

ORDER RECEIVED FOR FILING
DATE 3/28/78
FILED

It is to be noted that the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the fact that the petitioners are not in compliance with the Baltimore County Zoning Regulations would result in practical difficulty and expense in carrying out the same.

It is further appearing that by reason of the granting of the Variance requested and the fact that the petitioners are not in compliance with the Baltimore County Zoning Regulations would result in practical difficulty and expense in carrying out the same.

It is ORDERED by the Zoning Commissioner of Baltimore County, that the above Variance should be granted, and it further appearing that by reason of the granting of the Variance requested and the fact that the petitioners are not in compliance with the Baltimore County Zoning Regulations would result in practical difficulty and expense in carrying out the same.

It is further appearing that by reason of the granting of the Variance requested and the fact that the petitioners are not in compliance with the Baltimore County Zoning Regulations would result in practical difficulty and expense in carrying out the same.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, 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 W. Chesapeake Ave.
Towson, Maryland 21204

May 2, 1978

Mr. & Mrs. David H. MacLeary
9115 Monroe Street
Cockeysville, Maryland 21030

RE: Variance Petition
Item Number 171
Petitioner - David H. MacLeary,
Mary A. MacLeary

Dear Mr. & Mrs. MacLeary:

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.

This property, currently improved with a single family dwelling and shed in the rear yard, is zoned D.R. 3.5 and located on the southeast corner of Madison Avenue and Monroe Street in the 8th Election District. Surrounding properties are similarly zoned and are improved with single family dwellings to the south and west across Monroe Street, while the Padonia Elementary School and the County Fire Department exist to the north.

This Variance is necessitated as a result of your proposal to construct an addition to the side of the existing dwelling along Madison Avenue directly across from the aforementioned school. Since this road is proposed to be improved with a 40 foot right-of-way, the Variance forms were changed to indicate a 4 foot setback from this proposed widening line in lieu of

Mr. & Mrs. David H. MacLeary
Page 2
Item Number 171
May 2, 1978

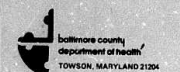
the required 30 feet. The submitted site plans must be revised prior to the scheduled hearing to reflect this request.

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 S. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf



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

March 27, 1978

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

Dear Mr. DiMenna:

Comments on Item #171, Zoning Advisory Committee Meeting, March 14, 1978, are as follows:

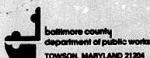
Property Owner: David H. & Mary A. MacLeary
Location: NE/C Madison Ave. & Monroe St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 30'.
Acres: 0.213
District: 8th

Metropolitan water is available and the sewage disposal system appeared to be functioning properly, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/KH/fhs



THORNTON M. MOURING, P.E.
DIRECTOR

March 31, 1978

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

Re: Item #171 (1977-1978)
Property Owner: David H. & Mary A. MacLeary
N/E cor. Madison Ave. & Monroe St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 30'.
Acres: 0.213 District: 8th

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.

General:

This property comprises Lots 1, 2 and 3, Block "A-F" of Plat No. 2, Tinsimon Heights, recorded W.P.C. 7, folio 15.

Highways:

Madison Avenue and Monroe Street, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 40-foot rights-of-way. Highway rights-of-way widening, including a fillet area for sight distance at the intersection and 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:

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.

Item #171 (1977-1978)
Property Owner: David H. & Mary A. MacLeary
Page 2
March 31, 1978

Water:

There are public 8-inch water mains in Madison Avenue and Monroe Street. Additional fire hydrant protection is required in the vicinity.

Sanitary Sewer:

Public sanitary sewers can be provided to serve this property, which is using private onsite sewage disposal, by construction of a public sanitary sewer extension, approximately 500 feet in length, from the 8-inch public sanitary sewer in York Road (Manhole 35356), or in Galloway Avenue (Manhole 35357). Offsite utility easements would be required in connection therewith.

Very truly yours,

Edmund M. Wright, M.E.
HELENORH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EMH/PWR:es

cc: J. Somers
W. Mancini

3-NE Key Sheet
60 SW 4 New Sheet
NW 35 A Topo
51 Tax Map



Paul R. Reicks
Chief

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: David H. & Mary A. MacLeary

Location: NE/C Madison Ave. & Monroe St.

Item No. 171 Zoning Agenda Meeting of 3/14/78

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.

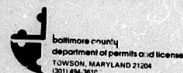
1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead 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 drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER

Planning Group
Special Inspection Division

Noted and

Approved: George M. Hegardt
Fire Prevention Bureau



JOHN D. SEVITT
DIRECTOR

March 11, 1978

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

Dear Mr. DiMenna:

Comments on Item #171 Zoning Advisory Committee Meeting, March 14, 1978 are as follows:

Property Owner: David H. & Mary A. MacLeary
Location: NE/C Madison Ave. & Monroe St.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 30'.
Acres: 0.213
District: 8th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.O.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 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. No comment.
- ☐ J. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles K. Burbanck

Charles K. Burbanck
Plans Review Chief
02/17/78

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 15, 1978

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

Z.A.C. Meeting of: March 14, 1978

RE: Item No: 171
Property Owner: David H. & Mary A. Macleary
Location: NE/C Madison Ave. & Monroe Street
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 30'.

