

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edward J. & Dorothy V. Keating, 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 1801.2C-4 to permit a rear yard setback of 5' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: that such hardship is practical (affinity)

Existing house to be rased due to severe need of repairs, its small size, and situation on the lot as it sits in the middle of proposed road widening.

Due to building setback requirements, proposed new house to be constructed will only fit on lot one direction. The normal place for the front door is on the 40' side. This will allow for a rear yard in lieu of the required 30'.

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.

Edward D. Workley John W. Hession, III
County Planner Legal Counsel
7000 Windsor Mill Road Address 2-02 St. Lukes Lane
Baltimore, Md. 21207 Baltimore, Md. 21207
Petitioner's Attorney Protestant's Attorney

RECORDED By The Zoning Commissioner of Baltimore County, this 19th day

of September, 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 held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 15th day of November, 1978, at 10:00 o'clock A. M.

(over)

DESCRIPTION

Beginning at a point on the North West corner of Windsor Mill Road and St. Lukes Lane and thence running N 49° 35'00" W 83.75'; thence N 29° 21'00" E 127.57'; thence S 69° 08'30" W; and thence S 20° 51'30" W 154.21' to the beginning point.

Also known as 7000 Windsor Mill Road.

RE: PETITION FOR VARIANCE
1900 C Windsor Mill Rd. & St. Lukes Ln.
2nd District
OF BALTIMORE COUNTY
KEATING J. KELLY, et ux, Petitioner: Case No. 79-113-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.

Peter Mox Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2186

I HEREBY CERTIFY that on this 27th day of October, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Keating J. Kelly, 2100 St. Lukes Lane, Baltimore, Maryland 21207, Petitioner.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna, Zoning Commissioner
TO: Office of Planning and Zoning Date: November 9, 1978
FROM: Laila H. Greal, Director of Planning
SUBJECT: Petition 79-113 A. Item #57

Petition for Variance for rear yard setback
Northwest corner of Windsor Mill Road and St. Lukes Lane
Petitioner - Keating J. and Dorothy Kelly

and District

HEARING: Wednesday, November 15, 1978 (10:00 A.M.)

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

Laila H. Greal
Laila H. Greal
Director of Planning

LHG-JGH:hw



S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

November 16, 1978

Mr. & Mrs. Keating J. Kelly
2100 St. Lukes Lane
Baltimore, Maryland 21207

RE: Petition for Variance
NW corner of Windsor Mill Road
and St. Lukes Lane - 2nd Election
District
Keating J. Kelly, et ux -
Petitioner's
NO. 79-113-A (Item No. 57)

Dear Mr. & Mrs. Kelly:

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

Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED:mr

Attachment

cc: Mr. & Mrs. Edward D. Workley
7000 Windsor Mill Road
Baltimore, Maryland 21207

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

October 18, 1978

Nicholas B. Commodari
Chairman

Mr. & Mrs. Keating J. Kelly
2100 St. Lukes Lane
Baltimore, Maryland 21207

RE: Variance Petition
Item No. 57
Petitioner - Kelly

Dear Mr. & Mrs. Keating:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed 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 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 10 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:mr
Enclosure

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 19th day of September, 1978

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Keating J. Kelly

Mr. & Mrs. E. Kelly J. Kelly
2100 St. Lukes Lane
Baltimore, Maryland 21207

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

MAR 13 1979

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 difficulties and unreasonable hardship upon the Petitioners.

the above Variance should be granted and it further appearing that by reason of the existence of the Variance no adverse effect on the health, safety, and general welfare of the community, the Variance to permit a rear setback of eight feet in lieu of the required thirty feet, should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of November, 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 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 following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulties and unreasonable hardship upon the Petitioners.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of November, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THOMSON H. McNEEL, P.E.
DIRECTOR

December 8, 1978

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

Re: Item #57 (1978-1979)
Property Owner: Keating J. & Dorothy V. Kelly
M/W cor. Windsor Mill Rd. & St. Lukes La.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 8' in lieu of the required 30',
District: 2nd

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.

General:

Comments were supplied for this property for IDCR Project 77-203 and 78-49. This property was reviewed by the Baltimore County Joint Subdivision Planning Committee June 22, 1978. Those comments are referred to for your consideration. Subsequent to the subdivision plat "Holly Property", of which this site is lot 1, was recorded in B.M.W., Jr. 43, Folio 74.

