PETITION FOR ZONING VARIANCE 85-336-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 1B02.3.B (1B01.2.C4) to permit a rearyard set back of 20 ft. instead of the required LC ft. And to amend the final Development Plan of Jacobo Property, of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. House with a dimension of 63ft X 50ft won't fit in the bldg. envelope 2. The space provided for this was for Storm Water Management which was waived by the county and is an open space at the rear. An area variance may be granted where strict application of the zoning BEFORE THE IN RE: PETITION ZONING VARIANCE additionally, the amendment to the final development plan of Jacobo Property, End of Jacobo Lane, 590' S of regulation would cause practical difficulty to the petitioner and his property. ZONING COMMISSIONER Goucher Boulevard (11 Jacobo * Lot 7, be and are hereby GRANTED, from and after the date of this Order, sub-Property is to be posted and advertised as prescribed by Zoning Regulations. Lane) - 9th Election District McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area OF BALTIMORE COUNTY I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this ject, however, to the following restrictions which are conditions precedent to 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. Nestor V. Jacobo, et ux, variance, the petitioner must meet the following: Case No. 85-336-A the relief herein granted: Petitioners 1. whether strict compliance with requirement would unrea-I/We do solemnly declare and affirm, 1. The Petitioner shall submit a final plat to the Zoning under the penalties of perjury, that I/we are the legal owner(s) of the property sonably prevent the use of the property for a permitted Commissioner for approval. purpose or render conformance unnecessarily burdensome; which is the subject of this Petition. 2. The Petitioner shall satisfy the Current Planning and 2. whether the grant would do substantial injustice to ap-FINDINGS OF FACT AND CONCLUSIONS OF LAW Development Division, Office of Planning and Zoning, as plicant as well as other property owners in the disto the distance the dwelling shall set back from the trict or whether a lesser relaxation than that applied The Peti oners herein request a variance to permit a rear yard setback of flood plain reservation. for would give substantial relief; and 20 feet instead of the required 40 feet and, additionally, to amend the final 3. Upon approval of the above by the Current Planning and 3. whether relief can be granted in such fashion that the Development Division, a building permit may be issued; development plan of Jacobo Property, Lot 7, as more particularly described on spirit of the ordinance will be observed and public however, Petitioners are hereby made aware that pro-VALORO LANIL safety and welfare secured. LOURDES R. JACORD ceeding at this time is at their own risk until such Petitioners' Exhibit 1. time as the applicable appellate process from this Or-(Type or Print Name) Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). TOWSON, M). 2,204 der has expired. If, for whatever reason, this Order The Petitioner, Nestor V. Jacobo, appeared and testified. There were no is reversed, the Petitioners would be required to re-It is clear from the testimony that if the variance were granted, such use City and State turn, and be responsible for returning, said property to its original condition. as proposed would not be contrary to the spirit of the BCZR and would not result Attorney for Petitioner: Testimony indicated that the subject property, zoned D.R.2, was approved in substantial detriment to the public good. (Type or Print Name) for development by the JSPC on June 7, 1979 and a final plat was recorded in the After due consideration of the testimony and evidence presented, it is Land Records of Baltimore County, Liber 47, folio 99, on April 7, 1981. The clear that a practical difficulty or unreasonable hardship would result if the subject lot is vacant, as are the surrounding lots, and has been sold. The Pe-Name, address and phone number of legal owner, con-AJ/srl instant variance were not granted. It has been established that the requiretract purchaser or representative to be contacted titioners want to move the envelope back to within 20 feet of the rear property cc: Mr. & Mrs. Nestor V. Jacobo ment from which the Petitioners seek relief would unduly restrict the use of the line in order to satisfy the Contract Purchaser who wants a walk-out basement. People's Counsel land due to the special conditions unique to this particular parcel. In addi-The property slopes to the rear and a walk-out basement would be impossible with tion, the variance requested will not be detrimental to the public health, safethe envelope in its present location, and the house would require a sump pump ORDERED By The Zoning Commissioner of Baltimore County, this _____lst____ day ty, and general welfare. of ________, 19.85____, 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 due to the lack of drainage capacity. However, if this variance were grated, a Pursuant to the advertisement, posting of the property, and public hearing FOR FILIN pump would not be necessary as the slope would permit better run-off and Petition held, and for the reasons given above, the requested variance drainge. The drainage and utility reservation is adjacent to the rear of the the ______ 3rd ___ day of _______, 19.85 , at 10:00 o'clock arendment should be granted. property and no house will be located thereon. herefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, he Petitioners seek relief from Section 1802.3.B (1801.2.C.4), pursuant to day of June, 1985, that the Petition for Zoning Variance to per-Sect 307, and from Section 1801.3.A.7.c, Baltimore County Zoning Regulations mit 🕏 rear yard setback of 20 feet instead of the required 40 feet and, - 2 -- 3 -85-336-A PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE 9th Election District End of Jacobo Lane, 590' BALTIMORE COUNTY OFFICE OF PLANNING & ZONING OF BALTIMORE COUNTY S of Goucher Blvd. LOCATION: End of Jacobo Lane, 590 ft. South of Goucher Boulevard (11 Jacobo Lane) (11 Jacobo Lane) County Office Euilding 111 W. Chesapeake Avenue Towson, Maryland 21204 9th District NESTER V. JACOBO, et ux, : Case No. 85-336-A DATE AND TIME: Monday, June 3, 1985 at 10:00 a.m. Petitioners Your petition has been received and accepted for filing this ::::::: PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 1st day of May , 1985. ZONING DESCRIPTION ENTRY OF APPEARANCE Beginning on the end of Jacobo Lane 590'+ South of Goucher Blvd. being - liber 47 febr 19 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: lot 7, in the subdivision of JACOBO FROPERTY, also known as No. 11 Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or Jacobo Lane in the 9th Election District. Petition for Variance to permit a rear yard setback of 20 ft. instead of the required 40 ft. and to amend the final development plan of Jacobo other proceedings in this matter and of the passage of any preliminary property, Lot No. 7 Petitioner Nester V. Jacobo, et ux Received by Musles B. Commodari or final Order. Attorney Chairman, Zoning Plans Thinklin (ole Friedman) Advisory Committee Phyllis Cole Friedman People's Counsel for Baltimore County Being the property of <u>Nester V. Jacobo, et ux</u> 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, enter-Peter Max Zimmerman tain any request for a stay of the issuance of said permit during this period for Deputy People's Counsel Rm. 223, Court House good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. Towson, MD 21204 494-2188 BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER I HEREBY CERTIFY that on this With day of May, 1935, a copy OF BALTIMORE COUNTY of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Nestor V. Jacobo, Petitioners, and Mr. Proceso V. Jacobo, Contract Purchaser, 6 Jacobo Lane, Towson, MD 21204.

