

PETITION FOR VARIANCE
 5th Edition Revised

NOTING: Petition for Variance
LOCATION: South side of Cub Hill Rd.
DATE & TIME: Tuesday, May 12, 1983 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Variance to permit a front yard setback of 0 ft. instead of the required average of 51.3 ft.

The Zoning Regulation to be accepted as follows:

Section 100.2.01 (2011) - front yard setback to a D.R. 25 feet.

All that parcel of land in the North District of Baltimore County beginning at a point in the center of Cub Hill Road 100' west of Tippecanoe Road and thence running north 07° 12' west 67', thence south 07° 12' west 170', thence south 07° 12' west 07', and thence north 07° 12' west 170' to the beginning point.

Also known as 2827 Cub Hill Road being the property of Robert H. McKenny, et al., as shown on plat also filed with the Zoning Department.

Hearing Date: Tuesday, May 12, 1983 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order Of
 WILLIAM B. HAMMOND,
 Zoning Commissioner
 of Baltimore County
 May 12, 1983

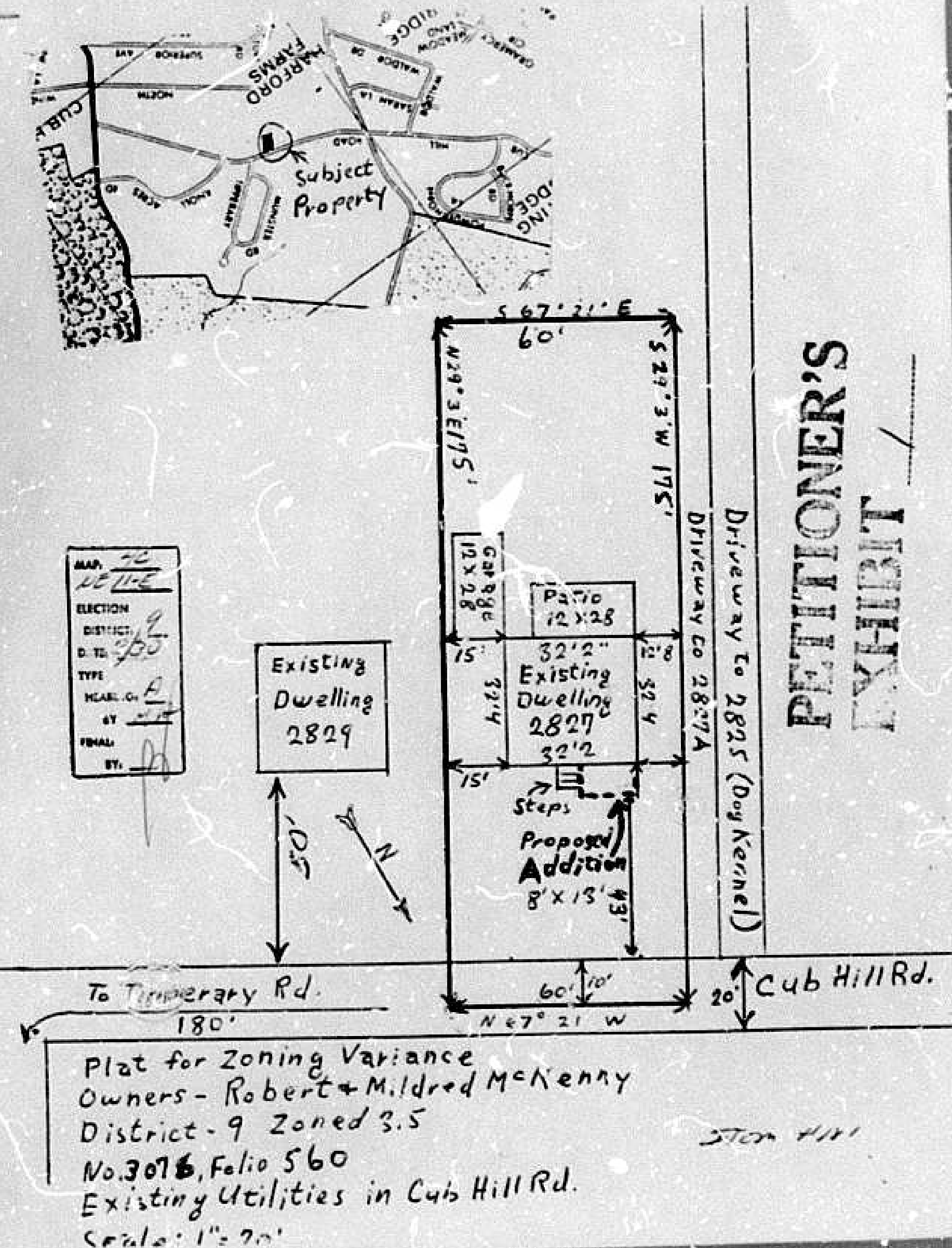
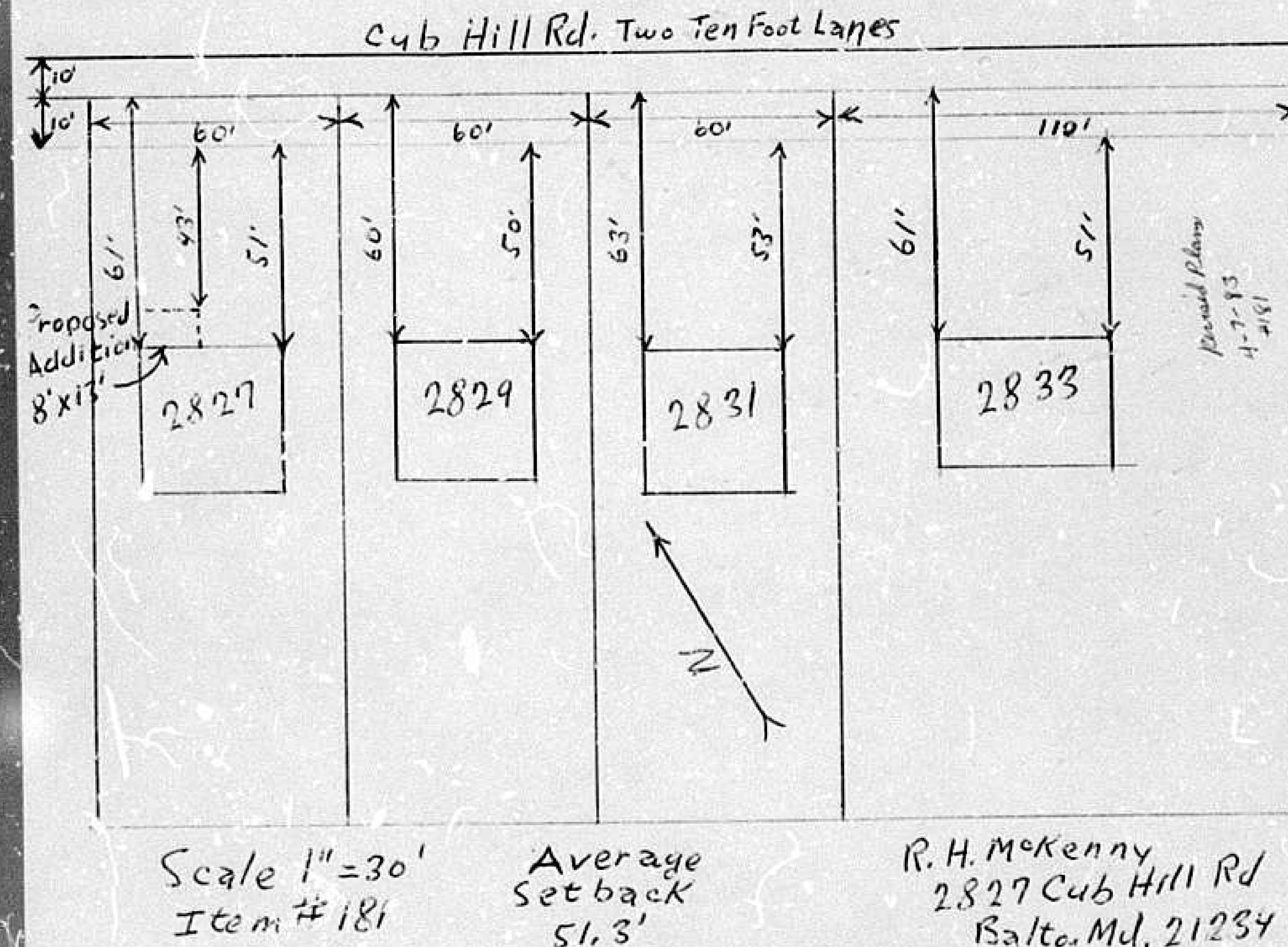
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 21, 19. 83