District: 8th
No. Acres: 0.213

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

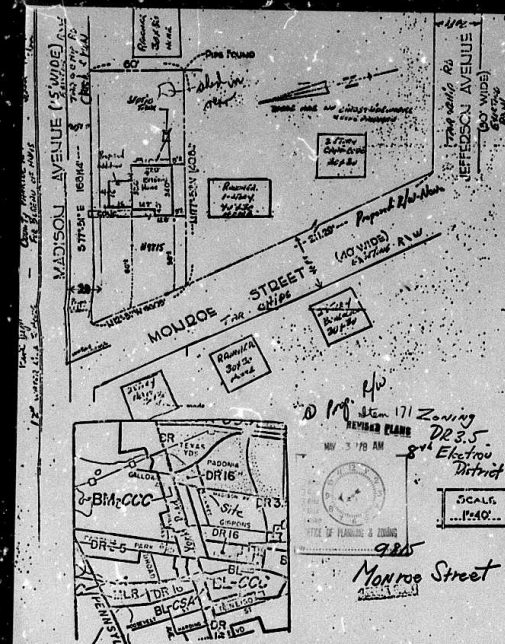
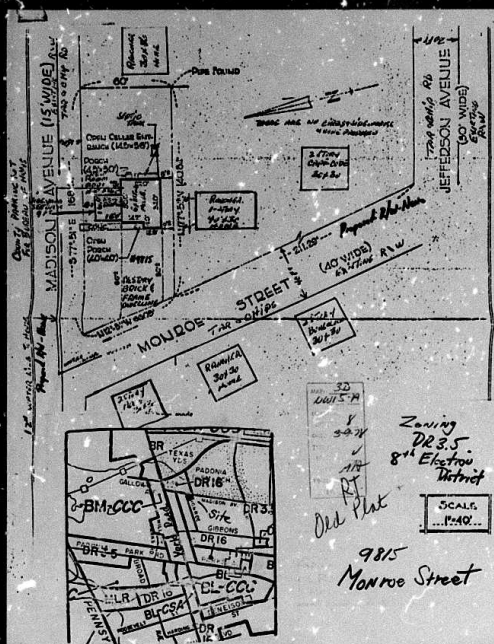
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NWP/bp

JOSEPH H. McCAFFREY, PRESIDENT
V. R. WARD WILLIAMS, JR., TREASURER
HARVEY M. BETHANS

THOMAS A. ROYER
MRS. LORRAINE F. CHIRCOU
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORACE
MRS. WILTON A. SMITH, JR.
RICHARD W. TUCKER, D.V.M.



PETITION MAPPING PROGRESS SHEET

FUNCTION	Visit Map date by	Original date by	Duplicate date by	Reviewing date by	GOO Sheet date by
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: <i>DR</i>					
Previous case: <i>None</i>					
Revised Plans: Change in outline or description					
Map # <i>NW 15-4</i>					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 3 day of March 1978. Filing Fee \$ 25.00 Received Check Cash Other

Petitioner: *D.H. Macleary* Submitted by: *D.H. Macleary*
Petitioner's Attorney: *D.H. Macleary* Reviewed by: *D.H. Macleary*

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 27, 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., commencing on the 15th day of May, 1978, the 15th publication appearing on the 15th day of April, 1978.

L. L. L. L.
THE JEFFERSONIAN,
Manager

*Cost of Advertisement, \$.....



OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 April 27, 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCES - David H. & Mary A. Macleary, 56/100 Madison Ave. & Monroe St. was inserted in the following:

- ☐ Calonsville 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 successive weeks before the 28th day of April, 1978, that is to say, the same was inserted in the issues of April 27, 1978

STRONBERG PUBLICATIONS, INC.

By *Ernst Bruege*

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8 Date of Posting: 4-28-78
Posted for: David H. & Mary A. Macleary
Petitioner: D. H. Macleary
Location of property: 56/100 Madison Ave. & Monroe St.
Location of Sign: front of property (Monroe St.)
Remarks: None
Posted by: Ernst Bruege Date of return: 4-28-78

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

DATE: April 19, 1978 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED David H. Macleary, 5615 Madison St. Towsonville, Md. 21204, for Petition for Variance 270-211-A for 1000 sq. ft.

