

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

80-126-A  
103

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

JOANN C. PEACH  
I, or we, Joann C. Peach legal owner 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 1802.38 (Section III G, 3 (1945 Regulations)) to permit a setback of 5' from the side street in lieu of the required 15' for a proposed addition.

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

It is needed for more bedroom space and the side is the most appropriate spot for the addition. I applied 2 months ago and already have my permit. Everything was scheduled to begin Thursday, November 15, 1979, so I need a hearing right away. I have myself and two children and a friend and her child sharing my home expenses as I cannot make it on my own (I am divorced) so I do need the extra room.

24 5C

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.

Joann C. Peach  
JOANN C. PEACH

Contract purchaser Legal Owner

Address 2420 Alma Road

Baltimore, Maryland 21227  
Phone #242-3316

Petitioner's Attorney

Protestant's Attorney

DATE January 8, 1980 ORDERED By The Zoning Commissioner of Baltimore County, this 15th day

of November 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of December 1979, at 9:30 o'clock A.M.

William E. Hammond  
Zoning Commissioner of Baltimore County

(over)

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Mr. W. E. Hammond  
TO: Zoning Commissioner Date December  
John D. Seyffert, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Petition No. 80-126-A - Item 103

Petition for Variance for side setback  
Southwest cor. r of Alma Road and Hazel Avenue  
Petitioner - Joann C. Peach

13th District

HEARING: Tuesday, December 18, 1979 (9:30 A.M.)

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

John D. Seyffert  
John D. Seyffert, Director  
Office of Planning and Zoning

JDS:JGH:dme

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
SW corner of Alma Rd. & Hazel Ave., :  
13th District : OF BALTIMORE COUNTY  
JOANN C. PEACH, Petitioner : Case No. 80-126-A

**ORDER TO ENTER APPEARANCE**

Mr. Commissioner:

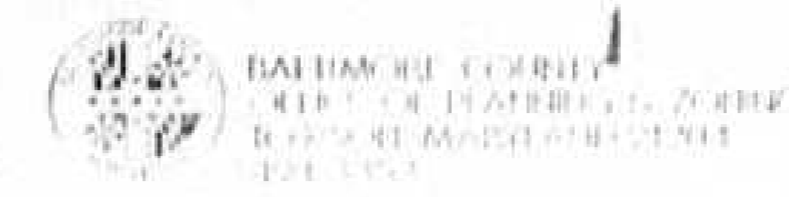
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
County Office Building  
Towson, Maryland 21284  
494-2188

I HEREBY CERTIFY that on this 28th day of November, 1979, a copy of the foregoing Order was mailed to Joann C. Peach, 2420 Alma Road, Baltimore, Maryland 21227, Petitioner.

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



January 8, 1980

Ms. Joann C. Peach  
2420 Alma Road  
Baltimore, Maryland 21227

RE: Petition for Variance  
SW/corner of Alma Road and Hazel  
Avenue - 13th Election District  
Joann C. Peach - Petitioner  
C.O. 80-126-A (Item No. 103)

Dear Ms. Peach:

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

Very truly yours,

William E. Hammond  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH/srl

Attachments

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

**Variance Description**

Located on the southwest corner of Alma Road and Hazel Avenue and known as lot #55 as shown on the Plat of Highland, which is recorded in land records of Baltimore County in liber 19, folio 13. Also known as #2420 Alma Road.

-To Whom It May Concern:

I am recently divorced with two children and had a friend who is also divorced move into my home with her one child to help me share expenses as it is very difficult to make ends meet with only one person working. I have a two bedroom home, so in August 1979, I contracted Arbutus Builders to have another two bedrooms added (12' wide by 38' length).

The permit office in Catonsville said I needed a variance and would have to go to court because I was not far enough away from the road. They also told Arbutus Builders how to measure the property for the papers I would need at Towson. On (9-12-79) I missed a day from work to go to Towson to apply for a hearing date. I had all my papers and a letter to Mr. Wm. Hammond, which I was told to bring. I talked to Mr. Nick Comondary, who looked over the papers and measurements and said he could not find anything wrong with the measurements and O.K.ed the permit.

I paid the \$12.00 for the permit. The next day 9-13-79 Inspector Reed put an approved permit tag on my door. Three weeks later Arbutus Builders received the permit. I took a loan out for the rooms paid Arbutus Builders (while where out of work.) I hired an excavator (to whom I lost \$150.00) because he lost a days work because after two and one half months went by before the state zoning commission found their mistake that they now say I do not have enough footage between my house and the center of the road. I think the setback is 5'. I had materials for the addition ready to be picked up Nov. 10 as the builders were to start building Nov 15. I wasn't notified until only one week before time that I could not build. Now I'm paying storage for material sitting in a warehouse. Arbutus Builders are out of work, because of this mistake of the state. I have been in touch with my lawyer who said legally in the right to build since I did have my permit. I have pictures of my ground and signatures of all my neighbors stating that they do not object to my addition. I ask for permission to drop the 30 day waiting period to build since no one objects to the addition.

2.

I ask permission to drop the 30 day waiting period to build since no one objects to the addition.

