O.T.C. 35, Folio 62.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #91 (1976-1977).

Very truly yours,

Ellenwood H. Diver
ELLENWOOD H. DIVER, P.E.
Chief, Bureau of Engineering

END: SAN/PWR:SS

cc: H. Shalowitz
R. Norton (Woodbridge Valley)

L-SE Fay Sheet
4 NW 18 Pos. Sheet
NW 1 G Topo
94 Topo Map

January 11, 1977

Mr. Jacob R. Butler
7306 Johnnycake Road
Baltimore, Maryland 21228

RE: Petition for Variance
NW/8 of Johnnycake Road, 296' SW of
Inwood Road - 1st Election District
Jacob R. Butler - Petitioner
NO. 77-116-2 (Item No. 91)

Dear Mr. Butler:

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

Very truly yours,

George J. Gantmak
GEORGE J. GANTMAK
Deputy Zoning Commissioner

GJM/me

Attachments

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

DESCRIPTION FOR VARIANCE
PROPERTY OF JACOB P. BUTLER
2ND ELECTION DISTRICT

Beginning at a point on the Northwest side of Johnnycake Road, 296 feet Southwest of Inwood Road and known as Lot 6, Block "AA", as shown on Plat Three, Section Four of "Woodbridge Valley", as recorded in the Land Records of Baltimore County in Liber 35, Folio 62.

Also Known as 7306 Johnnycake Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 4, 1977

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-116-A. Petition for Variance for a Side Yard

Northwest side of Johnnycake Road 296 feet Southwest of Inwood Road
Petitioner - Jacob R. Butler

1st District

HEARING: Monday, January 10, 1977 (10:00 A.M.)

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

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

NEG:JGN:rw

RE: PETITION FOR VARIANCE
NW 1/4 of Johnnycake Rd., 296 feet
SW of Inwood Rd., 1st District
JACOB R. BUTLER, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-116-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

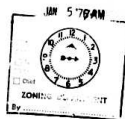
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 4th day of January, 1977, a copy of the foregoing Order was mailed to Mr. Jacob R. Butler, 7306 Johnnycake Road, Baltimore, Maryland 21228, Petitioner.

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



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

No. 40465

DATE: Nov. 4, 1976 ACCOUNT: 03-662

AMOUNT: \$25.00

RECEIVED FROM: (cash) Jacob R. Butler, 7306 Johnnycake Rd., Balt., Md. 21228

FOR: Advertisement for a Variance

25.00 RECEIVED 4 25.00 REC

VALIDATION OR SIGNATURE OF CARRIER

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

No. 42846

DATE: Jan. 10, 1977 ACCOUNT: 03-662

AMOUNT: \$39.25

RECEIVED FROM: Jacob R. Butler, 7306 Johnnycake Road, Balt., Md. 21228

FOR: Advertising and posting of property 77-116-A

39.25 RECEIVED 11 39.25 REC

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 23, 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 23rd day of January, 1977, the 1976 publication appearing on the 23rd day of December, 1976.

H. Leach Smith
H. Leach Smith
Manager

Cost of Advertisement, \$

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 Dec. 23, 1976

THIS IS TO CERTIFY that the annexed advertisement of Petition for a Variance-- Butler 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 one successive weeks before the 10th day of January 1977, that is to say, the same was inserted in the issues of Dec. 23, 1976.

STROMBERG PUBLICATIONS, INC.

BY: *Bob Strome*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: Dec. 24, 1976

Posted for: PETITION FOR VARIANCE

Petitioner: JACOB R. BUTLER

Location of property: NW 1/4 of JOHNYCAKE Rd. 296 SW of INWOOD Rd.

Location of Sign: FRONT 7306 JOHNYCAKE Rd.

Remarks: *Thomas X. Roland*

Posted by: *Thomas X. Roland* Date of return: Dec. 30, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 5 day of NOV. 1976. Filing Fee \$ 25. Received: ☒ Cash ☐ Other

Eric D. Thomas
Eric D. Thomas
Zoning Commissioner

Petitioner: BUTLER Submitted by: *Mr. Butler*

Petitioner's Attorney: Reviewed by: *ABC*

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

