

83-222-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 _____

IBOI.2.C.2a to permit a window setback from tract

boundary of 10 feet instead of the required 35 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Lot is too narrow with present setbacks from tract boundary

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.

I 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:

Legal Owner(s):

(Type or Print Name)

Carl M. Baxley, Jr.

Signature

Signature

Address

Catherine Virginia Baxley

City and State

Baltimore, Md.

Attorney for Petitioner:

5820 Farmview Avenue

Baltimore, Md. 21206

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

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

of February, 1983, 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 29th day of March, 1983, at 9:45 o'clock

A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 3, 1983

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

Re: Item #131 (L282-1983)

Property Owner: Carl M. and Catherine V. Baxley, Jr.
S/W/S Farmview Avenue 187' E. from centerline of Hazel Avenue
Acres: 104/130 x 260/300
District: 14th

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:

The comments supplied January 4, 1983 by the Bureau of Public Services in conjunction with the review of the Preliminary Plan of this property "Resubdivision of Lot 28 and Lot 29 of Plan 'B' Hazelwood Farms" (Project J2.92) are referred to for your consideration.

Development of this property through stripping, grading and rehabilitation 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.

The Petitioner is cautioned that no construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utility easements.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #131 (1982-1983).

Fire hydrants are located at the intersections of Clayton and Hazelwood Avenues with Farmview Avenue.

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FR:es
cc: William Munchel
Attachment

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

SW/S of Farmview Ave., 187'
E of the Centerline of Hazel Ave.,
14th District

OF BALTIMORE COUNTY

CARL M. BAXLEY, JR., et ux : Case No. 83-222-A
Petitioners

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
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of March, 1983, a copy of the foregoing

Order was mailed to Mr. and Mrs. Carl M. Baxley, Jr., 5820 Farmview Avenue, Baltimore,

Maryland 21206, Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 16, 1983

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

also

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

Mr. & Mrs. Carl M. Baxley
5820 Farmview Avenue
Baltimore, Maryland 21206

RE: Case No. 131 - Case No. 83-222-A
Petitioner - Carl M. Baxley, et ux
Variance Petition

Dear Mr. & Mrs. Baxley:

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 construct a dwelling having a window within 10 feet of the side property line, which also constitutes the tract boundary, 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,

Nicholas B. Commodari, Jr.

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

Subject: Subdivision Review Comments

Date December 22, 1982

From: RECREATION & PARKS

Project Name: RESUB. HAZELWOOD FARMS

Preliminary Plan X

Project Number: 82192

Tentative Plan

Location: 5820 FARMVIEW AVENUE

Development Plan

District: 14 C 6

Final Plat

COMMENTS:

1. Local Open Space calculations must be shown as follows:

Local Open Space (L. O. S.) required 0.39 Ac X 6% = 0.023 Acres

0.26 Ac X 15% = 0.039 Acres

TOTAL 0.062 Acres

Fee in lieu of L. O. S. (Local Open Space) \$505.61

2. Local Open Space waiver must be requested

ARS:pba

Al R. Swehla

BALTIMORE COUNTY, MARYLAND

TO: Mr. Robert Morton

DATE January 4, 1983

FROM: C. Richard Moore

SUBJECT: C.R.G. COMMENTS

PROJECT NAME	Hazelwood Farms	C.R.G. PLAN	X
PROJECT NUMBER & DISTRICT	82192 / 14CG	DEVELOPMENT PLAN	
LOCATION	Farmview Avenue N. of Overdale Avenue	RECORD PLAT	

A subdivision of this size is not anticipated to cause any traffic problems.

