

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GARY R. & MARY F. SPENCER, legal owners 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 400.1 to permit an accessory structure (Carport and Shed) to be located outside of the third of the lot farthest from the side street.

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

Shed has been erected in accordance with the building division of Baltimore County. They told me "no restrictions or permit needed if less than 100 square feet." To move building now would require dismantling.

See attached description

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 to abide by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser _____
Address: _____
Petitioner's Attorney _____
Protector's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of October, 1976, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1976, at _____ o'clock

at _____ M.
_____ Zoning Commissioner of Baltimore County.

(over)

Mr. Gary R. Spencer
Re: Item 68
November 1, 1976
Page 2

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,
Acting Chairman,
Zoning Plans Advisory Committee

NSC:JD
Enclosure

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

October 27, 1976

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

Re: Item #68 (1976-1977)
Property Owner: Gary R. & Mary F. Spencer
S/W cor. Falt Ave. & 50th St.
Existing Zoning: "M-2"
Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street.
Acres: 0.143 District: 15th

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.

Highways:

Falt Avenue and 50th Street are existing public roads. Falt Avenue is proposed to be improved in the future as a 30-foot closed section roadway on the existing minimum 40-foot right-of-way. No further improvement is proposed for 50th Street, which is improved as a 30-foot closed section on a 50-foot right-of-way. Highway right-of-way widening consisting of a fill area for eight feet at the intersection will be required in connection with any grading or building permit application.

The construction or reconstruction of concrete sidewalk, curb and gutter, entrance, apron, etc., will be the full responsibility of the petitioner.

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 Drainage:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

GARY R. SPENCER, BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
1309 Falt Avenue
Baltimore, Md. 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ day of _____, 1976.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: GARY R. & MARY F. SPENCER

Petitioner's Attorney: _____

Reviewed by: *Nicholas B. Commodari*
NICHOLAS B. COMMODARI,
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

November 1, 1976

Nicholas B. Commodari

Acting Chairman

MEMBERS:

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF PUBLIC PLANNING

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING COMMISSION

INDUSTRIAL DEVELOPMENT

Mr. Gary R. Spencer
7309 Falt Avenue
Baltimore, Maryland 21224

RE: Variance Petition

Item 68

GARY R. & MARY F. SPENCER -

Petitioners

Dear Mr. Spencer:

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 a result of this review and inspection.

These 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 appropriateness of the requested zoning.

The subject property, located on the southwest corner of Falt Avenue and 50th Street, in the 15th Election District, is improved with a one and one-half story frame dwelling in the rear. Adjacent properties surrounding this site are improved with similar type dwellings.

The petitioner is requesting a Variance to allow the existing carport and shed to remain in their present location, which is outside of the rear third of the lot farthest removed from the side street.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DOUGLAS D. MOFFATT, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 20, 1976

Item #68 (1976-1977)
Property Owner: Gary R. & Mary F. Spencer
Page 2
October 27, 1976

Water and Sanitary Sewers:

Public water supply and sanitary sewers are serving this property. Additional fire hydrant protection is required in the vicinity.

Very truly yours,

Ellsworth N. Oliver, P.E.
ELLSWORTH N. OLIVER, P.E.
Chief, Bureau of Engineering

END/ENH:PNB:SS

cc: J. Somers

M. Hunsbol

P-NE Key Sheet

5 SE 18 Box Sheet

SE 2 E Topo

96 Tax Map

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

Dear Mr. DiNenna:

Comments on Item #68, Zoning Advisory Committee Meeting, October 12, 1976, are as follows:

Property Owner: Gary R. & Mary F. Spencer
Location: SW/C Falt Ave. & 50th St.
District: 15th

Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street.
Acres: 0.143
District: 15th

Public water and sewer existing; no health hazards are anticipated.

Very truly yours,

Thomas J. Devlin
Thomas J. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts:

the above Variance should be had; and it further appearing that by reason of:

a Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of 1977, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of the following finding of facts: that the herein Petition for a Variance should be had; and it further appearing that by reason of:

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of JANUARY, 1977, that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 18, 1976

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

12 A.C. Meeting of: October 12, 1976

Re: Item 68
Property Owner: Gary R. & Mary F. Spencer
Location: SW/C Falt Ave. & 50th St.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street.

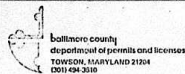
District: 15th
No. Acres: 0.143

Dear Mr. DiNenna:

No hearing on student population.

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

KSP/ml



JOHN D. SEVIERT
DIRECTOR

October 12, 1976

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

Dear Mr. DiNenna:

Comments on Item 68 Zoning Advisory Committee Meeting, October 12, 1976 are as follows:

Property Owner: Gary R. Spencer
Location: SW/C Falt Ave. & 50th St.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street.

Acres: 0.143
District: 15th

The items checked below are applicable:

- ☐ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin, if the shed exceeds 100 sq. ft.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. 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.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section

Very truly yours,

Charles E. Burdhan
Plans Review Chief



STEPHEN COLLINS
DIRECTOR

November 15, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 68 - ZAC - October 12, 1976

Property Owner: Gary R. & Mary F. Spencer
Location: SW/C Falt Ave. & 50th St.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street.

Acres: 0.143
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit an accessory structure to be located outside of the third of the lot farthest removed from the street.

Very truly yours,

Michael A. Flanigan
Traffic Engineer Associate

MSP:nc



Paul H. Reinecke
CHIEF

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

Attention: Mr. Frank Hagan
Zoning Advisory Committee

Re: Property Owner: Gary R. & Mary F. Spencer

Location: SW/C Falt Avenue & 50th Street

Item No. 68

Zoning Agenda October 12, 1976

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an asterisk 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 or 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 comply 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.