Highways:

St. Lukes Lane and Windsor Mill Road, existing public roads are proposed to be improved in the future as 30-foot closed section roadways on 50-right-of-way. Highway rights-of-way widening, including additional widening for Windsor Mill Road along the western outline of this lot 1, and any necessary reversible easements for slopes, will be required in connection with any grading, 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.



Paul H. Reinke
Chief

October 22, 1978

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

Attention: Mr. Commander Chairman
Zoning Advisory Committee

Re: Property Owner: Keating J. & Dorothy V. Kelly
Location: NW/C Windsor Mill Rd. & St. Lukes Ln.

Item No. 57 Zoning Agenda Meeting of 9/27/78

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 _____ 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.

REVIEWED: [Signature] Noted and Approved: [Signature]
Planning Group Special Inspection Division Fire Prevention Bureau

Item #57 (1978-1979)
Property Owner: Keating J. & Dorothy V. Kelly
Page 2
December 8, 1978

Storm Drainage:

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.

Water and Sanitary Sewer:

There are public 12-inch water mains and 8-inch sanitary sewers in St. Lukes Lane and Windsor Mill Road.

The Petitioner is responsible for the cost of capping and plugging any existing water main or sanitary sewer service connection, due to the proposed removal of the present dwelling on this property, not used to serve the new dwelling proposed on this lot 1.

Very truly yours,
[Signature]
ELLEN M. N. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM/PWR: ss

cc: J. Trencher
J. Somers
J. Wimbley

1-16 May Sheet
13 NW 24 Pos. Sheet
NW 4 F Topo
88 Tex Map



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

October 10, 1978

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

Dear Mr. DiNenna:

Comments on Item #57, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Property Owner:	Keating J. & Dorothy V. Kelly
Location:	NW/C Windsor Mill Rd. & St. Lukes Ln.
Existing Zoning:	D.R. 5.5
Proposed Zoning:	Variance to permit a rear setback of 8' in lieu of the required 30'.
Acres:	
District:	2nd

Metropolitan water and sewer exist. Therefore, no health hazards are anticipated.

Very truly yours,
[Signature]
THOMAS S. DWELIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/RTM/rlh:



LESLIE H. GUNES
DIRECTOR

October 24, 1978

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

Dear Mr. DiNenna:

Comments on Item #57, Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Property Owner: Keating J. & Dorothy V. Kelly
Location: NW/C Windsor Mill Road and St. Lukes Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 8' in lieu of the required 30'
District: 2nd

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,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



JOHN L. WIMBLEY
DIRECTOR

September 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #57 Zoning Advisory Committee Meeting, September 19, 1978, are as follows:

Property Owner: Keating J. & Dorothy V. Kelly
Location: NW/C Windsor Mill Road & St. Lukes Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 8' in lieu of the required 30'.

Acres: _____
District: 2nd

The items checked below are applicable:

1. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1973 Amendment, and other applicable codes.
2. A building permit shall be required before construction can begin.
3. Additional _____ found to be required.
4. Building shall be upgraded to new use - require alteration permit.
5. Three sets of construction drawings will be required to file an application for a building permit.
6. 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.
7. Most floor walls are not permitted within 10' of a property line. Contact Building Department for distance between _____ and _____ of property line.
8. Reported setback variance conflicts with the Baltimore County Building Code. See Section _____.
9. No Comment.
10. Comment: It is assumed the existing dwelling is to be raised. (See Item C above.)

Very truly yours,
[Signature]
Charles E. Nurnberg
Plans Review Chief

ORDER RECEIVED FOR FILING
DATE 10/25/78



STEPHEN E. COLLINS
DIRECTOR

October 20, 1978

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

Item No. 57 - BCC - September 19, 1978
Property Owner: Keating J. & Dorothy V. Kelly
Location: NW/C Windsor Mill Road & St. Lukes Ln.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 8' in lieu of the required 30'.

Acres: _____
District: 2nd

Dear Mr. DiNenna:

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

Very truly yours,
[Signature]
Michael S. Flanagan
Engineer Associate I

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 7204

Date: September 20, 1978

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

Z.A.C. Meeting of: September 19, 1978

RE: Item No: 57
Property Owner: Keating J. & Dorothy V. Kelly
Location: NW/4 Windsor Mill Rd. & St. Lukes Lane
Present Zoning: D.R. 5.5
Proposed Zoning: variance to permit a rear setback of 8' in lieu of the required 30'.