C. Richard Moore
Asst. Traffic Engineer

CFM/GML/ccm

received 1-7-83
JCH

April 1, 1983

Carl M. Baxley, Jr., and Catherine
Virginia Baxley
5820 Farmview Avenue
Baltimore, Maryland 21206

Refund of Filing Fee for Special Hearing \$ 35.00
Petition - Carl M. Baxley, Jr., et ux -
Item No. 131
(Miscellaneous Cash Receipt No. 112369)

3 R-01-615-000 \$ 35.00 33

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

No. 112364

DATE 12-27-82 ACCOUNT R-01-615-000
AMOUNT 70.00

RECEIVED FROM *Carl M. Baxley, Jr.*
FOR *Refund of Filing Fee for Item 131*
83-222-A

0 017*****709010 2238A

VALIDATION OR SIGNATURE OF CASHIER

Zoning Office

William E. Hammond, Zon. Com. April 1, 1983

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 83-222 A
Building Permit Application No.
Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the permit application prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland, and you from any liability or responsibility for any consequences which might arise during the appeal period.

Very truly yours,

Carl M. Baxley, Jr.
Catherine V. Baxley

5820 FARMVIEW AVE.
BALTO. MD. 21206

3/27/83

WEH:bac

OK 9/2/82

PETITION FOR VARIANCE

14th Election District

ZONING: Petition for Variance
LOCATION: Southwest side of Farmview Avenue, 187 ft. East of the centerline of Hazel Avenue
DATE & TIME: Tuesday, March 29, 1983 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 window setback from tract boundary of 10 ft. instead of the required 35 ft.

The Zoning Regulation to be excepted as follows:

Section 1801.2.C.2a - minimum distance of dwelling unit with window from tract boundary

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

Being the property of Carl M. Baxley, Jr., et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, March 29, 1983 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

CARL L. GERHOLD
PHILIP K. CROSS
JOHN P. ETZEL
WILLIAM B. HESSIAN
BORDO, T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

823-4470

December 23, 1982

Zoning Description

Beginning for the same on the southwest side of Farmview Avenue, said place of beginning being distant Easterly 187 feet more or less measured along the southwest side of Farmview Avenue from the centerline of Hazel Avenue and being Lot No. 28 and Lot No. 29 as shown on Plat Titled Plan-B Hazelwood Farms recorded among the Plat Records of Baltimore County in Plat Book W.M.C. No. 6 folio 174.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 24, 1983

Mr. & Mrs. Carl M. Baxley, Jr.
5820 Farmview Avenue
Baltimore, Maryland 21206

Re: Petition for Variance
SW/S of Farmview Ave., 187' E of
the c/l of Hazel Avenue
Carl M. Baxley, Jr., et ux - Petitioners
Case No. 83-222-A

Dear Mr. & Mrs. Baxley:

This is to advise you that \$48.05 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

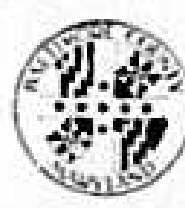
No. 117307

DATE 3-24-83 ACCOUNT R-01-615-000
AMOUNT \$48.05

RECEIVED FROM *Carl Baxley*
FOR *Advertising & Posting Case # 83-222-A*

0 011*****489510 4288A

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 29, 1983

Mr. & Mrs. Carl M. Baxley, Jr.
5820 Farmview Avenue
Baltimore, Maryland 21206

RE: Petition for Variance
SW/S of Farmview Avenue, 187' E of the
centerline of Hazel Avenue - 14th Election
District
Carl M. Baxley, Jr., et ux - Petitioners
NO. 83-222-A (Item No. 131)

Dear Mr. & Mrs. Baxley:

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

Very truly yours,

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

2MHJ/srl

Attachments

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

March 2, 1983

Mr. & Mrs. Carl M. Baxley, Jr.
5820 Farmview Avenue
Baltimore, Maryland 21206

NOTICE OF HEARING
Re: Petition for Variance
SW/S of Farmview Ave., 187' E of the
centerline of Hazel Avenue
Case No. 83-222-A

TIME: 9:45 A.M.

