

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 SE/S Padonia Road, 670 ft. +/- \* ZONING COMMISSIONER  
 SW from c/l Happy Hollow Road \* OF BALTIMORE COUNTY  
 809-811 W. Padonia Road \*  
 Election District \*  
 3rd Councilmanic District \*  
 Legal Owner: James M. Donohue, \* Case No. 98-67-SPH  
 Kenneth Parrish, et al, Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the properties located at 807-811 W. Padonia Road in Cockeysville. The Petition was filed by the property owners of those lots, namely, A. Scott Parrish and Jean C. Parrish (807 W. Padonia Road), L. Gary Owens and Ivy Patterson Owens, (811 W. Padonia Road) and James M. Donohue and Maureen A. Donohue (809 W. Padonia Road). The Petitioners seek approval, pursuant to Section 26-172 of the Baltimore County Code, of a waiver of the requirements set forth in sub-Sections 26-166(1)(7)&(8) of the Baltimore County Code. The subject property and requested relief are more particularly shown on the plat to accompany the request for waiver of Public Works Standards received as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were J. Michael Donohue, Kenneth Parrish and Jean Parrish, Petitioners. Appearing in support of the Petition was Douglas W. DuVal, from DuVal and Associates, P.A., the engineers/surveyors who prepared the site plan. The Petitioners were represented by Douglas L. Burgess, Esquire. David Clinnon, representing the Knapp Meadows Community Association appeared as an interested person.

This Zoning Commissioner is familiar with this property by virtue of a prior case (95-372-A). In that case, side yard variance relief was granted on June 6, 1995 for a proposed dwelling to be located on the rear of the overall property on that portion thereof known as Parcel 574.

ORDER RECORDED FOR FILING  
 Date 10/16/97  
 By M. G. Cook

The entire property under consideration is an irregularly shaped parcel with frontage on Padonia Road, not far from Falls Road in Cockeysville. The overall tract under consideration has limited access and narrow width on Padonia Road; however, extends to a significant depth from that public road. The tract has been improved with a construction of three single family dwellings, known as 807, 809 and 811 Padonia Road. These dwellings are owned by Mr. and Mrs. Parrish, Mr. and Mrs. Donohue and Mr. and Mrs. Owens, respectively. Access to these three individual dwellings is by way of a long strip which runs along the side property line from Padonia Road to the rear of the lot. Apparently, the strip is approximately 32.33 ft. wide. Mr. and Mrs. Owens own 22 ft. thereof, and Mr. and Mrs. Parrish own 10 ft. However, the actual width of the paving of the drive is 8 to 14 ft. and this long driveway has been used by these property owners in common for many years.

Pursuant to the approval in the prior zoning case (95-372-A), Mr. and Mrs. Donohue propose the construction of a second dwelling on their property which will, likewise, use the strip for access. That dwelling will be occupied by a member of their family, namely, their son and his immediate family.

Special Hearing relief is requested to legitimize the long time use of this access strip and to permit the use of the driveway by the owners of the proposed new dwelling. Section 26-172 allows the Zoning Commissioner/Hearing Officer to grant a waiver of Division 4 of the Development Regulations of Baltimore County. The specific waiver requested in this case is to; (1) allow a panhandle strip of 32.33 ft. in lieu of the required 40 ft. for 4 panhandle lots; (2) to approve access on an existing right of way instead of an in fee strip; (3) to allow an unpaved trash collection area in lieu of the required paved area; and (4) to allow a

ORDER RECEIVED FOR FILMS  
Date 10/14/97  
By [Signature]

crusher run surface of 12 to 14 ft. in width in lieu of the bituminous durable and dustless surface.

Testimony and evidence offered at the hearing was that the Petitioners are seeking only to legitimize the long standing arrangement which has well served these four properties. It was also indicated that the volume of traffic using the strip is minor and the additional traffic which will result from the construction of the fourth dwelling will not overburden the existing driveway. Additionally, Mr. Burgess submitted written confirmation from the Department of Public Works and Fire Department that the requested waivers were recommended by those departments and acceptable to them. Apparently, the Petitioners have reached an agreement with the Department of Public Works and the Fire Department on the means to be adopted to ensure that adequate access is available for emergency vehicles and that the spirit and intent of Public Works standards are met. Thus, these agencies now support the waiver.

