

PETITION FOR ZONING VARIANCE 85-328-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 1-3-02, 3B (205.3 + 301.1) to construct open wood deck within 3 feet of side lot line in lieu of 11.25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Open deck on side of house is necessary to provide level access (without traveling through house) from front of house at driveway side to proposed screened porch at rear of house. This open deck and attached wooden stairs also would provide safe access to grade at rear of house (grade drops 9' from front of house to rear of house along driveway side)

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: Legal Owner(s): Ben Dubin (Type or Print Name) Signature: Ben Dubin Address: 7113 Pheasant Cross Dr, Towson, MD 21284 City and State: Baltimore, MD Attorney for Petitioner: Ben & Esther Rubin (Type or Print Name) Address: 7113 Pheasant Cross Dr, Towson, MD City and State: Baltimore, MD Attorney's Telephone No.: 7113 Pheasant Cross Dr, 4843394

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of April, 1985, 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 108, County Office Building in Towson, Baltimore County, on the 21st day of May, 1985, at 10:00 o'clock.

Call John Zoning Commissioner of Baltimore County.

Case No. 85-328-A

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 15th day of April, 1985.

ARNOLD JABLON Zoning Commissioner

Petitioner Benjamin Dubin, et ux Received by Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 10, 1985

Mr. & Mrs. Benjamin Dubin 7113 Pheasant Cross Drive Baltimore, Maryland 21209

RE: Item No. 286 - Case No. 85-328-A Petitioners - Benjamin Dubin, et ux Variance Petition

Dear Mr. & Mrs. Dubin:

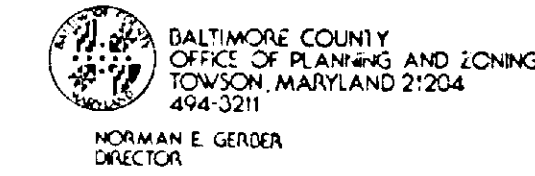
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning 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 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 Chairman, Zoning Plans Advisory Committee

ENCLOSURE



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

MAY 3, 1985

RE: Zoning Advisory Meeting of April 9, 1985 Item # 286

Property Owner: BENJAMIN DUBIN, et ux Location: S/S PHEASANT CROSS DRIVE (33) N/E SUGAR COVE RD.

Dear Mr. Jablon:

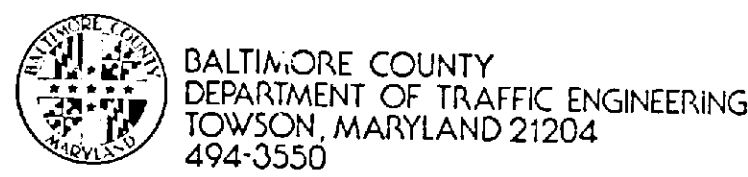
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- 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 record plat will be required and must be recorded prior to issuance of a building permit.
The access 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 soils which are defined as wetlands, and development on these soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 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.
Landscaping: Must comply with Baltimore County Landscape Manual.
The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is...
The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
Additional comments:

Edgna A. Buber Chief, Current Planning and Development

cc: James Howell

ORDER RECEIVED FOR FILING DATE 5/11/1985 BY Catherine C. Schindler



STEPHEN E. COLLINS DIRECTOR

April 8, 1985

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

Item No. 281, 282, 283, 284 (286) and 287. ZAC- Meeting of April 9, 1985

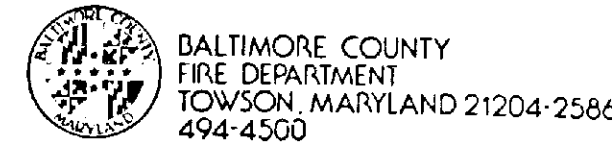
Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 281, 282, 283, 284, 286, and 287.

Michael S. Flanigan Traffic Engineering Assoc. II

MSF/ccm



PAUL H. REINCKE CHIEF

April 15, 1985

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Benjamin Dubin, et ux Location: S/S Pheasant Cross Dr. 639' N/E Sugarcove Road Item No.: 286 Zoning Agenda: Meeting of 4/9/85

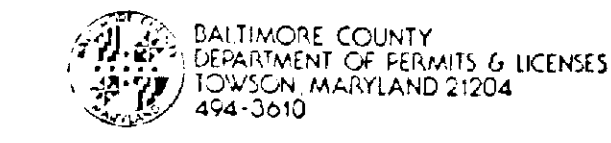
Gentlemen:

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 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.
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.