DATE: Tuesday, March 29, 1983

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Mr. & Mrs. Carl M. Baxley
5820 Farmview Avenue
Baltimore, Md. 21206

Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Md. 21204

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 February, 1983

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

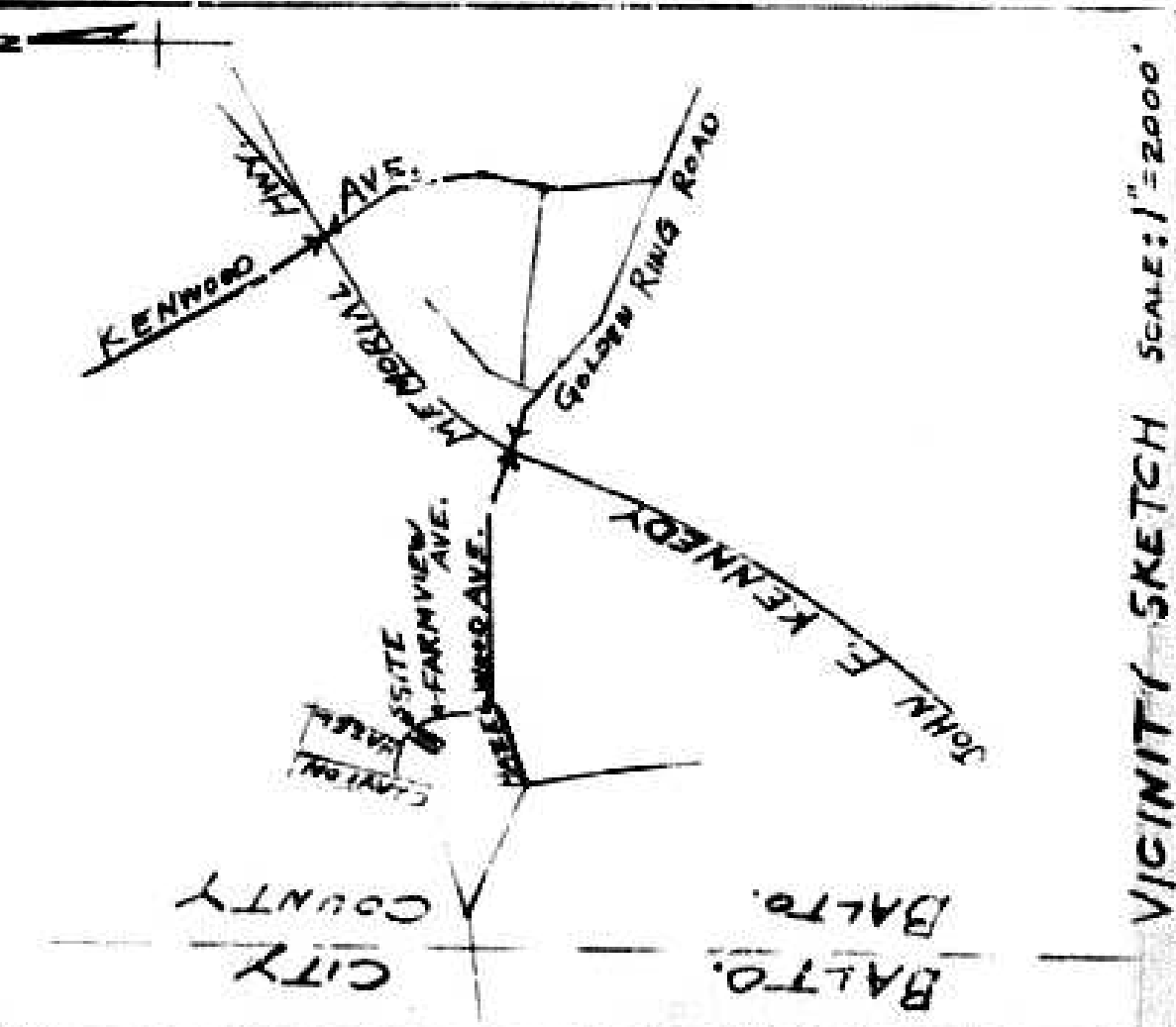
Petitioner: Carl M. Baxley, et ux
Petitioner's Attorney:

