

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ARBUSUS MEMORIAL POST 5244
I, or we, ARBUSUS MEMORIAL POST 5244, 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 1902.2.C.1 to permit lot widths of 55' in lieu of the required 55' and to permit side yard setbacks of 8' and 7' in lieu of the required 10' for the existing building and Section 303.1 to permit a front yard setback of 24' to the proposed right-of-way line in lieu of the required average of 32' for the existing building
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

They are a charitable organization. Most of older members are dying off. Cannot afford to maintain property. All new homes are being built on 50' lots. Most of homes in area are on 50' lots.

ORDER RECEIVED FOR FILING
DATE March 26, 1980

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.

Contract purchaser: George M. Russell
Address: 5631 Ashbourne Rd., Elkridge, Md. 21227
Petitioner's Attorney: Arthur J. McKeel
Protestant's Attorney: Arthur J. McKeel

ARBUSUS MEMORIAL POST 5244
E/S Lincoln Rd., 157.10' S Old Washington Road
13th
80-189-A

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Lincoln Rd., 157.10'
S of Old Washington Rd., 13th District : OF BALTIMORE COUNTY
ARBUSUS MEMORIAL POST 5244 : Case No. 80-189-A
VETERANS OF FOREIGN WARS,
Petitioner :

ORDER TO ENTER APPEARANCE

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 therewith, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
Deputy People's Counsel : People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188


I HEREBY CERTIFY that on this 4th day of March, 1980, a copy of the foregoing Order was mailed to George M. Russell, Commander and Robert C. Mooney, Quartermaster, Arbutus Memorial Post 5244, Veterans of Foreign Wars, 5631 Ashbourne Road, Arbutus, Maryland 21227, Petitioners; and Mr. Thomas M. Nichols and Mr. Malcolm F. Nichols, 6263 Old Washington Road, Elkridge, Maryland 21227, Contract Purchasers.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, 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 25th day of January, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Arbutus Memorial
Petitioner's Attorney _____ Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. Commodari

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

March 14, 1980

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Item No. 121
Petitioner - Arbutus Memorial
Post 5244 VFW
Variance Petition

Dear Mr. Russell:

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 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.

Because of this proposal to convert the previous VFW Hall to a dwelling and construct an additional dwelling on the 50 foot lot adjacent to the structure, these Variances for setbacks and lot widths are required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses concerning the construction of the existing structure and the location of the existing oil tank. I suggest you contact Mr. Ted Burdman at 494-3987 in order to discuss these matters prior to the hearing.

Item No. 121
March 14, 1980
Page Two

Indicated the all comments submitted to this office from the Committee Members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENC:ed
enclosures
cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, Maryland 21227

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

January 25, 1980

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

RE: Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
E/S Lincoln Rd. 157.10' S. Old Washington Rd.
Existing Zoning: DR S.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344 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:

This property comprises Lots 49 and 50 of Oak Park Addition, Section "A", recorded W.P.C. 5 Folio 61, and Oak Park Addition recorded W.P.C. 7, Folio 23.

Highways:

Lincoln Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 40-foot right-of-way in this vicinity. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit applications.

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 Drains:

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.

Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Page 2
January 25, 1980

Water and Sanitary Sewer:

A public 8-inch water main and 8-inch public sanitary sewerage, which exists in Lincoln Road serve the present V.F.W. Hall on Lot 49.

Very truly yours,
Elsworth N. Diver, P.E.
ELS WORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
J. Somers

C-NW Key Sheet
21 SW 12 Pos. Sheet
SW 6 C Topo
109 Tax Map

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Arbutus Memorial Post 5244
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hereby petition for a Variance from Section 1902.2.C.1 to permit lot widths of 55' in lieu of the required 55' and to permit side yard setbacks of 8' and 7' in lieu of the required 10' for the existing building and Section 303.1 to permit a front yard setback of 24' to the proposed right-of-way line in lieu of the required average of 32' for the existing building.

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

They are a charitable organization. Most of older members are dying off. Cannot afford to maintain property. All new homes are being built on 50' lots. Most of homes in area are on 50' lots.

ORDER RECEIVED FOR FILING
DATE March 26, 1980
ADDRESS 5631 Ashbourne Rd., Arbutus, Md. 21227

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.

Contract purchaser: George M. Russell
Address: 5631 Ashbourne Rd., Arbutus, Md. 21227

Legal Owner: Arbutus Memorial Post 5244
Address: Arbutus, Md. 21227

Petitioner's Attorney: John W. Hession, III
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of JANUARY, 1980

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 20th day of March, 1980 at 9:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County

(over)

ARBUS MEMORIAL POST 5244
E/S Lincoln Rd., 157.10' S. Old Washington Rd., 13th District
80-189-A
13th

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Lincoln Rd., 157.10'
S of Old Washington Rd., 13th District : OF BALTIMORE COUNTY

ARBUS MEMORIAL POST 5244 : Case No. 80-189-A
VETERANS OF FOREIGN WARS,
Petitioner :

ORDER TO ENTER APPEARANCE

In , 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 therewith, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
Deputy People's Counsel : People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188


I HEREBY CERTIFY that on this 4th day of March, 1980, a copy of the foregoing Order was mailed to George M. Russell, Commander and Robert C. Mooney, Quartermaster, Arbutus Memorial Post 5244, Veterans of Foreign Wars, 5631 Ashbourne Road, Arbutus, Maryland 21227, Petitioners; and Mr. Thomas M. Nichols and Mr. Malcolm F. Nichols, 6263 Old Washington Road, Elkridge, Maryland 21227, Contract Purchasers.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, 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 25th day of January, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Arbutus Memorial
Petitioner's Attorney _____ Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

- Chairman: Nicholas B. Commodari
- 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

March 14, 1980

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Item No. 121
Petitioner - Arbutus Memorial
Post 5244 VFW
Variance Petition

Dear Mr. Russell:

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 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.

Because of this proposal to convert the previous VFW hall to a dwelling and construct an additional dwelling on the 50 foot lot adjacent to the structure, these Variances for setbacks and lot widths are required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses concerning the construction of the existing structure and the location of the existing oil tank. I suggest you contact Mr. Ted Burnham at 494-3987 in order to discuss these matters prior to the hearing.

Item No. 121
March 14, 1980
Page Two

Enclosed are all comments submitted to this office from the Committee Members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE
cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, Maryland 21227

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

January 25, 1980

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

RE: Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Existing Zoning: DR S.5
E/S Lincoln Rd. 157.10' S. Old Washington Rd.
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344 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:

This property comprises Lots 49 and 50 of Oak Park Addition, Section "A", recorded W.P.C. 5 Folio 61, and Oak Park Addition recorded W.P.C. 7, Folio 23.

Highways:

Lincoln Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 40-foot right-of-way in this vicinity. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit applications.

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 Drains:

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.

Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Page 2
January 25, 1980

Water and Sanitary Sewer:

A public 8-inch water main and 8-inch public sanitary sewerage, which exists in Lincoln Road serve the present V.F.W. Hall on Lot 49.

Very truly yours,
Elsworth N. Diver, P.E.
ELSOWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

cc: J. Wimbley
J. Somers

C-NW Key Sheet
21 SW 12 Pos. Sheet
SW 6 C Topo
109 Tax Map

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 Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

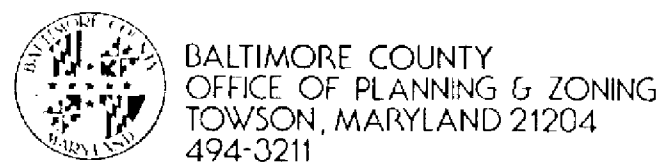
IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 31st day of March, 1980, that the herein Petition for the Variance(s) to permit side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet and a front yard setback of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet, all for the existing building, and to permit lot widths of 50 feet in lieu of the required 55 feet 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.

Deputy *John M. H. Jung*
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



JOHN D. SEYFERT
DIRECTOR

February 22, 1980

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 #121, Zoning Advisory Committee Meeting, December 18, 1979, are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for lot 49.
Acres: 0.344
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., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

February 5, 1980

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

Dear Mr. Hammond:

Comments on Item #121, Zoning Advisory Committee Meeting of December 18, 1979, are as follows:

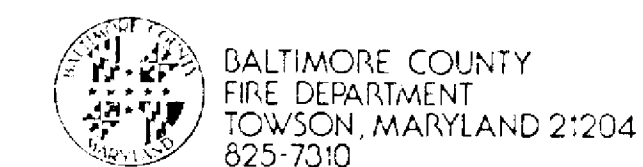
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344
District: 13th

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

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WJF/fth



PAUL H. RENGIE
CHIEF

January 24, 1980

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars

Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.

