

**PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Michael & Kathleen O'Shea, legal owners 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 1A04.3 B.3 to permit a side setback of 30 feet instead of the required 50 feet. *ecr*

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

This parcel is situated in such a way that an addition to this structure could only be architecturally enhancing to this property and those surrounding it, by encroaching on the 50' (fifty) setback line, further when this property was surveyed for subdivision, we feel, after consultation with developer and others, that the surveyor may have made an error in judgment when rendering the final record plat for subdivisions. Finally, because of the location of the existing farmhouse, and because of the topography of the land, it is a practical impossibility to locate the garage elsewhere.

Property is to be posted and advertised as provided 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 not be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser: KATHLEEN O'SHEA Legal Owner  
Address: 4103 Ravenhurst Circle  
Glen Arm, Maryland 21057  
Petitioner's Attorney: NONE

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day

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 property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 1978, at \_\_\_\_\_ o'clock

By: [Signature]  
Zoning Commissioner of Baltimore County.

(over)

79-3-A  
231

79-3-A  
231

71-274

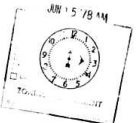
RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
W/S of Old Barn Rd., approximately 960' : OF BALTIMORE COUNTY  
N of Falls Rd., 7th District  
MICHAEL O'SHEA, et ux, Petitioners : Case No. 79-3-A

**ORDER TO ENTER APPEARANCE**

For Commission: 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.

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

I HEREBY CERTIFY that on this 15th day of June, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Michael O'Shea, 4103 Ravenhurst Circle, Glen Arm, Maryland 21057, Petitioners.



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: June 28, 1978  
FROM: Leslie H. Groff, Director of Planning  
Petition 79-3-A, Item 231  
SUBJECT: Petition for Variance for side yard setback - West side of Old Barn Road, approximately 960 feet North of Falls Road  
Petitioner - Michael and Kathleen O'Shea  
7th District

HEARING: Wednesday, July 5, 1978 (11:00 A.M.)

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

[Signature]  
Leslie H. Groff  
Director of Planning

LHG:JGH/rw

**BALTIMORE COUNTY**

**ZONING PLANS  
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN  
EVALUATION COMMENTS**

Baltimore County  
Office of Planning and Zoning  
TOWSON, MARYLAND 21286  
001-46-3263

S. ERIC DINENNA  
ZONING COMMISSIONER

July 6, 1978

Mr. & Mrs. Michael O'Shea  
4103 Ravenhurst Circle  
Glen Arm, Maryland 21057

RE: Petition for Variance  
W/S of Old Barn Road, approx-  
imately 960' N of Falls Road -  
7th Election District  
Michael O'Shea, et ux - Petitioner  
NO. 79-3-A (Item No. 231)

Dear Mr. & Mrs. O'Shea:

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

Very truly yours,  
[Signature]  
LESLIE H. GROFF  
Deputy Zoning Commissioner

GJM/jjm

Attachment

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

BEGINNING at a point on the West side of proposed Old Barn Road approximately 960 feet North of Falls Road and known as Lot 16, Section C - Part 2 of the Hamlet Farms and recorded and the Land Records of Baltimore County, in Liber 41, folio 135. Also known as 1003 Old Barn Road.

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

June 23, 1978

Nicholas B. Commodari  
Chairman

Mr. & Mrs. Michael O'Shea  
4103 Ravenhurst Circle  
Glen Arm, Maryland 21057

RE: Variance Petition  
Item No. 231  
Petitioner - Michael &  
Kathleen O'Shea

Dear Mr. & Mrs. O'Shea:

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 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 Variance is necessitated by your proposal to construct an addition to the side of the existing dwelling, which is located in the rear of this property. This site was also required to be the subject of an amendment to the development plan, because the building permit for the addition to the existing dwelling, which is under construction, was issued in error.

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,  
[Signature]  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NEC:rsrw

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 granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side setback of 10 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this July 1978, 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 the Department of Public Works and the Department 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:

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this July 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. HOLMANS, P.E. DIRECTOR

June 28, 1978

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21284

Re: Item #231 (1977-1978) Property Owner: Michael & Kathleen O'Shea W/S Old Barn Rd. 960' N. Falls Rd. Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'. Acres: 2.27 District: 7th

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 are as secured by Public Works Agreement No. 77701, executed in conjunction with the development of "Market Farm - Section C", of which this property is Lot 16 of Market Farm - Section C - Part 2, recorded E.H.R., Jr. 41, Folio 135.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #231 (1977-1978).

