

RE: PETITION FOR ZONING VARIANCE  
 4215 Old North Point Road,  
 1340' NW of the c/l of  
 North Point Boulevard  
 (4215 Old North Point Road)  
 15th Election District  
 7th Councilmanic District  
 Michael J. O'Malley  
 Petitioner

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 92-325-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the Petitioner requests variances from the B.C.Z.R. as follows: from Section 236.1 to permit a front yard setback of 60 feet in lieu of the required 80 feet; from Section 233.1 to permit a minimum side yard of 10 feet in lieu of the required 15 feet; from Section 230.1 to permit a sum of the side yards of 26 feet in lieu of the required 35 feet; from Section 402.1 to permit the conversion of an existing single family dwelling to a duplex; and from Section 301.1 to permit an existing open carport to project into a side yard with a setback of 4 feet in lieu of the required 11.25 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Michael J. O'Malley, appeared and testified. Also appearing on behalf of the Petitioner was George E. Gavrelis, Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 4215 Old North Point Road, consists of 11,400 sq.ft., more or less, zoned B.R.-1.M., and is improved with a one story dwelling. The Petitioner is desirous of converting the existing dwelling to a duplex dwelling by constructing a second story addition and providing two apartments, one on each level. Testimony indicated that the requested variances are for existing improve-

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 Date 4/9/92  
 By [Signature]

ments and that strict compliance will result in practical difficulty and unreasonable hardship for the Petitioner. Petitioner testified that the immediately adjoining property is zoned D.R. 5.5, and that the relief requested meets the requirements set forth in Section 402.1 of the B.C.Z.R. Petitioner also testified that he has spoken with his neighbors to advise them of his plans and that they have no objections.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

*Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the require-

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 By [Signature]

ments from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1992 that the Petition for Zoning Variance requesting relief from the B.C.Z.R. as follows: from Section 236.1 to permit a front yard setback of 60 feet in lieu of the required 80 feet; from Section 233.1 to permit a minimum side yard of 10 feet in lieu of the required 15 feet; from Section 230.1 to permit a sum of the side yards of 26 feet in lieu of the required 35 feet; from Section 402.1 to permit the conversion of an existing single family dwelling to a duplex; and from Section 301.1 to permit an existing open carport to project into a side yard with a setback of 4 feet in lieu of the required 11.25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The existing carport shall remain open on the three exposed sides and shall not be enclosed.

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 Date 4/9/92  
 By [Signature]

When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

[Signature]  
 TIMOTHY M. KOTROOD  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjjs

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 Date 4/9/92  
 By [Signature]

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning

Suite 113 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204 (410) 887-4386

April 9, 1992

Mr. Michael J. O'Malley  
 4242 Old North Point Road  
 Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE  
 SW/S Old North Point Road, 1340' NW of the c/l of North Point Boulevard  
 (4215 Old North Point Road)  
 15th Election District - 7th Councilmanic District  
 Michael J. O'Malley - Petitioner  
 Case No. 92-325-A

Dear Mr. O'Malley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,  
 [Signature]  
 TIMOTHY M. KOTROOD  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjjs  
 cc: People's Counsel  
 file

**Petition for Variance** 341

to the Zoning Commissioner of Baltimore County 92-325-A

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 See attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
 Strict compliance with applicable standards for this existing building conversion is unnecessarily burdensome and creates practical hardship.

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.

Legal Owner(s):  
 Michael J. O'Malley  
 [Signature]  
 (Type or Print Name)  
 Signature  
 Address  
 City and State  
 Signature

Contract Purchaser/Lessee:  
 (Type or Print Name)  
 Signature  
 Address  
 City and State  
 Signature

Attorney for Petitioner:  
 (Type or Print Name)  
 Address  
 City and State  
 Attorney's Telephone No.:

4242 Old North Point Road  
 Address Phone No.  
 Baltimore, MD 21222  
 City and State 477-0500

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
 Deft. McCune-Walker, Inc.  
 200 East Pennsylvania Avenue  
 Towson, MD 21204 296-3333  
 Address Phone No.

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 Date 4/9/92  
 By [Signature]

ESTIMATED LENGTH OF HEARING - 1/2HR. + HR.  
 AVAILABLE FOR HEARING  
 MON./TUES./WED. - NEXT TWO MONTHS  
 ALL OTHER -  
 REVISED BY: DATE

341  
 92-325-A

4215 Old North Point Road  
 Requested Variances

From Section 236.1, 233.1, 230.1 and 402.1 (DR-5.5) to enable conversion of an existing residence to a duplex dwelling with:

1. A front yard width of 60 feet in lieu of the required 80 feet.
2. A minimum side yard of 10 feet in lieu of the required 15 feet.
3. A sum of the side yards of 26 feet in lieu of the required 35 feet.

