

7-146-11 89 40-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JERRY MORRELL, 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, (893.1)
hereby petition for a Variance from Section 1 BOP. 36. 1 TO PERMIT A FRONT
SETBACK TO CENTER OF STREET OF 10' IN LIEU OF THE REQUIRED
AVERAGE FRONT SETBACK OF 18'

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

THE DEVELOPMENT WAS LAYED OUT BEFORE ZONING WAS ESTABLISHED.
NEED ADDITIONAL LIVING SPACE FOR FAMILY OF 5 MEMBERS.
EXISTING LIVING ROOM OF 11' x 12' AREA IS TOO SMALL TO RAISE 3
CHILDREN. LARGE BEDROOM AREA IS NEEDED THE ADDITIONAL LIVING
AREA OF 208 SQ. FT. WILL RELIEVE EXISTING FAMILY CONGESTION.

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.

BELINGER PAINT, INC.
HOWARD L. FOX
Contract purchaser
Address 2219 YORK ROAD
TIMONUM 21093
Petitioner's Attorney
Address 2706 McCOMAS AVE.
BALTO 21222
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of October, 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 through-
out Baltimore County, that property 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 3rd day of January, 1979 at 10:00 o'clock
A. M.
S. Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
N/S of McComas Ave., 150'
W of Ashwood Rd., 12th District
JERRY N. MORRELL, Petitioner
Case No. 79-140-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 Max Zimmerman
Peter Max Zimmerman
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 5th day of December, 1978, a copy of the
aforegoing Order was mailed to Mr. Jerry N. Morrell, 2706 McComas Avenue,
Baltimore, Maryland 21222, Petitioner.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
201-661330
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinek
Deputy Zoning Commissioner

January 5, 1979

Mr. Jerry N. Morrell
2706 McComas Avenue
Baltimore, Maryland 21222

RE: Petition for Variance
N/S of McComas Avenue, 150'
W of Ashwood Road - 12th
Election District
Jerry N. Morrell - Petitioner
NO. 79-140-A (Item No. 89)

Dear Mr. Morrell:

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

SEDr

Attachment

cc: Mr. Howard L. Fox
Belinger Paint, Inc.
2219 York Road
Timonium, Maryland 21093
John W. Hession, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
T. Leslie H. Groat
FROM Director of Planning
SUBJECT: Petition 79-140-A, Item 89
Petition for Variance for front yard setback
North side of McComas Avenue, 150 feet West of Ashwood Road
Petitioner - Jerry N. Morrell

12th District

HEARING: Wednesday, January 3, 1979 (10:00 A.M.)

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

Leslie H. Groat
Leslie H. Groat
Director of Planning and Zoning

LHGJG:hw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 13, 1978

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

cc:
Nicholas B. Commodari
Chairman

MEMBERS:
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Protection
Health Department
Public Planning
Building Department
Board of Education
Economic Development
Industrial
Development

Mr. Jerry N. Morrell
2706 McComas Avenue
Baltimore, Maryland 21222

RE: Item No. 89
Petitioner - Morrell
Variance Petition

Dear Mr. Morrell:

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 plan 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.

Because of your proposal to construct an addition to the front
of your residence, and thereby disrupt the in-line condition of the
existing dwellings on this side of the road, this Variance is required.
If you not aware, the permit to construct the enclosed porch to the
east of your existing dwelling was issued in error. A letter has been
sent to the owner and a similar Variance will be required for this
construction.

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

NSC/sf

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 17th day of October, 1978.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Jerry N. Morrell
Petitioner's Attorney

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

Mr. Jerry N. Morrell
2706 McComas Avenue
Baltimore, Maryland 21222

ORDER RECEIVED FOR FILING
DATE: January 1977

Pursuant to the advertisement, posting of property, and public hearing on the 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(s),

the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance is granted a front yard setback to the center line of the street of 40 feet in lieu of the required average 32 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of JANUARY, 1977, that the herein Petition for the aforementioned Variance(s) should be and the same is/are GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, Zoning Commissioner of Baltimore County, the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of JANUARY, 1977, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 454-3600

JOHN D. STEFFERT
DIRECTOR

November 2, 1975

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

Dear Mr. DiNenna:

Comments on Item #89 Zoning Advisory Committee Meeting, October 17, 1975

See as follows:

Property Owner: Jerry N. Morrell
Location: N/S McComas Ave. - 150' W Ashwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.

Acres: 0.1722
District: 12th

The items checked below are applicable:

X 1. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.

X 2. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

X 3. Building shall be upgraded to new use - require alteration permit.

