

86-132-A #21

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 1502.3.B (Sect. III.C.2 & 4) to permit a front setback of 20 feet in lieu of the required 25 feet for an attached garage and a rear yard of 14'8" in lieu of the required 20' for the existing house.

- To provide a safe place to store owners vehicles
To provide a storage space for lawn maintenance equip.
To provide a safe place for owner to wash his autos

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): David PETER MACKIN, Karen LYNNE MARTIN. Attorney for Petitioner: 1307 Stevenson Lane, 396-4160

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of September 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 through 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 County, on the 1st day of October, 1985, at 9:45 o'clock.

ORDER RECEIVED FOR FILING DATE October 29, 1985 BY Barbara C. Bell

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353 ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER October 29, 1985

Mr. & Mrs. David P. Mackin 1307 Stevenson Lane Baltimore, Maryland 21204

RE: PETITION FOR VARIANCE SE corner of Overcrest and Stevenson Lane, (1307 Stevenson Lane) - 9th Election District David P. Mackin, et al, Petitioners Case No. 86-132-A Dear Mr. Mackin: I have this date passed my Order in the above captioned matter in accordance with the attached. Very truly yours, Jean M. H. Jung

JMH:jbg Attachments cc: People's Counsel

86-132-A #21 David P. Mackin, et al SE cor. Overcrest & Stevenson Lane 1307 Stevenson Lane 9th Dist. 86-132-A

IN RE: PETITION FOR VARIANCE SE corner of Overcrest and Stevenson Lane, (1307 Stevenson Lane) - 9th Election District David P. Mackin, et al, Petitioners BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-132-A

The Petitioners originally requested variances to permit a front yard setback of 20 feet in lieu of the required 25 feet and a rear yard setback of 14 feet 8 inches in lieu of the required 20 feet.

Testimony by the Petitioner indicated that he purchased the 30-year old house approximately one year ago. Initially he proposed to build a 20' x 20' attached garage as indicated on the plan submitted. Subsequently, he chose to build a smaller garage set back 23 feet from the front property line, obtained a permit for same, and completed the construction. He now wishes, therefore, to legitimize the existing setbacks for the house: a front yard setback of 22 feet and a rear yard setback of 14 feet 8 inches. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, 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 29th day of October, 1985, that the herein Petition for Variance to permit a front yard setback of 22 feet in lieu of the required 25 feet, and a rear yard setback of 14 feet 8 inches in lieu of the required 20 feet for an existing house, as shown on the plan submitted and filed herein, is hereby

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GRANTED, from and after the date of this Order, subject, however, to the following restriction: 1. Submit a revised plan indicating the garage as built to be included in this case file.

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

JMH:jbg

ORDER RECEIVED FOR FILING DATE October 29, 1985 BY Barbara C. Bell

PETITION FOR VARIANCE 9th Election District

LOCATION: Southeast corner of Overcrest Road and Stevenson Lane (1307 Stevenson Lane) DATE AND TIME: Tuesday, October 1, 1985 at 9:45 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 Variances from Section 1502.3.B (Section III.C.2 & 4) to permit a front setback of 20 feet in lieu of the required 25 feet for an attached garage and a rear yard of 14'8" in lieu of the required 20 feet for the existing house.

Being the property of David P. Mackin, et al 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 Southeast corner of Stevenson Lane and Overcrest Road Being Lot #47 in the subdivision of Greenrier Liber G.L.B. Folio #112 Also known as 1307 Stevenson Lane in the ninth election district.

RE: PETITION FOR VARIANCES SE Corner of Overcrest Rd. & Stevenson Lane (1307 Stevenson Lane, 9th Dist. DAVID P. MACKIN, et al., Petitioners BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-132-A

ENTRY OF APPEARANCE

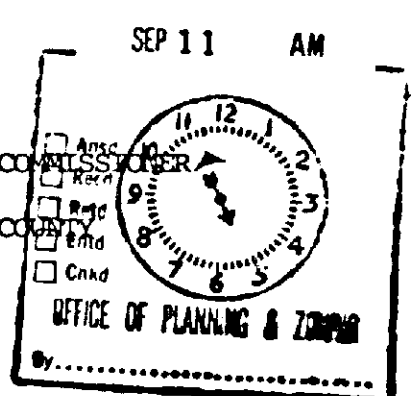
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman Phyllis Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 10th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to David Peter Mackin and Karen Lynne Martin, 1307 Stevenson Lane, Towson, MD 21204, Petitioners.

