

78-216-A 54 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARGARET M. CARLTON, 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 303.1 to permit a front yard setback of 17 feet in lieu of the required 21 feet average and to increase a distance of 12 feet from the centerline of the street instead of the required 16 feet.

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

1. The front porch is not used as such and by enclosing 14' of this area year-round usage could be had.
2. The porch next door is fully enclosed.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

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.

DATE April 12, 1978
John W. Hession, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

Contract purchaser
Margaret M. Carlton
 Legal Owner
 Address 1241 Maiden Choice Lane
Baltimore, Maryland 21229
 Petitioner's Attorney
H. B. H. Hession, III
 Protester's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of February, 1978, 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 proper, 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 10th day of April, 1978, at 10:30 o'clock A.M.

John W. Hession, III
 Zoning Commissioner of Baltimore County.
 (over)
 10:30 AM
 4/11/78

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 23, 1978
 FROM: Leslie H. Graef, Director of Planning
 SUBJECT: Petition 78-216-A, Item #154. Petition for a Variance for Front Yard Setback, Northwest side of Maiden Choice Lane 239 feet Northwest of Leeds Avenue, Petitioner - Margaret M. Carlton

13th District

HEARING: Monday, April 10, 1978 (10:30 A.M.)

There are no comprehensive facts requiring comment on this petition.

Leslie H. Graef
 Director of Planning

LH:GCH:m

RE: PETITION FOR VARIANCE
 W/S of Maiden Choice Lane 239'
 Nc of Leeds Ave., 13th District
 : BEFORE THE ZONING COMMISSIONER
 : OF BALTIMORE COUNTY
 MARGARET M. CARLTON, Petitioner : Case No. 78-216-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. Koenig, Jr.
 Charles E. Koenig, Jr.
 Deputy People's Counsel

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

I HEREBY CERTIFY that on this 27th day of March, 1978, a copy of the foregoing Order was mailed to Margaret M. Carlton, 1241 Maiden Choice Lane, Baltimore, Maryland 21220, Petitioner.



Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 (301) 491-3201

S. ERIC DINENNA
 ZONING COMMISSIONER

April 12, 1978

Ms. Margaret M. Carlton
 1141 Maiden Choice Lane
 Baltimore, Maryland 21229

RE: Petition for Variances
 W/S of Maiden Choice Lane, 239' NE
 of Leeds Avenue - 13th Election
 District
 Margaret M. Carlton - Petitioner
 NO. 78-216-A (Item No. 154)

Dear Ms. Carlton:

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

Very truly yours,

George J. Pawlinski
 GEORGE J. PAWLINSKI
 Deputy Zoning Commissioner

GJM/mc

Attachments

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

LEGAL NOTICE

Beginning at a point 239 feet northwest of the intersection of Leeds Avenue and Maiden Choice Lane, on the northeast side of Maiden Choice Lane, being Lot 42, Plat 81, Section B of Leeds as recorded in the Land Records of Baltimore County, in Liber 8, folio 75. Also known as 1241 Maiden Choice Lane. In the 13th Election District.

Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 (301) 491-3201

March 17, 1978

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 #154, Zoning Advisory Committee Meeting, February 14, 1977, are as follows:

Property Owner: Margaret M. Carlton
 Location: NE/S Maiden Choice Lane 239' NW Leeds Avenue
 Existing Zoning: D.R.S.5
 Proposed Zoning: Variance to permit a front setback of 17' in lieu of the required average of 21' District: 13th

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
 Current Planning and Development

Ms. Margaret M. Carlton
 1241 Maiden Choice Lane
 Balto., MD. 21229
 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 14th day of February, 1978.

S. Eric DiNenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Margaret M. Carlton
 Petitioner's Attorney: Nicholas B. Commodari
 Reviewed: Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following findings of fact 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, Variances to permit a front yard setback of 17' instead of the required 21 feet average and a distance of 42 feet from the center line of the street instead of the required 46 feet should be granted.

It is ORDERED by the Zoning Commissioner of Baltimore County this 16th day of April, 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.

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 16th day of April, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

County Office Bldg.
111 N. Chesapeake Ave.
Towson, Maryland 21204

March 27, 1978

Mr. Nicholas B. Commodari
Chairman

Ms. Margaret M. Carlton
1241 Maiden Choice Lane
Baltimore, Maryland 21209

RE: Variance Petition
Item Number 154
Petitioner - Margaret Carlton

Dear Mr. Carlton:

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.

