

PETITION FOR ZONING VARIANCE 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 1A04.3.B.3 to permit side yard setbacks of 30 and 40 feet instead of the required 50 feet and to be allowed to apply to either side, and to permit an amendment to the first amended final development plan of Part of Section II the Bearman Property, lot 49, to allow the construction of a proposed dwelling outside of the allowable building area.

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

180 foot width of property is too narrow to permit dwelling width of 110 feet

MAP: 11111111
ELECTION DISTRICT: 8
BY: [Signature]
DATE: 5/16/85
FINAL

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 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):

Signature: Sheldon Bearman
(Type or Print Name)
Address: 2103 Baddock Road
City and State: Baltimore, Maryland

Signature: Herbert Bearman
(Type or Print Name)
Address: 6320 Greenspring Avenue
City and State: Baltimore, Maryland

Attorney for Petitioner:

Signature: Herbert Bearman
(Type or Print Name)
Address: 6320 Greenspring Avenue
City and State: Baltimore, Maryland

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name: Herbert Bearman
Address: 6320 Greenspring Avenue
City and State: Baltimore, Maryland

Attorney's Telephone No.: 358-1743

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day

May 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 the public hearing be had before the Zoning Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, Maryland, on the 11th day of June, 1985, at 10:00 o'clock

Signature: Herbert Bearman
Zoning Commissioner of Baltimore County.

(over)

Case No. 85-352-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 7th day of May, 1985.

Petitioner: Herbert Bearman
Petitioner's Attorney: Nicholas B. Commodari

cc: Gerhold, Cross & Etzel

ARNOLD JABLON

Zoning Commissioner

Nicholas B. Commodari

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1985

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

Mr. Herbert Bearman
6320 Greenspring Avenue
Baltimore, Maryland 21209

Chairman
Nicholas B. Commodari

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

RE: Item No. 305, Case No. 85-352-A
Petitioner - Herbert Bearman
Variance Petition

Dear Mr. Bearman:

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 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,

Signature: Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

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

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

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

Re: Item #305 (1984-1985)
Property Owners: Herbert Bearman
E/S Wally Court, 908' N of Berans Rd.
District 8th

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:

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 facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization downstream of the property, damaging private and public holdings grading, including the stripping of top soil.

Since no public facilities are involved, this office has no comment.

Very truly yours,
Signature: James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:PMO:bip

cc: File

6/11 85-352-A

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

MAY 28, 1985

Re: Zoning Advisory Meeting of April 30, 1985
Item # 305
Property Owner: HERBERT BEARMAN
Location: E/SIDE WALLY COURT, 908' N. OF BERANS ROAD.

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.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) 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.
- (X) 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 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 []
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by B111 176-79. 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 B111 176-79, and as conditions change traffic capacity may become more limited. The Basic Services Area are re-evaluated annually by the County Council.
- (X) THE BEARMAN PROPERTY - E/SIDE WALLY COURT, 908' N. OF BERANS ROAD, DISTRICT 8TH
- (1) THE BUILDING ENVELOPE SHOULD BE SHOWN ON ZONING PLAN.
- (2) A COPY OF THE FINAL DEVELOPMENT PLAN SHOULD BE INCLUDED WITH THIS FILE.

cc: James Howell
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-0550

STEVEN E. COLLINS
DIRECTOR

May 16, 1985

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

Item No. 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312
Property Owner: HERBERT BEARMAN
Location: E/SIDE WALLY COURT, 908' N. OF BERANS ROAD.
Existing Zoning: 8th
Proposed Zoning: 8th

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 296, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, and 314.