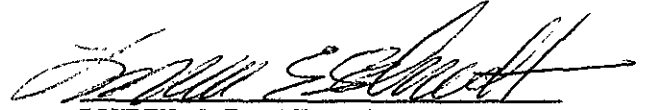
Based upon the testimony and evidence presented, all of which is uncontradicted, I am persuaded to grant the Petition for Special Hearing. In my judgment, this legitimization of a long time existing use of the driveway is appropriate. Thus, utilization of the driveway, in accordance with that show on the site plan (Petitioners' Exhibit No. 1) shall be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of October 1997 that, pursuant to the Petition for Special Hearing, approval under Section 26-172 of the Baltimore County Code, for a waiver of the requirements set forth in sub-Sections 26-166(1)(7)&(8) of the Code, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING  
Date 10/14/97  
By M. Good

Any appeal from this decision must be taken in accordance with the applicable provisions set forth in Section 26-132 of the Baltimore County Code.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING  
Date 10/14/97  
By M. Gorak



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

October 14, 1997

Douglas L. Burgess, Esquire  
Suite 700, Nottingham Centre  
502 Washington Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 98-67-SPH  
Property: 807-809-811 W. Padonia Road  
Kenneth Parrish, et al, Petitioners

Dear Mr. Burgess:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered 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 the Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
encl.

c: J. Michael Donohue  
Kenneth Parrish  
L. Gary Owens



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County  
for the property located at 809-811 West Padonia Road  
which is presently zoned RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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, petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Waiver of Public Works Standards per attached letter dated July 29, 1997 and Plan dated July 29, 1997

*Balto. Co. Code § 26-172 WAIVER OF DIVISION FOUR  
REGULATION § 26-266 (1)(7)(8)*

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/Lessee: (for parcel 574 only)

Legal Owner(s): \*(See attached for additional Owners)

Kenneth Parrish  
(Type or Print Name)

James M. Donohue  
(Type or Print Name)

*Kenneth Parrish*  
Signature

*James M. Donohue*  
Signature

807 West Padonia Road  
Address

Maureen A. Donohue  
(Type or Print Name)

Cockeysville, Maryland 21030  
City State Zip Code

*Maureen A. Donohue*  
Signature

Attorney for Petitioner:

809 West Padonia Road  
Address Phone No.

Douglas L. Burgess  
(Type or Print Name)

Cockeysville, Maryland 21030  
City State Zip Code

Name, Address and phone number of representative to be contacted.

Douglas L. Burgess  
Nolan, Plumhoff & Williams, Chartered

*Douglas L. Burgess*  
Signature

Name  
Suite 700, Nottingham Centre  
502 Washington Avenue  
Towson, MD 21204  
Address Phone No. 410-823-7800

Suite 700, Nottingham Centre  
502 Washington Avenue 410-823-7800  
Address Phone No.

Towson MD 21204  
City State Zip Code

Office Use Only  
ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_  
REVIEWED BY: *Jem* DATE 8-19-97



67

**PETITION FOR SPECIAL HEARING**  
to the Zoning Commissioner of Baltimore County  
for the property located at 809-811 West Padonia Road  
Which is presently zoned RC 5

Additional Legal Owners:

Lyell Gary Owens  
(Type or print name)

*Lyell Gary Owens*  
(Signature)

Ivy Patterson Owens  
(Type or print name)

*Ivy Patterson Owens*  
(Signature)

811 West Padonia Road  
(Address) (Phone No.)

Cockeysville, Maryland 21030  
(City) (State) (Zipcode)

A. Scott Parrish  
(Type or print name)

*A. Scott Parrish*  
(Signature)

Jean C. Parrish  
(Type or print name)

*Jean C Parrish*  
(Signature)

807 West Padonia Road 410 252 4899  
(Address) (Phone No.)

Cockeysville, Maryland 21030  
(City) (State) (Zipcode)

67

Waiver Request, Donohue Property, Item 00-67

Waiver Request:

Waivers pursuant to Baltimore County Code Section No. 26-172 to allow waivers of Division four development regulations contained in Baltimore County Code Section No. 26-266 (1), (2), (7), and (8).


