

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 83-134-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.30.1 to permit a front yard setback of 19'2" in lieu of the average setback of 26'.

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

To conserve one energy by enclosing front door and two windows, also to lessen dust from street.

DATE 12/14/82
BY [Signature]
TITLE [Signature]
REASON [Signature]
BY [Signature]
TITLE [Signature]
REASON [Signature]

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
D. C. Poling
3109 Sollers Pt. Rd.
Baltimore, Md. 21222
Address Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 19th day of October, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of December, 1982, at 9:45 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S Sollers Point Rd.,
266.29' S of Mornington Rd.,
12th District : OF BALTIMORE COUNTY

D. C. POLING, et ux, Petitioners: Case No. 83-134-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, 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
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of November, 1982, a copy of the foregoing Order was mailed to Mr. and Mrs. D. C. Poling, 3109 Sollers Point Road, Baltimore, Maryland 21222, Petitioners.

[Signature]
John W. Hession, III

PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 9, 1982

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

Nicholas B. Connodari
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

Mr. & Mrs. D. C. Poling
3109 Sollers Point Road
Baltimore, Maryland 21222

RE: Item No. 68 - Case No. 83-134-A
Petitioner: D. C. Poling, et ux
Variance Petition

Dear Mr. & Mrs. Poling:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to legalize the setback of the existing enclosed front porch, this hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

NBC:bsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

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

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item:

GENERAL:

Baltimore County highway and utility improvements are not directly involved.

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 68 (1982-1983).

Very truly yours,

[Signature]
Robert A. Norton, P.E., Chief
Bureau of Public Services

RAM:ZAM:FWR:jmg
cc: Jack Winkley
P-SE Key Sheet
16 SE 20 Pos. Sheet
SE 4 E Topo
103 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: October 26, 1982

FROM: Jan J. Forrest
SUBJECT: Zoning Variance Item

The Baltimore County Department of Health has reviewed the following zoning variance items and has no specific comments regarding same:

- Item #22 - Simon B. & Esther P. Weiner
- Item #42 - James R. & Carole M. Krick
- Item #44 - Joseph H. Seipp, D.D.S.
- Item #48 - Herbert S.W. & Mary V. Pasler
- Item #49 - Donald Ellis
- Item #50 - Wayne Sullivan
- Item #52 - Quality House, Inc.
- Item #55 - Roy & Margaret Bolyard
- Item #56 - Earl R. & Janice C. Jackson, Jr.
- Item #58 - Paul Goodman
- Item #59 - Dorothy Haines
- Item #60 - Margaret E. Mahe, et al
- Item #61 - Primo & Elise A. China
- Item #63 - Chrysler Overseas Capital Corp.
- Item #64 - Daniel A. & Janice B. Agostino
- Item #67 - Francis W. & Victoria A. Rippel
- Item #68 - D. C. & Elizabeth Poling
- Item #70 - Sarah & Martin Lasarus, L.P.T.
- Item #71 - Roscoe Vandevander
- Item #72 - Jean G. Young, et al
- Item #73 - Helmut G. & Theresa E. Ray

Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

137/tth

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

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

Dear Mr. Hammond:
Comments on Item # 68 Zoning Advisory Committee Meeting are as follows:

Property Owner: D.C. & Elizabeth Poling
Location: E/S Sollers Point Road 266.29' S. of Mornington Road
Baltimore County
Proposed Zoning: D.R. 5.5-
Variance to permit a front yard setback of 19'2" in lieu of the required average of 26'.

Lot: 50x100
Historic: 12th

The items checked below are applicable:

- Xa. All structures shall conform to the Baltimore County Building Code 1961/ Council Bill 1-82 State-of-Maryland-Code-for-the-Building-and-Occupancy and other applicable Codes.
- Xb. A building/and other miscellaneous permits shall be required before beginning construction.
- Xc. Preliminary: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- d. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- Xe. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A fireproof door is required if construction is on the lot line, see Table 601, Item 2, Section 1407 and Table 1402.
- f. Suspended variances conflict with the Baltimore County Building Code, Section 1407.
- g. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- h. Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.
- Xi. Comments: Please show setbacks from interior property line to the dwelling applying for variance.