Item No: 121 Zoning Agenda: Meeting of 12/18/79

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

REVIEWER: *George M. Comodari* Noted and Approved: *George M. Comodari*
Special Inspection Division Fire Prevention Bureau



Ted Zaleski, Jr.
DIRECTOR

January 8, 1980

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

Dear Mr. Hammond:

Comments on Item #121 Zoning Advisory Committee Meeting, December 18, 1979 are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right of way in lieu of the average 32' for Lot 49.
Acres: 0.344
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- B. A building permit shall be required before construction can begin. Change of occupancy from assembly to residential
- X C. Additional _____ permits shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X 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 _____.
- X J. COMMENT: Several severe cracks in masonry shall be reviewed by a registered structural engineer and such remedies as may be necessary to correct any structural problems shall be submitted when applying for a permit, also oil tank is too close to property line.
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

CSB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent Towson, Maryland - 21204

Date: December 17, 1979

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 18, 1979

RE: Item No: 117, 119, 120, 121, 122, 123, 124
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

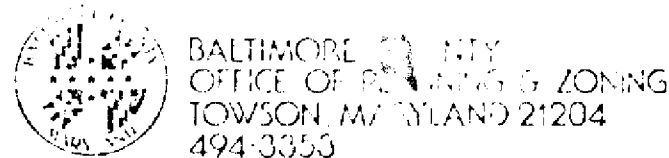
Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 31, 1980

George M. Russell, Commander
Arbutus Memorial Post 5244
Veterans of Foreign Wars
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Petition for Variances
E/S of Lincoln Rd., 157.10' S of
Old Washington Rd. - 13th Election
District
Arbutus Memorial Post 5244, Veterans
of Foreign Wars - Petitioner
No. 80-189-A (Item No. 121)

Dear Mr. Russell:

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

Very truly yours,

John M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc. John W. Hessian, III, Esquire
People's Council

Mrs. Jessie Guess
1250 Vogt Avenue
Baltimore, Maryland 21227

December 23, 1979

Description of 1917 Lincoln Road, 21227

Beginning at a point 157.10 feet south of Washington Road on the east side of Lincoln Road, and continuing for 100 feet, we show on the plat of "Oak Park Addition" filed among the Land Records of Baltimore County in Liber W.P.O., No. 7: Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.

Also known as 1917 Lincoln Road.

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 Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

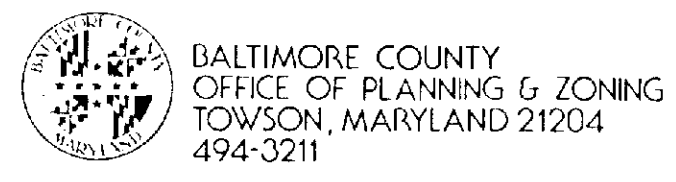
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Deputy *Sean M. H. Jung*
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



JOHN D. SEYFERT
DIRECTOR

February 22, 1980

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 #121, Zoning Advisory Committee Meeting, December 18, 1979, are as follows:

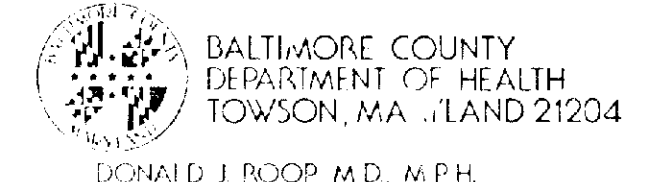
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S. Old Washington Road
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Acres: 0.344
District: 13th

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

February 5, 1980

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

Dear Mr. Hammond:

Comments on Item #121, Zoning Advisory Committee Meeting of December 18, 1979, are as follows:

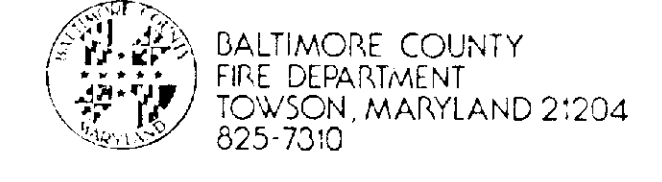
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344
District: 13th

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

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LMJ/fth



PAUL H. RENKIE
CHIEF

January 24, 1980

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars

Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.

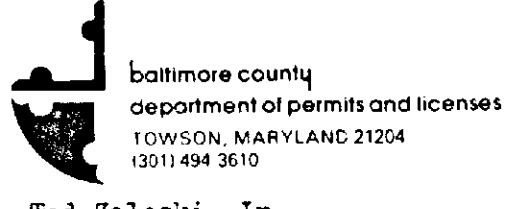
Item No: 121 Zoning Agenda Meeting of 12/18/79

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

REVIEWER *Left over by file 12550* Noted and Approved: *George M. Comodari*
Planning Group Special Inspection Division Fire Prevention Bureau



Ted Zaleski, Jr.
DIRECTOR

January 8, 1980

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

Dear Mr. Hammond:

Comments on Item #121 Zoning Advisory Committee Meeting, December 18, 1979 are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right of way in lieu of the average 32' for Lot 49.
Acres: 0.344
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, State of Maryland Code for the Handicapped and aged and other applicable codes.
 - B. A building permit shall be required before construction can begin. Change of occupancy from assembly to residential
 - X C. Additional _____ permits shall be required.
 - X D. Building shall be upgraded to new use - requires alteration permit.
 - E. Three sets of construction drawings will be required to file an application for a building permit.
 - X 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 _____
 - X J. COMMENT: Several severe cracks in masonry shall be reviewed by a registered structural engineer and such remedies as may be necessary to correct any structural problems shall be submitted when applying for a permit, also oil tank is too close to property line.
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

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent
Towson, Maryland - 21204

Date: December 17, 1979

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 18, 1979

RE: Item No: 117, 119, 120, 121, 122, 123, 124
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

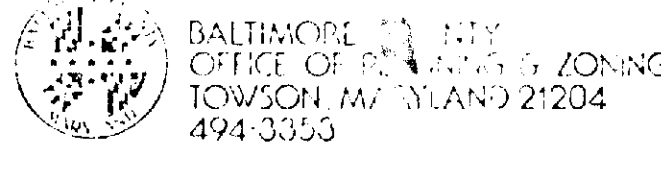
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 31, 1980

George M. Russell, Commander
Arbutus Memorial Post 5244
Veterans of Foreign Wars
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Petition for Variances
E/S of Lincoln Rd., 157.10' S of
Old Washington Rd. - 13th Election
District
Arbutus Memorial Post 5244, Veterans
of Foreign Wars - Petitioner
No. 80-189-A (Item No. 121)

Dear Mr. Russell:

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

Very truly yours,

Sean M. H. Jung
SEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc
Attachments

cc. John W. Hessian, III, Esquire
People's Council

Mrs. Jessie Guess
1250 Vogt Avenue
Baltimore, Maryland 21227

December 23, 1979

Description of 1917 Lincoln Road, 21227

Beginning at a point 157.10 feet south of Washington Road on the east side of Lincoln Road, and continuing for 100 feet, we shown on the plat of "Oak Park Addition" filed with the Land Bureau of Baltimore County in Liber W.P.O., No. 7; Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.
Also known as 1917 Lincoln Road.

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Date: February 22, 1980
FROM: John D. Seyffert, Director
Office of Planning and Zoning
SUBJECT: Petition No. 80-189-A Item 121

Petition for variances for lot widths and front and side yard setbacks East side of Lincoln Road, 157.10 feet South of O'd Washington Road

Thirteenth District

HEARING: Thudny, March 20, 1980 (9:30 A.M.)