I would like permission to build right away. I have talked to Mr. Hammond and Mr. Comandary (room 110) 113 who told me if they could be of assistance they can be reached in room 113. I feel this mistake was with the zoning office since two and one half months did go by before the mistake was found.

I need the room very bad and would like them finished before bad weather. I cannot afford to loose any more time or money and I'm sure Arbutus Builders can't either.

Thank You

Joann C. Peach

**BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN**

**EVALUATION COMMENTS**

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of January, 1980, that the herein Petition for Variance to permit a side street setback of five feet in lieu of the required fifteen feet, for the expressed purpose of constructing an addition to the existing dwelling to increase the habitable area thereof, 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 the Office of Planning and Zoning.

*William E. Hammond*  
Zoning Commissioner of Baltimore County

Joann C. Peach  
2420 Alma Road  
Baltimore, Maryland 21227

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 9th day of January, 1979.

*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Joann C. Peach  
Petitioner's Attorney

Reviewed by: *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 5, 1979

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

ooo  
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
  - Board of Education
  - Zoning Administration
  - Industrial Development

Ms. Joann C. Peach  
2420 Alma Road  
Baltimore, Maryland 21227

RE: Item No. 103  
Petitioner - Joann C. Peach  
Variance Petition

Dear Ms. Peach:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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 Variance is required due to your proposal to construct an addition to the side of the existing dwelling within 5 feet of the property line along Hazel Avenue instead of the required 15 feet. At this time, comments are not available from some of the members of the Committee. However, it was verbally indicated to me that no problems are anticipated with your proposal.

Enclosed are comments submitted by the Fire Department to this office. 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,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:sj  
enclosure



January 11, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #103 (1979-1980)  
Property Owner: Joann C. Peach  
S/W cor. Alma Rd. and Hazel Ave.  
Existing Zoning: DR 5.5  
Proposed Zoning: Variance to permit a side street setback of 5' in lieu of the required 15'.  
Acres: 0.15 District: 13th

Dear Mr. Hammond:

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 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.

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

Fire hydrants are located in excess of 500 feet from this property.

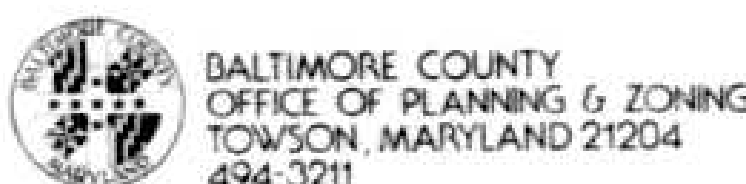
Very truly yours,

*Ellsworth W. Diver*  
ELLSWORTH W. DIVER, P.E.  
Chief, Bureau of Engineering

END:RAM:FWR:ss

cc: W. Munchel

G-SE Key Sheet  
19 SW 9 Pos. Sheet  
SW 5 C Topo  
109 Tax Map



JOHN D. SEYFFERT  
DIRECTOR

December 5, 1979

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #103, Zoning Advisory Committee Meeting, November 15, 1979, are as follows:

Property Owner: Joann C. Peach  
Location: SW/C Alma Road and Hazel Avenue  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side street setback of 5' in lieu of the required 15'.  
Acres: 0.15  
District: 13th

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*  
John L. Wimbley  
Planner III  
Current Planning and Development



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

January 10, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #103, Zoning Advisory Committee Meeting of November 15, 1979, are as follows:

Property Owner: Joann C. Peach  
Location: SW/C Alma Rd. & Hazel Ave.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side street setback of 5' in lieu of the required 15'.  
Acres: 0.15  
District: 13th

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

Very truly yours,

*Ian J. Forrest*  
Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/iths



Paul H. Reincke  
CHIEF

November 26, 1979

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

Attention: Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee

Re: Property Owner Joann C. Peach

Location: SW/C Alma Rd. & Hazel Ave.

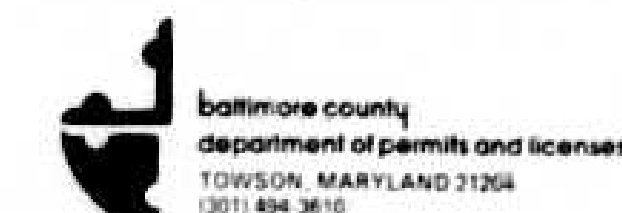
Item No. 103 Zoning Agenda: Meeting of 11/15/79

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 100 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.
- (x) 5. The building 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" 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Carl J. ...* Noted and Approved: *Errol M. ...*  
Planning Group Fire Prevention Bureau  
Special Inspection Division



JOHN D. SEYFFERT  
DIRECTOR

December 4, 1979

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #103 Zoning Advisory Committee Meeting, November 15, 1979, are as follows:

Property Owner: Joann C. Peach  
Location: SW/C Alma Road & Hazel Ave.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: Variance to permit a side street setback of 5' in lieu of the required 15'.  
Acres: 0.15  
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- C. Additional \_\_\_\_\_ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- X 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 seal will be required to file an application for a building permit.
- G. 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.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section \_\_\_\_\_
- I. No Comment.
- J. Comment:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:rsj