Section No. 26-266 (1): A waiver to allow a Panhandle strip of 32.33 ft. in the new of the required 40 feet to serve four Panhandle lots.

Section No. 26-266 (2): A waiver to approve access through an existing right of way instead of an in fee strip.

Section No. 26-266 (7): A waiver to allow an unpaved trash collection area.

Section No. 26-266 (8): A waiver of public works standards to allow a crusher run surface of 12 to 14 feet in width in lieu of the existing 8 to 14 feet in width, and to allow a crusher run surface in lieu of bituminous. Fire Department turnarounds/ backing area are requested to be as shown on the plan filed herewith.

Respectfully submitted,

  
Douglas L. Burgess



NEWTON A. WILLIAMS  
THOMAS J. RENNER  
WILLIAM P. ENGLEHART, JR.  
STEPHEN J. NOLAN\*  
ROBERT L. HANLEY, JR.  
ROBERT S. GLUSHAKOW  
DOUGLAS L. BURGESS  
ROBERT E. CAHILL, JR.  
C. WILLIAM CLARK  
E. BRUCE JONES\*\*  
STUART A. SCHADT

\* ALSO ADMITTED IN D.C.  
\*\* ALSO ADMITTED IN NEW  
JERSEY

Law Offices  
**NOLAN, PLUMHOFF & WILLIAMS**  
CHARTERED  
SUITE 700, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4528  
(410) 823-7800  
TELEFAX: (410) 296-2765

JAMES D. NOLAN  
(RETIRED 1980)

J. EARLE PLUMHOFF  
(1940-1988)

RALPH E. DEITZ  
(1918-1990)

WRITER'S DIRECT DIAL  
(410) 823-7857

July 29, 1997

BY HAND DELIVERY

Mr. Donald T. Rascoe  
Development Manager  
Department of Permits and  
Development Management  
Room 123  
111 Chesapeake Avenue  
Towson, Maryland 21204

RE: Waiver Request - Access Easement Waiver of Public Works Standards

Dear Mr. Rascoe:

It is my pleasure to represent James M. Donohue and Maureen A. Donohue in their waiver request from the Bureau of Public Services Standards

Pursuant to the attached Plan labelled Owens-Donohue Properties, with a last revision date of July 8, 1997, there is a proposed new lot South of Mr. and Mrs. Donohue's home.

That lot has been approved as a lot line adjustment per action of the DRC (No. 8023E) on August 9, 1993 pursuant to letter dated August 13, 1993. A copy of said approval letter is attached hereto.

The purpose of this letter is to request a waiver of Public Works Standards for the access related to said previous DRC approval.

The proposed access, as shown on the Plan, is for a private drive shared right of way of 32.33 feet in width, improved by a packed, smooth crusher run surface of 12 to 14 feet in width. Four (4) houses will share the access by means of a cross easement agreement that will be recorded in the Land Records.

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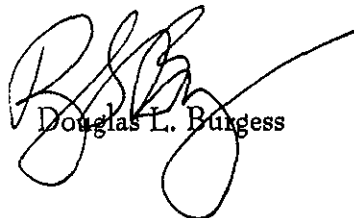
Mr. Donald T. Rascoe  
July 29, 1997  
Page Two

Fire Department access and turn around will be accomplished by the 20 foot x 30 foot tee turnaround, as shown on the plan and 16 foot of crusher run at the ultimate end of the private driveway when it devolves and turns into the lot of the ultimate end user of the private drive.

This plan has been shown and approved by Bob Bowling and Lieutenant Sauerwold prior to its submission to the DRC.

I would appreciate your approval of this waiver request.

Very truly yours,



Douglas L. Burgess

DLB/caw

Enclosures

cc: J. Michael Brennan, Esquire (Counsel for Owens)  
Gordon D. Fronk, Esquire (Counsel for Parrish)  
Mr. and Mrs. J. Michael Donohue  
(All with enclosures)

67



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

August 13, 1993

RECEIVED

AUG 19 1993

GEORGE WILLIAM STEPHENS JR.  
& ASSOC., INC.