NSF/ccm

Signature: Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

6/11 85-352-A

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2566
494-4500

PAUL H. REINCKE
CHIEF

May 15, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Herbert Bearman

Location: E/S Wally Court, 908' N of Berans Road

Item No.: 305 Zoning Agency: Meeting of 4-30-85

Comments:

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 of [] 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 end condition shown at []
- () 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 to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Carol M. Trerlow Noted and Approved: Carol M. Trerlow
Fire Prevention Bureau
Special Inspection Division

/mb

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

May 13, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 305 Zoning Advisory Committee Meeting are as follows:
Property Owner: Herbert Bearman
Location: E/S Wally Court, 908' N of Berans Road
District: 8th

APPLICABLE ITEMS ARE CHECKED:

- (X) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, and other applicable Code and Standards.
- (X) A building and other miscellaneous permits shall be required before the start of any construction.
- (X) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- (X) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (X) All the Group except Sub-Group Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. For two groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table L-1, Section 107.1, Section 108.1, and Table L-2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (X) The structure does not appear to comply with Table 505 for permissible height/area. Apply to the requested "X" area by this office cannot be considered until the necessary data pertaining to height/area and structure type is provided. See Table L-2 and 505 and have your Architect/Engineer contact this department.
- (X) The requested variance appears to conflict with Section (a) [] of the Baltimore County Building Code.
- (X) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with two sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Group are from Use [] to Use [] or to Mixed Use. See Section 312 of the Building Code.
- (X) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 16.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (X) Comments:

X. These abbreviated comments reflect only on the information provided by the developer submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.
Signature: Michael S. Flanigan
Michael S. Flanigan
Building Plans Review

L/22/85

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 Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: June 3, 1985
Norman E. Gerber, Director
FROM: Office of Planning & Zoning
SUBJECT: Zoning Petitions No. 85-352-A and 85-358-X

Assuming compliance with the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject request.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:sim

RE: PETITION FOR VARIANCES
E/S Wally Ct., 908' N of
Berans Rd. (23 Wally Ct.), 8th District
HERBERT BEAMAN, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-352-A

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
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 23rd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Herbert Beaman, 6210 Greenspring Ave., Baltimore, MD 21209, Petitioner; and Mr. Sheldon Beaman, 2103 Burdock Rd., Baltimore, MD 21209, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: Petition for Variance
E/S Wally Ct., 908' N of
Berans Rd. (23 Wally Ct.)
8th Election District
Herbert Beaman,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-352-A

The petitioner herein requests variances to permit side yard setbacks of 30 and 40 feet in lieu of the required 50 feet and to be allowed to apply to either side and to permit an amendment to the first amended final development plan of Part of Section II, the Beaman property Lot No. 9, to allow the construction of a proposed dwelling outside of the allowable building area.

At the onset of the hearing, the petitioner requested that the petition be amended to remove the wording "and to be allowed to apply to either side." The request was granted.

Testimony by the petitioner indicated he proposes to construct a rancher-type dwelling, required to accommodate the needs of a handicapped child.

The neighbors to the north of the property indicated that they have no objection as long as the house is placed as shown on the plans prepared by Gerhold, Cross & Etzel, Registered Land Surveyors, dated April 11, 1985 and marked Petitioner's Exhibit 1.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the granting of the variances requested would not adversely affect the health, safety, and general welfare of the community, and therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 18th day of June, 1985, that the herein Petition for Variances

ORDER RECEIVED FOR FILING
DATE June 18, 1985
BY [Signature]

to permit side yard setbacks of 30 and 40 feet in lieu of the required 50 feet and to permit an amendment to the first amended final development plan of Part of Section II, the Beaman property Lot No. 9, to allow the construction of a proposed dwelling outside of the allowable building area, in accordance with Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

PETITION FOR VARIANCE
8th Election District
LOCATION: East side Wally Court, 908 ft. North of Berans Road (23 Wally Court)

DATE AND TIME: Tuesday, June 11, 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 permit side yard setbacks of 30 and 40 ft. instead of the required 50 ft. and to be allowed to apply to either side and to permit an amendment to the first amended final development plan of part of Section II, the Beaman property Lot No. 9 to allow the construction of a proposed dwelling outside of the allowable building area

Being the property of Herbert Beaman 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

ZONING DESCRIPTION

Beginning on the east side of Wally Court 50' wide at a distance of approximately 908' from the intersection of Berans Road being Lot #9, Section 2 in the sub-division of the Beaman property, Book #50, Folio 48, also known as #23 Wally Court in the 8th Election District.