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., of one time before the 10th day of May, 19.83, the first publication appearing on the 21st day of April, 19.83

THE JEFFERSONIAN
 L. Leank, Jr.
 Manager.

Cost of Advertisement, \$



Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of May, 1983, that the ~~variance~~ Petition for Variance(s) to permit a front yard setback of 43 feet in lieu of the required average setback of 51.3 feet, for the expressed purpose of constructing a 8' x 13' addition to the existing dwelling to increase the habitable area, in accordance with the site plan filed herein and marked Petitioners' Exhibit I, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Mr. & Mrs. Robert Harry McKenny
2827 Cub Hill Road
Baltimore, Maryland 21234

May 12, 1983

RE: Petition for Variance
3/5 of Cub Hill Road, 180' SW of Tipperary Road - 9th Election District
Robert Harry McKenny, et ux - Petitioners
NO. 83-252-A (Item No. 181)

Dear Mr. & Mrs. McKenny:

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

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

Beginning at a point in the center of Cub Hill Road 180' west of Tipperary Road and thence running north 07° 21' west 60', thence south 29° 3' west 175', thence south 07° 21' east 60', and thence north 29° 3' east 175' to the beginning point.

Also known as 2827 Cub Hill Road

Mr. & Mrs. Robert H. McKenny
2827 Cub Hill Road
Baltimore, Md. 21234

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 7th day of April, 1983.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Robert H. McKenny, et ux
Petitioner's Attorney

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

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
LOCATION: South side of Cub Hill Road, 180 ft. Southwest of Tipperary Road
DATE & TIME: Tuesday, May 10, 1983 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 43 ft. instead of the required average of 51.3 ft.

The Zoning Regulation to be excepted as follows:
Section 1804.3.C.1 (303.1) - front yard setback in a D.R. 3.5 zone

All that parcel of land in the Ninth District of Baltimore County

Being the property of Robert H. McKenny, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, May 10, 1983 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

April 13, 1983

Mr. & Mrs. Robert H. McKenny
2827 Cub Hill Road
Baltimore, Maryland 21234

NOTICE OF HEARING

Re: Petition for Variance
S/S of Cub Hill Road, 180' SW of
Tipperary Road
Robert H. McKenny, et ux - Petitioners
Case No. 83-252-A

TIME: 9:30 A.M.

DATE: Tuesday, May 10, 1983

PLACE: ROOM 106, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

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

No. 115033

DATE: 5/10/83 ACCOUNT: R-01-615-000

AMOUNT: \$35.00

RECEIVED FROM: Robert McKenny
FOR: Flying Saucer Zoning Variance
Item 181 2827 Cub Hill Rd

8 0135*****350013 01-8F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner Date: April 25, 1983
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 83-252-A
SUBJECT: Robert H. McKenny, et ux

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

Norman E. Gerber
Norman E. Gerber
Director Of Planning and Zoning

NEG:JGH:1

cc: Arlene January
Shirley Hess

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/27 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 2 successive weeks, the first publication appearing on the 20th day of April, 1983.