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

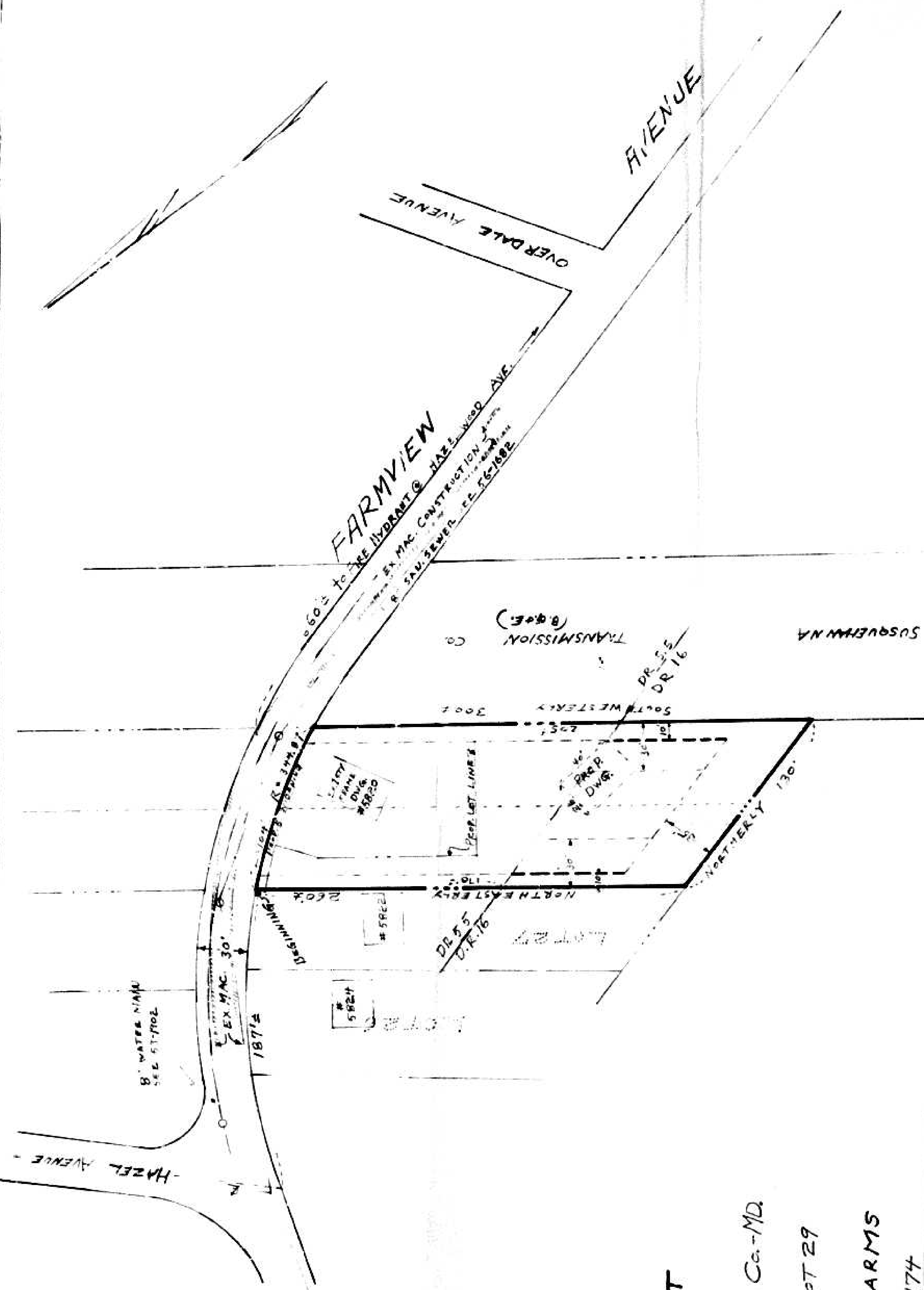
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14 Date of Posting 3/12/83
Posted for: *Petition for Variance*
Petitioner: *Carl M. Baxley, Jr., et ux*
Location of property: *SW/S of Farmview Ave., 187' E of the centerline of Hazel Ave.*
Location of Sign: *front of property (5820 Farmview)*
Remarks:
Posted by *Jean M.H. Jung* Date of return: 3/19/83
Number of Signs: 1