From Section 301.1 to permit an existing open carport to project into a side yard with a setback of 4 feet in lieu of the required 11.25 feet.

Michael J. O'Malley  
 4242 Old North Point Road  
 Baltimore, MD 21222  
 477-0500

DAFT-MCUNE-WALKER, INC. 200 East Pennsylvania Avenue, Towson, Maryland 21204 301 296 3333 FAX 301 296 4705  
 Land Planning & Development Consultants

92-325-A

Description to Accompany Petition for Zoning Variance  
 #4215 Old North Point Road  
 15th Election District, Baltimore County, Maryland



Land Planning  
 Engineering  
 Landscape Architecture  
 Surveying  
 Computer Design  
 Graphics

Beginning for the same at the end of the second of the two following courses and distances measured from the centerline line intersection of North Point Boulevard and Old North Point Road, (1) Northwestearily 1340 feet, more or less, and (2) South 74 degrees 19 minutes West 20.00 feet to the southwest side of Old North Point Road, 40 feet wide, thence leaving said point of beginning and running and binding on said west side of Old North Point Road, (1) North 15 degrees 41 minutes West 60.00 feet, thence leaving said west side of Old North Point Road and running the three following courses and distances, viz: (2) South 74 degrees 26 minutes West 170 feet, thence (3) South 15 degrees 41 minutes 00 seconds East 60.00 feet, more or less, (4) North 74 degrees 26 minutes East 170.00 feet, to the point of beginning; containing 0.23 acres of land, more or less.

NOTE: THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

Project No. 89094.B1 (L89094.B1)

February 19, 1992



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 111 Date of Posting: 3/11/92

Posted for: Michael J. O'Malley

Petitioner: Michael J. O'Malley

Location of property: 3414 N. Mount Airy Blvd. Baltimore, Md.

Location of Sign: 111 W. Chesapeake Avenue in Towson, Maryland 21204

Remarks: Witness

Posted by: Witness Date of return: 3/11/92

Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. March 12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 12, 1992.

THE JEFFERSONIAN,  
S. Zobe M.D.  
Publisher

\$84.39

**receipt**

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R001-6150  
Number: 111

Date: 3/17/92

Cashier Validation

Please Make Checks Payable To: Baltimore Co

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DATE: 3/17/92

Michael J. O'Malley  
4242 Old North Point Road  
Baltimore, Maryland 21222

RE:  
CASE NUMBER: 92-325-A  
3414 Old North Point Road, 1340' NW of c/1 North Point Boulevard  
4215 Old North Point Road  
15th Election District - 7th Councilmanic  
Petitioner(s): Michael J. O'Malley

Dear Petitioner(s):

Please be advised that \$ 107.39 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon  
ARNOLD JABLON  
DIRECTOR

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. March 12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 12, 1992.

NORTHEAST TIMES BOOSTER and the  
NORTHEAST TIMES REPORTER  
S. Zobe M.D.  
Publisher

\$84.39

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R001-6150  
Number: 111

Date: 3/17/92

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

MARCH 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-325-A  
3414 Old North Point Road, 1340' NW of c/1 North Point Boulevard  
4215 Old North Point Road  
15th Election District - 7th Councilmanic  
Petitioner(s): Michael J. O'Malley  
HEARING: THURSDAY, APRIL 2, 1992 at 2:00 p.m.

Variance to enable conversion of an existing residence to a duplex dwelling with a front yard width of 60 feet in lieu of the required 80 feet, a minimum side yard of 10 feet in lieu of the required 15 feet, a sum of the side yards of 26 feet in lieu of the required 35 feet; and to permit an existing open carport to project into a side yard with a setback of 4 feet in lieu of the required 11.25 feet.

Lawrence E. Schmidt  
Lawrence E. Schmidt  
Zoning Commissioner of  
Baltimore County

cc: Michael J. O'Malley  
Duff-McCune-Walker

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

March 27, 1992

Mr. Michael J. O'Malley  
4242 Old North Point Road  
Baltimore, MD 21222

RE: Item No. 341, Case No. 92-325-A  
Petitioner: Michael J. O'Malley  
Petition for Variance

Dear Mr. O'Malley:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Arnold Jablon  
ARNOLD JABLON  
DIRECTOR

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 28th day of February, 1992.