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

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rb

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 22 day of Feb, 1980

Filing Fee \$ 25.00 Received: Check
Cash
Other

(121)

William E. Hammond, Zoning Commissioner

Petitioner: JDS-189-A
Petitioner's Attorney: JDS
Reviewed by: JDS

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

PETITION MAPPING PROGRESS SHEET

Table with columns: FUNCTION, Wall Map, Original, Duplicate, Tracing, 200 Sheet. Rows include Descriptions checked and outline plotted on map, Petition number added to outline, Denied, Granted by ZC, BA, CC, CA, Reviewed by, Previous case: 2446.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13 Date of Posting: 3/11/80
Posted for: William E. Hammond
Petitioner: John D. Seyffert, Director
Location of property: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
Location of Sign: 111 W. Chesapeake Avenue
Remarks:
Posted by: William E. Hammond Date of return: 3/14/80

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: February 20, 1980 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED FROM: Arbutus Memorial Post #2446
FOR: Filing Fee for Case No. 80-189-A

PETITION FOR VARIANCES
13th DISTRICT
ZONING: Petition for variances for lot widths and front and side yard setbacks
LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21286, 1980
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 the 13th day of March, 1980, the first publication appearing on the 13th day of March, 1980.
THE JEFFERSONIAN, Manager

PETITION FOR VARIANCES
13th DISTRICT
ZONING: Petition for variances for lot widths, front and side yard setbacks
LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

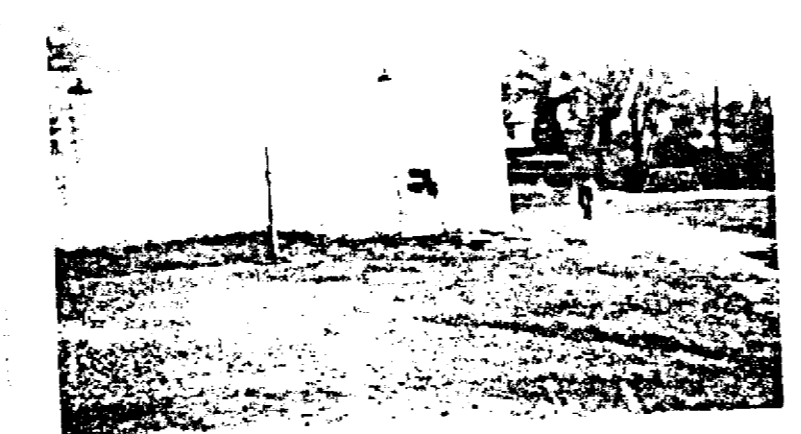
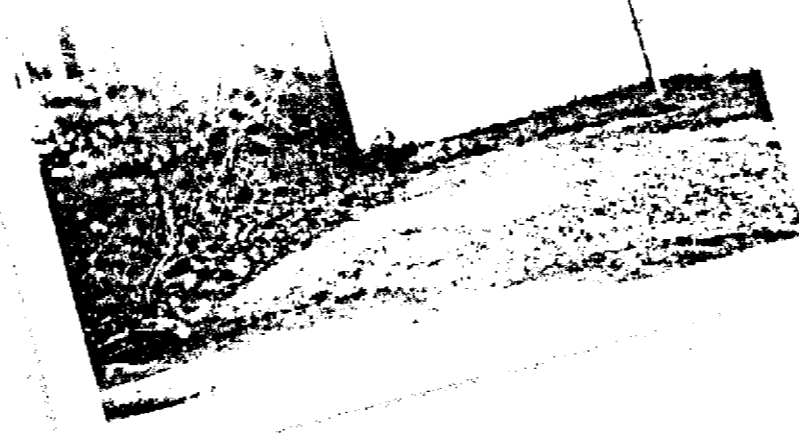
Office of COLUMBIA PUBLISHING CORP.
10750 Little Patuxent Pkwy
Columbia, MD 21044

March 6 1980

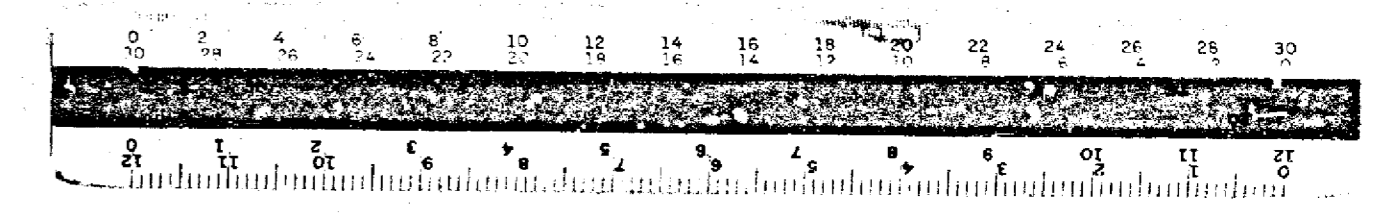
THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variances was inserted in the following:

- Arbutus Times
weekly newspapers published in Baltimore County, Maryland, once a week for 13 successive weeks before the 13th day of March, 1980, that is to say, the same was inserted in the issues of 2/28/80.

COLUMBIA PUBLISHING CORP.
John D. Seyffert



Zone: DR 5.5
13th Election District
Scale: 50' = 1"
Case: 2446



IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY
Plaintiff
vs
Defendant
CERTIFICATE OF PUBLICATION OF

BA 'IMORE COUNTY, MARY 'ND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
Date: February 22, 1980

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

SUBJECT: Petition No. 80-189-A Item 121

Petition for variances for lot widths and front and side yard setbacks East side of Lincoln Road, 157.10 feet South of O'd Washington Road
Petitioner- Arbutus Memorial Post 5244 Veterans of Foreign Wars

Thirteenth District

HEARING: Thunday, March 20, 1980 (9:30 A.M.)

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

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

JDS:JGH:rb

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 22 day of February, 1980.

Filing Fee \$ 25.00 Received: Check
 Cash
 Other

(121)

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner: *Arbutus Memorial Post 5244*
Petitioner's Attorney: _____ Reviewed by: *W.E.H.*

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *3* Date of Posting: *3/11/80*

Posted for: *Arbutus Memorial Post 5244*

Petitioner: *Arbutus Memorial Post 5244*

Location of property: *East side of Lincoln Road, 157.10 feet South of O'd Washington Road*

Location of Sign: *Arbutus Memorial Post 5244*

Remarks: _____

Posted by: *William E. Hammond* Date of return: *3/4/80*

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>W.E.H.</i>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <i>2446</i>	Map # <i>SW 26</i>									

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: February 20, 1980 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Arbutus Memorial Post 5244
FOR: Filing Fee for Case No. 80-189-A

VALIDATION OF SIGNATURE OF CASHIER: *W.E.H.*

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: March 19, 1980 ACCOUNT: 01-662

AMOUNT: \$47.99

RECEIVED FROM: Arbutus Memorial Post 5244, FVW
FOR: Advertising and Posting of Case No. 80-189-A

VALIDATION OF SIGNATURE OF CASHIER: *W.E.H.*

PETITION FOR VARIANCES
13th District
ZONING: Petition for variances for lot widths, front and side yard setbacks
LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variances to permit lot widths of 50 feet in lieu of the required 50 feet, side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet for the existing building and front yard setback of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet for the existing building. The Zoning Regulation to be accepted as follows:

Section 1802.3 F1 - front and side yard setbacks
Section 303.1 - at yard depths in residence and business zones
All that parcel of land in the Thirteenth District of Baltimore County
Beginning at a point 157.10 feet South of Washington Road and continuing for 100 feet as shown on the plat of "Oak Park Addition" filed among the Land Records of Baltimore County in Liber W.P.C. No. 7, Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.
Also known as 1917 Lincoln Road
Being the property of Arbutus Memorial Post 5244 Veterans of Foreign Wars, as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, March 20, 1980 at 9:30 a.m.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF:
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Feb. 28

Office of
COLUMBIA
PUBLISHING CORP.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

