

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZB and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of June, 1985, that the Petition for Zoning Variance to permit rear yard setback of 38 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If,

for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

C. S. K.
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Mrs. Mabel Rae Glatthaar
People's Counsel

May 9, 1985

Mrs. Mabel Rae Glatthaar
356 Bigley Road
Baltimore, Maryland 21227

RE: Case No. 85-346-A
Mabel Rae Glatthaar, Petitioner

Dear Mrs. Glatthaar:

I am in receipt of your letter dated May 1, 1985.

I certainly appreciate your worries and concerns about your mother; however, since I am responsible for the enforcement of the laws of Baltimore County and am bound by them, I must reaffirm the need for the public hearing. To do otherwise would be a flagrant disregard for the law. I am sure you do not mean to suggest that I violate the law.

Your petition has been scheduled for a hearing on June 5, 1985 at 11:15 p.m.

If you wish, because of the urgent nature of your situation, I will agree to issue a provisional permit so that you may begin construction pending final approval. However, you would be proceeding at your own risk since your petition would in fact be heard subsequent to the approval of the provisional permit. If it is not granted, then any construction would have to be removed. If you wish to proceed under this condition, I will agree to such a permit.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

May 1, 1985
Re: 356 Bigley Rd
Baltimore, Md 21227
Ref: Item #299

MABEL RAE GLATTHAAR
Case No. 85-346-A

Dear Mr. Jablon,
On Feb 17, 1985, my husband & I signed a contract with Aron Antis & paid a deposit of \$2,000.00, to have our existing porch in the rear enclosed. The porch is approximately 12 x 15 wide with a permanent shingled roof. The job was supposed to be completed within 60 days from the date of contract, but there seems to be something holding up this procedure which has to do with zoning. On April 14, Mr. Nickerson, planner, applied for a variance clearance which involves a hearing. I cannot understand what the problem is because there is a large parking lot beyond my yard in the rear and the apartment are situated about 50 to 60 feet across the parking lot. There are no yards adjoining the end of our property. The reason we decided to have the porch enclosed to begin with, was so that I could bring my mother up from Florida to live with us. My father passed away in Dec. and with my mother's health condition, there is no way I would leave her down there by herself. At first, she was undecided about coming up because she figured we wouldn't have enough room, but we told her we were going to have the porch enclosed and if there was anything she wanted to bring with her, like her organ.

ORDER RECEIVED FOR FILING

DATE *June 7, 1985*
BY *Shirley P. Long*

ORDER RECEIVED FOR FILING

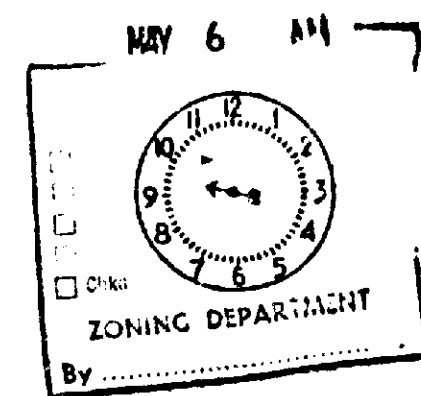
DATE *June 7, 1985*
BY *Shirley P. Long*

and some of her furniture, we would have the room once the work was done. She then planned to sell her house and come up the end of May or June, but she was taken ill in March and was hospitalized. As soon as she was well enough to travel I flew down to Florida and brought her home with me on Easter Sunday. Two weeks ago, she was taken ill again and is now in South Baltimore General Hospital awaiting an operation to take place on May 6. Her house has since been sold and the man, who has been taking care of all her packing and moving now has to move all of her stuff out of the house before settlement, May 16. I am right now beyond wit's end because all our plans to help my mother, who is 73 years old, have been shot down by you people. It would kill my mother if she has to give up everything that she and my father had worked so hard for, without some memories of their 53 years together, good memories that I don't want to take away from her. Her doctor, Dr. Chatterjee, says that after the operations, she'll be almost as good as new and I'd like to see her spend the rest of her life happy and a lot depends on this room being built. I don't want her to feel that our house is not big enough or that she is crowding us. I want it to be her home as much as it is ours and contain some of her things that make her feel like it's her home too.

If you can see any justice at all or have any heart then you must understand why it's so important

to us, to have ^{this} approved as soon as possible, so that the work can get started.
There are other homes in the area that have had additions built on just like the one we want. Please, consider that we have no basement and we do need the extra room.