X 4. Three sets of construction drawings will be required to file an application for a building permit.

X 5. 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.

X 6. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 4'0" of property line. Side set backs not indicated.

X 7. Requested setback variance conflicts with the Baltimore County Building Code, See Section _____

1. No Comment.

2. Comment:

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

December 14, 1978

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

Re: Item #89 (1978-1979)
Property Owner: Jerry N. Morrell
N/S McComas Ave. 150' W. Ashwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.
Acres: 0.1722 District: 12th

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. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with the item #89 (1978-1979).

The nearest fire hydrant is located northwest of Parkwood Avenue.

Very truly yours,
Edward M. Dwyer, P.E.
Edward M. Dwyer, P.E.
Chief, Bureau of Engineering

EDM:EMD:PMH:ns
OO: W. Marshall
E-5M Key Sheet
8 SE 24 P.P., Sheet
SE 2 F Togo
103 Tax Map

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

November 15, 1978

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

Dear Mr. DiNenna:

Comments on Item #89, Zoning Advisory Committee Meeting of October 17, 1978, are as follows:

Property Owner: Jerry N. Morrell
Location: N/S McComas Ave. 150' W Ashwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.
Acres: 0.1722
District: 12th

Metropolitan water and sewer exists. Therefore no health hazards are anticipated.

Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/THP:spg

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 454-3011

LESLIE H. GRAFF
DIRECTOR

December 11, 1977

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 #89, Zoning Advisory Committee Meeting, October 17, 1978, are as follows:

Property Owner: Jerry N. Morrell
Location: N/S McComas Avenue 150' W. Ashwood Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.
Acres: 0.1722
District: 12th

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

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 455-7315

Paul H. Heinke
Chief

November 16, 1978

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

Attention: N. Cosmodani, Chairman
Zoning Advisory Committee

Re: Property Owner: Jerry N. Morrell
Location: N/S McComas Ave. 150' W Ashwood Rd.

Item No. 89 Zoning Agenda Meeting of 10/17/78

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 conform 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.

EDM:EMD:PMH:ns
Special Inspection Division
Hated and Approved: George M. Hegardt
Fire Prevention Bureau

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 454-3550

STEPHEN E. COLLINS
DIRECTOR

November 22, 1978

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

Item No. 89 - SAC - Meeting of October 17, 1978
Property Owner: Jerry N. Morrell
Location: N/S McComas Ave. 150' W Ashwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.

Acres: 0.1722
District: 12th

Dear Mr. DiNenna:

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

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/wjm

BOARD OF EDUCATION
OF BALTIMORE COUNTY
TOWSON, MARYLAND - 21204

Date: October 18, 1978

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

I.A.C. Meeting of: October 17, 1978

Re: Item No. 89
Property Owner: Jerry N. Morrell
Location: N/S McComas Ave. 150' W. Ashwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 40.5' to the centerline in lieu of the required average 48'.

District: 12th
No. Acres: 0.1722

Dear Mr. DiNenna:

No hearing on student population.

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

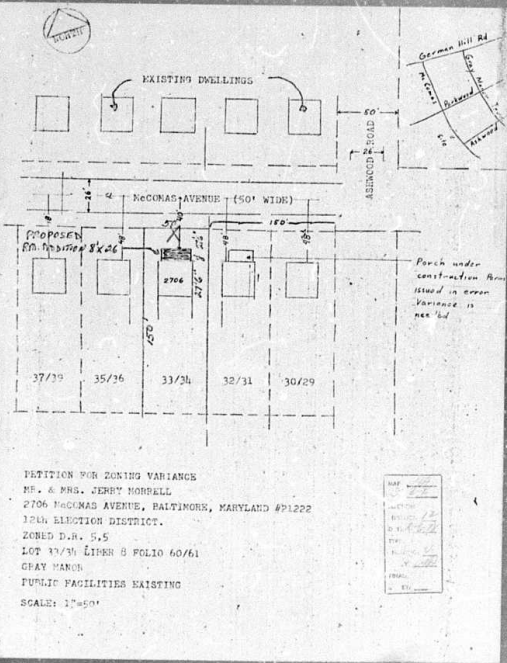
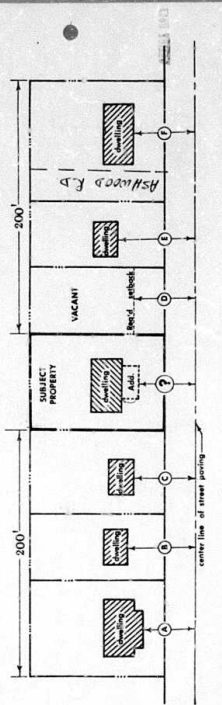
WNP/tpj