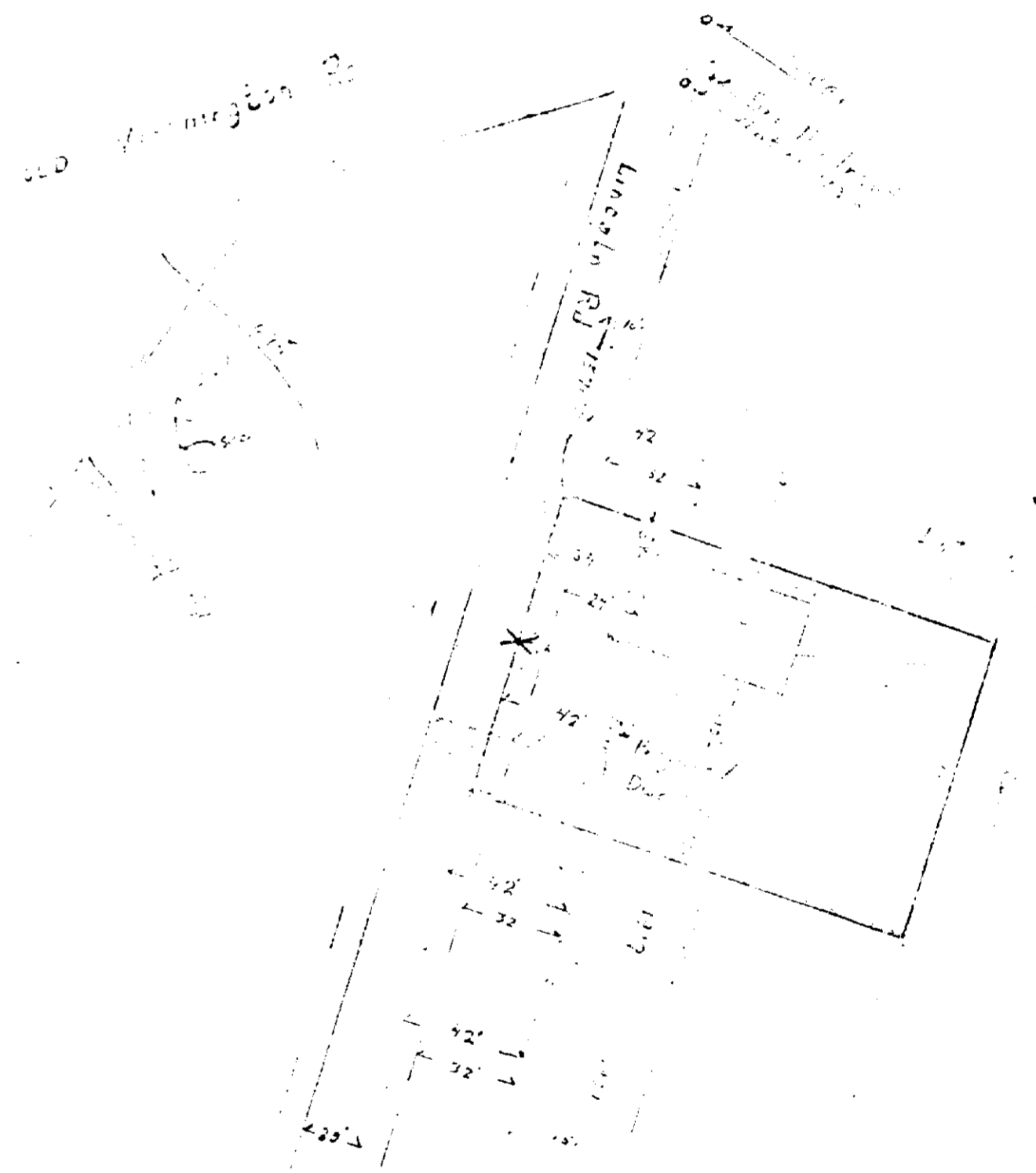
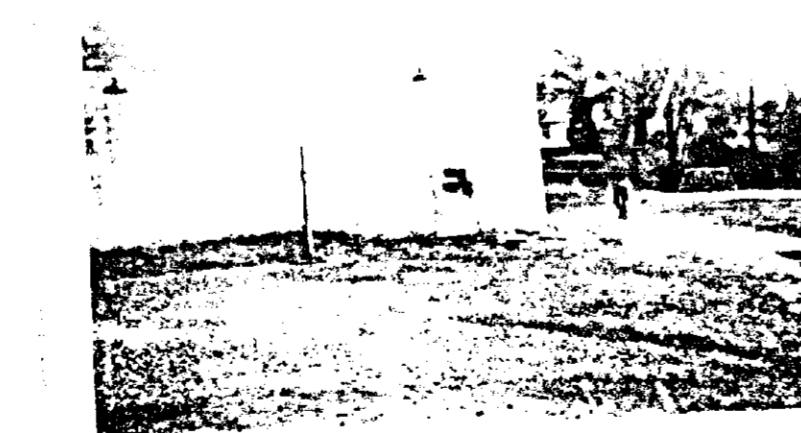
March 6 1980

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for Variances
was inserted in the following:

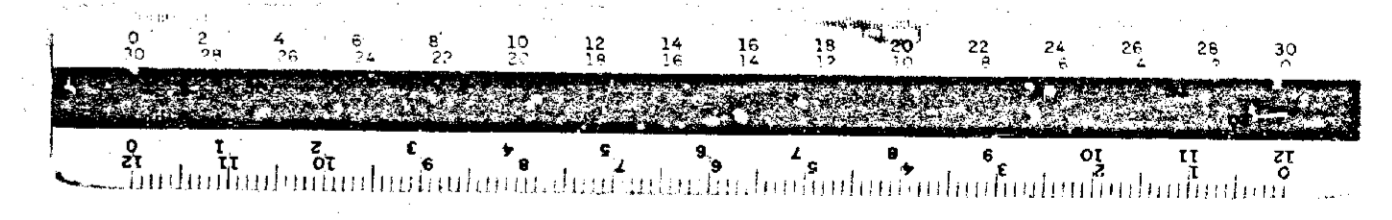
Catonsville Times
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for *one* successive weeks before the *27th* day of *February* 1980, that is to say, the same was inserted in the issues of *2/28/80*.

COLUMBIA PUBLISHING CORP.
John D. Seyffert



Zone 1 DR 5.5
13th Election District
Scale 50' = 1"
Case 2443
John D. Seyffert



PETITION FOR VARIANCES
13th District
ZONING: Petition for variances for lot widths, front and side yard setbacks
LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variances to permit lot widths of 50 feet in lieu of the required 50 feet, side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet for the existing building and front yard setbacks of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet for the existing building. The Zoning Regulation to be accepted as follows:
Section 1802.3 F1 - front and side yard setbacks
Section 303.1 - front yard depths in residence and business zones
All that parcel of land in the Thirteenth District of Baltimore County
Beginning at a point 157.10 feet South of Washington Road and continuing for 100 feet as shown on the plat of "Oak Park Addition" filed among the Land Records of Baltimore County in Liber W.P.C. No. 7, Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.
Also known as 1917 Lincoln Road
Being the property of Arbutus Memorial Post 5244 Veterans of Foreign Wars, as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, March 20, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Feb. 28

CERTIFICATE OF PUBLICATION

TOWSON, MD, February 22, 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once a week on *Wednesdays* before the *25th* day of *March* 1980, the first publication appearing on the *25th* day of *March* 1980.

THE JEFFERSONIAN,
John D. Seyffert
Manager.

Cost of Advertisement, \$ _____

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff _____
vs.
Defendant _____

CERTIFICATE OF PUBLICATION OF _____

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ARBUSUS MEMORIAL POST 5244
I, or we, ARBUSUS MEMORIAL POST 5244, 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 1902.2.C.1 to permit lot widths of 55' in lieu of the required 55' and to permit side yard setbacks of 8' and 7' in lieu of the required 10' for the existing building and Section 303.1 to permit a front yard setback of 24' to the proposed right-of-way line in lieu of the required average of 32' for the existing building
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

They are a charitable organization. Most of older members are dying off. Cannot afford to maintain property. All new homes are being built on 50' lots. Most of homes in area are on 50' lots.

ORDER RECEIVED FOR FILING
DATE March 26, 1980

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.

Contract purchaser: George M. Russell
Address: 5631 Ashbourne Rd., Elkridge, Md. 21227
Petitioner's Attorney: Arthur J. McKeel
Protestant's Attorney: Arthur J. McKeel

ARBUSUS MEMORIAL POST 5244
E/S Lincoln Rd., 157.10' S. Old Washington Road, 13th District
80-189-A

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Lincoln Rd., 157.10'
S of Old Washington Rd., 13th District : OF BALTIMORE COUNTY
ARBUSUS MEMORIAL POST 5244 : Case No. 80-189-A
VETERANS OF FOREIGN WARS, :
Petitioner :

ORDER TO ENTER APPEARANCE

In Commission:
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 therewith, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
Deputy People's Counsel : People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188


I HEREBY CERTIFY that on this 4th day of March, 1980, a copy of the foregoing Order was mailed to George M. Russell, Commander and Robert C. Mooney, Quartermaster, Arbutus Memorial Post 5244, Veterans of Foreign Wars, 5631 Ashbourne Road, Arbutus, Maryland 21227, Petitioners; and Mr. Thomas M. Nichols and Mr. Malcolm F. Nichols, 6263 Old Washington Road, Elkridge, Maryland 21227, Contract Purchasers.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, 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 25th day of January, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Arbutus Memorial
Petitioner's Attorney _____ Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. Commodari

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

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

March 14, 1980

RE: Item No. 121
Petitioner - Arbutus Memorial
Post 5244 VFW
Variance Petition

Dear Mr. Russell:

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 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.

Because of this proposal to convert the previous VFW Hall to a dwelling and construct an additional dwelling on the 50 foot lot adjacent to the structure, these Variances for setbacks and lot widths are required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses concerning the construction of the existing structure and the location of the existing oil tank. I suggest you contact Mr. Ted Burdman at 494-3987 in order to discuss these matters prior to the hearing.

Item No. 121
March 14, 1980
Page Two

Indicated the all comments submitted to this office from the Committee Members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENC:ed
enclosures
cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, Maryland 21227

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

January 25, 1980

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

RE: Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
E/S Lincoln Rd. 157.10' S. Old Washington Rd.
Existing Zoning: DR S.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344 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:

This property comprises Lots 49 and 50 of Oak Park Addition, Section "A", recorded W.P.C. 5 Folio 61, and Oak Park Addition recorded W.P.C. 7, Folio 23.