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 18, 1985

Mr. Herbert Beaman
6320 Greenspring Avenue
Baltimore, Maryland 21209

RE: Petition for Variance
E/S Wally Ct., 908' N of
Berans Rd. (23 Wally Ct.)
8th Election District
Herbert Beaman, Petitioner
Case No. 85-352-A

Dear Mr. Beaman:

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

JMH:lg

Attachments

cc: Arthur & Dorothy Reher
12170 Falls Road
Cockeysville, Maryland 21030
People's Counsel

ORDER RECEIVED FOR FILING
DATE June 18, 1985
BY [Signature]
ADMINISTRATIVE ASSISTANT



ARNOLD JABLON
ZONING COMMISSIONER

June 5, 1985

Mr. Herbert Bearman
6320 Greenspring Avenue
Baltimore, Maryland 21209

RE: Petition for Variance
E/S Wally Court, 908' N of
Berans Rd. (23 Wally Court)
Case No. 85-352-A
Herbert Bearman - Petitioners

Dear Mr. Bearman:

This is to advise you that \$77.52 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. 005345

OLD JABLON
g Commissioner

DATE 10-10-81 ACCOUNT 10-10-81
AMOUNT \$ 77.50
RECEIVED FROM Chilton K. ...
FOR ...
VALIDATION OF SIGNATURE OF ACCOUNT

Mr. Herbert Bearman
6320 Greenspring Avenue
Baltimore, Maryland 21209

NOTICE OF HEARING

RE: Petition for Variance
E/S Wally Ct., 908' N of Berans Rd. (23 Wally Ct.)
Herbert Bearman - Petitioner
Case No. 85-352-A

TIME: 10:00 a.m.

DATE: Tuesday, June 11, 1989

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

cc: Sheldon Bearman
2103 Burdock Road
Baltimore, Maryland 21209

Zoning Commissioner
of Baltimore County

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

No. 007439

DATE _____ ACCOUNT _____

AMOUNT \$ _____

RECEIVED FROM _____

FOR _____

85-3524
CERTIFICATE OF PUBLICATION

TOWSON, MD., May 23, 1965

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 23 19 85

THE JEFFERSONIAN

18 Venetian

Publisher
Cost of Advertis
24.75

PETITION FOR VARIANCE

11th Election District
LOCATION: East side Wally Court,
 908 ft. North of Berans Road (23
 Wally Court)
DATE AND TIME: Tuesday, June
 11, 1985 at 10:00 a.m.
PUBLIC HEARING: Room 106,
 County Office Building, 111 W.
 Chesapeake Avenue, Towson Mary-
 land

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, has held a public hearing on the Petition of V. V. Peterson to amend the requirements of 30 and 40, to instead of the required 50 ft. lot width, to permit a 40 ft. lot width and to permit an amendment to the first amended final development plan of the subject property located in the Baltimore County Property Lot No. 9, to allow the construction of a proposed dwelling outside of the allowable building area.

Being the property of Herbert Bear, and being the play field with the Zoning Office.

In the event that this Petition is granted, a building permit shall be issued on or after 30 days after the date of the hearing. The Zoning Commission has no authority to require the payment of a fee or to require a stay of the issuance of and permit during this period for good cause shown. The decision of the Commission is written by the date of the hearing as above or made at the hearing.

