

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald and Judith McCombs, 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(208.3) and 408.3 to permit a property line setback of nine (9) feet from the side street, "TERRACE" of 30' 0" (30' 0" feet from the centerline of the side street, and twenty-two (22) feet from the rear in line of the required 30' 0" front setback (D.R. 3.5) of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reason: (Indicate hardship or practical difficulty.) We seek the garage to protect our automobile investments. This site was selected because:

1. The site is readily accessible from the present driveway.
2. The terrain is flat and would require little alteration.
3. Other sites on the lot are either inaccessible to the drive or too sloped.
4. This site makes for easy entrance to the house.
5. This site will allow design of the new structure to be integrated into the present structure of the house.
6. There are already attached garages in the area at 401, 404, 406, and 408 Deacon Brook Circle.
7. The site is not on the same level as Glen Granite Road, but about 5 feet below the street level with no interference to the street.

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: Donald Edward McCombs
 Legal Owner: Judith Anne McCombs
 Address: 405 Deacon Brook Circle
Reisterstown, Maryland 21136

Petitioner's Attorney: _____
 Protestant's Attorney: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day

of _____ 1977, 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 _____ day of September, 1977, at 9:30 o'clock

[Signature]
 Zoning Commissioner of Baltimore County.

(over) 9:30 9/17/77

ORDER RECEIVED FOR FILING DATE September 15, 1977

B-00-8-17

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SE/corner of Deacon Brook Circle and
 Glen Granite Road, 4th District
 OF BALTIMORE COUNTY

DONALD E. MCCOMBS, et ux, Petitioners : Case No. 78-00-A

ORDER TO ENTER APPEARANCE

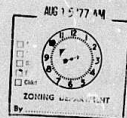
Mr. Commissioners:
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or date which may be now or hereafter designated therefore, and of the passage of any preliminary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

[Signature]
 Charles E. Kountz, Jr.
 Deputy People's Counsel

[Signature]
 John W. Heslian, III
 People's Counsel
 County Office Building
 Towson, Maryland 21284
 494-2188

I HEREBY CERTIFY that on this 12th day of August, 1977, a copy of the aforesaid Order was mailed to Mr. and Mrs. Donald E. McCombs, 405 Deacon Brook Circle, Reisterstown, Maryland 21136, Petitioners.

[Signature]
 John W. Heslian, III



September 15, 1977

Mr. & Mrs. Donald Edward McCombs
 405 Deacon Brook Circle
 Reisterstown, Maryland 21136

RE: Petition for Variance
 SE/corner of Deacon Brook Circle and
 Glen Granite Road - 4th Election District
 Donald Edward McCombs, et ux
 Petitioners
 NO. 78-00-A (Item No. 7)

Dear Mr. & Mrs. McCombs:
 I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
[Signature]
 GEORGE J. MARTINAK
 Deputy Zoning Commissioner

GJM/mc
 Attachments
 cc: John W. Heslian, III, Esquire
 People's Counsel

Legal Description
 Beginning at a point at the northeast intersection of Deacon Brook Circle and Glen Granite Road, being lot # 2, block D, of plat one of Chartley East, as recorded in the land records of Baltimore County in Liber # 33, Folio 27, also known as 405 Deacon Brook Circle.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 22, 1977
 FROM: Leslie H. Graef, Director of Planning
 SUBJECT: Petition #78-00-A. Petition for Variance for Side and Rear Yard Southeast corner of Deacon Brook Circle and Glen Granite Road. Petitioner - Donald Edward McCombs and Judith Anne McCombs

4th District

HEARING: Thursday, September 8, 1977 (9:30 A.M.)

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

[Signature]
 Leslie H. Graef
 Director of Planning

LHG:JCH:rw

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 17, 1977

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21284

Nicholas B. Commodari
 Chairman

Mr. Donald Edward McCombs
 Mrs. Judith Anne McCombs
 405 Deacon Brook Circle
 Reisterstown, Maryland 21136

RE: Variance Petition Item No. 7
 Petitioner - Donald McCombs
 Judith McCombs

- 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

Dear Mr. & Mrs. McCombs:
 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 or problems with that action. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

This D.R. 3.5 zoned site, currently improved with a one story brick dwelling, is located on the northeast corner of Deacon Brook Circle and Glen Granite Road in the 4th Election District. Adjacent properties are also zoned D.R. 3.5 and are improved with similar type uses. This position is necessitated by your proposal to construct a garage to the side of the existing dwelling towards Glen Granite Road in conflict with certain sections of the Baltimore County Zoning Regulations.

