

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARGARET A. EDWARDS, 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 1, 802.301 (b) (2) permit lot widths of 50 feet instead of the required 55 feet for lots 31, 32 and 33, 34 (DR 5.5). A side setback of 5.6 feet instead of required 10 feet for existing dwelling. A side setback of 8' instead of the required 10' for proposed dwelling on lots 31 and 32 (of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reason: (indicate hardship or practical difficulty)

Lots are part of subdivision created in 1918. Lots 31 and 32 were site of original dwelling. Lots 31 and 32 were purchased as a 50' wide building lot at a later date.

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 of Baltimore County.

Contract purchaser	<u>Margaret A. Edwards</u>
Legal Owner	<u>Margaret A. Edwards</u>
Address	<u>9203 Todd Avenue</u>
	<u>Fort Howard Maryland</u>
	<u>21052</u>
Petitioner's Attorney	
Protestant's Attorney	

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of November 1977, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers or 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 106, County Office Building in Towson, Baltimore County, on the 21st day of November 1977, at 10:00 o'clock A.M.

S. Eric DiNenna
Zoning Commissioner of Baltimore County.

Lucette E. Bowers (Attorney)
1304 Providence Road
Towson, Maryland 21204
831-7338

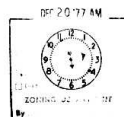
RE: PETITION FOR VARIANCE
SE/5 of Todd Ave, 50' SW of
Old Bay Rd., 15th District
MARGARET A. EDWARDS, Petitioner
Case No. 78-144-A

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

I HEREBY CERTIFY that on this 20th day of December, 1977, a copy of the foregoing Order was mailed to Margaret A. Edwards, 9203 Todd Avenue, Fort Howard, Maryland 21052, Petitioner.



January 25, 1978

Mrs. Margaret A. Edwards
9203 Todd Avenue
Fort Howard, Maryland 21052

RE: Petition for Variance
SE/5 of Todd Avenue, 50'
SW of Old Bay Road -
15th Election District
Margaret A. Edwards -
Petitioner
NO. 78-144-A (Item No. 95)

Dear Mrs. Edwards:

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

Very truly yours,
George J. Hartman
George J. Hartman
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: Mr. Michael Bowers
1304 Providence Road
Towson, Maryland 21204

John W. Heslian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 9, 1978

FROM: Leslie H. Graef, Director of Planning

SUBJECT: Petition 77-144-A, Petition for Variance for Lot Widths and Side Yards.
Southeast side of Todd Avenue 50 feet Southwest of Old Bay Road
Petitioner - Margaret A. Edwards
15th District

HEARING: Monday, January 9, 1978 (10:00 A.M.)

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

Leslie H. Graef
Leslie H. Graef, Director of Planning

LMH:JGH:m

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

M's. Margaret A. Edwards
9203 Todd Avenue
Fort Howard, Maryland 21052
ITEM # 95

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 1st day of November 1977.

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner M's. Margaret A. Edwards
Petitioner's Attorney

cc: M.D. Bowers Association, Inc.
Towson, Maryland 21204

Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

December 28, 1977

also
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Public Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

M's. Margaret A. Edwards
9203 Todd Avenue
Fort Howard, Maryland 21052

RE: Variance Petition
Item Number 95
Petitioner - Margaret Edwards

Dear M's. Edwards:

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 problems with regard to the development plans that 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 suitability of the requested zoning.

Located on the southeast side of Todd Avenue approximately 50' southwest of Old Bay Road in the 15th Election District, the subject property consists of two lots (each 50' wide) improved with a one-story dwelling and garage. The lot improved with these structures is zoned commercial (B.L.), while the vacant lot is zoned residential (R-5.5).

These Variances for both lots are required as a result of your proposal to construct an additional dwelling on the vacant 50' wide lot in lieu of the required lot width of 55 feet. In addition, side yard setback Variances are requested for this proposed dwelling as well as the existing dwelling.