REVIEWED BY: Noted and Approved: Roy W. Kemmer Fire Prevention Bureau

mb



ED IALISHA JR DIRECTOR

April 15, 1985

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

Dear Mr. Jablon:

Comments on Item # 286 Zoning Advisory Committee Meeting are as follows:

Property Owner: Benjamin Dubin, et ux Location: S/S Pheasant Cross Drive 639' N/E Sugarcove Road Existing Zoning: R.R. 2 Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 11.25' for an open deck.

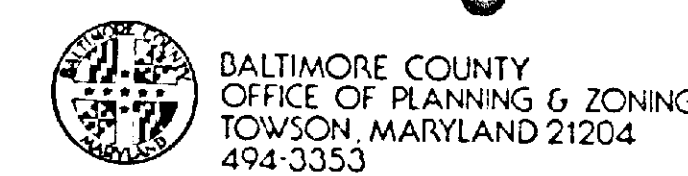
Acres: 85 x 170 District: Jrd.

The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
A building/ & other permit shall be required before beginning construction.
Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required. Non-reproducible seals and signatures are required on Plans and Technical Data.
Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1407 and Table 102, also Section 291.2.
Requested variance appears to conflict with the Baltimore County Building Code, Section/s
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.
Before this office can comment on the above structure, please have the owner, thru 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 101.
Comments - Wood shall be approved treated wood. See Section 1317.0. The deck shall be designed for a 60# live load plus the D.L.

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 102 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours, Charles E. Burdick, Chief Plans Review



ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

May 21, 1985

Mr. & Mrs. Benjamin J. Dubin 7113 Pheasant Cross Drive Baltimore, Maryland 21209

RE: PETITION FOR VARIANCE S/S Pheasant Cross Drive, 639' NE of Sugarcove Road, (7113 Pheasant Cross) 3rd Election District Benjamin J. Dubin, et ux - Petitioners Case No. 85-328-A (Item No. 286)

Dear Mr. & Mrs. Dubin:

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

Very truly yours, Jean M. H. Jung Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

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 Deputy Zoning Commissioner of Baltimore County, this 21st day of May, 1985, that the herein Petition for Variance(s) to permit the construction of an open wood deck within three feet of the side lot line in lieu of the required 11.25 feet in accordance with the plan submitted and filed herein, marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order.

*Arnold Jablon*  
Deputy Zoning Commissioner  
of Baltimore County

ORDER RECEIVED FOR FILING

DATE \_\_\_\_\_ BY \_\_\_\_\_

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

ARNOLD JABLON  
ZONING COMMISSIONER

May 15, 1985

Mr. & Mrs. Benjamin Dubin  
7113 Pheasant Cross Drive  
Baltimore, Maryland 21209

RE: Petition for Variance  
S/S Pheasant Cross Drive, 639' NE of Sugarcone  
Road (7113 Pheasant Cross Drive)  
Benjamin J. Dubin, et ux - Petitioners  
Case No. 85-328-A

Dear Mr. & Mrs. Dubin:

This is to advise you that \$51.75 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,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 007418

DATE 5/21/85 ACCOUNT R-01-615-007

AMOUNT \$ 51.75

RECEIVED FROM Benjamin J. Dubin

FOR Advertising and Postage Case 85-328-A

8 8013\*\*\*\*\*1254a 0210F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 005355

DATE \_\_\_\_\_ ACCOUNT \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_

RECEIVED FROM \_\_\_\_\_

FOR \_\_\_\_\_

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

3rd Election District

LOCATION: South side Pheasant Cross Drive, 639 ft. Northeast of Sugarcone Road (7113 Pheasant Cross Drive)

DATE AND TIME: Tuesday, May 21, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 construct open wood deck within 3 ft. of side lot line in lieu of 11.25 ft.

Being the property of Benjamin J. Dubin, et ux as shown on the plat filed with the Zoning Office.

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

April 23, 1985

Mr. and Mrs. Benjamin J. Dubin  
7113 Pheasant Cross Drive  
Baltimore, Maryland 21209

NOTICE OF HEARING

RE: Petition for Variance  
S/S Pheasant Cross Drive, 639' NE  
Sugarcone Road (7113 Pheasant Cross  
Drive)  
Benjamin J. Dubin, et ux - Petitioner  
Case No. 85-328-A

TIME: 10:00 a.m.

DATE: Tuesday, May 21, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

ZONING DESCRIPTION

Beginning on the south side of Pheasant Cross Drive at the distance of 639 feet north of Sugarcone Rd., being lot 7 Block J in the subdivision of Greenzette (as shown on plot two section four). Liber #37 Folio #2R also known as 7113 Pheasant Cross Dr. in the 3rd election district, 7th precinct.