By the
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County

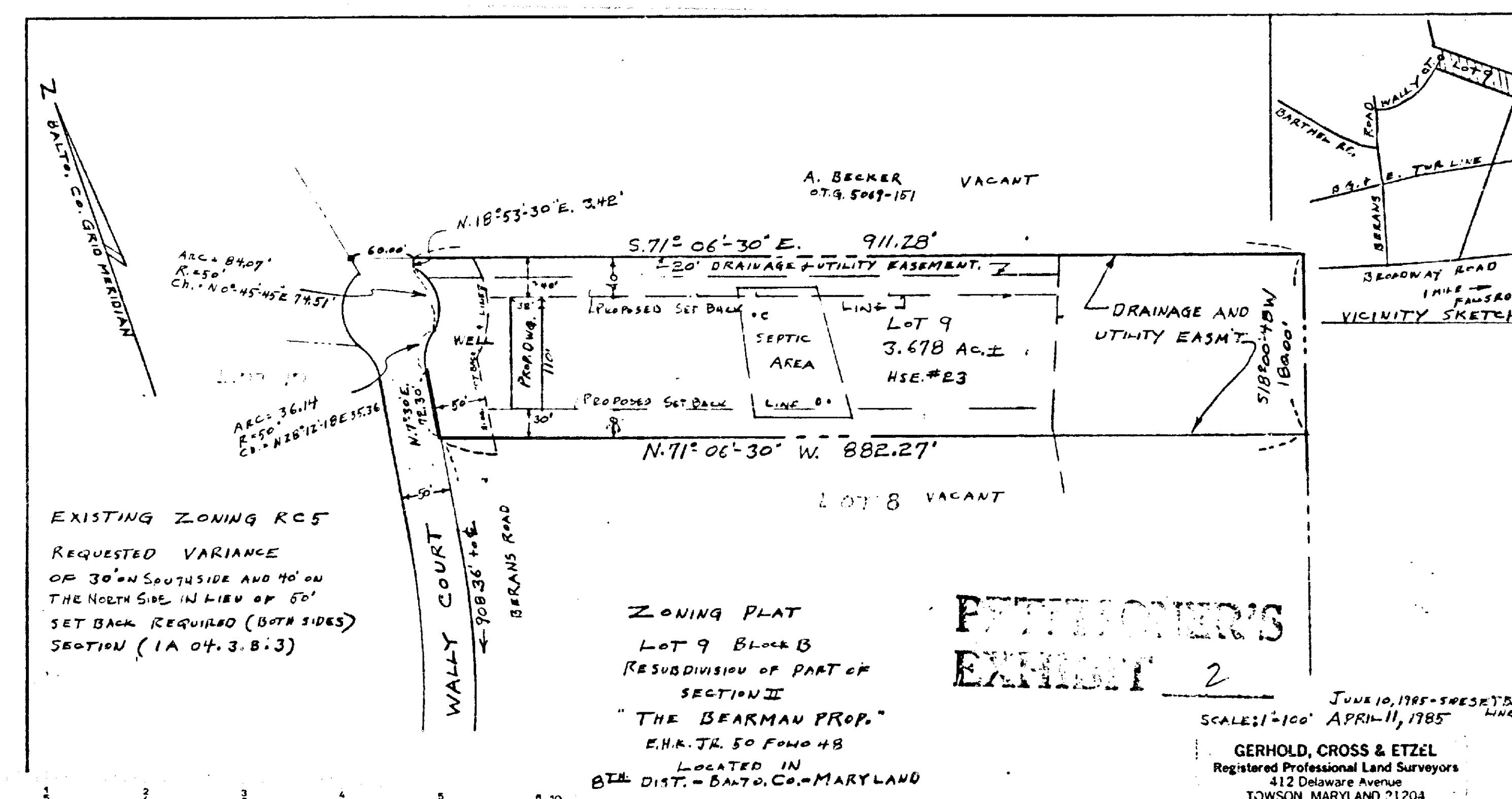
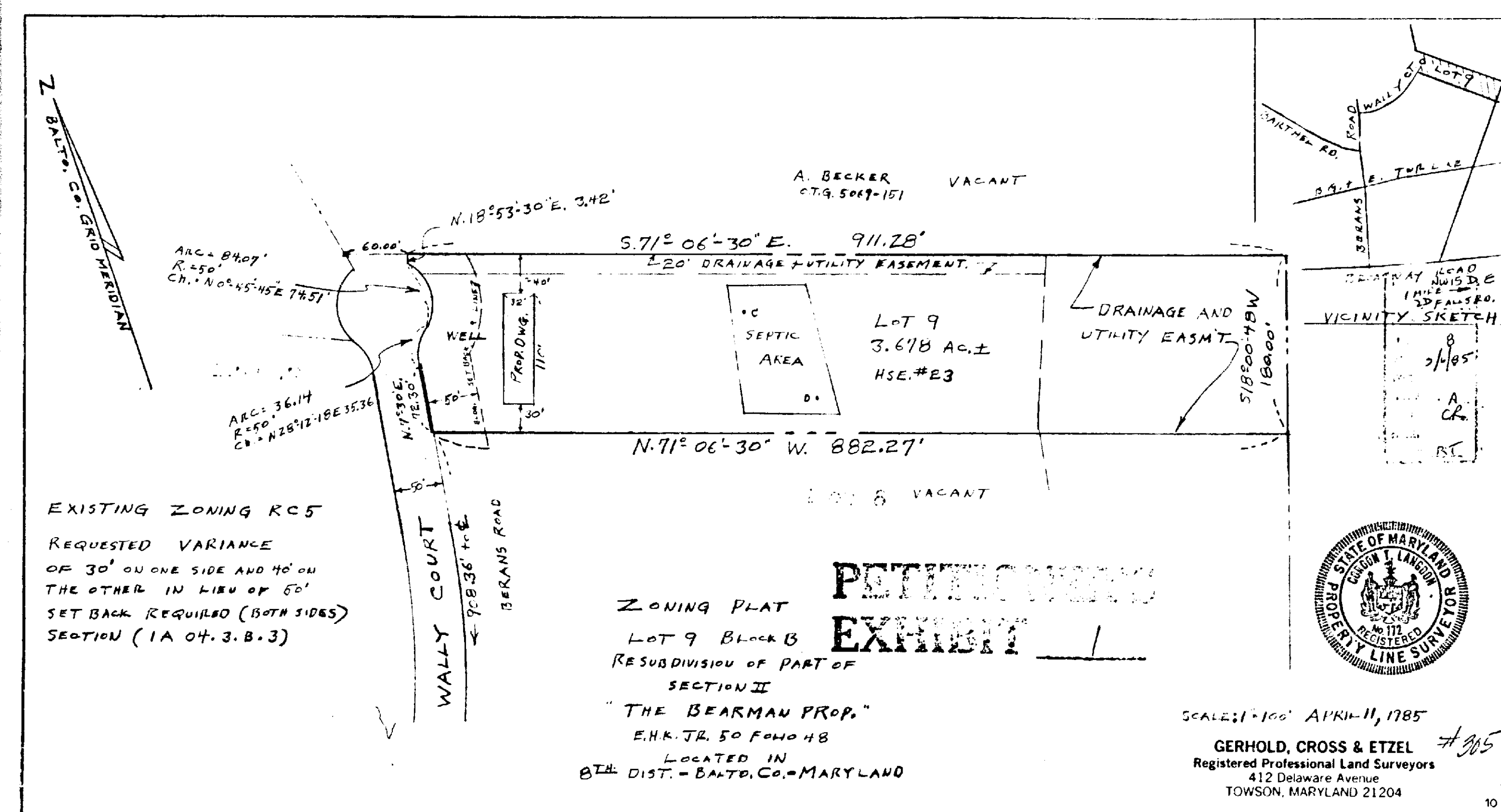
May 23,

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

P5-352-A

District 8th Date of Posting May 24 - 25
 Posted for: Varian
 Petitioner: Hubert Pearson
 Location of property: E.S. of Wally Court, E.S. N. of Pearson Road
 Location of Signs: East side of Wally Court in front of lot #9
 Remarks: _____
 Posted by: A. J. Booth Secretary Date of return: May 31 - 85
 Number of Signs: 5



57,000 N

24,000 N

MAIL & TEASH
PAD FOR LOTS NO. 5 11412

SECTION II
THE BEARMAN PROPERTY
ENKLR NO 50-48