Mr. Donald Edward McCombs
 Mrs. Judith Anne McCombs
 405 Deacon Brook Circle
 Reisterstown, Maryland 21136
 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Ave.
 Towson, Maryland 21284

Your Petition has been received and accepted for filing this _____ day of _____ 1977.

[Signature]
 S. ERIC DI NENNA
 Zoning Commissioner

Petitioner: Donald Edward McCombs
 Petitioner's Attorney: _____
 Reviewed by: [Signature]
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

Mr. Donald Edward McCombs
Mrs. Judith Anne McCombs
Page 2
Item No. 7
August 17, 1977

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
Chairman
Zoning Plans Advisory Committee

NBC:rf



THORNTON M. MOLWING, P.E.
DIRECTOR

July 29, 1977

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

Re: Item #7 (1977-1978)
Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Cir. & Glen Granite Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55' and 30', respectively.
Acres: District 4th

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 were constructed per Public Works Agreement #46605 in conjunction with the development of "Chartley East, Plat One".

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #7 (1977-1978).

Very truly yours,

Elsworth H. Diver
ELSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PH:sa

T-100 Key Sheet
60 NW 37' Pos. Sheet
NW 15 J Topo
48 Tax Map



August 11, 1977

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

Dear Mr. DiNenna:

Comments on Item #7, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Circle and Glen Granite Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55', and 30' respectively.
District: 4th

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



July 26, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 7 - ZAC - July 5, 1977
Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Cir. & Glen Granite Rd.
Existing Zoning: D.R. 3.5

Proposed Zoning: Variance to permit a setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55', and 30' respectively.

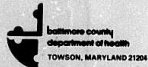
Acres: District: 4th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the sides street, the center of the street and the rear setback.

Sincerely,
Michael S. Pianigan
Michael S. Pianigan
Associate Traffic Engineer

MSP/jlf



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

July 25, 1977

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

Dear Mr. DiNenna:

Comments on Item #7, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Cir. & Glen Granite Rd.
Existing Zoning: Variance to permit a setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55', and 30' respectively.

Acres: District: 4th

Since metropolitan water and sewer is available, no health hazard is anticipated.

Very truly yours,

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

TED/ks/rhc



Paul H. Reinecke
Chief

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

Attention: Mr. Nicholas B. Commodari, Chairman
Zoning Advisory Committee

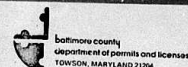
Re: Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Cir. & Glen Granite Rd.
Item No. 7 Zoning Agenda July 5, 1977

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 and 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.

REVIEWER: *J.P. Kelly* Noted and Approved: *Boyd C. Weeks, Jr.*
Planning Section Acting Director
Special Inspection Division Acting Director



JOHN D. SEVRETT
DIRECTOR

July 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #7 Zoning Advisory Committee Meeting, July 5, 1977 are as follows:

Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Circle & Glen Granite Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55' and 30' respectively.
Acres: District: 4th

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 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 5'0" of property line.
- F. No comment.
- G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burman
Charles E. Burman
Plans Review Chief
CEB:rtj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 8, 1977

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

Z.A.C. Meeting of: July 5, 1977

RE: Item No. 7
Property Owner: Donald & Judith McCombs
Location: NE/C Deacon Brook Cir. & Glen Granite Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a setback of 9' from the side street, 34' from the center of the street and 22' from the rear in lieu of the required 30', 55', and 30' respectively.

District: 4th
No. Acres:

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Stetovich
W. Nick Stetovich,
Field Representative

MSP/lp

JOSEPH H. MCCRAW, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOUTWELL

THOMAS H. SEEVER
MRS. LORENAE T. CHICKUL
RODNEY B. LATOBY
ROBERT T. GIBEL, SUPERVISOR

ALVIN LOROCK
MRS. BETTY C. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ORIGINAL FILED FOR FILING

DATE: January 1977
John P. Hays et al

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 should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a setback of 9 feet from the side of the property line and 34 feet from the centerline of the side street instead of the required 30 feet and 55 feet, and a rear yard setback of 22 feet instead of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of September, 1977, that the herein Petition for the aforementioned Variances should be and the same are 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 15th day of September, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR A VARIANCE
The Zoning Commission of Baltimore County, Maryland, has received a petition for a variance from the Zoning Regulations of Baltimore County, Maryland, filed by John P. Hays et al, on August 10, 1977, for the purpose of obtaining a variance from the Zoning Regulations of Baltimore County, Maryland, to permit a setback of 9 feet from the side of the property line and 34 feet from the centerline of the side street instead of the required 30 feet and 55 feet, and a rear yard setback of 22 feet instead of the required 30 feet.