Mr. Pasquale R. Ciarlo  
George William Stephens, Jr.  
and Associates, Inc.  
658 Kenilworth Drive  
Towson, MD 21204

subject: Limited Exemption Approval  
The Donohue Property - 8C3  
DRC No. 8023E

Dear Mr. Ciarlo:

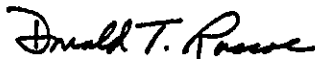
On August 9, 1993, the Development Review Committee reviewed the plan submitted on the above referenced project and determined it to be a Limited Exemption under Section 26-171(a) of the Baltimore County Development Regulations. This exempts your development from Division 2 of these regulations; however, compliance with Divisions 3, 4 and 5 is still required, as is compliance with all applicable zoning regulations.

Please be advised that additional requirements may need to be fulfilled prior to approval of a building permit. You may contact Environmental Impact Review of the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) at 887-2980 for details.

Accordingly, you may apply for a building permit with the Department of Permits and Licenses, in the County Office Building, Room 100, 111 West Chesapeake Avenue, Towson, MD. A copy of this Limited Exemption Approval letter should be presented when making application.

If you have any questions, please feel free to call me at 410-887-3353.

Respectfully,



Donald T. Rascoe, Manager  
Development Management

DTR:KAK:ggl

c: DEPRM/GWM - Att: Larry Pilson, Chief

OPZ - Att: Carolyn Beatty - M.S. 3402

DONOHUE/TXTGGL



**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 in Towson, Maryland on the property identified herein as follows:

Case: #98-67-SPH  
809-811 W. Padonia Road -  
SE/S Padonia Road 670 +/-  
SW from c/ Happy Hollow  
Road

8th Election District

3rd Councilmanic

Legal Owner(s):

James M. Donohue, Maureen  
A. Donohue, Lyell Gary  
Owens, Ivy Patterson Owens,  
A. Scott Parrish and Jean C.  
Parrish

Contract Purchaser(s), Ken-  
neth Parrish (for parcel 574  
only)

**Special Hearing:** to approve  
a waiver of Division four devel-  
opment regulations to allow a  
panhandle strip of 32.33 feet  
in lieu of the required 40 feet  
to serve 4 panhandle lots; to  
approve access through an  
existing right-of-way instead  
of an in-fee strip; to allow an  
unpaved trash collection area;  
and a waiver of public works  
standard for driveway width, a  
crusher run surface in lieu of  
bituminous, and turnarounds/  
backing area as shown on the  
plan.

**Hearing: Friday, September  
19, 1997 at 2:00 p.m., Room  
106 County Office Building,  
111 W. Chesapeake Avenue.**

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible; for  
special accommodations  
Please Call (410) 887-3353.

(2) For information concern-  
ing the File and/or Hearing,  
Please Call (410) 887-3391.

9/076 Sept 4 C170955

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Sept. 4, 19 97

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 Sept. 4, 19 97.

**THE JEFFERSONIAN,**

*A. Henikson*

**LEGAL AD. - TOWSON**

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

67

No.

043327

DATE 8-19-97 ACCOUNT Rec 6150

AMOUNT \$ PP

RECEIVED FROM: J Donohue 109-811 W. Pasadena Rd

FOR: COIA WAIVER (SPH)

OK. per DON RASCOE  
Den DM.

DRC #08187B

Waiver

JCM

CONTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

CASHIER'S VALIDATION

Doug will provide  
current receipt from  
DRC waiver

DRC #  
08187B

Sophia  
8/26/97

# CERTIFICATE OF POSTING

RE: Case No.: 98-67 SPN

Petitioner/Developer: J.M. DONAHUE, ETAL  
1/0 N. P. W. - MR. BURGESS  
MR. NOLAN

Date of Hearing/Closing: 9/19/97

C 2:00 PM  
RM-106 COB

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #809 to 811 W. PADONIA RD.