Highways:

Lincoln Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 40-foot right-of-way in this vicinity. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit applications.

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 Drains:

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.

Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Page 2
January 25, 1980

Water and Sanitary Sewer:

A public 8-inch water main and 8-inch public sanitary sewerage, which exists in Lincoln Road serve the present V.F.W. Hall on Lot 49.

Very truly yours,
Elsworth N. Diver, P.E.
ELS WORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
J. Somers

C-NW Key Sheet
21 SW 12 Pos. Sheet
SW 6 C Topo
109 Tax Map

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Arbutus Memorial Post 5244
I, or we, ARBUS MEMORIAL POST 5244, 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 1902.2.C.1 to permit lot widths of 55' in lieu of the required 55' and to permit side yard setbacks of 8' and 7' in lieu of the required 10' for the existing building and Section 303.1 to permit a front yard setback of 24' to the proposed right-of-way line in lieu of the required average of 32' for the existing building.

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

They are a charitable organization. Most of older members are dying off. Cannot afford to maintain property. All new homes are being built on 50' lots. Most of homes in area are on 50' lots.

ORDER RECEIVED FOR FILING

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.

George M. Russell
Contract purchaser
Address: 5631 Ashbourne Rd.
Elkridge, Md. 21227

John W. Hession, III
Legal Owner
Address: Arbutus 21227 Md

William E. Hammond
Petitioner's Attorney
Address: Arbutus 21227 Md

Nicholas B. Commodari
Protestant's Attorney
Address: Arbutus 21227 Md

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of JANUARY, 1980, 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 20th day of March, 1980 at 9:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

ARBUS MEMORIAL POST 5244
E/S Lincoln Rd., 157.10' S. Old Washington Rd.
13th

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S of Lincoln Rd., 157.10'
S of Old Washington Rd., 13th District : OF BALTIMORE COUNTY

ARBUS MEMORIAL POST 5244 : Case No. 80-189-A
VETERANS OF FOREIGN WARS,
Petitioner :

ORDER TO ENTER APPEARANCE

In , 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 therewith, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
Deputy People's Counsel : People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188


I HEREBY CERTIFY that on this 4th day of March, 1980, a copy of the foregoing Order was mailed to George M. Russell, Commander and Robert C. Mooney, Quartermaster, Arbutus Memorial Post 5244, Veterans of Foreign Wars, 5631 Ashbourne Road, Arbutus, Maryland 21227, Petitioners; and Mr. Thomas M. Nichols and Mr. Malcolm F. Nichols, 6263 Old Washington Road, Elkridge, Maryland 21227, Contract Purchasers.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, 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 25th day of January, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Arbutus Memorial
Petitioner's Attorney _____ Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cc: 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

March 14, 1980

Mr. George M. Russell, Commander
Arbutus Memorial Post 5244 VFW
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Item No. 121
Petitioner - Arbutus Memorial
Post 5244 VFW
Variance Petition

Dear Mr. Russell:

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 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.

Because of this proposal to convert the previous VFW hall to a dwelling and construct an additional dwelling on the 50 foot lot adjacent to the structure, these Variances for setbacks and lot widths are required.

Particular attention should be afforded to the comments of the Department of Permits and Licenses concerning the construction of the existing structure and the location of the existing oil tank. I suggest you contact Mr. Ted Burnham at 494-3987 in order to discuss these matters prior to the hearing.

Item No. 121
March 14, 1980
Page Two

Reviewed are all comments submitted to this office from the Committee Members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENC:ed
enclosures
cc: Messrs. Thomas & Malcolm Nichols
6263 Old Washington Road
Elkridge, Maryland 21227

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

January 25, 1980

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

RE: Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Foreign Wars
E/S Lincoln Rd. 157.10' S. Old Washington Rd.
Existing Zoning: DR S.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344 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:
This property comprises Lots 49 and 50 of Oak Park Addition, Section "A", recorded W.P.C. 5 Folio 61, and Oak Park Addition recorded W.P.C. 7, Folio 23.

Highways:
Lincoln Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 40-foot right-of-way in this vicinity. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit applications.

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 Drains:
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.

Item #121 (1979-1980)
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Page 2
January 25, 1980

Water and Sanitary Sewer:
A public 8-inch water main and 8-inch public sanitary sewerage, which exists in Lincoln Road serve the present V.F.W. Hall on Lot 49.

Very truly yours,
Elsworth N. Diver, P.E.
ELS WORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS
cc: J. Wimbley
J. Somers
C-NW Key Sheet
21 SW 12 Pos. Sheet
SW 6 C Topo
109 Tax Map

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 Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

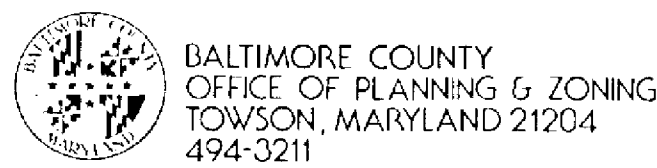
IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 31st day of March, 1980, that the herein Petition for the Variance(s) to permit side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet and a front yard setback of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet, all for the existing building, and to permit lot widths of 50 feet in lieu of the required 55 feet 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.

Deputy *John M. H. Jung*
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



JOHN D. SEYFERT
DIRECTOR

February 22, 1980

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 #121, Zoning Advisory Committee Meeting, December 18, 1979, are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for lot 49.
Acres: 0.344
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., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

February 5, 1980

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

Dear Mr. Hammond:

Comments on Item #121, Zoning Advisory Committee Meeting of December 18, 1979, are as follows:

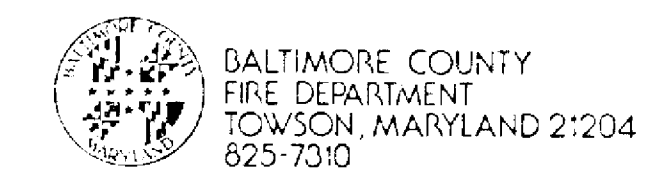
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for Lot 49.
Acres: 0.344
District: 13th

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

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WJF/fth



PAUL H. RENGIE
CHIEF

January 24, 1980

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars

Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.

Item No: 121 Zoning Agenda: Meeting of 12/18/79

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

REVIEWER: *George M. Comodari* Noted and Approved: *George M. Comodari*
Special Inspection Division Fire Prevention Bureau



Ted Zaleski, Jr.
DIRECTOR

January 8, 1980

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

Dear Mr. Hammond:

Comments on Item #121 Zoning Advisory Committee Meeting, December 18, 1979 are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for Lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right of way in lieu of the average 32' for Lot 49.
Acres: 0.344
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- B. A building permit shall be required before construction can begin. Change of occupancy from assembly to residential
- X C. Additional _____ permits shall be required.
- X D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X 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 _____.
- X J. COMMENT: Several severe cracks in masonry shall be reviewed by a registered structural engineer and such remedies as may be necessary to correct any structural problems shall be submitted when applying for a permit, also oil tank is too close to property line.
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

CSB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent Towson, Maryland - 21204

Date: December 17, 1979

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 18, 1979

RE: Item No: 117, 119, 120, 121, 122, 123, 124
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

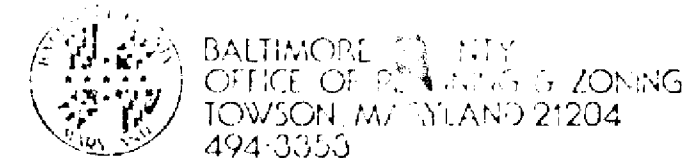
Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 31, 1980

George M. Russell, Commander
Arbutus Memorial Post 5244
Veterans of Foreign Wars
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Petition for Variances
E/S of Lincoln Rd., 157.10' S of
Old Washington Rd. - 13th Election
District
Arbutus Memorial Post 5244, Veterans
of Foreign Wars - Petitioner
No. 80-189-A (Item No. 121)

Dear Mr. Russell:

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

Very truly yours,

John M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc. John W. Hessian, III, Esquire
People's Council

Mrs. Jessie Guess
1250 Vogt Avenue
Baltimore, Maryland 21227

December 23, 1979

Description of 1917 Lincoln Road, 21227

Beginning at a point 157.10 feet south of Washington Road on the east side of Lincoln Road, and continuing for 100 feet, we show on the plat of "Oak Park Addition" filed among the Land Records of Baltimore County in Liber W.P.O., No. 7: Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.

Also known as 1917 Lincoln Road.