A LEGAL NOTICE

PETITION FOR VARIANCE

3rd Election District

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BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

64930

Pikesville, Md., May 1 19 85

TO CERTIFY, that the annexed advertisement

published in THE NORTHWEST STAR, a weekly

paper published in Pikesville, Baltimore

Maryland before the 21st day of

May 19 85

1st publication appearing on the

1st day of May 19 85

and publication appearing on the

1st day of May 19 85

the third publication appearing on the

1st day of May 19 85

THE NORTHWEST STAR

*Phyllis Cole Friedman*  
Manager

Cost of Advertisement \$22.00

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
S/S Pheasant Cross Drive, 639' NE of Sugarcone Rd. : OF BALTIMORE COUNTY  
(7113 Pheasant Cross Dr.)  
3rd District :

BENJAMIN J. DUBIN, et ux, : Case No. 85-328-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

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 1st day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Benjamin Dubin, 7113 Pheasant Cross Drive, Baltimore, MD 21209, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

85-328-A  
CERTIFICATE OF PUBLICATION

TOWSON, MD., May 2 19 85

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

May 2 19 85

THE JEFFERSONIAN,

*W. B. Keaton*  
Publisher

Cost of Advertising  
24.75

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

85-328-A

District 3rd Date of Posting 5-21-85

Posted for: *Benjamin J. Dubin et ux*

Petitioner: *Benjamin J. Dubin et ux*

Location of property: *S/S of Pheasant Cross Dr. 639' NE of Sugarcone Rd. (7113 Pheasant Cross Drive)*

Location of Sign: *On front of 7113 Pheasant Cross Drive*

Remarks:

Filed by: *Arnold Jablon* Date of return: 5-21-85

Number of Signs: 1

639' North of Sugarcone Rd

50' R/W

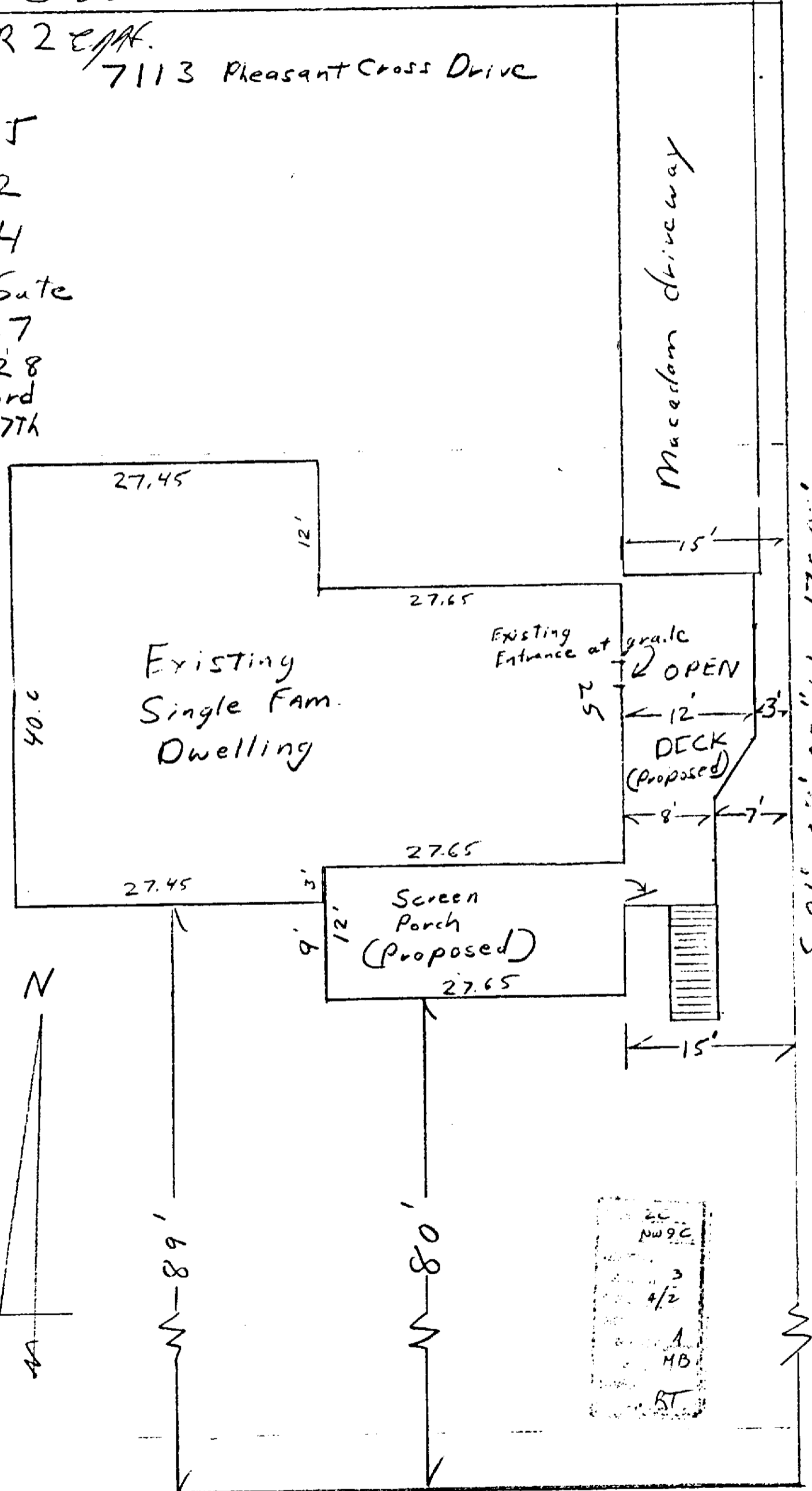
PHEASANT CROSS DRIVE

S 88° 52' 00" E 85.00'

Zoning DR 2 ePH.  
Lot 7  
Block J  
Plat 2  
Sect 4  
Green Gate  
Book 37  
Folio 28  
Dist 3rd  
Precint 7th  
15'

50' min setback Line

N 01° 08' 00" E 170.00'



Macadam driveway

S 01° 08' 00" W 170.00'



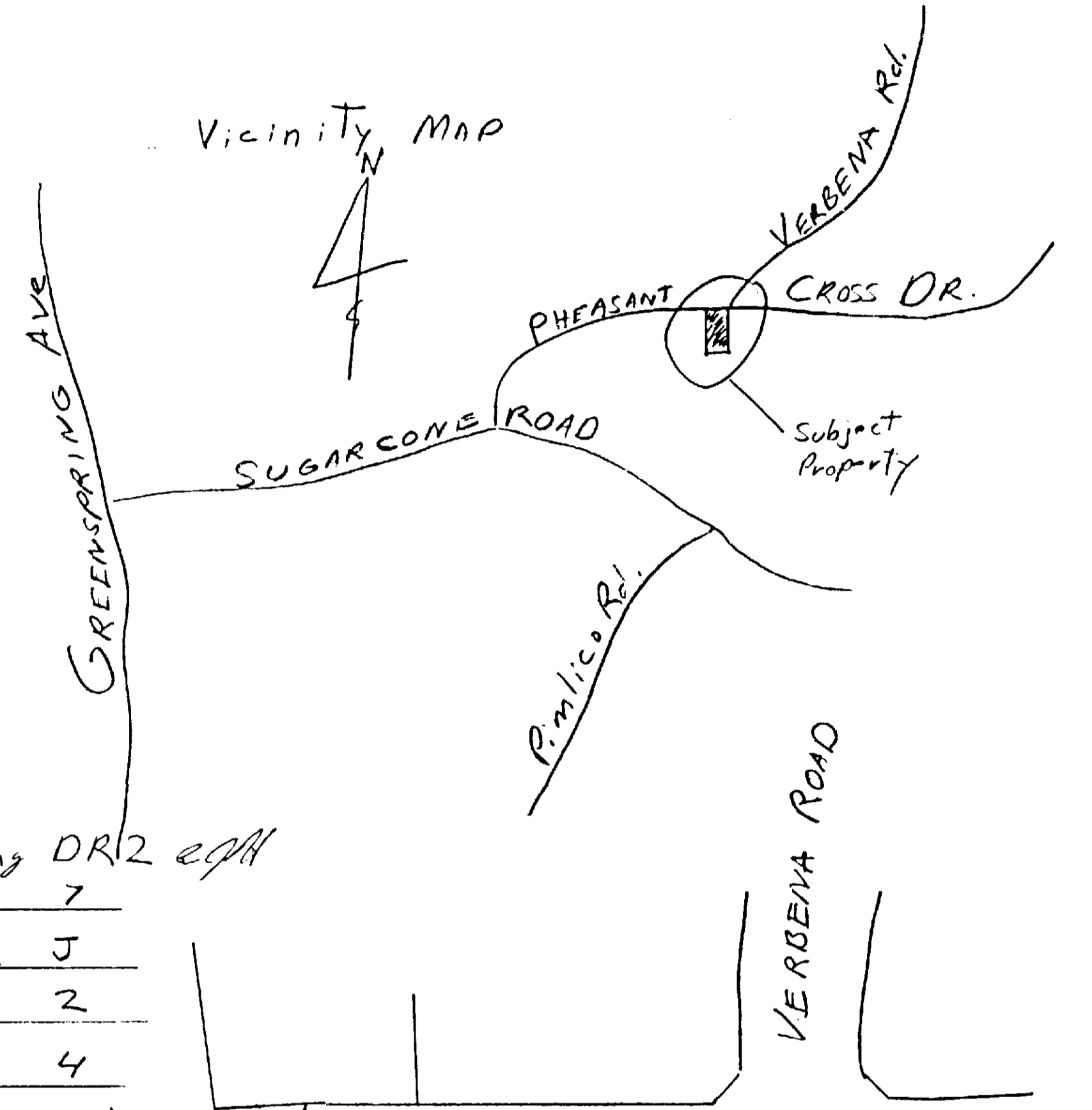
Scale 1" = 10'