The sign(s) were posted on 9/3/97  
(Month, Day, Year)

FIXED  
Sincerely,

Patrick M O'Keefe 9/10/97  
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

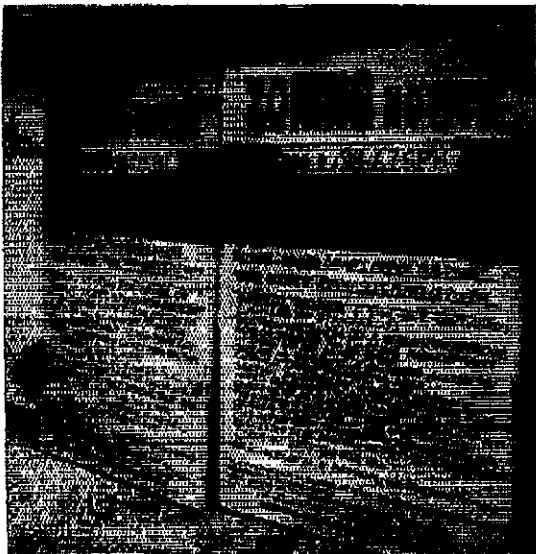
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354



98-67-SPN  
J.M. DONAHUE - 410-560-2430  
#809-11 W. PADONIA RD.  
H-9/19/97

Post-it* Fax Note	7671	Date	9/19/97	# of pages	1
To	NOLAN etc.	From	O'KEEFE		
Co./Dept.		Co.			
Phone #	823-2800	Phone #	905-8571		
Fax #	823-7856	Fax #			



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 67

Petitioner: J. Michael Donohue

Location: 809 - 811 WEST PADONIA ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: J. Michael Donohue

ADDRESS: 809 WEST PADONIA ROAD

LOCKEYSVILLE, MD 21030

PHONE NUMBER: 410 - 560 - 2430

AJ:ggs

(Revised 09/24/96)



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \*

Format for Sign Printing, Black Letters on White Background:

# ZONING NOTICE

Case No.: 98-67-SPH.

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \*

DATE AND TIME: \*

REQUEST: ~~FOR~~ SPECIAL HEARING FOR A ~~WAIVER~~  
A WAIVER OF PUBLIC WORKS STANDARDS  
FOR THE ~~EXISTING~~ PRIVATE DRIVE ~~FOR~~ FOR  
MINIMUM WIDTH ~~AND~~ ~~AND~~ OF 12 ft. AND  
A CRUSHER RUN SURFACE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

**HANDICAPPED ACCESSIBLE**

TO: PUTUXENT PUBLISHING COMPANY  
September 4, 1997 Issue - Jeffersonian

Please forward billing to:

J. Michael Donohue  
809 West Padonia Road  
Cockeysville MD 21030  
410-560-2430

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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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-67-SPH  
809-811 W. Padonia Road  
SE/S Padonia Road, 670'+/- SW from c/l Happy Hollow Road  
Legal Owners(s): James M. Donohue, Maureen A. Donohue, Lyell Gary Owens, Ivy Patterson Owens, A. Scott Parrish and Jean C. Parrish  
Contract Purchaser(s): Kenneth Parrish (for parcel 574 only)

Special Hearing to approve a waiver of Division four development regulations to allow a panhandle strip of 32.33 feet in lieu of the required 40 feet to serve 4 panhandle lots; to approve access through an existing right-of-way instead of an in-fee strip; to allow an unpaved trash collection area; and a waiver of public works standard for driveway width, a crusher run surface in lieu of bituminous, and turnarounds/backing area as shown on the plan.

HEARING: FRIDAY, SEPTEMBER 19, 1997 at 2:00 p.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1997

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 in Towson, Maryland on the property identified herein as follows:

FILE NUMBER: 98-67-SPH  
909-811 W. Padonia Road  
SE/S Padonia Road, 670'+/- SW from c/l Happy Hollow Road  
Legal Owners(s): James M. Donohue, Maureen A. Donohue, Lyell Gary Owens, Ivy Patterson Owens, A. Scott Parrish and Jean C. Parrish  
Contract Purchaser(s): Kenneth Parrish (for parcel 574 only)

Special Hearing to approve a waiver of Division four development regulations to allow a panhandle strip of 32.33 feet in lieu of the required 40 feet to serve 4 panhandle lots; to approve access through an existing right-of-way instead of an in-lot strip; to allow an unpaved trash collection area; and a waiver of public works standard for driveway width, a crusher run surface in lieu of bituminous, and turnarounds/backing area as shown on the plan.

