

RE: PETITION FOR VARIANCE TO ZONING REGULATIONS S.S. Reisterstown Road 10831 S. S. St. Thomas Lane, 3rd District - Florence A. Bowen, Petitioner

BEFORE: COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 4712-V

OPINION

The petitioner herein seeks a variance to permit a three family dwelling in an "R-10" Zone. She relies on Sections 206.1, 206.2 and 402.1 to support her contention that she is, in effect, merely requesting relief from certain area regulations contained in Section 402.1, which section permits the conversion of one family dwelling under certain circumstances.

Since there is no existing building on the petitioner's lot, the provisions of Section 402.1 are inapplicable. The Board has no power to vary the uses permitted under Section 206.1. The variance is, therefore, denied.

ORDER

For the reasons set forth in the foregoing opinion, it is this 10th day of December, 1959, by the County Board of Appeals, ORDERED that the variance requested be and the same is hereby denied.

Any appeal from this decision must be in accordance with Rule No. 1101 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
John T. Adams
John C. Williams

FILING INDEX
 No. 4712-V
 3rd Dist.
 4712-V

4712-V

RE: PETITION OF FLORENCE A. BOWEN, FOR VARIANCE TO ZONING REGULATIONS S.S. Reisterstown Road, 10831 S. S. St. Thomas Lane, 3rd District -

BEFORE: ZONING COMMISSIONER OF BALTIMORE COUNTY No. 4712-V

Upon hearing on petition for a variance to the Zoning Regulations of Baltimore County to permit a three-family dwelling in an "R-10" Zone instead of allowable one-family dwelling, Section 307 of the Regulations provides as follows:

Section 307 - Variances

The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from area and height regulations in cases where strict compliance with the said regulations in County would result in practical difficulty or unreasonable hardship. However, any such variance shall be granted only if in strict harmony with the spirit and intent of said Regulations, and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare. Before granting any such variance, the Zoning Commissioner shall require notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance, subject, however, to the right of appeal to the County Board of Appeals as provided by the Zoning Regulations.

Under the above Regulations it is, therefore, impossible for the Zoning Commissioner to consider the granting of a variance allowing a three-family dwelling in an "R-10" Zone.

It is this 19th day of August, 1959, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid variance should be and the same is hereby denied.

John T. Adams
 Zoning Commissioner of Baltimore County

PETITION FOR VARIANCE TO THE ZONING REGULATIONS

IN THE MATTER OF: MISS FLORENCE A. BOWEN

BEFORE THE: ZONING COMMISSIONER OF BALTIMORE COUNTY

For Variance to the Zoning Regulations To the Zoning Commissioner of Baltimore County

Miss Florence A. Bowen Legal Owner of the property hereinafter described hereby petition for a variance to the Zoning Regulations for Baltimore County.

The Zoning Regulation to be accepted is as follows: Section 206.1 - One-family detached dwellings.

The Reason for Variance: To permit a three-family dwelling instead of allowable one-family dwelling.

Property situated: All that parcel of land in the Third District of Baltimore County, being North-East side of Reisterstown Road, beginning 1083 feet Southeast of Saint Thomas Lane; thence South westerly and binding on the North-East side of Reisterstown Road 25 feet; thence North 15 degrees 40 minutes East 220 feet; thence North 15 degrees 20 minutes West 25 feet; thence South 15 degrees 10 minutes West 220 feet to the place of beginning as shown on plot plan filed with the Zoning Department.

Miss Florence A. Bowen Legal Owner
Miss Bowen on Reisterstown Road
 Owings Mills, Md.

8/17/59
 3 P.M.

1-51/211

Rec'd
 JUL 1 - 1959

ZONING DEPARTMENT OF BALTIMORE COUNTY

COUNTY OFFICE BUILDING
 111 W. CHESAPEAKE AVENUE
 BALTIMORE, MARYLAND
 W. 4300

Walter H. Adams
 Zoning Commissioner

Walter L. Beatty
 Zoning Examiner

Jeanette C. Haines
 Administrative Secretary

NOTICE OF HEARING

Miss Florence Bowen
 4249 West Owings Mills, Md.

Re: Ms. Reisterstown Rd. bvg. 10831 St. Thomas Lane-3rd District Florence Bowen-Petitioner

TIME: 3:00 P.M.
 DATE: Monday, August 17, 1959
 PLACE: Room 106, County Office Building, 111 W. Chesapeake Avenue - Towson, Maryland

Zoning Commissioner of Baltimore County

PAID - Baltimore County, Md. - Office of Finance

RECEIPT
 P-299 3775 • • • TIL - 3000
 Date: July 20, 1959

RECEIVED of: Florence A. Bowen
 LOCATION OF PROPERTY: Ms. Reisterstown Rd. bvg. 10831 St. Thomas Lane
 AMOUNT: \$30.00

Walter L. Beatty
 Zoning Examiner of Baltimore County

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 3rd Date of Posting: 8-18-59
 Posted for: Zoning Regulations
 Petitioner: Florence A. Bowen
 Location of property: 10831 S. St. Thomas Lane, 3rd District
 Location of sign: 10831 S. St. Thomas Lane, 3rd District
 Remarks: None
 Posted by: John T. Adams Date of return: 8-18-59

NOTICE OF ZONING HEARING
 3rd DISTRICT

The public is hereby notified that there will be a hearing before the Zoning Commission of Baltimore County, Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Monday, August 17, 1959, at 3:00 P.M.

The purpose of this hearing being to determine whether or not there will be a hearing before the Zoning Commission of Baltimore County, Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Monday, August 17, 1959, at 3:00 P.M. on the application of Florence A. Bowen, for a variance to the Zoning Regulations of Baltimore County, to permit a three-family dwelling in an "R-10" Zone instead of allowable one-family dwelling, Section 206.1 - One-family detached dwellings.

The Reason for Variance: To permit a three-family dwelling instead of allowable one-family dwelling.

The purpose of the petition is to permit a three-family dwelling in an "R-10" Zone instead of allowable one-family dwelling.

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS THE COMMUNITY PRESS
 Baltimore, Md. THE HERALD-ARGUS Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

August 8, 1959

THIS IS TO CERTIFY, that the annexed advertisement of John T. Adams Zoning Commissioner was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 17th day of August, 1959, that is to say the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Paul T. Magary
 Editor and Manager

Miss Florence A. Bowen
"Clear-View" on
Reisterstown Road
Owings Mills, Maryland

ST. THOMAS LA.