437.00 25.00

VALIDATION OR SIGNATURE OF CASHIER

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

DATE: May 15, 1978 ACCOUNT: 01-662

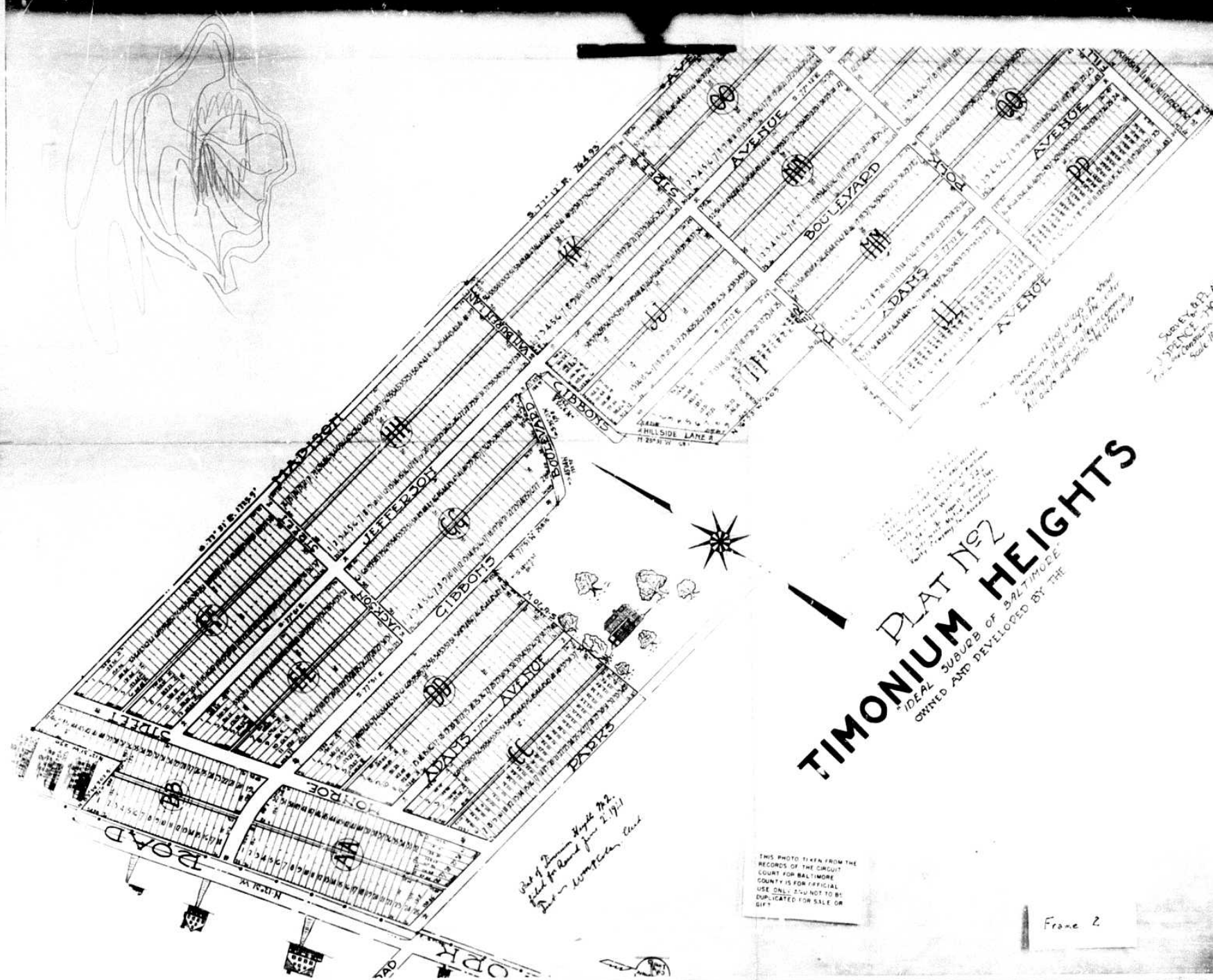
AMOUNT: \$47.88

RECEIVED David H. Macleary - Cost of Advertising and Posting for Variance, Case No. 70-211-A (21st 171)

437.00 47.88

VALIDATION OR SIGNATURE OF CASHIER





PLAT No 2 **TIMONIUM HEIGHTS** IDEAL SUBURB OF BALTIMORE OWNED AND DEVELOPED BY THE

Owner of lot 1000 in this
 subdivision, and the lot
 1000, which was a gift to
 the owner of the lot 1000.

Surveyed by
 J. SPENCE HOWARD
 and
 Scale 1/4" = 100' Apr 1921

Plot of Timonium Heights No. 2
 filed for record June 2, 1921
 J. W. Thompson, Clerk

THIS PHOTO TAKEN FROM THE
 RECORDS OF THE CIRCUIT
 COURT FOR BALTIMORE
 COUNTY IS FOR OFFICIAL
 USE ONLY AND NOT TO BE
 DUPLICATED FOR SALE OR
 GIFT

Frame 2