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 Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

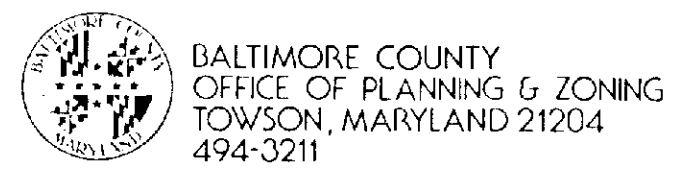
IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 31st day of March, 1980, that the herein Petition for the Variance(s) to permit side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet and a front yard setback of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet, all for the existing building, and to permit lot widths of 50 feet in lieu of the required 55 feet 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.

Deputy *Sean M. H. Jung*
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



JOHN D. SEYFERT
DIRECTOR

February 22, 1980

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 #121, Zoning Advisory Committee Meeting, December 18, 1979, are as follows:

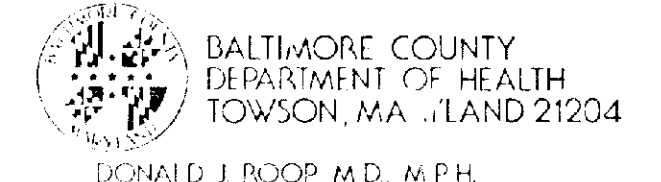
Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
Location: E/S Lincoln Road 157.10' S. Old Washington Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55' for lots 49 & 50 and to permit a side setback of 8' in lieu of the required 10' and a front setback of 24' to the proposed right-of-way in lieu of the average 32' for lot 49.
Acres: 0.344
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

February 5, 1980

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

Dear Mr. Hammond:

Comments on Item #121, Zoning Advisory Committee Meeting of December 18, 1979, are as follows:

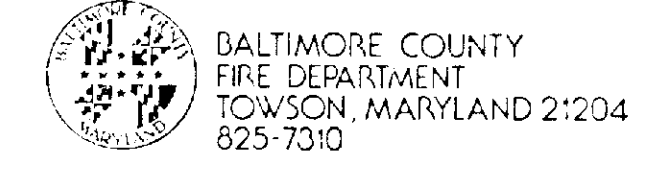
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Acres: 0.344
District: 13th

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

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WJF/fth



PAUL H. RENKIE
CHIEF

January 24, 1980

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars

Location: E/S Lincoln Rd. 157.10' S Old Washington Rd.

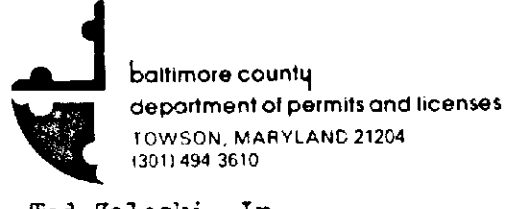
Item No: 121 Zoning Agenda: Meeting of 12/18/79

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

REVIEWER *Left over from 12/18/79* Noted and Approved: *George M. Comodari*
Planning Group Special Inspection Division Fire Prevention Bureau



Ted Zaleski, Jr.
DIRECTOR

January 8, 1980

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

Dear Mr. Hammond:

Comments on Item #121 Zoning Advisory Committee Meeting, December 18, 1979 are as follows:

Property Owner: Arbutus Memorial Post 5244 Veterans of Foreign Wars
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Acres: 0.344
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
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- X C. Additional _____ Permits shall be required.
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- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____
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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

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent
Towson, Maryland - 21204

Date: December 17, 1979

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 18, 1979

RE: Item No: 117, 119, 120, 121, 122, 123, 124
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

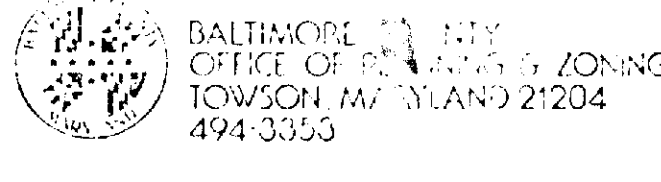
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 31, 1980

George M. Russell, Commander
Arbutus Memorial Post 5244
Veterans of Foreign Wars
5631 Ashbourne Road
Arbutus, Maryland 21227

RE: Petition for Variances
E/S of Lincoln Rd., 157.10' S of
Old Washington Rd. - 13th Election
District
Arbutus Memorial Post 5244, Veterans
of Foreign Wars - Petitioner
No. 80-189-A (Item No. 121)

Dear Mr. Russell:

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

Very truly yours,

Sean M. H. Jung
SEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc
Attachments

cc. John W. Hessian, III, Esquire
People's Council

Mrs. Jessie Guess
1250 Vogt Avenue
Baltimore, Maryland 21227

Description of 1917 Lincoln Road, 21227

Beginning at a point 157.10 feet south of Washington Road on the east side of Lincoln Road, and continuing for 100 feet, we shown on the plat of "Oak Park Addition" filed with the Land Bureau of Baltimore County in Liber W.P.O., No. 7; Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.
Also known as 1917 Lincoln Road.

December 23, 1979

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Date: February 22, 1980
FROM: John D. Seyffert, Director
Office of Planning and Zoning
SUBJECT: Petition No. 80-189-A Item 121

Petition for variances for lot widths and front and side yard setbacks East side of Lincoln Road, 157.10 feet South of O'd Washington Road Petitioner-Arbutus Memorial Post 5244 Veterans of Foreign Wars

Thirteenth District

HEARING: Thudny, March 20, 1980 (9:30 A.M.)

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

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rb

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 22 day of Feb, 1980

Filing Fee \$ 25.00 Received: Check Cash Other

(121)

William E. Hammond, Zoning Commissioner

Petitioner: Arbutus Memorial Post 5244
Petitioner's Attorney: [Signature] Reviewed by: [Signature]

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13 Date of Posting: 3/11/80

Posted for: [Signature]

Petitioner: [Signature]

Location of property: [Address]

Location of Sign: [Address]

Remarks: [Text]

Posted by: [Signature] Date of return: 3/14/80

PETITION MAPPING PROGRESS SHEET
Table with columns: FUNCTION, Wall Map, Original, Duplicate, Tracing, 200 Sheet. Rows include Descriptions checked and outline plotted on map, Petition number added to outline, Denied, Granted by ZC, BA, CC, CA, Reviewed by, Previous case.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: February 20, 1980 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED FROM: Arbutus Memorial Post 5244
FOR: Filing Fee for Case No. 80-189-A

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 22, 1980
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md.

Cost of Advertisement, \$ [Amount]

THE JEFFERSONIAN
[Signature] Manager

PETITION FOR VARIANCES
13th District
ZONING: Petition for Variances for lot widths, front and side yard setbacks
LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road
DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variances to permit lot widths of 50 feet in lieu of the required 50 feet, side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet for the existing building and front yard setbacks of 24 feet to the proposed right-of-way line in lieu of the required average of 32 feet for the existing building. The Zoning Regulation to be accepted is as follows:

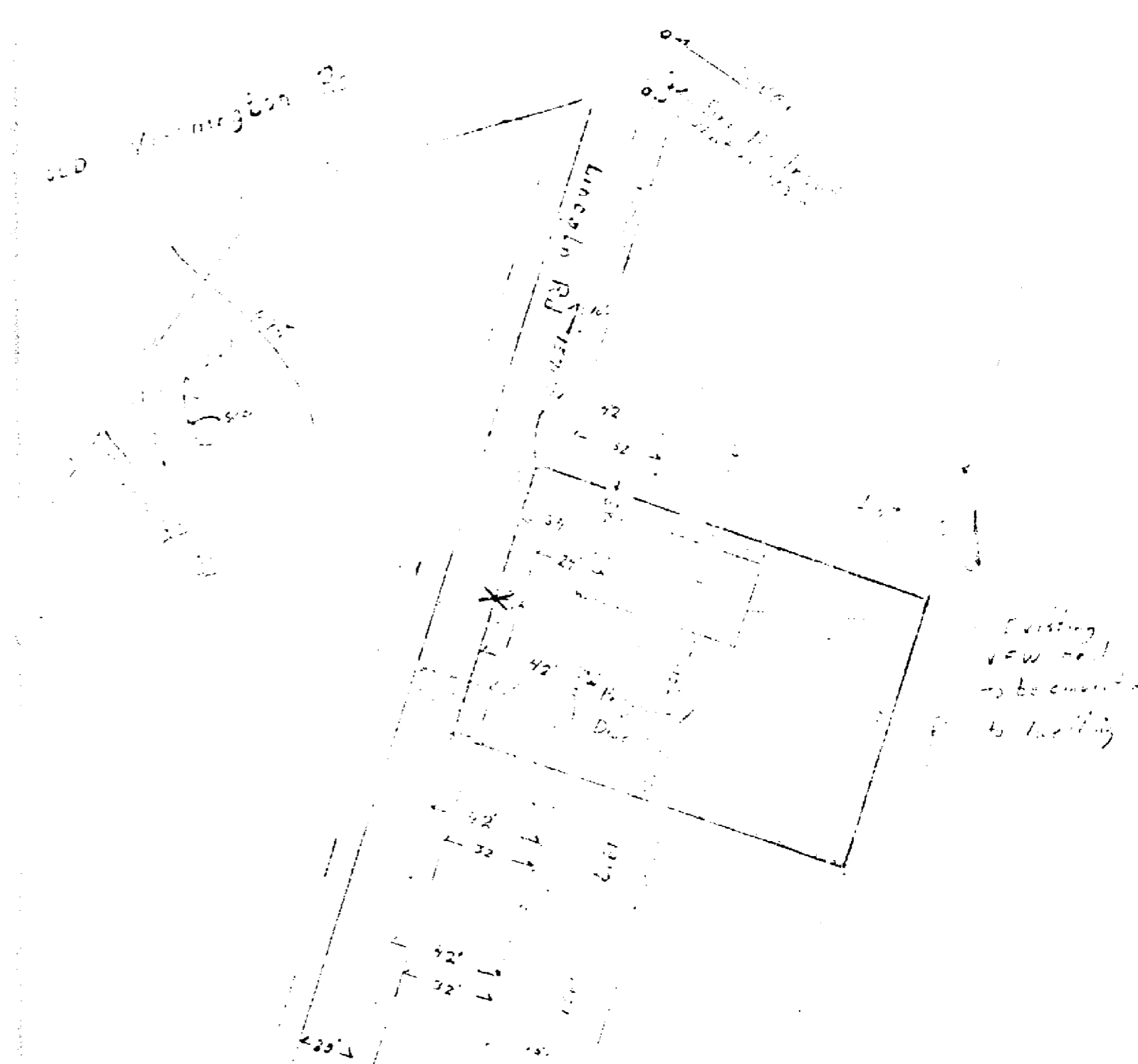
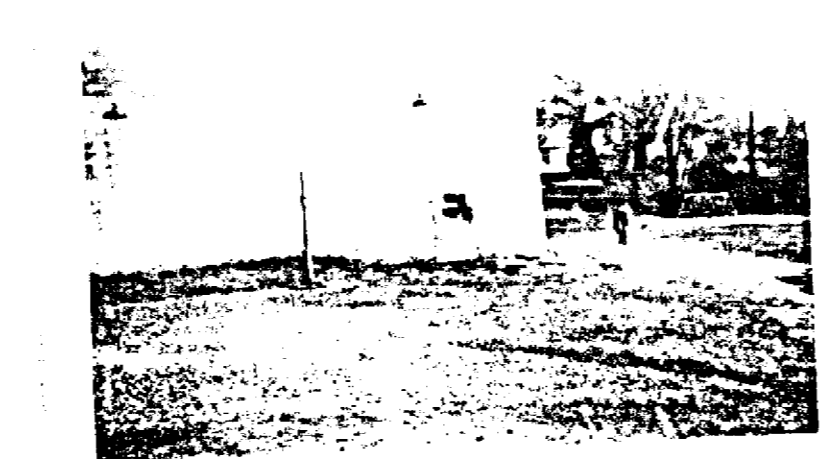
Office of COLUMBIA PUBLISHING CORP.
10750 Little Patuxent Pkwy
Columbia, MD 21044

March 6 1980

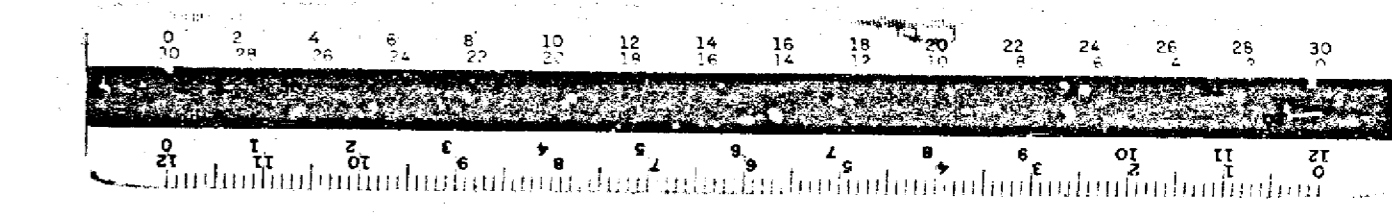
THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variances was inserted in the following:

- Arbutus Times
weekly newspapers published in Baltimore County, Maryland, once a week for 10 successive weeks before the 27th day of February 1980, that is to say, the same was inserted in the issues of 2/28/80.

COLUMBIA PUBLISHING CORP.
[Signature]



Scale 50' = 1"
Case 2443



IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY
Plaintiff vs Defendant
CERTIFICATE OF PUBLICATION OF

BA 'IMORE COUNTY, MARY 'ND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
Date: February 22, 1980

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

SUBJECT: Petition No. 80-189-A Item 121

Petition for variances for lot widths and front and side yard setbacks East side of Lincoln Road, 157.10 feet South of O'd Washington Road
Petitioner- Arbutus Memorial Post 5244 Veterans of Foreign Wars

Thirteenth District

HEARING: Thunday, March 20, 1980 (9:30 A.M.)

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

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

JDS:JGH:rb

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 22 day of February, 1980.

Filing Fee \$ 25.00 Received: Check
 Cash
 Other

(121)

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner: Arbutus Memorial Post 5244 Submitted by John D. Seyffert
Petitioner's Attorney: _____ Reviewed by JDS

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3 Date of Posting: 3/11/80

Posted for: Arbutus Memorial Post 5244

Petitioner: Arbutus Memorial Post 5244

Location of property: East side of Lincoln Road, 157.10 feet South of O'd Washington Road

Location of Sign: Arbutus Memorial Post 5244

Remarks: _____

Posted by: William E. Hammond Date of return: 3/11/80

Signature: _____

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>JDS</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <u>2446</u>	Map # <u>SW 26</u>									

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: February 20, 1980 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Arbutus Memorial Post 5244
FOR: Filing Fee for Case No. 80-189-A

VALIDATION OF SIGNATURE OF CASHIER: W. E. Hammond

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: March 19, 1980 ACCOUNT: 01-662

AMOUNT: \$47.99

RECEIVED FROM: Arbutus Memorial Post 5244
FOR: Advertising and Posting of Case No. 80-189-A

VALIDATION OF SIGNATURE OF CASHIER: W. E. Hammond

PETITION FOR VARIANCES
13th DISTRICT

ZONING: Petition for variances for lot widths and front and side yard setbacks.

LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road.

DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:

Petition for variances to permit lot widths of 50 feet in lieu of the required 55 feet; side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet for the existing building and front yard setbacks of 25 feet for the proposed building in lieu of the required average of 32 feet for the existing building as follows:

Section 1802.2C1 - front and side yard setbacks.

Section 303.1 - front yard depth in residential and business zones.

All that parcel of land in the Thirteenth District of Baltimore County, Maryland, being as at a point 157.10 feet east side of Lincoln Road on the east side of O'd Washington Road, and containing 10,000 square feet, as shown on the plan of "Oak Park 2 Addition" filed with the Land Records of Baltimore County in Liber W.P.C. No. 7, Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.

Also known as 1917 Lincoln Road being the property of Arbutus Memorial Post 5244 Veterans of Foreign Wars, as shown on plan filed with the Zoning Department.

Hearing Date: Thursday, March 20, 1980 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County.

Pub. 28

CERTIFICATE OF PUBLICATION

TOWSON, MD. _____, 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. _____ of each week before the _____ day of _____, 1980, the first publication appearing on the _____ day of _____, 1980.

THE JEFFERSONIAN,
William E. Hammond
Manager.

Cost of Advertisement, \$ _____

PETITION FOR VARIANCES
13th District

ZONING: Petition for variances for lot widths, front and side yard setbacks.

LOCATION: East side of Lincoln Road, 157.10 feet South of O'd Washington Road.

DATE & TIME: Thursday, March 20, 1980 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the following:

Petition for variances to permit lot widths of 50 feet in lieu of the required 55 feet; side yard setbacks of 8 feet and 7 feet in lieu of the required 10 feet for the existing building and front yard setbacks of 25 feet in lieu of the required average of 32 feet for the existing building. The Zoning Regulation to be accepted as follows:

Section 1802.2C1 - front and side yard setbacks.

Section 303.1 - front yard depth in residential and business zones.

