

PETITION FOR ZONING VARIANCE 85-77-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 103.1 (Section 1 and III.A.3)(a) to permit rear and side yard setbacks of 0' in lieu of the required 10' and 2', respectively and to allow a coverage of 65.24 (835 sq. ft.) of the rear yard in lieu of the permitted 354 (448 sq. ft.) for an accessory structure.

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

1. A small rear yard is the only available space for an inground pool.
2. Upgrade property value as opposed to above ground pool.
3. A 6 ft setback conforms to Baltimore County regulations and because an inground pool is not a building as such, we request the variance.

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/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

Attorney for Petitioner: _____
 (Type or Print Name)
 Address: _____

 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
 Name: _____
 Address: _____
 Phone No.: _____

Attorney's Telephone No.: _____
 Name: _____
 Address: _____
 Phone No.: _____

ORDERED By the Zoning Commissioner of Baltimore County, this 17th day of July, 1984, 19 84, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of September, 19 84, at 10:30 o'clock a.m.

(over)

Carl J. J...
 Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
 DIRECTOR

July 26, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #5 (1984-1985)
 Property Owner: Felix L. Powell, et ux
 5/6 cor. Flamingo and Raven Drives
 Acre: 82.5/95.02 X 75/62.5
 District: 134B

Dear Mr. Jablon:

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 COMMENTS:

No public facilities are involved; however, there exists two separate easements for utilities along the south and east property lines of this site. These easements are shown on recorded plat G.L.B. 20, Folio 156. The Petitioner is advised that no permanent structures can be erected within these easement areas.

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

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

Very truly yours,

Richard S. Benson
 RICHARD S. BENSON, P.E., Asst. Chief
 Bureau of Public Services

GBS:IAN:IDB:esb

McDonough 9/7/87

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO...Zoning.Commissioner..... Date...September 5, 1984

Norman E. Gerber, Director
 FROM...Office of Planning and Zoning.

Zoning Petition Nos. 85-70-A, 85-74-A, 85-75-A,
 SUBJECT...85-26-A, 85-27-A, 85-80-A, 85-81-A, and 85-85-A

There are no comprehensive planning factors requiring comment on these petitions.

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

REG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 14, 1984

COUNTY OFFICE BLDG.
 111 N. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21286

Chairman
 Nicholas S. Comodori
 Chairman

MEMBERS
 Bureau of Engineering
 Department of Public Works
 State Parks Commission
 Bureau of Public Services
 Health Department
 Planning Department
 Bureau of Transportation
 Social Administration
 Industrial Development

Mr. & Mrs. Felix L. Powell
 1100 Raven Drive
 Baltimore, Maryland 21227

RE: Case No. 85-77-A (Item No. 5)
 Petitioner - Felix L. Powell, et ux
 Variance Petition

Dear Mr. & Mrs. Powell:

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.

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 filed 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 S. Comodori
 NICHOLAS S. COMODORI
 Chairman
 Zoning Plans Advisory Committee

NBC:bsc

Enclosures

ORDER RECEIVED FOR FILING
 DATE October 1, 1984
 BY [Signature]

ORDER RECEIVED FOR FILING
 DATE [illegible]
 BY [illegible]

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204
 436-3711

NORMAN E. GERBER
 DIRECTOR

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

7-85-84

Re: Zoning Advisory Meeting of 7-17-84
 Item # 5
 Property Owner: Felix L. Powell, et ux
 Location: 5/6 cor. Flamingo & Raven Drives

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Review Group Meeting is required.
- A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A zoning plat will be required and must be recorded prior to issuance of a building permit.
- The site is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- Parking calculations must be shown on the plan.
- This property contains lots which are defined as wetlands, and development on these lots is prohibited.
- Construction or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on [illegible].
- A RECEIVING TRUCKS BE PROHIBITED ON THIS SITE AND SHOW ON THE PLAN.
- The property is located in a deficient service area as defined by §11-176-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [illegible].
- The property is located in a traffic area controlled by a "T" level intersection as defined by §11-176-79, and a condition of the traffic capacity may become applicable. The Basic Facilities Areas are re-evaluated annually by the County Council.
- Additional comments: [illegible]

*Site plan must show a security schedule
 Proposed deck over the existing utility easement
 may not be permitted by Dept of Public Works*

Norman E. Gerber
 Norman E. Gerber
 Chief, Current Planning and Development

cc: James Rowell

BALTIMORE COUNTY
 DEPARTMENT OF TRAFFIC ENGINEERING
 TOWSON, MARYLAND 21204
 434-3550

STEPHEN E. COLLINS
 DIRECTOR

July 23, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Item No. 5, 6, 7, 8 - SAC Meeting of July 17, 1984
 Property Owner:
 Location:
 Existing Zoning:
 Proposed Zoning:

Acres:
 District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 5, 6, 7, and 8.

Nicholas S. Comodori
 NICHOLAS S. COMODORI
 Chairman
 Zoning Plans Advisory Committee

MEP/czm

85-77-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 17th day of July, 1984.