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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 rot 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 ---, 19----, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500 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: Nestor V. Jacobo, et ux

Location: End of Jacobo Lane 590' S. Goucher Blvd.

Item No.: 284

Gentlemen:

Zoning Agenda: Meeting of 4/9/85

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. (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

(| 6. Site plans are approved, as drawn.

to occupancy.

() 7. The Fire Prevention Bureau has no comments, at this time,

REVIEWER OF THE Prevention Bureau

Noted and Roy W. Semmen

Approved:

Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 16, 1985

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

Mr. & Mrs. Nestor Jacobo 6 Jacobo Lane Towson, Maryland 21204

Dear Mr. & Mrs. Jacobo:

Nicholas B. Commodari Chairman MEMBERS

Bureau of

Development

RE: Item NO. 284 - Case NO. 85-336-A Petitioner - Nestor V. Jacobo, et ux Variance Petition

Engineering Department of Traffic Engineering State Roads Commission Fire Prevention Realth Department Project Planning Building Department Board of Education Zoning Administration

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 legard 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 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, Rechalas B. Commodani, NICHOLAS B. COMMODARI Chairman

Zoning Plans Advisory Committee NBC:bsc

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 NORMAN E. GERBER DIRECTOR

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

Dear Mr. Jablon:

MAY 20, 1985

Re: Zoning Advisory Meeting of APRIL 9,1985

Item 1 284
Property Owner: NESTOR V. JACOBO, et UX Location: END OF JACOBO LONE 590'S. OF GOUCHER BLUD. The Division of Current Planning and Development has reviewed the subject

petition and offers the following comments. The items checked below are (X) 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

forward by the Bureau of Public Services.)This site is part of a larger tract; therfore 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 22-98 of the Development 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 ()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. Are re-evaluated annually by the county county.

(X) Additional comments:

(I) A J.S.P. C MEETING WAS HELD 6/7/79 AFINAL PLAT

FOR IX - 332 (JAEDBO PLOP.) WAS REC. E.H. K.J. 47 FOUD 99

(Z) THE SOUTH (REAR PORTION OF B DUTILLING WILL BE. ON 4/7/8)

WITHIM 15 OF THE FLOOD PLAN RESERVATION, THE REQUIREMENT

15 AMNIMUM ZO'

(3) A COPY OF THE FINAL PLAT SHOULD BE INCUDED WITH THIS FILE.

