

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Patrick Cunningham, 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 1802.3b (21.1.3 & 21.1.5) (301.1) to permit an attached carport to be located 4 feet from side property line in lieu of required 11 1/4 feet.

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

In summer months, rain causes swelling of door frames and windows, even though we have storm windows, doors, and weather stripping. Winter time freezing of rain and snow causes swelling of door frames. Doors will not open. If open, will not close, causing loss of heat and sometimes broken windows. Unloading of groceries, etc., from car in rain, also protection for cars from inclement weather conditions. This will happen property.

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 purchaser Patrick Cunningham
Address 3416 4th Street NW
Petitioner's Attorney Nicholas B. Commodari
Protestant's Attorney _____

MADE BY The Zoning Commissioner of Baltimore County, this 30th 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of January, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.
(over)

Mr. Patrick Cunningham
Re: Item 107
January 10, 1977
Page 2

of the Department of Permits and Licenses.

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

ENCLOSURE

Enclosure

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



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

December 30, 1976

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

Dear Mr. DiNenna:

Comments on Item 107, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:
Property Owner: Patrick Cunningham
Location: N/S Old Harford Rd. 227' E Ferring Park Rd.
Existing Zoning: Variance to permit a side setback of 4' in lieu of the required 11'05".
Acre: 47.00/60.19 X 101.64/100.53
District: 9th

Comments: Since metropolitan water and sewer exist, no health hazard is anticipated.

Very truly yours,

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

TED/HW/thr

Mr. Patrick Cunningham
9018 Old Harford Road
Baltimore, Maryland 21234

Item 107

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 30 day of November, 1976.

E. Eric DiNenna
E. ERIC DINENNA,
Zoning Commissioner

Petitioner Patrick Cunningham

Petitioner's Attorney _____

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 10, 1977

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

Nicholas B. Commodari,
Acting Chairman

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. Patrick Cunningham
9018 Old Harford Road
Baltimore, Maryland 21234

RE: Variance Petition
Item 107
Patrick Cunningham - Petitioner

Dear Mr. Cunningham:

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 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.

This site, improved with a semi-detached dwelling, is located on the north side of Old Harford Road, 227 feet east of Ferring Park Road, in the 9th Election District. Adjacent properties to the east, west and north are improved with similar type uses and also zoned D.R. 5.5.

This Variance is necessitated by your proposal to construct a carport over the existing driveway, 4 feet from the side property line in lieu of the required 11-1/4 feet.

Particular attention should be afforded the comments of Charles E. Burnham, Plans Review Chief



Paul H. Heinicke
CHIEF

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

Attention: Mr. Nicholas B. Commodari
Zoning Advisory Committee

Re: Property Owner: Patrick Cunningham

Location: N/S Old Harford Rd. 227' E Ferring Park Rd.

Item No. 107

Zoning Agenda 10-10-76

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 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.

LEVINSON Paul H. Heinicke Hated and Approved Paul H. Heinicke
Planning Group Special Inspection Division Acting Fire Prevention Bureau



STEPHEN E. COLLINS
DIRECTOR

December 17, 1976

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

Re: Item 107 - ZAC - November 30, 1976
Property Owner: Patrick Cunningham
Location: N/S Old Harford Rd. 227' E Ferring Park Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of req. 11.05"
Acre: 47.00 X 101.64
40.19 101.53
District: 9th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MEYING

APR 05 1977

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 starting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance is permitted as attached except to be located four feet from the side property line in lieu of the required 11 feet should be granted.

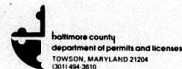
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of January, 1977, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by Patrick Cunningham the Department of Public Works and the Zoning Commissioner of Baltimore County 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 14th day of January, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



JOHN D. SEVYERT
DIRECTOR

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 # 107 Zoning Advisory Committee Meeting, November 30, 1976 are as follows:

Property Owner: Patrick Cunningham
Location: N/S Old Harford Road - 227' E Perring Park Road
Existing Zoning: D.B. 5.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 11.25'

Acres: 17.00 x 101.64
66.19 x 102.53
District: 9th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 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. See Section 305.1 of above Code.
- ☐ F. So comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burdhan

Charles E. Burdhan
Plan Review Chief
CIB:rrj



THORNTON M. MEYER, P.E.
DIRECTOR

January 13, 1977

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

Re: Item #107 (1976-1977)
Property Owner: Patrick Cunningham
N/S Old Harford Rd., 227' E Perring Park Rd.
Existing Zoning: DB 5.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 11.25'.
Acres: 17.00 x 101.64 District: 9th
66.19 x 102.53

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. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #107 (1976-1977).

Very truly yours,

Edward R. Dyer, P.E.
Chief, Bureau of Engineering

END:ENR/PMB:es

N-S Key Sheet
38 NE 16 Pos. Sheet
NE 10 D Topo
71 Tax Map



December 30, 1976

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

Mr. DiNenna:

Comments on Item #107, Zoning Advisory Committee Meeting, November 30, 1976, are as follows:

Property Owner: Patrick Cunningham
Location: N/S Old Harford Road 227' E Perring Park Road
Existing Zoning: D.B. 5.5
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 11.25'.
Acres: 17.00 x 101.64
66.19 x 102.53
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 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 6, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition #77-123-A. Petition for a Variance for an Accessory Structure (Garport).
North side of Old Harford Road 227 Feet East of Perring Park Road
Petitioner - Patrick Cunningham

9th District

HEARING: Monday, January 17, 1977 (10:30 A.M.)

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

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

NEG:JGH:rw

Mr. Patrick Cunningham
9018 Old Harford Road
Baltimore, Maryland 21234

RE: Petition for Variance
N/S of Old Harford Road, 227' E
of Perring Park Road - 9th Elec-
tion District
Patrick Cunningham - Petitioner
NO. 77-123-A (Item No. 107)

Dear Mr. Cunningham:

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 DI NENNA
Zoning Commissioner

SED:ari

Attachments

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

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Old Harford Rd. 227' E of : OF BALTIMORE COUNTY
Perring Park Rd., 9th District :
PATRICK CUNNINGHAM, Petitioner : Case No. 77-123-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. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Heslan, III
John W. Heslan, III
People's Counsel
County Office Building
Towson, Maryland 21204
474-2188

I HEREBY CERTIFY that on this 12th day of January, 1977, a copy of the foregoing Order was mailed to Mr. Patrick Cunningham, 9018 Old Harford Road, Baltimore, Maryland 21234, Petitioner.

John W. Heslan, III
John W. Heslan, III

APR 05 1977