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

If desired, additional information may be obtained by visiting Room #122 (Plan Review) at 111 West Chesapeake Ave., E2338

Very truly yours,

[Signature]
Charles E. Burman, Chief
Plan Review

12/14
83-134-A
Circled
1708 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Smith, Superintendent

Towson, Maryland - 21204

Date: October 20, 1982

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

Z.A.C. Meeting of: October 19, 1982

RE: Item No. 64, 65, 66, 67, 68, 69, 70, 71, 72, 73
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,

[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

MNP/bp

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of December, 1982, that the herein Petition for Variance(s) to permit a front yard setback of 19 feet 2 inches in lieu of the average setback of 26 feet, for the expressed purpose of enclosing the existing screened-in porch, in accordance with the site plan filed herein and marked Petitioners' Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-134-A
D.C. Poling, et ux

Date: November 26, 1982

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

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGHalc

cc: Arlene January
Shirley Mess



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

December 29, 1982

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

Re: -ZAC- Meeting of October 19, 1982
Item Nos. 64, 65, 67, 68, 69, 70, 72, and 73.

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 64, 65, 67, 68, 69, 70, 72, and 73.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

64-83-134-A 21
65-83-134-A 126
67-83-134-A 127
68-83-134-A 128
69-83-134-A 129

70-83-134-A 130
72-83-134-A 131
73-83-134-A 132

PETITION FOR VARIANCE

12th Election District

ZONING: Petition for Variance
LOCATION: East side of Sollers Point Road, 266.29 ft. South of Morningside Road
DATE & TIME: Tuesday, December 14, 1982 at 9:45 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:

Petition for Variance to permit a front yard setback of 19 ft. 2 inches in lieu of the average setback of 26 ft.

The Zoning Regulation to be excepted as follows:
Section 1B02, 3C.1 (303.1) - average front setback in a D.R. 5.5 zone

All that parcel of land in the Twelfth District of Baltimore County

Being the property of D. C. Poling, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, December 14, 1982 at 9:45 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

DESCRIPTION

Located on the east side of Sollers Point Road approximately 266.29' south of Morningside Road and known as lot #51 as shown on Plat of Dundalk which is recorded in land records of Baltimore County in Liber 13, Folio 22. Also known as 3109 Sollers Point Rd.



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REMCKE
CHIEF

December 20, 1982

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: D.C. and Elizabeth Poling

Location: E/S Sollers Point Road 266.29' S. of Morningside Road

Item No.: 68

Zoning Agenda: Meeting of October 19, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "R" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(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. 161 "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.

REVIEWED BY: *George M. McGinnis*
Planning Group
Special Inspection Division

Noted and Approved: *George M. McGinnis*
Fire Prevention Bureau

JX/mh/cn
12/14/82 83-134-A



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3553

WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 29, 1982

Mr. & Mrs. D. C. Poling
3109 Sollers Point Road
Baltimore, Maryland 21222

RE: Petition for Variance
E/S of Sollers Point Road, 266.29' S of Morningside Road - 12th Election District
D. C. Poling, et ux - Petitioners
NO. 83-134-A (Item No. 68)

Dear Mr. & Mrs. Poling:

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

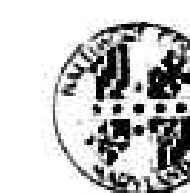
Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

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



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3553

WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 3, 1982

Mr. & Mrs. D. C. Poling
3109 Sollers Point Road
Baltimore, Maryland 21222

Re: Petition for Variance
E/S Sollers Point Rd., 266.29' S of Morningside Road
Case #83-134-A

Dear Mr. & Mrs. Poling:

This is to advise you that \$52.50 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

DATE: 12/14/82 ACCOUNT: R-01-615-001

AMOUNT: \$52.50

RECEIVED FROM: *Elizabeth A. Poling*

FOR: *Advertising & Posting*
Case #83-134-A

8 2140000052500 81834

VALIDATION OR SIGNATURE OF CARRIER

November 17, 1982

Mr. & Mrs. D. C. Poling
3109 Sollers Point Road
Baltimore, Maryland 21222

NOTICE OF HEARING

Re: Petition for Variance
E/S of Sollers Point Rd., 266.29' S of
Mornington Rd.
Case #83-134-A Item #68

TIME: 9:45 A.M.