Very truly yours,

Edward M. Diver, P.E. Chief, Bureau of Engineers

END:EMH:FW:ms

cc: H. Shalomitz

HW-1W Key Sheet 121 NW 12 Pos. Sheet NW 31 C Topo 16 & 17 Tax Maps

79-3-A



LESLIE M. GRAEF DIRECTOR

June 9, 1978

Mr. Eric S. DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #231, Zoning Advisory Committee Meeting, May 2, 1978, are as follows:

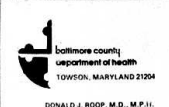
Property Owner: Michael and Kathleen O'Shea Location: W/S Old Barn Road 960' N. Falls Road Existing Zoning: R.C-5 Proposed Zoning: Variance to permit a side setback of 50' in lieu of the required 50'. Acres: 2.27 District: 7th

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 Planner III Current Planning and Development



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

June 1, 1978

Mr. S. Eric DiNenna Office of Planning and Zoning County Office Building Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #231, Zoning Advisory Committee Meeting, May 2, 1978, are as follows:

Property Owner: Michael & Kathleen O'Shea Location: W/S Old Barn Rd. 960' N Falls Rd. Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'. Acres: 2.27 District: 7th

The proposed addition will not interfere with the existing well or proposed septic system, therefore no health hazards are anticipated.

Very truly yours,

Thomas B. Davlin, Director Bureau of Environmental Services

TBD/TBR/rth/c



STEPHEN E. COLLINS DIRECTOR

May 14, 1978

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21284

Item No. 231 - SAC - May 2, 1978 Property Owner: Michael & Kathleen O'Shea Location: W/S Old Barn Rd. 960' N Falls Rd. Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 30 in lieu of the required 50'. Acres: 2.27 District: 7th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber Engineer I

SEM/dsm



Paul H. Heinke Chief

Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21284

Attention: H. Goodman, Chairman Zoning Advisory Committee

Re: Property Owner: Michael & Kathleen O'Shea Location: W/S Old Barn Rd. 960' N Falls Rd.

Item No. 231

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 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's load and condition shown at [redacted] 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", 1990 Edition prior to occupancy.
6. Site plans are approved as shown.
7. The Fire Prevention Bureau has no comments at this time.

Noted and Approved: George M. Kaganoff Fire Prevention Bureau

REVIEWED: Planning Group Special Inspecting Division



JOHN D. STIFFERT DIRECTOR

May 8, 1978

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item #231 Zoning Advisory Committee Meeting, May 2, 1978 are as follows:

Property Owner: Michael & Kathleen O'Shea Location: W/S Old Barn Road 960' N. Falls Road Existing Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 30' in lieu of the required 50'. Acres: 2.27 District: 7th

The items checked below are applicable:

- Xa. Structures shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.
1. Building permit shall be required before construction on begin.
C. Additional [redacted] permits shall be required.
B. Building shall be upgraded to new use - require alteration permit.
E. Three sets of construction drawings will be required to file an application for a building permit.
7. The set of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
C. Wood frame [redacted] are not permitted within 30' of a property line. Contact Building Department if distance is between 30' and 60' of property line.
E. Requested setback variances conflict with the Baltimore County Building Code. See Section [redacted].
7. No Comment.
7. Comment:

Charles E. Burham Plans Review Chief

(CB:rt)

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21284

Date: May 3, 1978

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21284

Z.A.C. Meeting of: May 2, 1978

RE: Item No: 231 Property Owner: Michael & Kathleen O'Shea Location: W/S Old Barn Rd. 960' N Falls Rd. Present Zoning: R.C. 5 Proposed Zoning: Variance to permit a side setback of 36' in lieu of the required 50'.

District: 7th No. Acres: 2.27

Dear Mr. DiNenna:

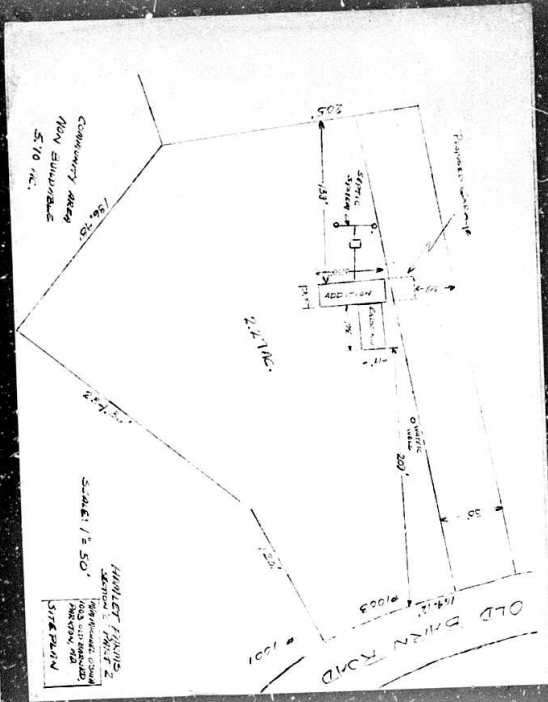
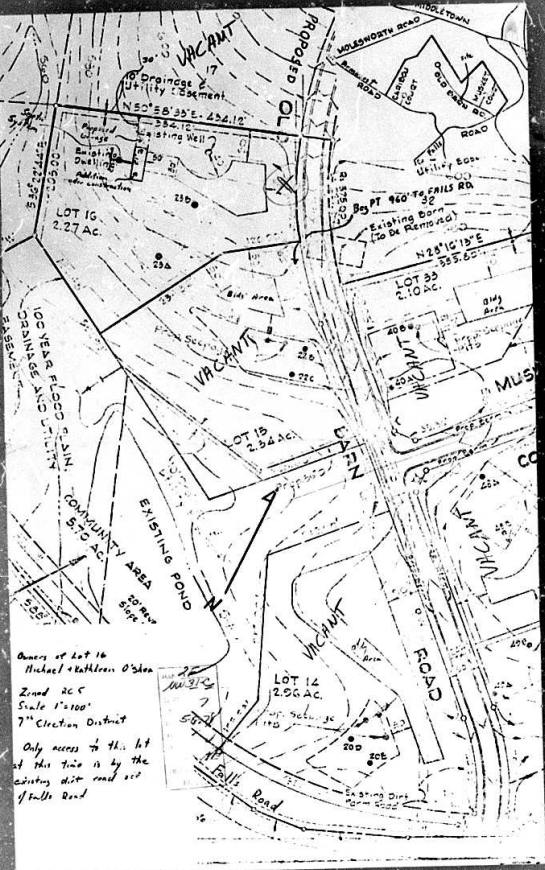
no hearing on student population.

Very truly yours,

W. Rick Petrovich Field Representative

WSP/JP

JOSEPH M. MCGONAGLE, PRESIDENT; THOMAS M. BOYER; V. BARBAR WILLIAMS, JR., VICE-PRESIDENT; ALVIN LOROCK; W. RICK PETROVICH, FIELD REPRESENTATIVE; ROBERT W. JONES, SUPERINTENDENT; DONALD H. BOYER; MISS LORRAINE F. COMPTON; WALTER R. HAYES; RICHARD W. TRACER, D.V.M.



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, MARYLAND

1-SIGN 79-3-A

District: 7th Date of Posting: JUNE 17, 1978

Posted for: PETITION FOR VARIANCE

Petitioner: MICHAEL O'SHEA ET AL

Location of property: W/S of OLD BARN RD, APPROX 960' N of FALLS RD

Location of sign: W/S of OLD BARN RD, 1075' +/- N of FALLS RD

Remarks: \_\_\_\_\_

Printed by: Thomas S. Poland Date of return: JUNE 23, 1978

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

No. 73368

DATE: July 5, 1978 ACCOUNT: 01-662

AMOUNT: \$41.16

PAID BY: Kathleen O'Shea, 1103 Burnham Rd, Glen Elm, Md. 21057, Cost of Advertising and Posting Case No. 79-3-A

VALIDATION OR SIGNATURE OF CASHIER

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

No. 73311

DATE: June 8, 1978 ACCOUNT: 01-662

AMOUNT: \$65.00

RECEIVED FROM: Kathleen O'Shea, Petition for Variance Filing Fee Case No. 79-3-A

VALIDATION OR SIGNATURE OF CASHIER

**PETITION MAPPING PROGRESS SHEET**

FUNCTION	Wall Map		Original		Duplicates		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					ES	MP				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>STZ</u>	Revised Plans:		Change in outline or description: <u>Yes</u> / <u>No</u>							
Previous case:	Map # <u>4413C</u>									

**OFFICE OF THE TIMES NEWSPAPERS**

TOWSON, MD. 21204 June 15 19 78

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Michael & Kathleen O'Shea 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 one successive weeks before the 16th day of June, 1978, that is to say, the same was inserted in the issues of June 15, 1978

STROMBERG PUBLICATIONS, INC.  
BY Esther Burge

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., JUNE 15, 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 each of one (1) day, sixty-two days before the 5th day of July, 1978, the 60th publication appearing on the 15th day of June, 1978.

THE JEFFERSONIAN  
Richard H. ... Manager

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 18 day of April, 1978. Filing Fee \$ 25.00. Received  Cash  Other

S. Eric D'Nenna  
S. ERIC D'NENNA,  
Zoning Commissioner

Petitioner M. J. O'Shea Submitted by ...

Petitioner's Attorney \_\_\_\_\_ Reviewed by STZ

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