**PETITIONER'S
EXHIBIT 2**



VICINITY SKETCH SCALE: 1"=2000'

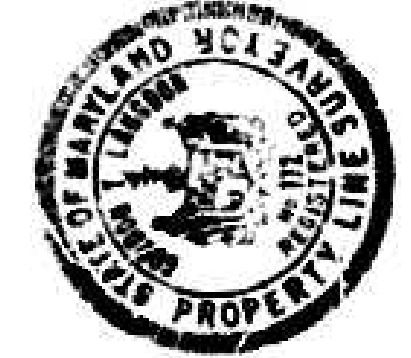


ZONING PLAT
 LOCATED IN
 14TH DIST.-BALTO Co.-MD
 Lot 28 AND Lot 29
 OF
 PLAN "B"
 HAZELWOOD FARMS
 W.P.C. 6 Folio 174

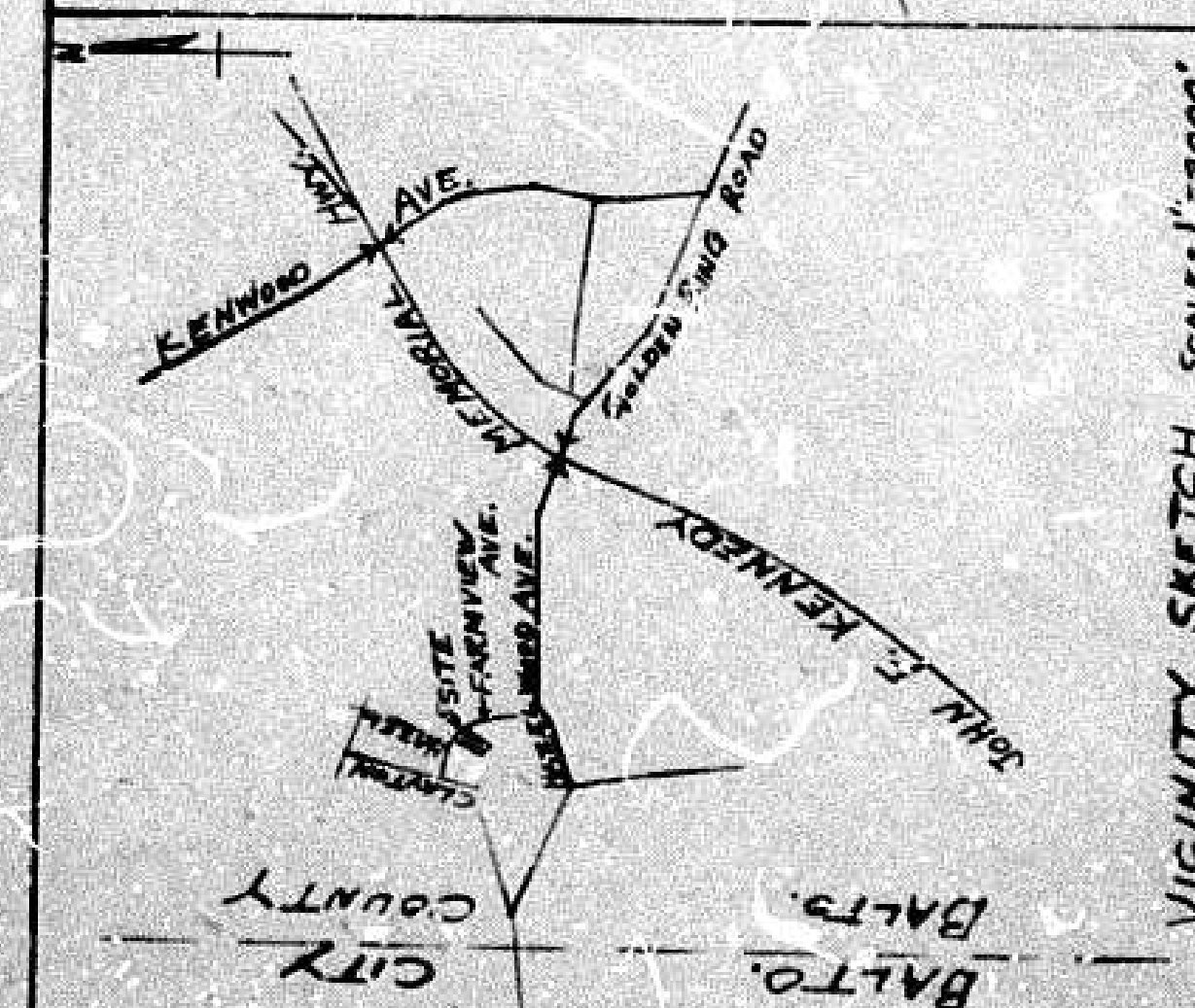
TOTAL AREA 0.18 ACRES:
 ZONED D.R. 55 .42 ACRES ± = 2.31 DWGS
 ZONED D.R. 16 .26 ACRES ± = 4.15 DWGS
 TOTAL 0.68 ACRES ±