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 10, 1977
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 one time, on August 10, 1977, before the 15th day of September, 1977, the first publication appearing on the 15th day of August, 1977.

THE JEFFERSONIAN
S. L. Smith, Publisher

Cost of Advertisement, \$

Notice to Subscribers
The Baltimore County Zoning Commission has received a petition for a variance from the Zoning Regulations of Baltimore County, Maryland, filed by John P. Hays et al, on August 10, 1977, for the purpose of obtaining a variance from the Zoning Regulations of Baltimore County, Maryland, to permit a setback of 9 feet from the side of the property line and 34 feet from the centerline of the side street instead of the required 30 feet and 55 feet, and a rear yard setback of 22 feet instead of the required 30 feet.

OFFICE OF THE TIMES NEWSPAPERS
TOWSON, MD. 21204 August 19, 1977

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Donald E. McCombs, 574 Glen Drive Brook Circle & Glen Granite Rd as recited 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 15th day of August, 1977, that is to say, the same was inserted in the issues of August 15, 1977

STROMBERG PUBLICATIONS, INC.
By: *John Bunge*

I-Sign 78-60-A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: August 20, 1977
Posted for: PETITION FOR VARIANCE
Petitioner: Donald E. McCombs
Location of property: SE/Cor. of Deacon Brook Circle and Glen Granite Road
Location of Signs: Front 455 Deacon Brook Circle
Remarks: *Thomas K. Roland*
Signed: _____ Date of return: August 20, 1977

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 27th day of June 1977. Filing Fee \$ 25.00 Received Check Cash Other