District: 2nd
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Rick Petrovich
W. Rick Petrovich,
Field Representative

WNP/dp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. RETZLIFF

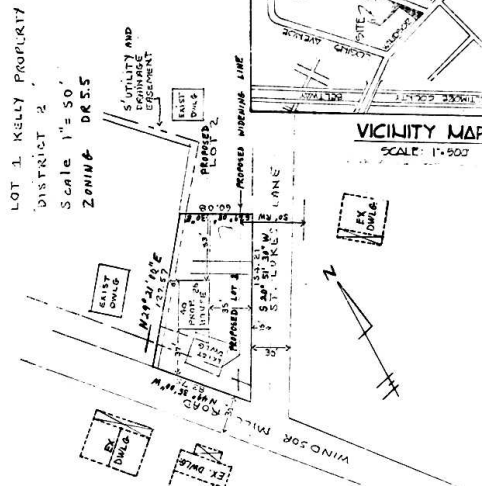
THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
WILLIAM B. HAYES

ALVIN LORECK
MRS. MILTON M. SETHI, JR.
RICHARD W. TRULLAY, D.M.

FOR THE BOARD OF EDUCATION

LOT 1 KELLY PROPERTY

DISTRICT 2
SCALE: 1" = 50'
ZONING DR 5.5



VICINITY MAP
SCALE: 1" = 500'

STROMBERG PUBLICATIONS, INC.
OFFICE OF THE
THE TIMES
NEWSPAPERS
TOWSON, MD 21204 October 26 1978

THIS IS TO CERTIFY that the annexed advertisement of
PETITION FOR VARIANCE - Keating J. Kelly, et ux
was inserted in the following

RE: 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, since a week for one successive week, before the 27th day of October, 1978, that is to say, the same was inserted in the issues of October 26, 1978.

STROMBERG PUBLICATIONS, INC.
BY *Charles E. Morgan*



PETITION FOR VARIANCE
NOTICE: Petition for Variance for
Location: Windsor Mill Road & St. Lukes Lane
Date: September 19, 1978
At 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204
The Board of Education of Baltimore County will hold a public hearing on the above described property at the time and place stated above to consider the petition for variance to permit a rear setback of 8' in lieu of the required 30'. The Board of Education will be the final authority on the matter.
The Board of Education of Baltimore County will hold a public hearing on the above described property at the time and place stated above to consider the petition for variance to permit a rear setback of 8' in lieu of the required 30'. The Board of Education will be the final authority on the matter.

CERTIFICATE OF PUBLICATION

TOWSON, MD 21204 October 26, 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 day of one line successive weeks before the 27th day of November, 1978, the first publication appearing on the 26th day of October, 1978.

THE JEFFERSONIAN
Manager

Cost of Advertisement \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76138

DATE: Nov. 15, 1978 ACCOUNT: 01-662

AMOUNT: \$51.97

RECEIVED Linda Vorkley
FROM: Linda Vorkley
FOR: Cost of Advertising and Posting Case No. 79-113-A

51.97 51.97

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76097

DATE: Oct. 16, 1978 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED Linda Vorkley
FROM: Linda Vorkley
FOR: Filing Fee for Case No. 79-113-A

25.00 25.00

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: OCT. 28, 1978

Posted for: PETITION FOR VARIANCE
Petitioner: Keating J. Kelly, et ux
Location of property: NW/4 Windsor Mill Rd. & St. Lukes Lane
Location of Sign: NW/4 Windsor Mill Rd. & St. Lukes Lane

Remarks: *Thomas H. Boyer*
Posted by: Thomas H. Boyer Date of return: Nov. 3, 1978

1-Sign

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 1 day of
Sept 1978. Filing Fee \$ 2. Received ☒ Check
☐ Cash
☐ Other

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: *Keating J. Kelly, et ux* submitted by *S. Eric DiNenna*
Petitioner's Attorney: *S. Eric DiNenna* Reviewed by *S. Eric DiNenna*

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

PETITION MAPPING PROGRESS SHEET						
FUNCTION	Wall Map	Original	Duplicate	Tracing	250 Sheet	
	date by	date by	date by	date by	date by	date by
Description checked and outline plotted on map						
Petition number added to outline						
Denied						
Granted by						
2C, RA, CC, CA						
Reviewed by: <i>ST</i>						
Revised Plans:						
Change in outline or description						
Yes						
No						
Previous cases:						
Map #						