

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, DAVID & BARBARA FREEDLANDER owner of the property situated 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 1802.3B ("A" Residence Section C-3 - 1945 Regs.) to permit a rear yard setback of 13 feet and an average rear setback of 14 feet in lieu of the required 15 foot minimum and average of 20 feet.

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

Need addition for space now needed for larger family

NO. 79-39-A
SECTION 274
SUBJECT REAR YARD SETBACK
DATE 8/21/78
BY [Signature]
BY [Signature]

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense 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.

Contract purchaser Barbara Freedlander
David Freedlander
Legal Owner
Address 2400 Bare Road
Baltimore, Maryland 21209

Petitioner's Attorney _____
Protestant's Attorney _____

RECORDED By The Zoning Commissioner of Baltimore County, this 27th day

of June, 1978 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 property be posted, and 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 21st day of August, 1978, at 10:15 o'clock

By [Signature]
Deputy Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
Zoning Commissioner
Date: August 2, 1978

FROM: Leslie H. Gross
Director of Planning

SUBJECT: PETITION 79-39-A
Petition 79-39-A. Petition for Variance for a rear yard setback
Northwest corner of Bare Road and Old Pimlico Road
Petitioner - David and Barbara Freedlander

3rd District

HEARING: Monday, August 21, 1978 (10:15 A.M.)

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

[Signature]
Leslie H. Gross
Director of Planning

LHG:JGH/w

RE: PETITION FOR VARIANCE
NW corner of Bare Rd. and
Old Pimlico Rd., 3rd District
DAVID FREEDLANDER, et ux, Petitioners : Case No. 79-39-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 therefore, and of the passage of any preliminary or final Order in connection therewith.

[Signature]
Peter McX Zimmerman
Deputy People's Counsel

[Signature]
John W. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of July, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. David Freedlander, 2400 Bare Road, Baltimore, Maryland 21209, Petitioners.

[Signature]
John W. Heslian, III



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
491-6824

S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martiniak
Deputy Zoning Commissioner

August 23, 1978

Mr. & Mrs. David Freedlander
2400 Bare Road
Baltimore, Maryland 21209

RE: Petition for Variances
NW/Corner of Bare and Old
Pimlico Roads - 3rd Election
District
David Freedlander, et ux -
Petitioners
NO. 79-39-A (Item No. 274)

Dear Mr. & Mrs. Freedlander:

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

Very truly yours,

[Signature]
GEORGE J. MARTINIAK
Deputy Zoning Commissioner

GJM:mr

Attachment

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

John
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
Bureau of Education
Housing Administration
Industrial
Development

August 7, 1978

Mr. & Mrs. David Freedlander
2400 Bare Road
Baltimore, Maryland 21209

RE: Variance Petition
Item No. 274
Petitioner - Freedlander

Dear Mr. & Mrs. Freedlander:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed inspection of the property. 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.

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

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mr
Enclosure

Mr. & Mrs. David Freedlander
2400 Bare Road
Baltimore, Maryland 21209
Item No. 274

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 27th day of June, 1978

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner [Signature]
Petitioner's Attorney Reviewed by [Signature]
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

ORDER RECEIVED FOR FILING
DATE August 23, 1978
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following findings of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner.

the above Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community. Variance to permit a rear yard setback of 13 feet in lieu of the required 15 feet, with an average setback of 14 feet in lieu of the required 20 feet, should be granted.

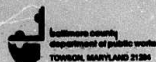
Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of August, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and Deputy Zoning Commissioner of Baltimore County the Office of Planning and Zoning.

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of August, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. SQUARLES, P.E.
DIRECTOR

August 2, 1978

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

Re: Item #274 (1977-1978)
Property Owner: David & Barbara Freedlander
N/W cor. Bare Rd. & Old Pinlick Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.
Acres: 0.196 District: 3rd

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.

General:

Baltimore County highway and utility improvements are not directly involved.

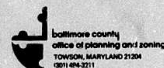
Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

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.

Very truly yours,

Edward M. Dwyer, Jr.
Baltimore, Md. D.P.W., P.E.
Chief, Bureau of Engineering

ENC: BSM's 1/388
O-W Key Sheet
50 NW 12 Pos. Sheet
NW 8 C Topo
79 Tax Map



LESLIE H. GRAY
DIRECTOR

July 27, 1978

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

Dear Mr. DiNenna:

Comments on Item #274, Zoning Advisory Committee Meeting, June 27, 1978, are as follows:

Property Owner: David & Barbara Freedlander
Location: NW/C Bare Road and Old Pinlick Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.
Acres: 0.196 District: 3rd

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 ensure that all parties are made aware of plan 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. Wimbly, Jr.
John L. Wimbly
Planner III
Current Planning and Development



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

July 31, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 274, Zoning Advisory Committee Meeting of June 27, 1978.

Property Owner: David & Barbara Freedlander
Location: NW/C Bare Rd. & Old Pinlick Rd.
Acres: 0.196
District: 3rd
Existing Zoning: D.R. 5.5

Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.

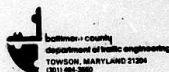
Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/STP:ph

SEC 35 118



STEPHEN E. COLLINS
DIRECTOR

July 20, 1978

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

Item No. 274 - SMC - June 27, 1978
Property Owner: David & Barbara Freedlander
Location: NW/C Bare Road & Old Pinlick Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.
Acres: 0.196
District: 3rd

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SDK/jms



Paul H. Rincke
CHIEF

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

Attention: H. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: David & Barbara Freedlander

Location: NW/C Bare Rd. & Old Pinlick Rd.

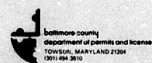
Item No. 274 Zoning Agenda Meeting of 06/21/78

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 150 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 [redacted] 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.

Noted and Approved: George M. Hargrett
Special Inspection Division Fire Prevention Bureau



JOHN S. REBERT
DIRECTOR

August 16, 1978

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

Dear Mr. DiNenna:

Comments on Item #274, Zoning Advisory Committee Meeting, June 27, 1978 are as follows:

Property Owner: David & Barbara Freedlander
Location: NW/C Bare Road & Old Pinlick Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.
Acres: 0.196
District: 3rd

The items checked below are applicable:

X. A. Structures shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement.

X. B. A building permit shall be required before construction can begin.

C. Additional [redacted] permits shall be required.

D. Building shall be upgraded to new use - requires attention permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original and will be required. File an application for a building permit.

G. Wood frame walls are not permitted within 10' of a property line. Contact Building Department if distance is between 10' and 40' of property line.

H. Reviewed setback variance conflicts with the Baltimore County Building Code. See Section [redacted].

I. No Comment.

J. Comment:

Very truly yours,

Charles E. Burdick
Planning Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 26, 1978

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

Z.A.C. Meeting of: June 27, 1978

RE: Item No. 274
Property Owner: David & Barbara Freedlander
Location: NW/C Bare Rd. & Old Pinlick Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 13' in lieu of the required 15' and an average setback of 14' in lieu of the required 20'.
District: 3rd
No. Acres: 0.196

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

JOSEPH H. HUGHES, SECRETARY
T. BAYARD WILLIAMS, JR., VICEPRESIDENT
HAROLD H. BOUTWELL

THOMAS H. ROYER
WES. LAWRENCE F. CHURCH
ROBERT H. HAYDEN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LOBBACK
WES. JACOB S. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