Chief, Current Planning and Development

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

STEPHEN E. COLLINS DIRECTOR

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 Property Owner: Location: Existing Zoning: Proposed Zoning:

April 8, 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

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BALTIMORE COUNTY
DEFARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

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 # 284 Zoning Advisory Committee Meeting are as follows:

Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Nestor V. Jacobo, et ux
End of Jacobo Lane 590' S. Goucher Blvd.

D.R. 2
Variance to permit a rear yard setback of 15' in lieu of the required 40' and to amend the Final Dev. Plan of Jacobo Property,

40/154.34 x 138.22/162 The items checked below are applicable:

All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-

E) A building/ & other permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. 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 resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, 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, 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 401.

I. Comments

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO. Zoning Commissioner Date_____May_22__1985____ Norman E. Gerber, Director FROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 85-336-A

Assuming compliance with the Director of Current Planning and Development's representation on the Zoning Plans Advisory Committee, no comment is offered.

NEG:JGH:s1m

May 7, 1985

Mr. & Mrs. Nestor V. Jacobo 6 Jacobo Lane Towson, Maryland 21204

> NOTICE OF HEARING RE: Petition for Variance End of Jacobo Lane, 590' S of Goucher Blvd. (11 Jacobo Lane) Nester V. Jacobo, et ux - Petitioners Case No. 85-336-A

TIME: _	10:60 a.w.
DATE: _	Monday, June 3, 1985
PLACE:	Room 106, County Office Building, 111 West Chesapeal
	Avenue, Towson, Maryland

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Lucation of property: End of Facobo Lane, 590'5 of Gouster Blid Location of Signar @ atond of Leve be tone, on properly of Potitioner

Q at intersection of Jacobe town & Seach - Alud Stepics 5'en E/SOF roadway Posted by Mark boing done at intersection - sign(D) is upprox. Ho' Fr Goulder Mind

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MISCELLANE	COUNTY, MARYLAND VANCE - REVENUE DIVISION OUS CASH RECEIPT	No. 005.	
DATE 3/70	115 ACCOUNT CI	-615-000	
AECEIVED PROM	amount \$	40.00	
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LIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON ZONING COMMISSIONER

May 29, 1985

Mr. and Mrs. Nestor V. Jacobo 6 Jacobo Lane Towson, Maryland 21204

RE: Petition for Variance End of Jacobo Lane, 590's of Goucher Blvd. (11 Jacobo Lane) Nestor V. Jacobo, et ux - Petitioners Case No. 85-336-A

This is to advise you that \$78.45 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, Marvland, and remit to Mrs. Arlene January, Zoning Office, Room 113, Count Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON

Zoning Commissioner

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

No. 007344

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

LOCATION: End of Incobo Lane, 590 ft. South of Gouch-er Boulevard (11 Jacobo Lane)
DATE AND TIME: Monday,
June 3, 1985 at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111
West Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner 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 rear yard aethack of 20 in the required 40. mit a rear yard and it. Instead of the required 40 ft. and to amend the final development plan of Jacobs property, Lot No. 7

Being the property of Nestec

mit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request. 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
May 16.

85-336-A

CERTIFICATE OF PUBLICATION

May 16 85 TOWSON, MD., ______, 19_____,

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 16, 19 85

THE JEFFERSONIAN,

Cost of Advertising

27.50

PETITION FOR VARIANCE 9th Election District LOCATION: End of Jacobo Lane 590 ft South of Goucher Boulevard (11 Jacobo Lane) DATE AND TIME: Monday, June 3 1985 at 10:00 a m. PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland. Towson, Md. The Zoning Commissioner of Batti-more County: by suthority of the Zoning Act and Regulations of Batti-more County, will hold a public hear-Petition for Variance to permit a rear yard settack of 20 ti instead of the required 40 ti end to amend the final development, plan, of Jan. development plan of Ji cobo property, Lot No. 7. Being the property of Nester V. Je-cobo, et us as shown on the plat filed with the Zoning Office In the event that this Petition is in the event that mis requirer is granted, a building permit may be issued within the thirty (30) day ep-peal period. The Zoning Commis-sioner with Homewall unfertain 317, request for a stay of the security 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

ICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for _____ consecutive/weeks, the that publication appearing on the _____ day of _____ 1985 Cost of Advertisement: \$ 90.95

GOUCHER 3 IVICINITY NAP VACANT 08.07 (50×63) MACHYT المساقية المستهرات TRAINAGE & UTILITY RESERVATION

PLAT FOR TORING VARIANCE EN FING STILL DIRES しないのとのできまれて EXECUTE OF IN GOUGHER BLVD. SCALS : 1 = 50

OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLOT PREPARED BY DALTO. SQ.

Process 11 faction - 3/25/85.

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PARAGON KODASAP