JOSEPH N. MCGOWAN, PRESIDENT
T. RYLAND WILLIAMS, JR., VICE-PRESIDENT
HAROLD M. BUTLER
THOMAS H. ROYER
MRS. LORRAINE F. HATCHER
ROBERT M. HAYDEN
ALVIN LORRECK
MRS. WILTON A. SMITH, JR.
ROBERT W. TRACY, D.V.M.
MICHAEL S. COLLINS, REPRESENTATIVE

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES
Reference - Section 301.1 Baltimore County Zoning Regulations

CHARLES J. MATHESEN
APPLICANT'S NAME
JERRY MORRELL
APPLICANT'S NAME
2706 McCORMACK AVE.
BALTIMORE, MD 21222
9-20-78
DATE
NORMAL REQUIRED SETBACKS
R10 - 65 ft.
R10 - 55 ft.
R6 - 50 ft.

DESS
303.1 - In R-10, R-10 and R-6 Zones the front yard setback shall be the greater of the following:
1. The front yard setback of the lot.
2. The front yard setback of the lot plus the depth of the lot immediately adjoining on each side.
3. The front yard setback of the lot plus the depth of the lot immediately adjoining on each side.
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100. The front yard setback of the lot plus the depth of the lot immediately adjoining on each side.



PETITION FOR VARIANCE
100-100-100
ZONING: Petition for Variance
LOCATION: North side of
West 1st Street
Baltimore, Maryland
January 3, 1979 10:00 A.M.
PUBLIC HEARING: Room
100, County Office Building, 111
W. Chesapeake Avenue,
Towson, Maryland
The Planning & Zoning Commission of Baltimore County, in accordance with the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:
Petition for Variance to permit a front yard setback in the center of the street of 40 feet in the rear of the proposed structure which is 40 feet.
The Zoning Commission will be composed of:
Section 100-100-100-100
Average front yard setback in center of street
All the parcel of land is in the Fourth District of Baltimore County
MEANING: A POINT OF THE NORTH SIDE OF McCORMACK AVENUE, APPROXIMATELY THE PRESENT OF ANTIPOD ROAD AND KNOWN AS LOT 100-100-100-100
Public Hearing Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DENNA
ZONING COMMISSIONER
AND
GEORGE J. MARTINAK
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION
OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
December 22, 1978
THIS IS TO CERTIFY that the annexed advertisement of S. Eric D. Nenna, Zoning Commissioner of Baltimore County, was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week before the 15th day of December, 1978; that is to say, the same was inserted in the issues of December 14, 1978
Kimbel Publication, Inc.
Publisher.
By *Kimbel Publication, Inc.*

CERTIFICATE OF PUBLICATION
TOWSON, MD., December 22, 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., once in each of two days, on December 22, 1978, the first publication appearing on the 22nd day of December, 1978.
THE JEFFERSONIAN
Manager
Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wait Map	by	date	Duplicate	by	date	Tracing	by	date	200 Sheet	by	date
Descriptions checked and outline plotted on map												
Petition number added to outline												
Denied												
Granted by ZC, BA, CC, CA												
Reviewed by <i>EMS</i>												
Previous case:												

Revised Plans: Change in outline or description Yes No
Map # *3001*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this *20* day of *Sept* 1978. Filing Fee \$ *22.00*. Received ☒ Check ☐ Cash ☐ Other
S. Eric Denna
Zoning Commissioner
Petitioner *Jerry Morrell* Submitted by *EP*
Petitioner's Attorney *Reviewed by *10/2**
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District *11* Date of Posting *12/18*
Posted for *Public Hearing on Variance*
Petitioner *Jerry Morrell*
Location of property *2706 McCormack Ave. 150' W. of Ashwood Rd.*
Location of Sign *2706 McCormack Ave.*
Remarks: *Sign on lot*
Posted by *Sign on lot* Date of return *12/18*

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76166
DATE *December 13, 1978* ACCOUNT *01-662*
AMOUNT *885.00*
RECEIVED FROM *Baltimore Point, Inc.*
FOR *Filing Fee for Case No. 79-110-A*
250.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 76206
DATE *January 3, 1979* ACCOUNT *01-662*
AMOUNT *866.25*
RECEIVED FROM *Baltimore Point, Inc.*
FOR *Cost of Advertising and Posting Case No. 79-110-A*
652.50
VALIDATION OR SIGNATURE OF CASHIER