Arnold Jablon  
ARNOLD JABLON  
DIRECTOR

Received By:  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Michael J. O'Malley  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration  
and Development Management

DATE: March 16, 1992

FROM: Gary Kerns, Chief  
Community and Comprehensive Planning Division  
Office of Planning and Zoning

SUBJECT: Michael J. O'Malley, Item No. 341

In reference to the applicant's request, staff offers no comment.

GK:JL:prh  
ITEM341.ZAC/ZAC1

RECEIVED  
MAR 18 1992  
ZONING OFFICE

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21284

RE: Property Owner: MICHAEL J. O'MALLEY  
Location: #4215 OLD NORTH POINT ROAD  
Item No.: 341 Zoning Agenda: MARCH 10, 1992

Gentlemen:  
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Noted and Approved  
Special Inspection Division  
File Prevention Bureau

JE/KEE

RECEIVED  
MAR 5 1992  
ZONING OFFICE

BALTIMORE COUNTY  
ECONOMIC DEVELOPMENT COMMISSION  
Memorandum

TO: Julie Winiarski  
Office of Zoning Administration and  
Development Management  
FROM: A. J. Haley, Deputy Director  
Economic Development Commission  
DATE: March 4, 1992  
RE: Zoning Advisory Comments for Meeting of March 10, 1992

This office has no comment for items 336, 337, 340, 341, 342, 344, 345 and 346.

c: Ken Nohle

RECEIVED  
MAR 5 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
DATE: March 13, 1992  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for March 10, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 337, 340, 341, 342, 344, 345 and 346.

For Item 336, the previous County Review Group Comments still apply.

Robert W. Bowling  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

RECEIVED  
MAR 17 1992  
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Rahee J. Famili  
SUBJECT: Z.A.C. Comments  
Z.A.C. MEETING DATE: March 10, 1992  
ITEM NUMBER: 341

RECEIVED  
MARCH 3 1992  
ZONING COMMISSIONER

Access to this site should be limited to a single driveway.

Rahee J. Famili  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

Order issued prior  
to receipt of comments  
lp

RECEIVED  
APR 8 1992  
ZONING OFFICE

ZONING COMMISSIONER - WITNESS FORM

NAME: George E. GARDELLIS  
ADDRESS: 200 EAST PENNSYLVANIA AVE  
COMPANY: Duff McCune Walker  
ADDRESS: Towson, Md 21284  
REPRESENTING: Michael J. O'Malley  
SUPPORTING: PETITIONER  PROTESTANT   
TESTIMONY:

ZONING COMMISSIONER'S POLICY MANUAL

402 CONVERSION OF A SINGLE FAMILY DWELLING INTO APARTMENTS

Conversions of single family homes in the D.R. (Density, Residential) zones into apartments shall be determined in a case by case review. Dwellings in R.C. zones are not included in this policy and cannot be converted to apartments.

**Background**  
Prior to the adoption of the 1955 Baltimore County Zoning Regulations, many of the homes were built on a much larger scale (both dwelling and lots) than was common at that time. The County Council took this factor into account when in 1955 they adopted Section 402, B.C.Z.R. which established setbacks, lot width and area standards as special conditions to allow conversions of these large single-family homes into apartments, as a matter of right.

Under the authority of Section 402, conversions of existing one family dwellings to multi-family dwellings are permitted in the D.R. zones, subject to the dimensional and area standards and the following policy:

402.1 **Eligibility**  
A dwelling may be converted to multi-family occupancy only after a five year occupancy as a single family dwelling.

**A. Conditions**

- If the setbacks or the lot width standards are deficient, a variance (public hearing) may be requested.
- If the lot area is deficient, the conversion cannot be approved. (Lot area can affect density and density cannot be variances.) Lot area is 10,200 sq ft.
- Conversions are not subject to the Residential Transition Area (R.T.A.) standards.

**B. Interpretation**

- The application of this policy may be subject to a special hearing by the Zoning Commissioner to confirm the good faith occupancy.
- If it is unclear or there is disagreement as to whether a dwelling is a single family dwelling, the most important determining factor would be the existence or proposal of more than one kitchen. (This is not to say that a single family dwelling cannot have two kitchens; i.e., a summer basement kitchen or a patio kitchen, etc.) Other factors would include, but would not necessarily be limited to, the floor plan or layout of the living quarters, partitioning, and the owner's intent.
- See the following cases: 84-225-A (conversion with deficient setbacks)

Section 402--CONVERSION OF DWELLINGS [B.C.Z.R., 1955.]  
For residential use: [B.C.Z.R., 1955.]