DATE: Tuesday, December 14, 1982

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

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

No. 108997

COMMISSIONER OF
BALTIMORE COUNTY

DATE: 10/15/82 ACCOUNT: R-01-615-000

AMOUNT: \$35.00

RECEIVED FROM: Poling

FOR: Poling fee for Item #68

055*****350010 8052A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12 Date of Posting: 11/23/82

Posted for: Petition for Variance

Petitioner: D.C. Poling et al.

Location of property: E/S of Sollers Pt. Rd., 266.29' S of

Mornington Rd.

Location of Sign: front of property (#3109 Sollers

Pt. Rd.)

Remarks:

Posted by: Mark J. Coleman Date of return: 12/3/82

Number of Signs: 1

Baltimore County Office of Planning & Zoning
Towson, Maryland
21204

Mr. William E. Hammond:

I live next door to 3109 Sollers Point Road, Baltimore, Maryland
and I do not object to enclosing the porch at 3109 Sollers Point Road,
Baltimore, Maryland 21222.

Very truly yours,

Raymond Lyons

Raymond Lyons

PETITIONER'S
EXHIBIT 2

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 November 29, 1982

THIS IS TO CERTIFY, that the annexed advertisement of
P.O.#394,71 - Req. L391d1 - Petition for Variance
was inserted in **The Dundalk Eagle** a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
26th day of November 1982; that is to say,
the same was inserted in the issues of November 25, 1982

Kimbel Publication, Inc.
per Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 25, 1982

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County Md., on
one time ~~successive weeks~~ before the 14th
day of December, 1982, the said publication
appearing on the 25th day of November,
1982.

THE JEFFERSONIAN

Manager.

Cost of Advertisement, \$

D.C. Poling
3109 Sollers Point Road
Baltimore, Md. 21222

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 19th day
of October, 1982

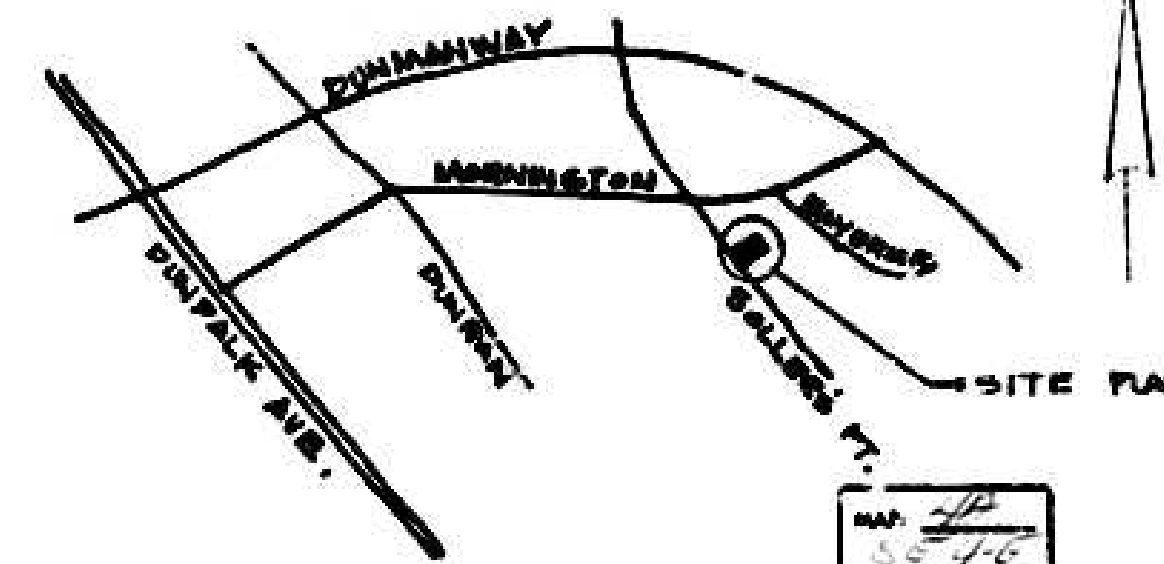
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner D.C. Poling, et al.