Arnold Jablon
 ARNOLD JABLON
 Zoning Commissioner

Petitioner Felix L. Powell, et ux
 Petitioner's Attorney

Received by *Nicholas S. Comodori*
 Nicholas S. Comodori
 Chairman, Zoning Plans
 Advisory Committee

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 result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested would not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of October, 1984, that the herein Petition for Variance(s) to permit rear and side yard setbacks of zero feet in lieu of the required 10 feet and two feet, respectively, and to permit an accessory structure (swimming pool and dock) to cover 65.2% (835 square feet) of the rear yard in lieu of the permitted 35% (448 square feet), in accordance with the site plan filed herein, is hereby GRANTED, from and after the date of this Order, subject to the following:

- No permanent structures shall be erected within easement areas.
- Any draining of the pool, i.e., cleaning, backwashing, winterizing, etc., shall be directed into a storm drain and not be spilled on the subject property or adjacent property.
- A satisfactory outfall for all storm water associated with the proposed pool and deck and existing gutter system shall be approved by the Baltimore County Bureau of Engineering (Storm Drain Design and Approval Section) prior to the granting of any permits and/or the initiation of any construction.

John M. Dineen
Deputy Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21284
304-3000

THE ZONING BOARD
OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284

Dear Mr. Boardman:

Comments on Item # 5 Zoning Advisory Council Meeting on as follows:

Property Owner: Felix L. Powell, et ux
Location: SE/Cor. Flamingo & Raven Dr.
Proposed Setback: Variance to permit rear and side yard setback 0' in lieu of 10'
82.5/95.02 x 75/62.5

The issues identified were as applicable:

- All structures shall conform to the Baltimore County Building Code 1981/ and other applicable Code.
- A building and other miscellaneous permits shall be required before beginning construction.
- Residential: Three sets of construction drawings with a required landscape architect or landscape architect in conjunction with a Maryland Registered Architect or Engineer shall be required to file a permit application.
 - An exterior wall erected within 6'0" of an adjacent lot line shall be of no more than masonry construction, no openings permitted within 3' of lot lines. A firewall is required if construction is on the lot line. See Table 101, Item 2, Section 107 and Table 102.
 - Requested variance conflicts with the Baltimore County Building Code, Section 107.
 - A change of occupancy shall be applied for, along with an attention 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.
 - Before this office can comment on the above structure, please have the owner, their architect, and the architect submit a written statement or Engineer's affidavit to this office that the structure is being submitted as a residential use in compliance with the height/area requirements of Table 202 and the required construction standards of Table 101.
- Comments: Fence's height controlled by section 202 of B.C.C. & Z.

NOTES: 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.

Very truly yours,
Charles E. Burdick, Chief
Zoning Board

OB:199
FORM 01-82

BALTIMORE COUNTY
THE CIRCUIT COURT
TOWSON, MARYLAND 21284-2586
494-4000

PLEA HEARING
CASE
July 20, 1984

Re: William Raymond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21284

Attention: Nick Comodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Felix L. Powell, et ux
Location: SE/Cor. Flamingo and Raven Drive
Item No. 5 Zoning Agenda: Meeting of 7/17/84

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

- 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.
- A second means of vehicle access is required for the site.
- The vehicle dead end condition shown at

- EXCEEDS the maximum allowed by the Fire Department.
- The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
 - 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", 1978 Edition prior to occupancy.
 - Site plans are approved, as drawn.
 - The Fire Prevention Bureau has no comments, at this time.
- REVIEWED: *John J. Kelly* 7-2-84
Planning Director
Special Inspection Division
- Approved: *George M. Maganoff*
Fire Prevention Bureau

RE: PETITION FOR VARIANCES BEFORE THE ZONING COMMISSIONER
SE Corner Raven & Flamingo Drs.
(1100 Raven Dr.), 13th Dist. OF BALTIMORE COUNTY
FELIX L. POWELL, et ux, Case No. 85-77-A
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, MD 21284
494-2188

Peter Max Zimmman
Peter Max Zimmman
Deputy People's Counsel

I HEREBY CERTIFY that on this 29th day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Felix L. Powell, 1100 Raven Drive, Baltimore, MD 21227, Petitioners.

Peter Max Zimmman
Peter Max Zimmman

COPIES RECEIVED FOR FILING
DATE October 9, 1984
BY Mary Campbell, Clerk
APPROVED: [Signature]

COPIES RECEIVED FOR FILING
DATE [Signature]

August 22, 1984

Mr. & Mrs. Felix L. Powell
1100 Raven Drive
Baltimore, Maryland 21227

NOTICE OF HEARING

Re: Petition for Variances
SE Corner Raven & Flamingo Drive
(1100 Raven Drive)
Felix L. Powell, et ux - Petitioners
Case No. 85-77-A

TIME: 10:30 A.M.
DATE: Tuesday, September 18, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 131984