Thanking you kindly,
Sincerely yours,
Mabel R. (Long) Glatthaar

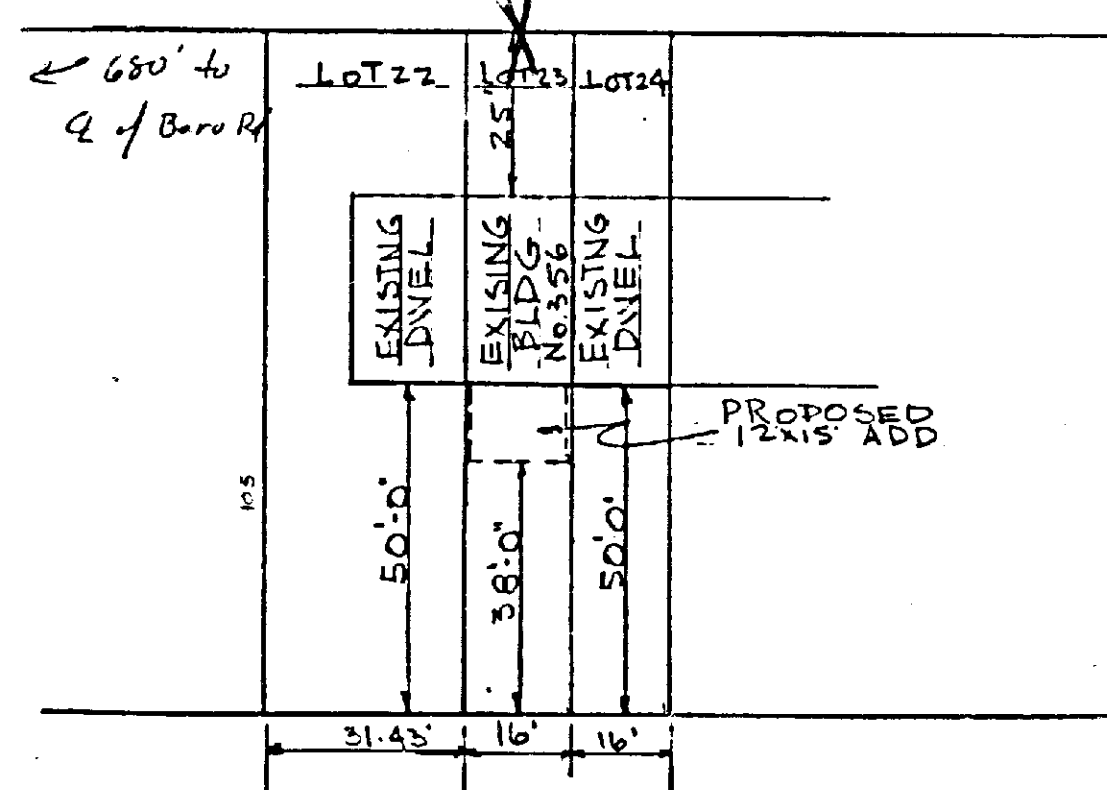


HOLLIS FERRY ROAD

BIGLEY AVENUE

VICINITY MAP

BIGLEY AVE



Flat for zoning variance
Owner Mabel Rae (Long) Glatthaar
District--13 Zoned O2 10.1
Subdivision RIVERVIEW BLOCK 1
Lot # 23 BLK 1 BOX 12 NO. 12 POLIO 124
Existing Utilities in Bigley Avenue
Scale: 1"=30'

#299

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

May 24 19 85

85-346-A

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was inserted in the following:

☒ Catonsville Times
☒ Arbutus Times
weekly newspapers published in Baltimore County, Maryland
once a week for 2 consecutive weeks before the
the 25 day of May 19 85 that is to say,
the same was inserted in the issues of

May 23, 1985

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs

Defendant

CERTIFICATE OF PUBLICATION OF

PETITION FOR VARIANCE
13th Election District

LOCATION: North side Bigley Avenue, 680 ft. West of Bero Road (356 Bigley Avenue)

DATE AND TIME: Wednesday, June 5, 1985 at 11:15 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 rear yard setback of 38 ft. in lieu of the required 50 ft. Being the property of Mabel Rae Glatthaar 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
May 16.

85-346-A
CERTIFICATE OF PUBLICATION

TOWSON, MD., May 16, 1985

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, 1985

THE JEFFERSONIAN,

VB Venetian

Publisher

Cost of Advertising

24.75

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-346-A

District 13th

Date of Posting 5-18-85

Posted for: Variance

Petitioner: Mabel Rae Glatthaar

Location of property: N/S of Bigley Ave. 680' W of Bero Road.
(356 Bigley Ave.)

Location of Signs: On front of 356 Bigley Avenue

Remarks: _____

Posted by A. J. Jablon Signature Date of return: 5-24-85

Number of Signs: 1