REVIEWED: [Signature] Noted and Approved: [Signature]
Planning Group Section Chief
Special Inspection Division Fire Prevention Bureau

January 4, 1977

Mr. & Mrs. Gary R. Spencer
7309 Falt Avenue
Baltimore, Maryland 21224

RE: Petition for Variance
SW corner of Falt Avenue and
50th Street - 15th Election Dis-
trict
Gary R. Spencer, et ux -
Petitioners
NO. 77-91-A (Item No. 68)

Dear Mr. & Mrs. Spencer:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/vrl

Attachments

cc: Norman R. Stone, Jr., Esquire
6905 Dunmaway
Baltimore, Maryland 21222

John W. Hession, III, Esquire
Legislative Counsel

Mr. James B. Byrnes, III, Chief
Zoning Enforcement Section



November 10, 1976

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 68, Zoning Advisory Committee Meeting, October 12, 1976, are as follows:

Property Owner: Gary R. & Mary F. Spencer
Location: SW/C Falt Ave. and 50th Street
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure (shed) to be located outside of the third of the lot farthest removed from the side street
Acres: 0.143
District: 15th

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
Planner III
Project and Development Planning

DESCRIPTION FOR VARIANCE PROPERTY OF GARY R. & MARY F. SPENCER 15TH ELECTION DISTRICT

Beginning at a point on the Southwest corner of Falt Avenue and 50th Street and being known as Lots 297 and 298 of "Harbor View", which is recorded in the Land Records of Baltimore County in Liber 5, Folio 80. Containing 6,250 square feet of land, more or less.

Also known as 7309 Falt Avenue.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Blumens, Zoning Commissioner Date: November 16, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-94-A, Petition for Variance for Accessory Structures.
Southwest corner of Fair Avenue and 50th Street
Gary R. Spencer and Mary F. Spencer - Petitioners

15th District

HEARING: Wednesday, November 24, 1976 (10:00 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

MEG:JGH:rw

RE: PETITION FOR VARIANCE
SW/C of Fair Ave. & 50th St.
15th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

GARY R. SPENCER, et al, Petitioners Case No. 77-94-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

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.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
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 9th day of November, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Gary R. Spencer, 7309 Fair Avenue, Baltimore, Maryland 21224, Petitioners.

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 11-11-76

Posted for: Gary R. Spencer 1276 G. 1st St. Bldg.

Petitioner: Gary R. Spencer

Location of property: SW/C of Fair Ave. & 50th St.

Location of Sign: 1 Sign. Bldg. on 50th St. at SW/C of Fair Ave.

Remarks:

Posted by: *M. H. Shaw* Date of return: 11-11-76

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 28 day of
Sept 1976. Filing Fee \$ 25.00 Received ☒ Cash
☐ Other

Petitioner: Gary R. Spencer Submitted by: Gary R. Spencer
Petitioner's Attorney: Reviewed by: *Eric Blumens*

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 4, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time, on the 4th day of November, 1976, the date of publication appearing on the 4th day of November, 1976.

Richard L. Jefferson
THE JEFFERSONIAN
Manager

Cost of Advertisement, \$.....

BALTIMORE COUNTY, MARYLAND No. 40424
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Sept. 28, 1976 ACCOUNT: 01-662

AMOUNT: \$25.00 (cash)

RECEIVED: Gary R. Spencer
FOR: Petition for variance

7309 Fair Avenue
Baltimore, Maryland 21224

25.00 CASH

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 40484
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

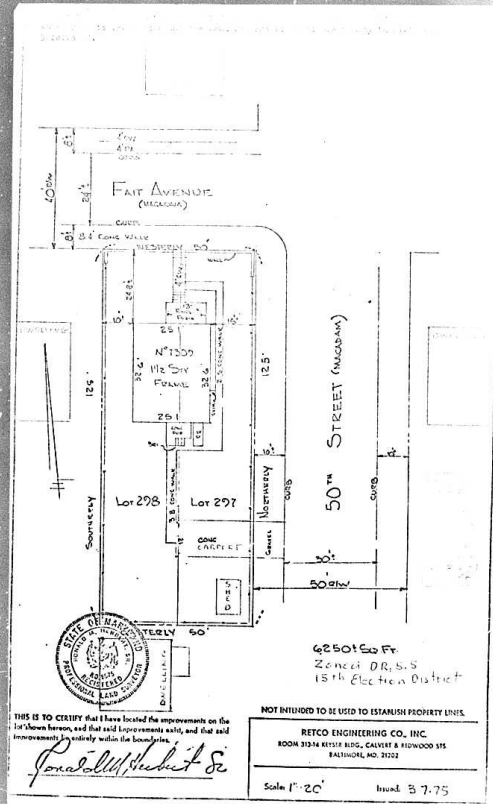
DATE: Nov. 24, 1976 ACCOUNT: 01-662

AMOUNT: \$14.00

RECEIVED: Cash - Gary Spencer
FOR: Advertising and posting of property - 77-94-A

NOV 24 1976 4.40 CASH

VALIDATION OR SIGNATURE OF CASHIER



THIS IS TO CERTIFY that I have located the improvements on the lot shown herein, and that said improvements exist, and that said improvements are entirely within the boundaries.

Donald W. Hession, III

NOT INTENDED TO BE USED TO ESTABLISH PROPERTY LINES.

RETCO ENGINEERING CO., INC.
ROOM 312 14 81151 BLVD., CALVERT & FIDWODD STS.
BALTIMORE, MD. 21202