Peter Max Zimmerman Peter Max Zimmerman



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

Mr. David P. Mackin 1307 Stevenson Lane Towson, Md. 21204

Re: Petition for Variance SE corner of Overcrest Rd and Stevenson Lane (1307 Stevenson Lane) 9th Election District David P. Mackin, et al, Petitioners Case No. 86-132-A

Dear Mr. Mackin:

This is to advise you that \$68.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 111, County Office Building,

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 012357 DATE 10-28-85 ACCOUNT 8-01-415-000 AMOUNT \$68.00 RECEIVED FROM David P. Mackin FOR Advertising & Posting 86-132-A

Arnold Jablon Zoning Commissioner

Mr. David P. Mackin
1307 Stevenson Lane
Towson, Maryland 21204

August 30, 1985

NOTICE OF HEARING

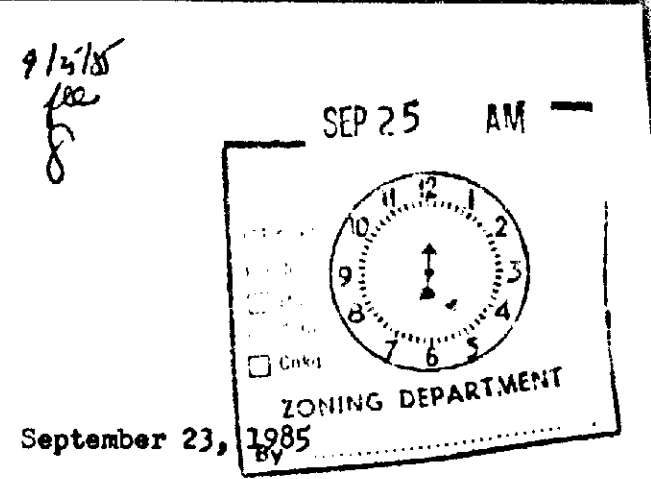
RE: PETITION FOR VARIANCE
SE corner of Overcrest Road and
Stevenson Lane (1307 Stevenson Lane)
9th Election District
David P. Mackin, et al, Petitioners
Case No. 86-132-A

TIME: 9:45 a.m.

DATE: Tuesday, October 1, 1985

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

Zoning Hearing Office
111 W. Chesapeake Avenue
Towson, Md. 21204



86-132-A
RE: Case # 86-132-A
Date: October 1, 1985
DAVID P. MACKIN, et al

To Whom It May Concern:

Application has been made for a zoning variance in order to build a garage at 1307 Stevenson Lane, Towson.

The case is to be heard October 1. However, the garage is already built. It was finished about a month ago.

It appears this was done without a permit. Or had permission been obtained through some other channel? We do not wish to accuse unjustly.

Thank you for your attention.

Concerned Residents of Greenbrier

October 23, 1985

Mr. David P. Mackin
1307 Stevenson Lane
Baltimore, Maryland 21204

RE: PETITION FOR VARIANCE
Case No. 86-132-A

Dear Mr. Mackin:

I have left numerous messages at your work number, 396-4160, for you to call me.

Your Order has been ready for three weeks, but cannot be mailed until advertising fees of \$68.00 are paid.

May I remind you that the house and garage are located in violation of the Baltimore County Zoning Regulations. Enforcement measures would take the matter to District Court where you could be fined or given a jail sentence.

In addition, I have been told you spoke rather rudely to a staff member. If that is so, I am greatly displeased.