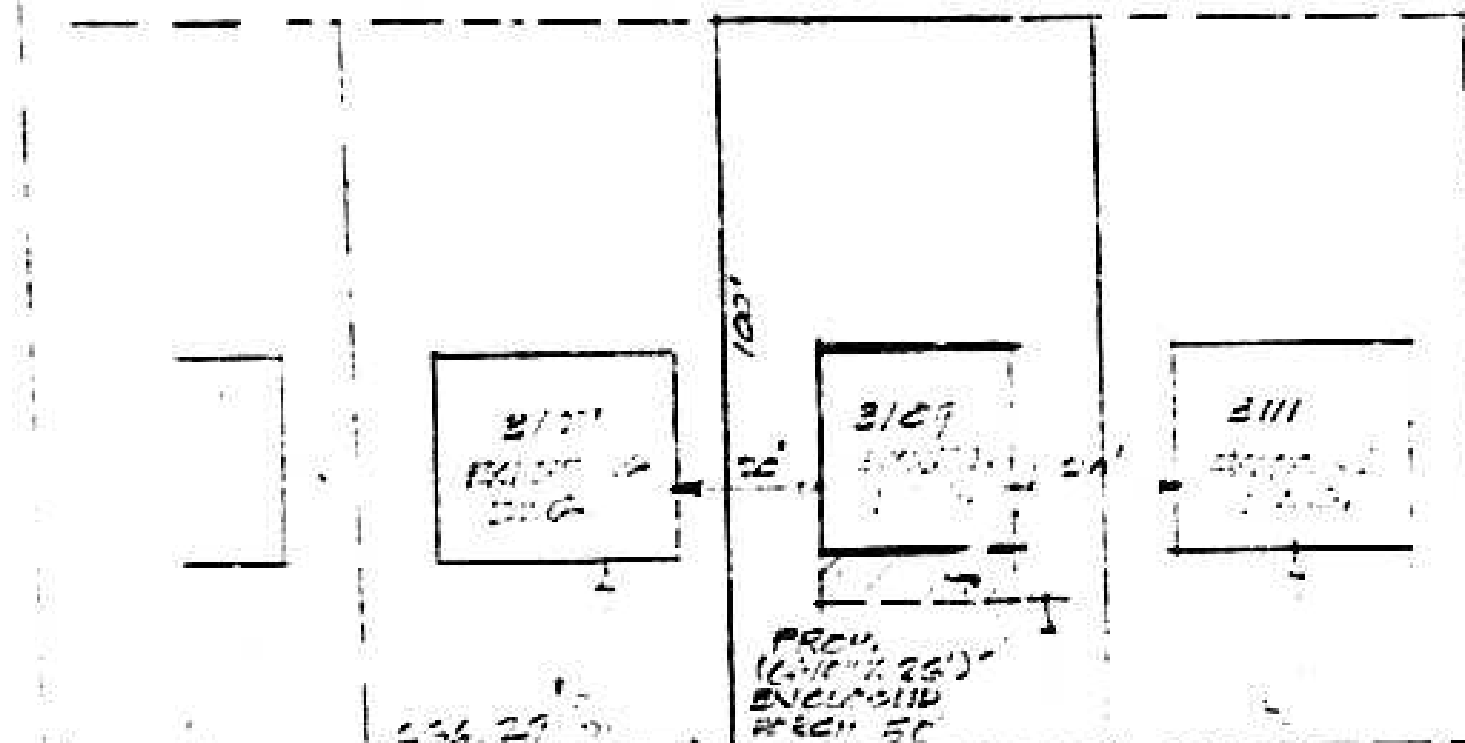
Petitioner's Attorney

Reviewed by: Nicholas B. Commodari

Chairman, Zoning Plans
Advisory Committee



VICINITY MAP



SOLLERS PT. RD. (60' R/W)

PLAT FOR ZONING VARIANCE
OWNER - D.C. POLING
DISTRICT - 12, ZONING D.R. 5.5
LOT N° 51, BLK. 9, LIGER 13, FOLIO 22
WATER & SEWER EXISTING IN THE STREET
SCALE: 1"=50'

Item #68

OTHERS WILL TAKE FULL RESPONSIBILITY
FOR THE INFORMATION PROVIDED ON
THIS PLAT PREPARED BY BALTO. CO.
DATE: 11/23/82
OWNER: D.C. Poling et al.