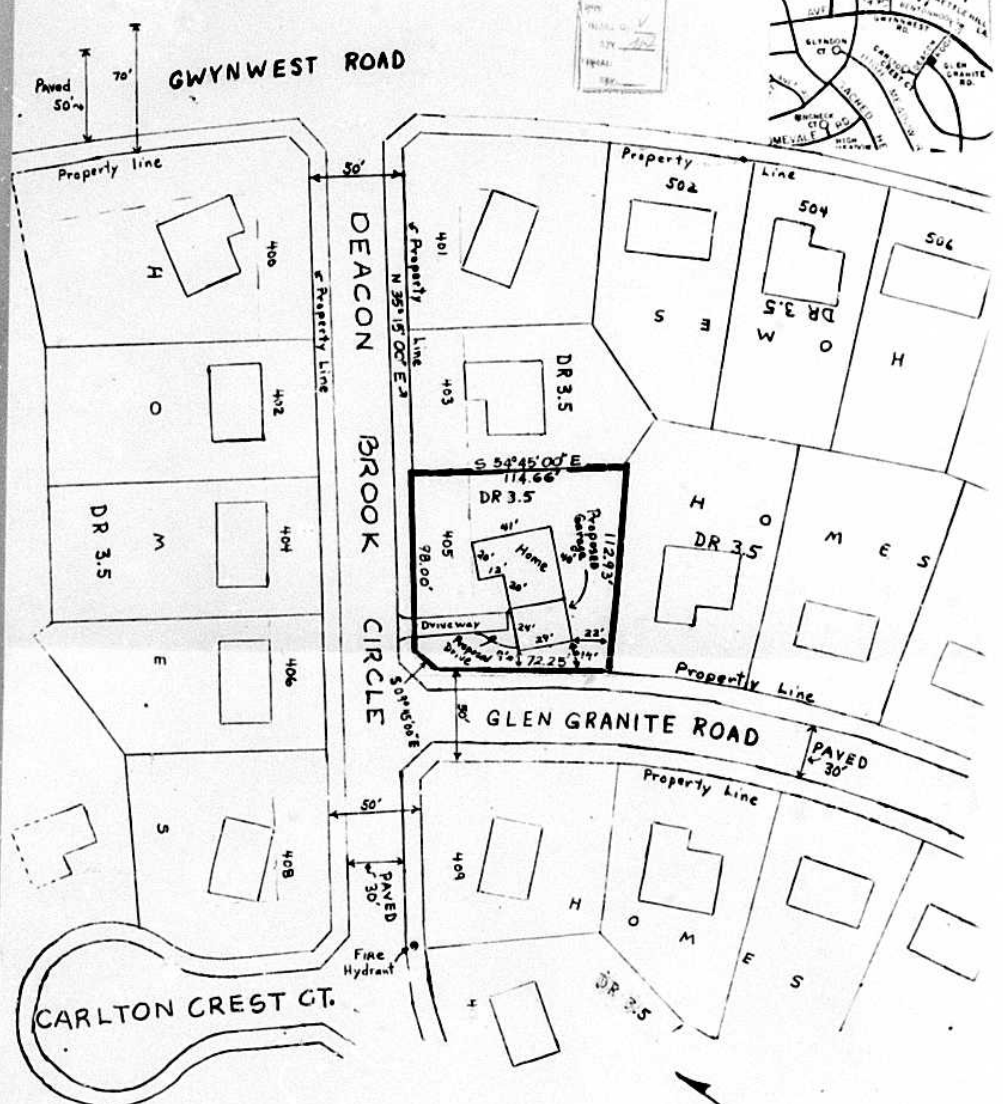
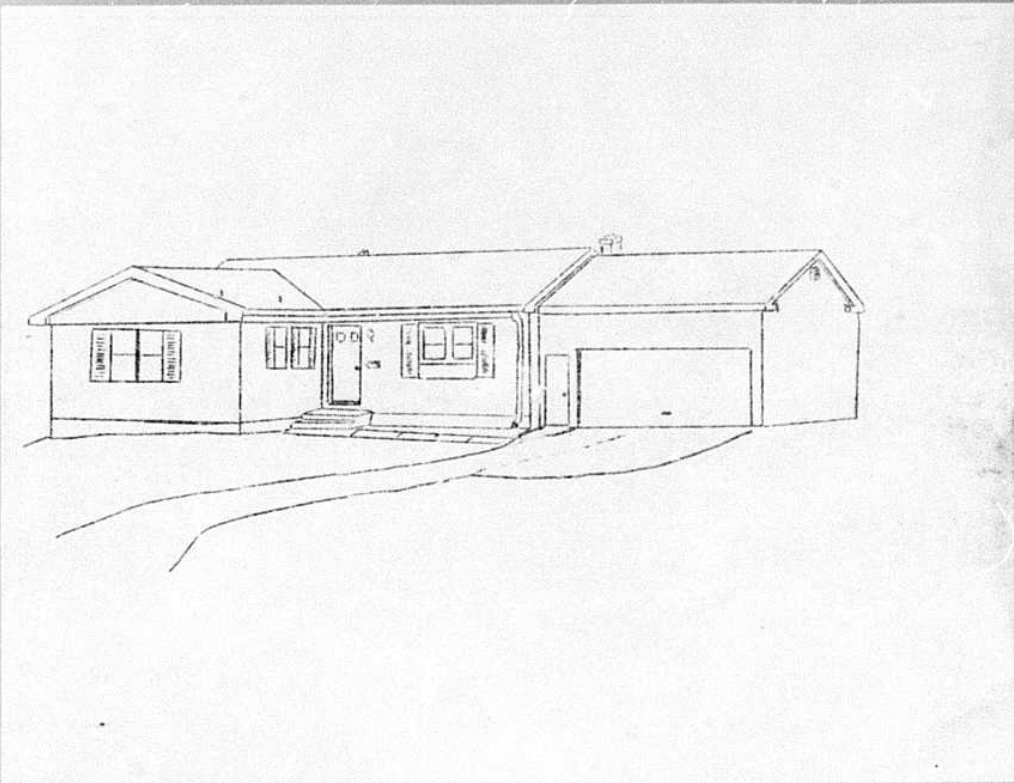
Submitted by: *Donald E. McCombs*
Reviewed by: *S. Eric DiNanna*
S. Eric DiNanna
Zoning Commissioner

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

BALTIMORE COUNTY, MARYLAND No. 51876
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE August 10, 1977 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED Donald E. McCombs 505 Deacon Brook Circle
Baltimore, Md. 21136
FOR: Petition for Variance
#78-60-A
25.00 RECEIVED
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 57279
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Sept. 30, 1977 ACCOUNT 01-662
AMOUNT \$44.00
RECEIVED Donald McCombs 505 Deacon Brook Circle,
Baltimore, Md. 21136
FOR: Advertising and posting of property
#78-60-A
44.00 RECEIVED
VALIDATION OR SIGNATURE OF CASHIER





MAP
 SECTION
 BLOCK
 LOT
 DISTRICT
 CITY
 STATE



Proposed
 Attached Garage
 24' x 29'

Plat for Zoning Variance
 405 Deacon Brook Cir.
 Reisterstown, Md.
 4th Election District
 Scale 1" = 50'

Public
 Sewer and Water
 Lines in the street
 both 8" lines.