THE TOWSON TIMES

Norman E. Gerber
Cost of Advertisement, \$ 26.50

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9 Date of Posting: 4/27/83
Posted for: *Robert H. McKenny, et ux*
Petitioner: *Robert H. McKenny, et ux*
Location of property: 3/5 Cub Hill Rd., 180 ft SW of Tipperary Rd
Location of Signs: Front of property (# 2827 Cub Hill Rd)
Remarks: None
Posted by: *William E. Hammond* Date of return: 4/27/83
Number of Signs: 1

83-252-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 1 B02.3.C.1 (203.1) to permit a front yard setback of 43' instead of the required average of 51.3'

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

The need for a larger bedroom for more closet space.

The need for a more quiet atmosphere from the road traffic because Mr. McKenny works the night shift.

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

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City and State

RE: PETITION FOR VARIANCE
S/S of Cub Hill Rd., 180' S of
Tipperary Rd., 9th District
OF BALTIMORE COUNTY

ROBERT H. McKENNY, et ux,
Petitioners
Case No. 83-252-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 therefor, 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 for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of April, 1983, a copy of the foregoing

Order was mailed to Mr. and Mrs. Robert H. McKenny, 2827 Cub Hill Road, Baltimore, Maryland 21234, Petitioners.

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

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1983

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

JOE
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Robert H. McKenny
2827 Cub Hill Road
Baltimore, Maryland 21234

RE: Item No. 181 - Case No. 83-252-A
Petitioner - Robert H. McKenny, et ux
Variance Petition

Dear Mr. & Mrs. McKenny:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

May 2, 1983

R-SE Key Sheet
43 ND 19 Pos. Sheet
NE 11 E Topo
62 & 71 Tax Maps

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #181 (1982-1983)
Property Owner: Robert H. & Mildred J. McKenny
S/S of Cub Hill Rd., 180' W. of Tipperary Rd.
Acres: 60 X 175 District: 9th

Dear Mr. Hammond:

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.

Highways:

Cub Hill Road, an existing public road, is proposed to be further improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way.

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.

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.

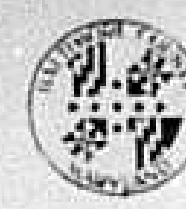
Water and Sanitary Sewer:

A public 12-inch water main exists, and public 8-inch sanitary sewerage is nearing completion in Cub Hill Road per Drawing #79-0034, File 1, (Job Order 1-2-594), Contract 80220 SX0.

Very truly yours,

Robert A. Morison, P.E.
Bureau of Public Services

RAM:BNR:iss



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7010

PAUL H. REINCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Robert H. & Mildred J. McKenny

Location: SW/S of Cub Hill Road 180' W. of Tipperary Road

Item No.: 181 Zoning Agenda: March 22, 1983

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 design and 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 operation.

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", 1976 Edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comments, at this time.

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

JK/nb/sam

5110
83-252-A



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSE
TOWSON, MARYLAND 21204
494-3900

TED ZALESKI, JR.
DIRECTOR

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 181 Zoning Advisory Committee Meeting March 22, 1983 are as follows:

Property Owner: Robert H. & Mildred J. McKenny
Location: SW/S of Cub Hill Rd. 180' W. of Tipperary Road
Baiting Section: D.I. 3.5
Proposed Zoning: Variance to permit a front yard setback of 43' in lieu of the required average of 48'.

Acres: 60 X 175
District: 9th

The items checked below are applicable:

1. All structures shall conform to the Baltimore County Building Code 1981/ Council Bill #82 for other applicable Codes.
2. A building and/or other miscellaneous permits shall be required before beginning construction.
3. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.
4. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
5. An exterior wall erected within 5'-0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 407 and Table 401.
6. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
7. A change of occupancy shall be required for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
8. Before this office can comment on the above structure, please have the owner, thru the services of a Registered Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

1. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

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

CES:rrj
FORM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 3/22/83

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 22, 1983

RE: Item No: 177, 178, 179, 180, 181, 182
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no adverse effect on student population.

Very truly yours,

Wladimir Petrovich
Wladimir Petrovich, Assistant
Department of Planning

WNP/bp