402.1--The converted dwelling must be located on a lot that will meet the dimensional requirements shown in the schedule which follows. [B.C.Z.R., 1955.]

402.2--Separate cooking facilities and a separate bathroom shall be provided for each family unit. [B.C.Z.R., 1955.]

CONVERSION OF ONE-FAMILY DWELLINGS<sup>2</sup>  
MINIMUM DIMENSIONS

Zone	Width of Lot in Feet at Front Building Line			Lot Area in Square Feet		Side Yards--Feet	
	Duplex	Semi-Detached	Each Add. Fam.	Two Families	Each Add. Family	Min. for One	Sum of Both
R-40 <sup>4</sup>	175	175	25	50,000	10,000	Interior--25 Corner--50	Interior--60 Corner--75
R-20 <sup>4</sup>	125	125	25	25,000	7,500	Int.--20 Cor.--35	Int.--50 Cor.--60
R-10 <sup>4</sup>	90	100	15	12,500	4,000	Int.--20 Cor.--30	Int.--40 Cor.--50
R-6 <sup>4</sup>	80	90	15	10,000 10,200	3,000	Int.--15 Cor.--25	Int.--35 Cor.--40
R.G. <sup>4</sup>	70	80	10	8,050 9,200	2,500	Int.--15 Cor.--25	Int.--30 Cor.--40
R.A. <sup>4</sup>	70	80	10	8,050 9,200	2,500	Int.--15 Cor.--25	Int.--30 Cor.--40

lot 26's width

Aerial



**GENERAL NOTES**

- Owner: Michael J. O'Malley  
424 Old North Point Road  
Baltimore, MD 21222  
(410) 477-0500
- Election District: 15, Councilmanic District: 7,  
Census Tract: 4524
- Watershed: 21, Subwatershed: 41
- Site Data:  
Current Zoning and Acreage:  
Gross = 11,400 sq. ft. ± or 0.26 Ac. ± of BR-IM  
(Included 20' right-of-way Old North Point Road)  
Net = 10,200 sq. ft. ± or 0.23 Ac. ± of BR-IM
- There are no existing streams, bodies of water or 100 year floodplains on this site.
- Variations requested:  
Section 236.1, 233.1 and 230.1 and  
Section 402.1 (DR 5.5)  
A variance to enable conversion of an existing dwelling to a duplex with:  
1. A front yard width of 60 feet in lieu of the required 50 feet.  
2. A minimum side yard of 10 feet in lieu of 15 feet.  
3. A sum of the side yards of 26 feet in lieu of the required 35 feet.  
Section 301.1  
A variance to permit an open carport to project 12 feet into a required minimum yard in lieu of 3.75 feet.
- Immediately adjoining residential zone is DR 5.5.

Original Base Plan and Surveyors Seal issued by Hopkins Engineering. Additions made to the plan by Daft-McCune-Walker, Inc. are marked by and are the responsibility of Daft-McCune-Walker, Inc.

**LOCATION SURVEY** (food zone: C)  
RECORD REFERENCE: LIBER 8490 FOLIO 606  
DATE: 12/18/91  
PLAN NO. OLDNORPT  
COUNTY: BALTO COUNTY  
FILE AREA: B2

**HOPKINS ENGINEERING**  
18 BRIGBT STAR COURT  
BALTIMORE, MARYLAND 21206  
PHONE: 410 866 8226

**DAFT - McCUNE - WALKER INC.**  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS & SURVEYORS  
200 E. PENNSYLVANIA AVE.  
TOWSON, MD. 21286  
TELEPHONE: (301) 296-3333

2/19/92

DMW JOB #6109451 DATE FEBRUARY 5, 1992

**VICINITY MAP** 1" = 1000'

**PORTION OF BALTIMORE COUNTY ZONING MAP SE 4 H** 1" = 200'

**PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE**  
4215 OLD NORTH POINT ROAD  
BALTIMORE COUNTY, MARYLAND

**PETITIONER'S EXHIBIT 1**

**92-325-A**

**341**

**92**

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±  
LOCATION NORTH POINT  
SHEET S.E. 4-H  
DATE OF PHOTOGRAPHY JANUARY 1986  
4215 Old North Point Road  
Michael J. O'Malley

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

#341