M's. Margaret A. Edwards
Page 2
Item Number 95
December 28, 1977

Based on this request, it should be noted that the front entrance to the proposed dwelling must face Todd Avenue. In addition, particular attention should be afforded the comments of the Bureau of Engineering concerning the proposed widening of Todd Avenue and those of the Department of Permits and Licenses. For the latter comment, I suggest you personally contact Mr. Charles Burnham at 494-3987 in order to discuss this matter.

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:rt

cc: M. D. Bowers Association, Inc.
Towson, Maryland 21204

UNDER REVIEW FOR FILING

DATE *Jan 18 1978* BY *John L. Wimbley*

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 Variances 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 lot widths of 50 feet instead of the required 55 feet for Lots 31, 32, 33 and 34; side yard setbacks of 5.6 feet instead of the required 10 feet for existing dwellings for Lots No. 33 and 34; and side yard setbacks of 8 feet instead of the required 10 feet for the proposed dwelling on Lots 31 and 32 should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this *24th* day of *January*, 1978, 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.

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 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

December 9, 1977

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

Re: Item #95 (1977-1978)
Property Owner: Margaret A. Edwards
5/25 Todd Ave. 50' SW Old Bay Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' and a side setback of 5.6' for lots 31 and 34 and a side setback of 8' for lots 31 and 32 in lieu of the required 10'.
Acres: 0.275 District: 15th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Todd Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed type roadway on a 50-foot right-of-way. 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.

The property to be developed is located adjacent to the water front. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential or commercial development and other special construction features are required.



DONALD R. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

November 28, 1977

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

Dear Mr. DiNenna:

The following are comments on Item # 95, Zoning Advisory Committee Meeting of November 1, 1977:

Property Owner: Margaret A. Edwards
Location: SE/S Todd Ave. 50' SW Old Bay Rd.
Acres: 0.275
District: 15th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,
Thomas H. Devlin
THOMAS H. DEVLIN, DIRECTOR
BUREAU OF ENVIRONMENTAL SERVICES

SEC 35 118g

Item #95 (1977-1978)
Property Owner: Margaret A. Edwards
Page 2
December 9, 1977

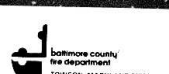
Water and Sanitary Sewer:

Public water main and sanitary sewerage exist in Todd Avenue.

Very truly yours,
Ellsworth H. DiNenna
ELLSWORTH H. DINENNA, P.E.
Chief, Bureau of Engineering

END EXHIBITS:

A-SE Key Sheet
32 SE 23 Box, Sheet
SEE 9 1
115 T&S 4 p



Paul H. Heinicke
CHIEF

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Margaret A. Edwards

Location: SE/S Todd Ave. 50' SW Old Bay Rd.

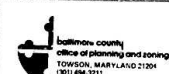
Item No. 95

Zone: agenda Meeting of 11/1/77

Comments:

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

Reviewed: *H. J. Kelly* Noted and Approved: *George M. Magrath*
Special Inspection Division Fire Prevention Bureau



November 1, 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 #95, Zoning Advisory Committee Meeting, November 1, 1977, are as follows:

Property Owner: Margaret A. Edwards
Location: SE/S Todd Ave. 50' SW Old Bay Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side setback of 5.6' for lots 33 and 34 and a side setback of 8' for lots 31 and 32 in lieu of the required 10'.
Acres: 0.275
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 II
Project and Development Planning



WILLIAM D. SEYFERT
DIRECTOR

November 3, 1977

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

Dear Mr. DiNenna:

Comments on Item # 95 Zoning Advisory Committee Meeting, November 3, 1977 are as follows:

Property Owner: Margaret Edwards
Location: SE/S Todd Ave. 50' SW Old Bay Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side setback of 5.6' for lots 33 and 34 and a side setback of 8' for lots 31 and 32 in lieu of the required 10'.
Acres: 0.275
District: 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 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. Section 305, 1970 Edition B.C.B.C. Code.
- ☒ F. 25'-0" property lines shall be removed.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,
Charles E. Jordan
Charles E. Jordan
Plans Review Chief
C.E.J.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 28, 1977