N 88° 52' 00" W 85.00'  
E 10' Drainage & Utility Easement

#26

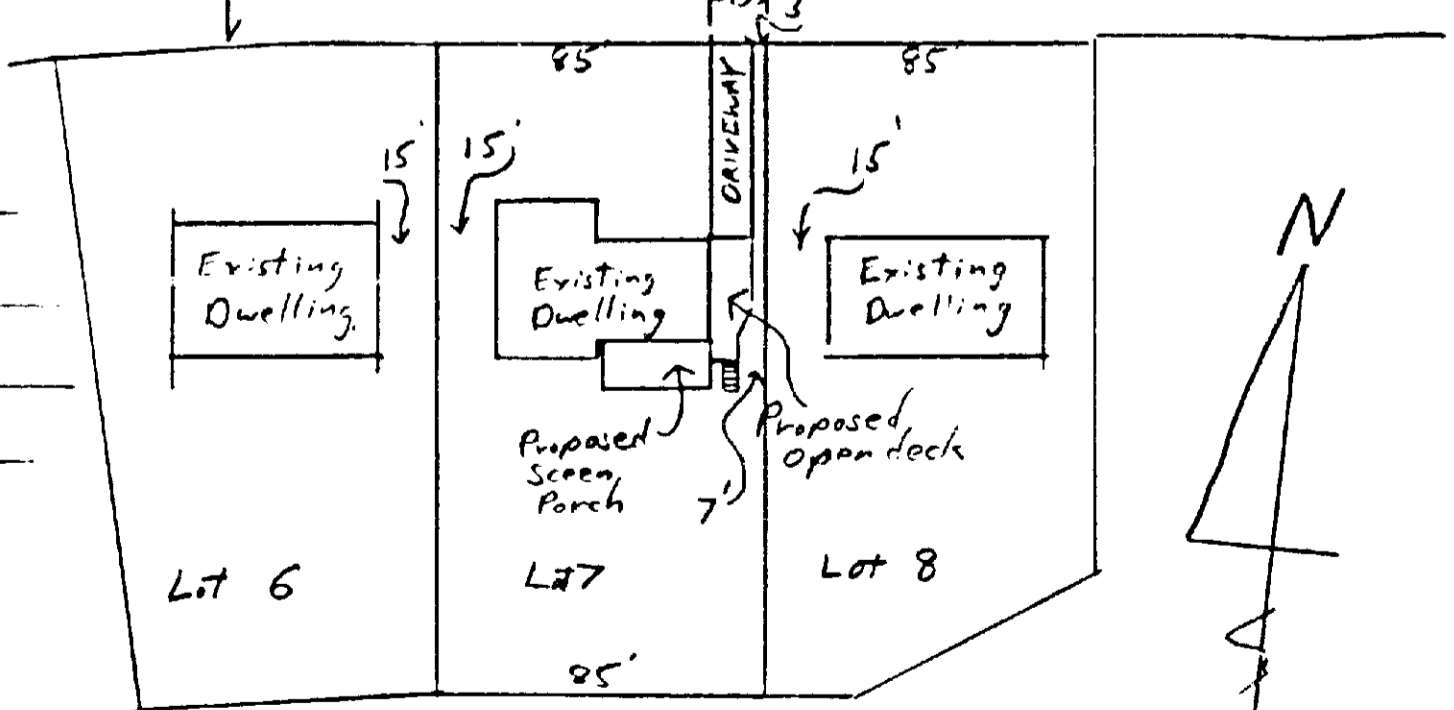
7113 PHEASANT Cross Dr

Vicinity MAP



Zoning DR 2 ePH  
Lot 7  
Block J  
Plat 2  
Sect 4  
'Green Gate'  
Book 37  
Folio 28  
Dist. 3rd  
Precint 7th

PHEASANT CROSS DRIVE



Scale 1" = 50'