The subject property, located on the northeast side of Maiden Choice Lane northwest of Leeds Avenue in the 13th Election District, is presently zoned D.R. 5.5 and is improved with a single family dwelling. Adjacent properties are also zoned D.R. 5.5 and are improved with similar type uses.

This Variance request is necessitated as a result of your proposal to enclose the existing front porch and thereby extend closer to the front property line than the average setback of the houses on either side. As indicated on the revised site plan and reinforced at the time of field inspection, the front porch on the existing dwelling to the southeast is presently enclosed and would be in line with the proposed addition.

Ms. Margaret M. Carlton
Page 2
Item Number 154
March 27, 1978

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
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-2000
STEPHEN E. COLLINS
DIRECTOR

March 17, 1978

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

Item No. 154 - SAC - February 14, 1978
Property Owner: Margaret M. Carlton
Location: NE/S Maiden Choice La., 239' NW Leeds Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the required average of 21'.

Acres: 0.2443
District: 13th

Dear Mr. DiMenna:

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

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF/ma

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS M. MCKINNEY, P.E.
DIRECTOR

March 16, 1978

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

Re: Item #154 (1977-1978)
Property Owner: Margaret M. Carlton
1241 Maiden Choice La., 239' NW Leeds Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 17' in lieu of the required average of 21'.
Acres: 0.2443 District: 13th

Dear Mr. DiMenna:

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

Maiden Choice Lane, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-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 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

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The rear portion of this property is subject to the 100-year design storm flooding by Hebert Run. The United States Department of Housing and Urban Development F.I.A. Map 71 indicates a 100-year design storm flood plain elevation of approximately 100 feet above M.L.W. (Baltimore County datum). Further construction is not permitted within 100-year flood plains.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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 #154 (1977-1978)
Property Owner: Margaret M. Carlton
Page 2
March 16, 1978

Water and Sanitary Sewer

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

ELFVORN M. DIVER, P.E.
Chief, Bureau of Engineering

END/ELM:PM:iss

CC: J. Symmer
D. Grise
J. Somers

G-SW Key Sheet
14 & 15 SW 15 Pos. Sheet
SW 4 & 5 Topo
101 Tax Map

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

March 15, 1978

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

Dear Mr. DiMenna:

The following are comments on Item #154, Zoning Advisory Committee Meeting of February 14, 1978:

Property Owner: Margaret M. Carlton
Location: NE/S Maiden Choice La., 239' NW Leeds Ave.
Acres: 0.2443
District: 13th

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

Very truly yours,

THOMAS M. DIVER, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/KS/fld

SEC 35 118

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 625-7210

Paul H. Reinecke
Chief

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Margaret M. Carlton

Location: NE/S Maiden Choice La., 239' NW Leeds Ave.

Item No. 154 Zoning Agenda Meeting of 2/14/78

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 100 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 shown.
7. The Fire Prevention Bureau has no comment, at this time.

RECEIVED
Planning and Zoning
Special Inspection Division

Noted and Approved: George M. Kuganoff
Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 491-3810

JOHN D. SEYFERT
DIRECTOR

February 22, 1978

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

Dear Mr. DiMenna:

Comments on Item # 154 Zoning Advisory Committee Meeting, February 14, 1978 are as follows:

Property Owner: Margaret M. Carlton
Location: N/W/3 Maiden Choice Lane 239' N/W Leads Ave.
Existing Zoning: D.R. 5.5
Proposed: Zoning variance to permit a front setback of 17' in lieu of the required average of 21'.

Acres: 0.2443
District: 13th

The items checked below are applicable:

☒ A. Structure shall conform to Baltimore County Building Code (B.O.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 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. Leaving does not indicate setback from property lines.

☐ G. Requester's setback variance may conflict with the Baltimore County Building Code. See Section _____.

Very truly yours,
Charles E. Durnham
Charles E. Durnham
Plans Review Chief
CDB/rjg

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND - 21204

Date: February 9, 1978

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

I.A.C. Meeting of: February 14, 1978

RE: Item No: 154
Property Owner: Margaret M. Carlton
Location: N/W/3 Maiden Choice Lane 239' NW Leads Ave.
Present Zoning: D.R. 5.5
Proposed: Zoning variance to permit a front setback of 17' in lieu of the required average of 21'.

District: 13th
No. Acres: 0.2443

Dear Mr. DiMenna:

No hearing on student population.