HEARING: FRIDAY, SEPTEMBER 19, 1997 at 2:00 p.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: James and Maureen Donohue  
Kenneth Parrish  
Douglas Burgess, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 4, 1997.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1997

Douglas L. Burgess, Esquire  
Suite 700, Nottingham Centre  
502 Washington Avenue  
Towson, MD 21204

RE: Item No.: 67  
Case No.: 97-67-SPH  
Petitioner: James Donohue, et ux

Dear Mr. Burgess:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:           Arnold Jablon, Director  
              Department of Permits & Development  
              Management

Date:   Sept. 8, 1997

FROM:         Robert W. Bowling, Chief  
              Bureau of Developer's Plans Review

SUBJECT:      Zoning Advisory Committee Meeting  
              for September 8, 1997  
              Item No. 067

              The Bureau of Developer's Plans Review has reviewed the subject zoning item. The existing private driveway should be blacktopped to a 16-foot-wide width.

RWB:HJO:jrb

cc:   File

ZONE908.067

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 8/29/97

FROM: R. Bruce Seeley. *RBS/SP*  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: SEP 2, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	66	74
	67	75
	69	76
	71	77
	72	
	73	

RBS:sp

BRUCE2/DEPRM/TXTSBP

POM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits  
and Development Management

DATE: August 26, 1997

FROM: Arnold F. "Pat" Keller, III, Director  
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

Item Nos. 67, 71 & 75

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

AFK/JL



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

9-5-97

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building  
Room 109  
Towson, Maryland 21204


RE: Baltimore County  
Item No. 067 (JCM)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as the proposed development is not located on a State roadway and there are no impacts to any SHA facilities.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202





Baltimore County  
Fire Department



Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

August 3, 1997

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: JAMES M. DONOHUE AND MAUREEN A. DONOHUE &  
LYELL GARY OWENS & IVY PATTERSON OWENS & A. SCOTT PARRISH  
& JEAN C. PARRISH

Location: DISTRIBUTION MEETING OF SEPTEMBER 2, 1997

Item No.: 067                      Zoning Agenda:

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.

6. Site Plans are Approved, as drawn.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 809-811 W. Padonia Road, SE/S Padonia Rd, \* ZONING COMMISSIONER  
 670'+/- SW from c/l Happy Hollow Road \*  
 Legal Owners(s): James M. Donohue, et al. \* OF BALTIMORE COUNTY  
 Contract Purchaser(s): Kenneth Parrish \*  
 (For parcel 574 only) \* CASE NO. 98-67-SPH  
 \* Petitioners \* \* \* \* \* \* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
 PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

Carole S. Demilio  
 CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30<sup>th</sup> day of September, 1997, a copy of the foregoing Entry of Appearance was mailed to Douglas L. Burgess, Esq., 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
 PETER MAX ZIMMERMAN

NEWTON A. WILLIAMS  
THOMAS J. RENNER  
WILLIAM R. ENGLEHART, JR.  
STEPHEN J. NOLAN\*  
ROBERT L. HANLEY, JR.  
ROBERT S. GLUSHAKOW  
STEPHEN M. SCHENNING  
DOUGLAS L. BURGESS  
ROBERT E. CAHILL, JR.  
C. WILLIAM CLARK  
E. BRUCE JONES\*\*  
STUART A. SCHADT

LAW OFFICES  
**NOLAN, PLUMHOFF & WILLIAMS**

**CHARTERED**

SUITE 700, NOTTINGHAM CENTRE  
502 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204-4528  
(410) 823-7800  
TELEFAX: (410) 296-2765

JAMES D. NOLAN  
(RETIRED 1980)

J. EARLE PLUMHOFF  
(1940-1988)

RALPH E. DEITZ  
(1918-1990)