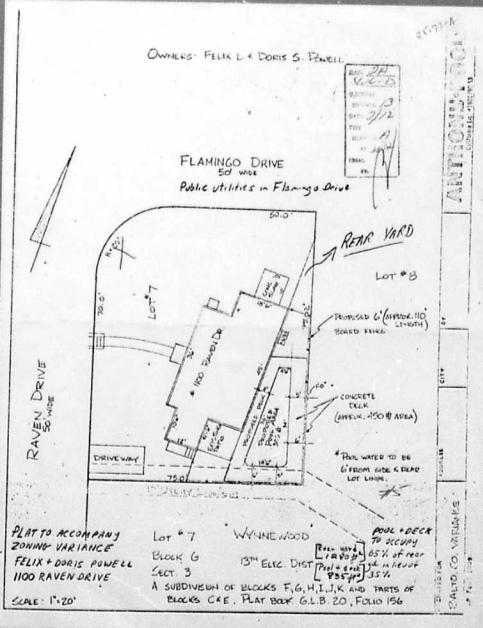
DATE: 7/1/84 ACCOUNT: R-01-018-000

AMOUNT: \$3,500

RECEIVED BY: Felix Powell et ux
FOR: V.P.A.

119*****35000 BODGA

VALIDATION OR SIGNATURE OF CASHIER



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
85-77-A

District: 13th Date of Posting: Sept. 1, 1984
Posted for: [Signature]
Petitioner: Felix L. Powell, et ux
Location of property: SE/Cor. of Raven and Flamingo Drives
(1100 Raven Drive)
Location of Sign: SE/Cor. of Raven and Flamingo Drives
in front of 1100 Raven Drive
Remarks:
Posted by: [Signature] Date of return: Sept. 2, 1984
Number of Signs: [Signature]

Office of
PATUXENT
Publishing Corp.
10700 Lakes Parkway
Columbia, MD 21044

August 30 19 84

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCES

was inserted in the following:
Catonville Times
St. Ansbury Times
weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 1 day of September, 1984, that is to say,
August 29, 1984

PATUXENT PUBLISHING CORP.
By: *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff
vs.
Defendant

CERTIFICATE OF PUBLICATION

October 9, 1984

Mr. and Mrs. Felix Loren Powell
 1100 Raven Drive
 Baltimore, Maryland 21227

Re: Petition for Variances
 SE/Corner Raven and Flamingo Drives
 13th Election District
 Felix L. Powell, et ux - Petitioners
 No. 85-77-A (Item No. 9)

Dear Mr. and Mrs. Powell:

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

Very truly yours,

Arnold Jablon
 ARNOLD JABLON
 Deputy Zoning Commissioner

JMJ/mc

Attachments

cc: Mr. James Sanabury
 1100 Flamingo Drive
 Baltimore, Maryland 21227

People's Counsel

September 12, 1984

Mr. & Mrs. Felix L. Powell
 1100 Raven Drive
 Baltimore, Maryland 21227

Re: Petition for Variances
 SE/Cor. Raven & Flamingo Drs. (1100 Raven Drive)
 Case No. 85-77-A

Dear Mr. & Mrs. Powell:

This is to advise you that \$41.20 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,

Arnold Jablon
 ARNOLD JABLON
 Zoning Commissioner

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

No. 134343

DATE 9-18-84 ACCOUNT R-01-615-660

AMOUNT \$ 11.20

RECEIVED FROM Felix Powell

FOR Advertising & posting Case 85-77-A

0 088*****41204 8186F

VALIDATION OR SIGNATURE OF CARRIER

ZONING DESCRIPTION

Being known as the southeast corner of Flamingo and Raven Drive. Being known and designated as Lot #7, in Block G, as shown on a plat entitled: "Subdivision of Blocks F, G, H, I, J, K, and parts of C & E, Section #3, Wynnewood", which plat is recorded among the Plat Records of Baltimore County in Plat Book C.L.B. #20, folio 156. Being known as 1100 Raven Drive.

PETITION FOR VARIANCES
 13th Election District

ZONING: Petition for Variances
 LOCATION: Southeast corner Raven and Flamingo Drives (1100 Raven Drive)
 DATE & TIME: Tuesday, September 18, 1984 at 10:30 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:

Petition for Variances to permit rear and side yard setbacks of 0 ft. in lieu of the required 10 ft. and 2 ft., respectively, and to allow a coverage of 45.22 (835 sq. ft.) of the rear yard in lieu of the permitted 33% (448 sq. ft.) for an accessory structure

Being the property of Felix L. Powell, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

PETITION FOR VARIANCES
 This document contains the information required for the Zoning Commission to consider the petition for variances. It is the responsibility of the petitioner to provide the information required. The Zoning Commission will not be held responsible for the accuracy of the information provided. The Zoning Commission will not be held responsible for the accuracy of the information provided. The Zoning Commission will not be held responsible for the accuracy of the information provided.

85-77-A

CERTIFICATE OF PUBLICATION

TOWSON, MD. AUGUST 30, 1984.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on AUGUST 30, 1984.

THE JEFFERSONIAN,
Arnold Jablon
 Publisher

Cost of Advertising 20.00