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

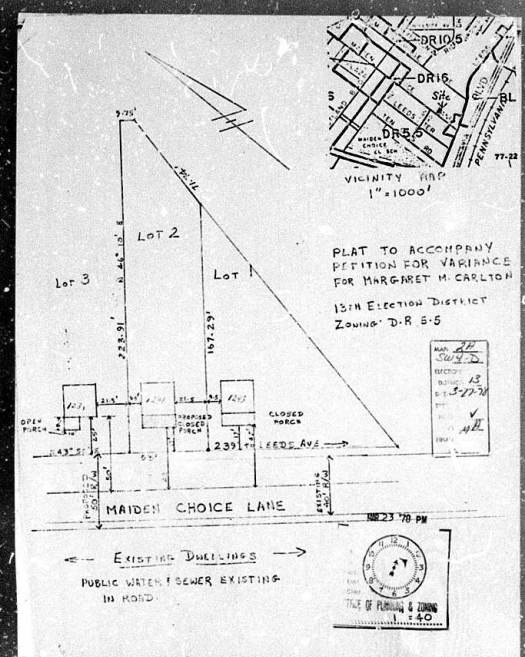
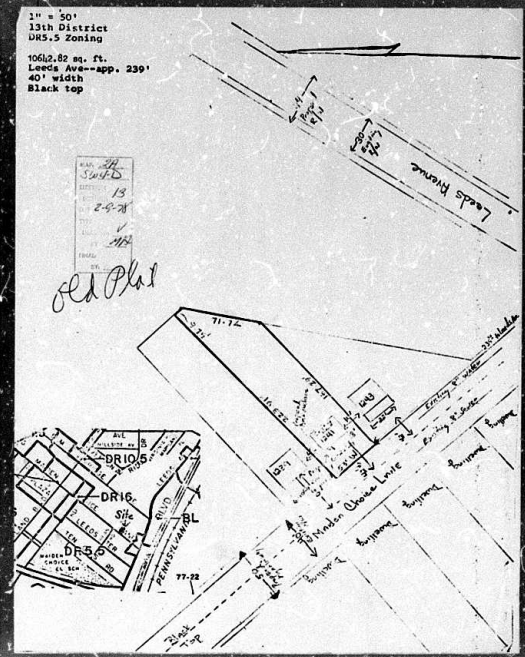
NND/rjp

JOSEPH H. MCCORMAN, PRESIDENT
K. HAROLD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTHSCHILD

THOMAS M. BUREY
WILLIAM L. CHICKS
ROGER B. HATHORN

ALVIN STUCKE
HAROLD WILSON, JR.
RICHARD W. TRACY, D.V.M.

ROBERT V. GIBBEL, SUPERINTENDENT



**OFFICE OF
THE TIMES
NEWSPAPERS**

TOWSON, MD. 21204 March 23 19 78

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Margaret M. Carlton
NWS of Maiden Choice Lane
was inserted 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 170 successive weeks before the
14th day of March 1978, that is to say, the same
was inserted in the issues of March 23, 1978.

STROMBERG PUBLICATIONS, INC.
BY *Esther Boyer*

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 23, 1978

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 March 23, 1978.
one time successively before the 14th day of March 1978.
day of March 1978, the last publication
appearing on the 23rd day of March 1978.

THE JEFFERSONIAN
W. Nick Petrovich
Manager

Cost of Advertisement \$ _____

PETITION MAPPING PROGRESS SHEET

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: <i>W. Nick Petrovich</i>										
Previous case: <i>None</i>										
Revised Plans: Change in outline or description										
Map # <i>SW44D</i>										

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1-Sign 78-216-A

District: 13th Date of Posting: MARCH 25, 1978

Posted for: *PETITION FOR VARIANCE*

Petitioner: *MARGARET M. CARLTON*

Location of property: *NWS of MAIDEN CHOICE LANE 239' NE of LEADS AVE.*

Location of Signs: *FRONT 1241 MAIDEN CHOICE LANE*

Remarks: *Charles E. Durnham*

Posted by: *Charles E. Durnham* Date of return: MARCH 31, 1978

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

No. 65566

DATE: April 10, 1978 ACCOUNT: 01-662

AMOUNT: \$47.05

RECEIVED FROM: *Margaret M. Carlton 1241 Maiden Choice Lane 21207*

FOR: *Cost of Petition & Advertising property 78-216-A*

\$27.00 APR 10 4:10 PM

VALIDITY: ON SIGNATURE OF CASHIER

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

No. 65436

DATE: February 3, 1978 ACCOUNT: 01-662

AMOUNT: \$7.00 (cash)

RECEIVED FROM: *Margaret M. Carlton*

FOR: *Petition for variance*

1241 Maiden Choice Lane
Baltimore, Maryland 21207

\$5.00 CASH

VALIDITY: ON SIGNATURE OF CASHIER