WRITER'S DIRECT DIAL  
823-

\*ALSO ADMITTED IN D.C.  
\*\*ALSO ADMITTED IN NEW JERSEY

**TELECOPY COVER PAGE**

**DATE:** 9-18-97

**CLIENT MATTER NO.:**

**TO:** Thomas Hamer 410-887-2931  
Robert Bolling 410-887-3406

**FROM:** Douglas L. Burgess/Newton A Williams

**RE:** Donohue, No. 98-67-SPH- 809/811 W Padonia Road  
Confirmation - Waiver of Standards - hearing - Friday, September 19, 1997

**TELEPHONE NUMBER TO CONFIRM RECEIPT:**

**TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET):** 1

**IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL MARCIE @  
(410)823-7800.**

**Gentlemen:**

Newton Williams and I thank you for your confirmation that this long existent, well functioning pan handle need not be widened beyond 12 to 14 feet, or further paved. We are pleased that the Fire Department is in agreement. We will present this to the Commissioner at the hearing on Friday, September 19, 1997. Thank you.

**DLB**

**FAX CC: Mr. and Mrs. James Donohue 410-560-2427**

**"WARNING: Unauthorized interception of this telephonic communication could be a violation of Maryland and Federal Law."**

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PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DOUGLAS L. BURGESS