All that parcel of land in the Thirteenth District of Baltimore County, Maryland, being as at a point 157.10 feet east side of Lincoln Road on the east side of O'd Washington Road, and containing 10,000 square feet, as shown on the plan of "Oak Park 2 Addition" filed with the Land Records of Baltimore County in Liber W.P.C. No. 7, Folio 23, being known as Lots 49 and 50, Section A in the 13th Election District.

Also known as 1917 Lincoln Road being the property of Arbutus Memorial Post 5244 Veterans of Foreign Wars, as shown on plan filed with the Zoning Department.

Hearing Date: Thursday, March 20, 1980 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF:
WILLIAM E. HAMMOND,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Pub. 28

Office of
COLUMBIA
PUBLISHING CORP.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

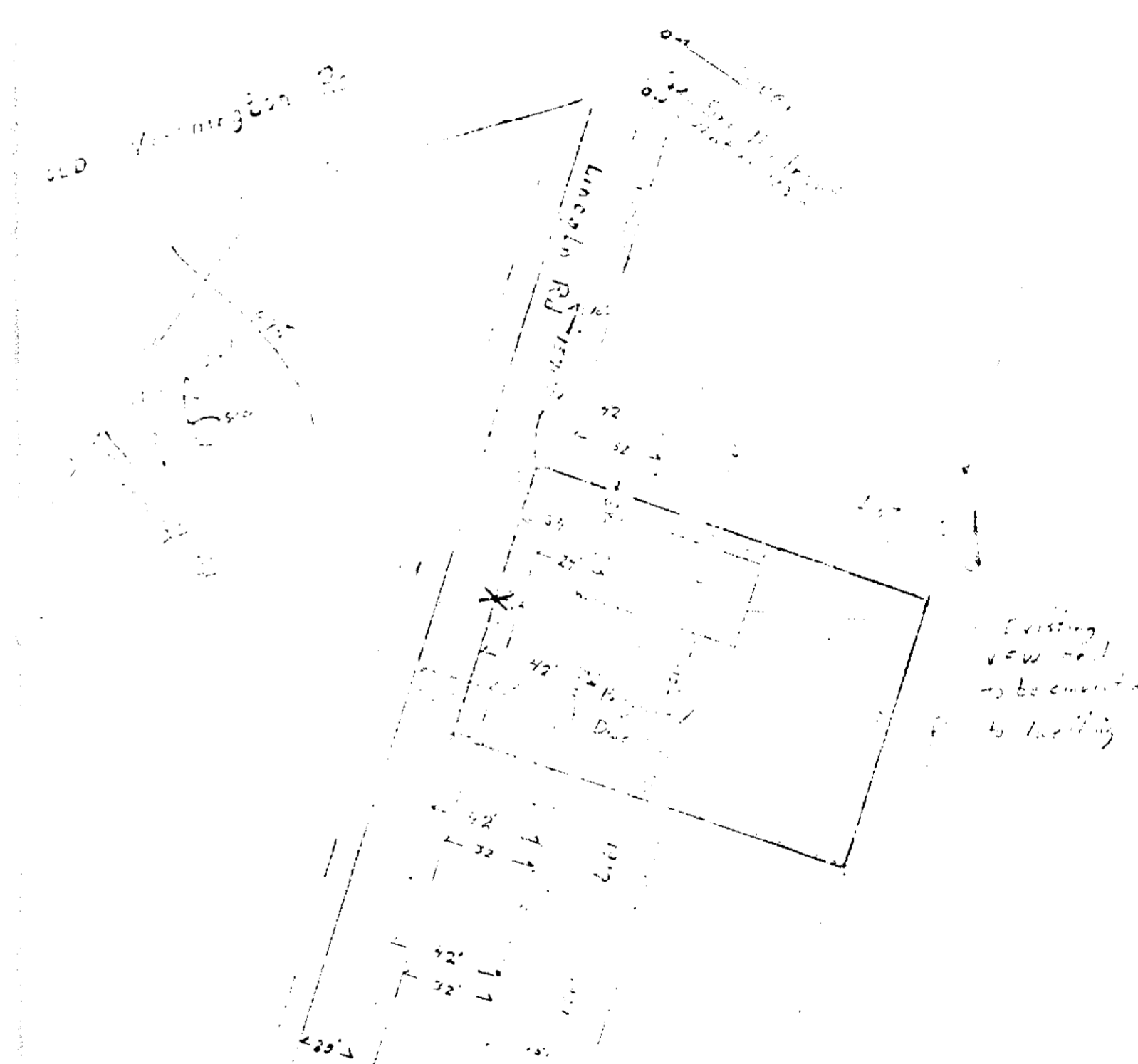
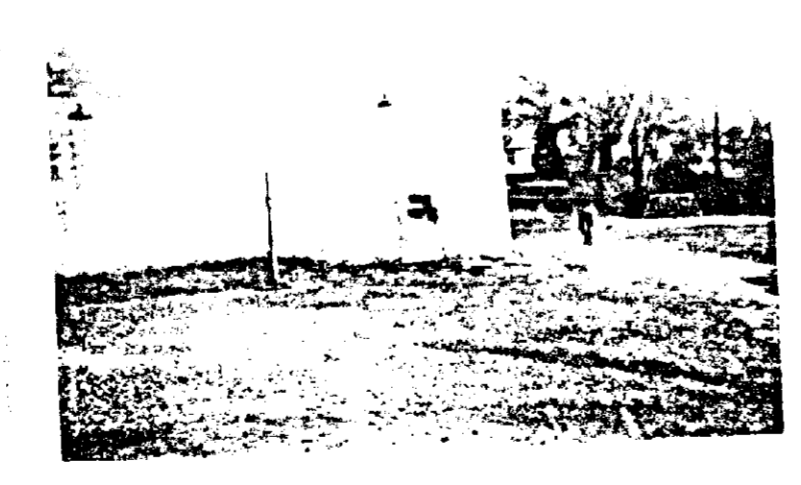
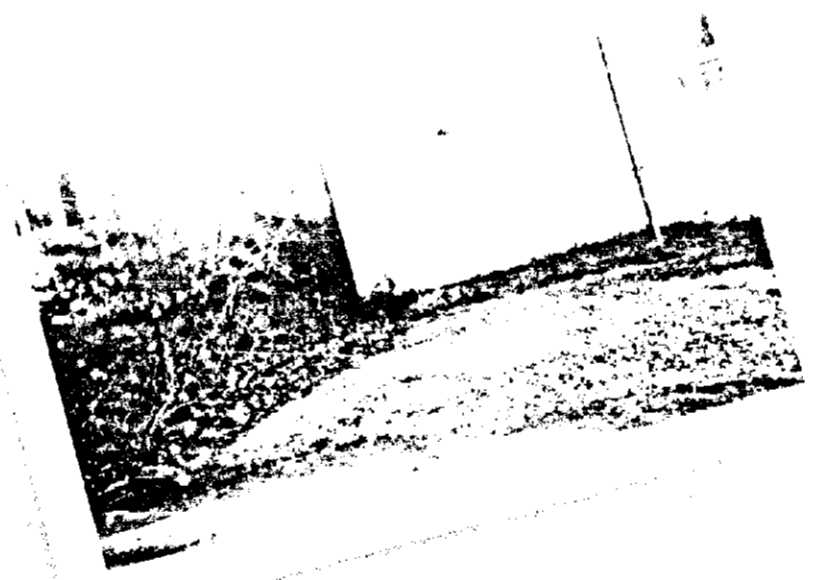
March 6 1980

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for Variances
was inserted in the following:

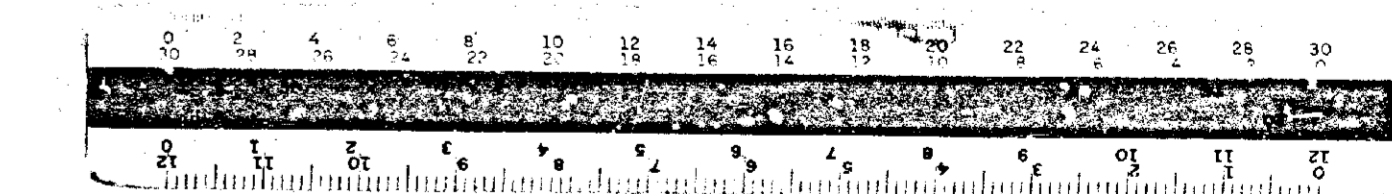
Catonsville Times
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for _____ successive weeks before the _____ day of _____, 1980, that is to say, the same was inserted in the issues of
2/28/80.

COLUMBIA PUBLISHING CORP.
John D. Seyffert



General D.R. 8.5
13th Election District
Scale 50' = 1"
Case 2443
1980



IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff
vs.
Defendant

CERTIFICATE OF PUBLICATION OF