OWNER : CARL M. BAXLEY, JR. & CATHERINE VIRGINIA BAXLEY
 5820 FARMVIEW AVENUE
 BALTO. MD. 21206
 PHONE : HOME - 866-6574

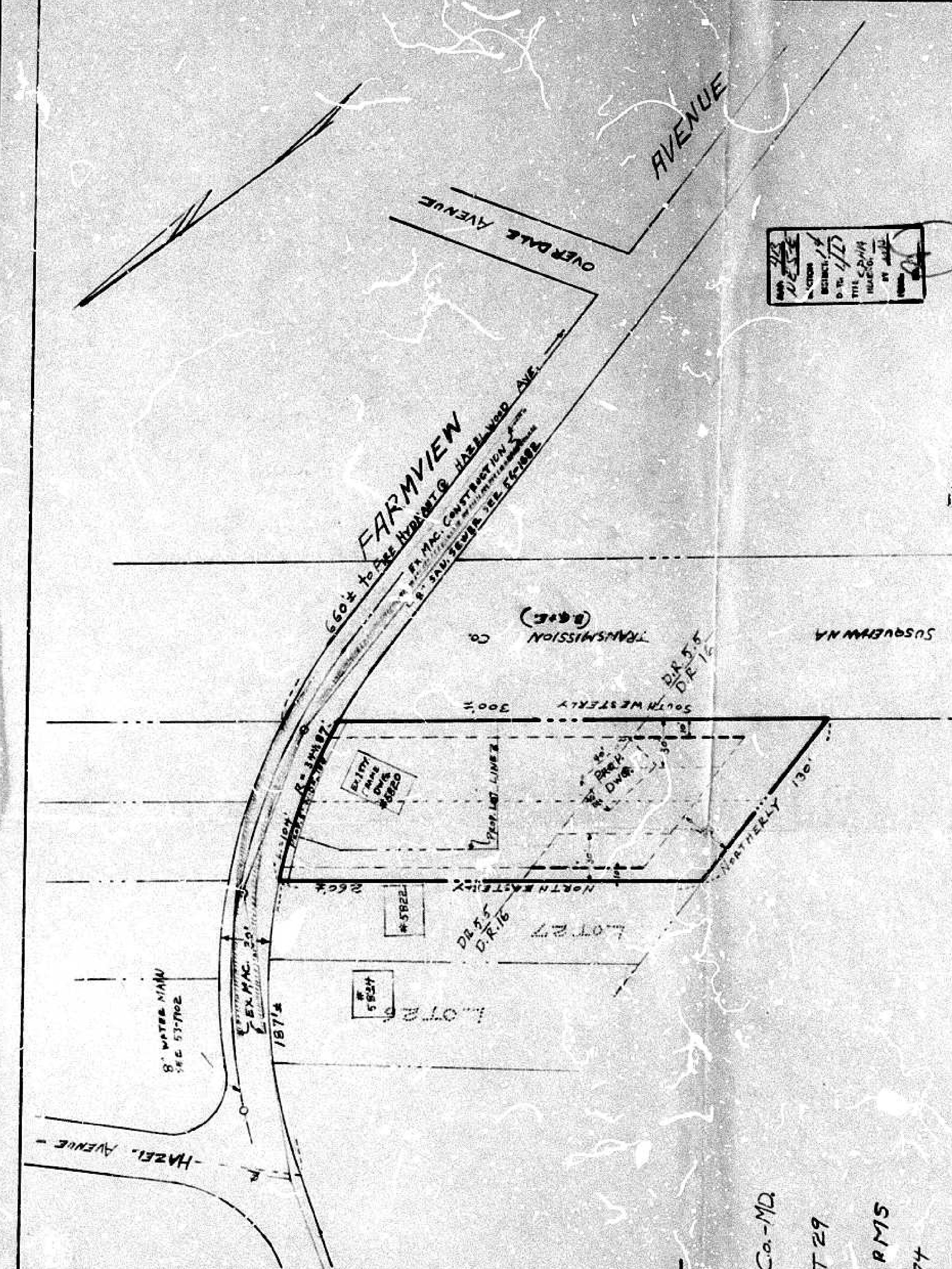
DEED REF. E.H.K. JR. 6031-218



EXISTING ZONING - DR 55 AND DR 16
 PROPOSED SETBACK VARIANCES, 10'
 SETBACKS INSTEAD OF 35' SETBACK
 IN THE D.R. 16 ZONE [18012.66 (V.B. 56)]
 ALSO PETITION FOR SPECIAL HEARING
 FOR AUTHORITY UNDER SECTION 18012.6
 AND FOR
PETITIONER'S EXHIBIT
 ADDITIONS FEB. 23, 1983
 SCALE: 1"=50' DEC. 21, 1982
 GERHOLD, CROSS & ETZEL
 Registered Professional Land Surveyors
 412 DOWNEY AVENUE
 WOODS, MARYLAND 21204



VICINITY SKETCH SCALE: 1"=2000'



ZONING PLAT
 LOCATED IN
 14TH DIST.-BALTO. Co.-MD
 Lot 28 AND Lot 29
 OF
 PLAN "B"
 HAZELWOOD FARMS
 W.P.C. 6 Folio 174

TOTAL AREA 0.64 ACRES ±
 ZONED D.R. 55 .34 ACRES ±
 ZONED D.R. 16 .26 ACRES ±

OWNER : CARL M. BAXLEY, JR. & CATHERINE VIRGINIA BAXLEY
 5820 FARMVIEW AVENUE
 BALTO. MD. 21206
 PHONE : HOME - 866-6574

DEED REF. E.H.K. JR. 6031-218

EXISTING ZONING - DR 55 AND DR 16
 PROPOSED SETBACK VARIANCES, 10'
 SETBACKS INSTEAD OF 35' AND 35' SETBACKS
 IN THE D.R. 16 ZONE [18012.66 (V.B. 56)]
 ALSO PETITION FOR SPECIAL HEARING
 FOR AUTHORITY UNDER SECTION 18012.6
 AND FOR

John P. Cross

SCALE: 1"=50' DEC. 21, 1982
 GERHOLD, CROSS & ETZEL
 Registered Professional Land Surveyors
 412 DOWNEY AVENUE
 WOODS, MARYLAND 21204