Douglas W. DuVal

J. Michael Dowolue

KEN PARRISH

Jan PARRISH

~~200~~ 502 WASHINGTON AVE. <sup>Towson</sup> 21204

8 Edgewood Ct. Phoenix, MD 21131

809 Padonia Rd Cockeysville MD 21030

807 W PADONIA ROAD COCKEYSVILLE MD 21030

807 PADONIA RD COCKEYSVILLE 21030



**ZONING MAP**  
OWENS-DONOHUE PROPERTIES  
809-815 W. PADONIA RD.  
MAP NW-15C 1"=200'

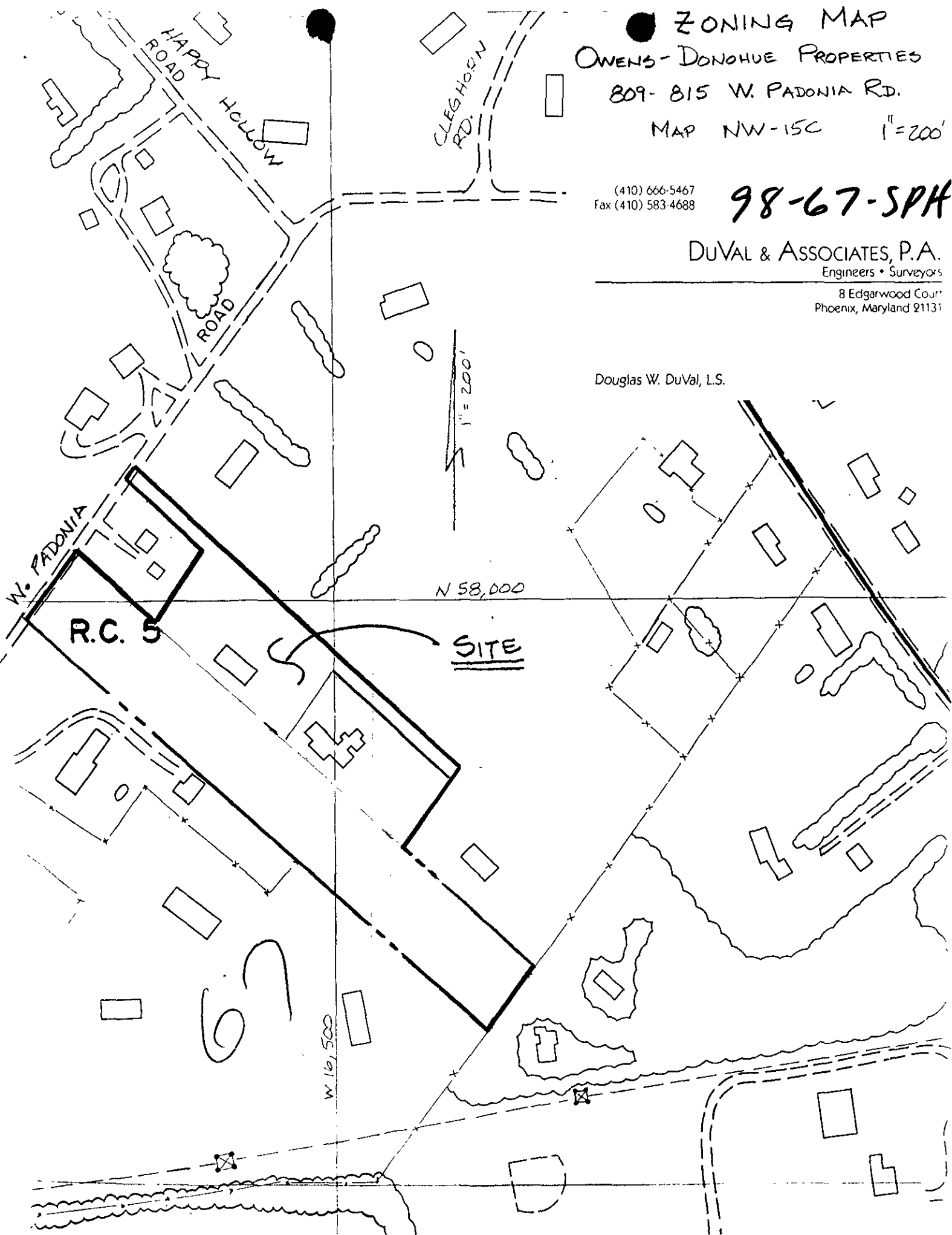
(410) 666-5467  
Fax (410) 583-4688

**98-67-SPH**

**DuVAL & ASSOCIATES, P.A.**  
Engineers • Surveyors

8 Edgarwood Court  
Phoenix, Maryland 21131

Douglas W. DuVal, L.S.



98-67-5PH

- WAIVER NOTES
- Four lots will use the common access drive
  - 22.33 feet is requested, in lieu of required 40 feet
  - 12-14 of improved travel area is requested, in lieu of required 16 feet
  - Proposed driveway surface to be requested, in lieu of required 16 feet
  - All serviced lots are well and septic. There are no public utilities in this part of Padonia Road.
  - Mutual use by the lots will be by use in common
  - Land Records Department Area is shown on plan and has been approved by the Department of Planning and Public Works.
  - Tract pad (unpaved) and Mail pad are provided as shown hereon.

OWENS - 3  
 DONOHUE PROPERTIES  
 807-015 W. PADONIA RD.  
 JULY 27, 1993  
 3rd ELECTION DISTRICT  
 MAY 10, 1993  
 AUG. 18, 1993

PLAN TO ACCOMPANY WAIVER REQUEST  
 OF PUBLIC WORKS STANDARDS  
 FOR COMMON ACCESS DRIVE

EXHIBIT 1  
 PERMITTED

DEED REF.	OWENS AREAS	DONOHUE AREAS	TOTALS
57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	6741.26	586.80	7328.06
	61,401	40,297	101,698
	130,971	149,219	280,190
	250,857	57,386	308,243

- NOTES:
- OWENS: JAMES M. & MARGARET A. DONOHUE 807 W. PADONIA RD., ROCKERSVILLE 2000. LITTLE G. & IVY OWENS 807 W. PADONIA RD., ROCKERSVILLE 2000. ALL W. PADONIA RD., ROCKERSVILLE 2000.
  - TIME REF: 586.80 (DW) 6741.26 (OWENS)
  - ZONING: RCS MAP REF: NW 15-C
  - TRACT SIZE: SEE TABLE BELOW
  - SUBJECT PROPERTY AND ADJOINING PROPERTIES SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS.
  - NOT IN CHEAPPEAKE DW CRITICAL AREA
  - TAX MAP SI, BLK 11, P 348 08-06-000001 MAP 7 19-00-014140 OWENS
  8. SIDEYARD VARIANCE GRANTED 6-7-93 (SEE CASE NO. 95-372-A)
  - INITIAL DRC (No. 8023B) on Aug. 9, 1993 (SEE LETTER DATED AUG 13, 1993) DRC Meeting for Public Works Standards Waiver held Aug 16, 1993.