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

Z.A.C. Meeting of: November 1, 1977

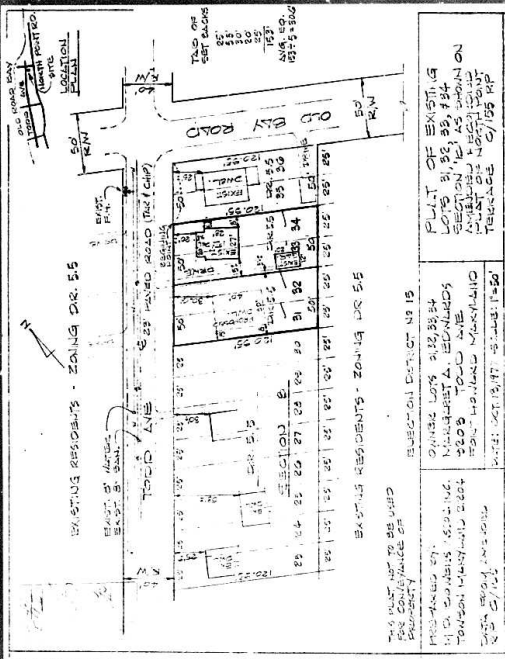
RE: Item No: 95
Property Owner: Margaret A. Edwards
Location: SE 1/4 Todd Ave. 50' SW Old Bay Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' and a side setback of 5' in lieu of the required 55' and a side setback of 8' for lots 31 and 32 in lieu of the required 10'.

District: 15th
No. Acres: 0.275

Dear Mr. DiNenna:
No hearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCUS H. ROSENBERG
THOMAS H. BOYER
MRS. LOREANNE F. CHURCH
ROBERT P. HARTLEY
ALVIN LORECK
MRS. MILTON H. SMITH, JR.
RICHARD W. TRACY, D.V.M.
ROBERT T. DUBEL, SUPERINTENDENT



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 10-28-77
Posted for: Margaret A. Edwards
Petitioner: Margaret A. Edwards
Location of property: SE 1/4 of Todd Ave. 50' SW Old Bay Rd.
Location of Sign: Sign placed on Todd Ave. at intersection of Old Bay Rd.
Remarks: Variance to permit lot widths of 50' in lieu of the required 55' and a side setback of 5' in lieu of the required 55' and a side setback of 8' for lots 31 and 32 in lieu of the required 10'.
Posted by: [Signature] Date of return: 11-1-77

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 28th day of October 1977. Filing Fee \$ 25.00 Received [initials] Cash [initials] Other [initials]

Petitioner: Margaret A. Edwards Submitted by: [Signature]
Petitioner's Attorney: [Signature] Reviewed by: [Signature]
S. Eric DiNenna, Zoning Commissioner

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

SURVIVOR'S DESCRIPTION

Beginning at a point on Todd Avenue 50 feet southwest of intersection of 1st Bay Road. Being Lots numbered 11, 12 and 13, 14, of Section 13 of amended record plat of North Point Terrace as recorded in the land records of Baltimore County. In Liber 5, Folio 155, also known as 9203 Todd Avenue.

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 December 22 1977

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Margaret A. Edwards, SE 1/4 Todd Ave., 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 23rd day of December 1977, that is to say, the same was inserted in the issues of December 22, 1977

STROMBERG PUBLICATIONS, INC.
By: [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 22, 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 December 22nd, 1977, at 5:00 PM, and on December 23rd, 1977, at 10:00 AM, the same publication appearing on the 22nd day of December 1977.

THE JEFFERSONIAN,
[Signature]
Manager.

Cost of Advertisement, \$

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: [Signature]										
Previous case: [Signature]										
Revised Plans: Change in outline or description										
Map #										

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

No. 65416

DATE Jan. 23, 1978 ACCOUNT 01-662

AMOUNT \$12.50

RECEIVED Michael D. Bowers 1301 Providence M.
Baltimore, Md. 21201
FOR - Payment for Variance for Margaret Edwards
#75-111-A

8754200 23 4250000

VALIDATION OR SIGNATURE OF CASHIER

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

No. 57371

DATE Dec. 16, 1977 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Margaret A. Edwards 9203 Todd Ave., Towson
FROM - Short-Range, Maryland-21092
FOR - Petition for Variance
#75-111-A

8737200 19 2500000

VALIDATION OR SIGNATURE OF CASHIER