Very truly yours,

Jean M. H. Jung
Deputy Zoning Commissioner

JMH/ibg

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
September 18, 1985

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

Mr. and Mrs. David Peter Mackin
1307 Stevenson Lane
Baltimore, Maryland 21204

RE: Item No. 21 - Case No. 86-132-A
Petitioners - David Peter Mackin, et al
Variance Petition

Dear Mr. and Mrs. Mackin:

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,

James E. Dyer, Inc.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

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

No. 008576

DATE: 9/12/85 ACCOUNT: R-01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: David P. Mackin

FOR: Zoning Variance Item 21

B 0065*****350010 5126F

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 11, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 11, 1985.

TOWSON TIMES,

18 Ventrol
Publisher

3825

CERTIFICATE OF PUBLICATION

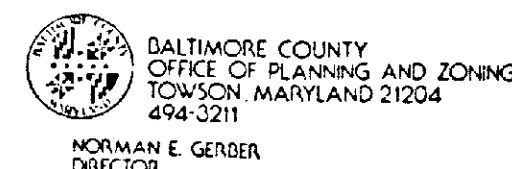
TOWSON, MD., September 12, 1985

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 September 12, 1985.

THE JEFFERSONIAN,

18 Ventrol
Publisher

2475



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

SEPTEMBER 9, 1985

Re: Zoning Advisory Meeting of July 23, 1985
Item # 21
Property Owner: DAVID PETER MACKIN, et al
Location: SE CORNER STEVENSON LANE & OVERCREST 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.

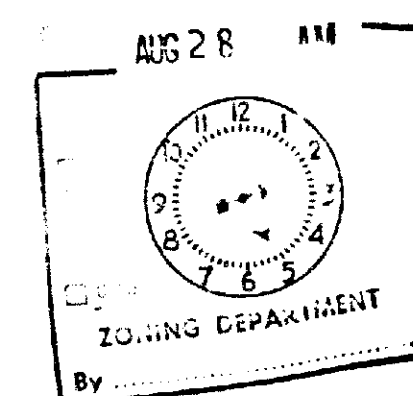
- There are no site planning factors requiring comment.
- A County Review Group Meeting is required.
- A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must 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 22-98 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 [blank].
- 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 [blank].
- The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 176-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- Additional comments:

Eugene A. Boker
Chief, Current Planning and Development

cc: James Hosell

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. 21 - SAC - Meeting of July 23, 1985
Property Owner: David Peter Mackin, et al
Location: SE corner Stevenson Lane and Overcrest Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 20' in view of the required 25' for an attached garage and a rear yard of 14' 8" in lieu of the required 20' for the existing house

Acres: 65' x 127'
District: 9th

Dear Mr. Jablon:

The Department of Traffic Engineering has no comment on this particular item.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/hza

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 9/11/85

Posted for: Variance

Petitioner: David P. Mackin, et al

Location of property: SE corner Stevenson Lane & Overcrest Road, Towson, Md.

Location of Signs: 1307 Stevenson Lane, Towson, Md.

Remarks: [blank]

Posted by: [blank] Date of return: 9/12/85

Number of Signs: 1

Case No. 86-132-A

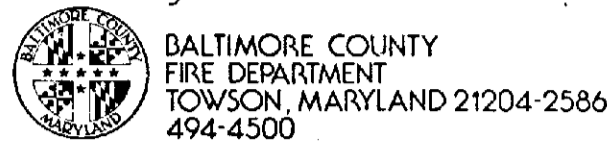
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 1st day of September, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner: David Peter Mackin, et al
Received by: James E. Dyer, Inc.
Petitioner's Attorney: JAMES E. DYER, Chairman
Zoning Plans Advisory Committee



PAUL H. REINCKE
CHIEF

August 6, 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: David Peter Mackin, et al

Location: SE corner Stevenson Lane and Overcrest Road

Item No.: 21 Zoning Agenda: Meeting of 7/23/85

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.

(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.

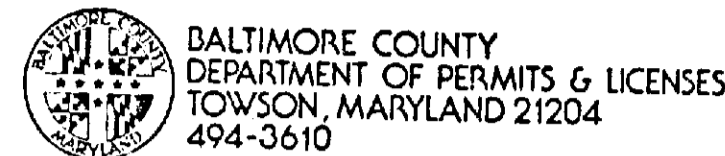
() 6. Site plans are approved, as drawn.

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

REVIEWER: *Carl J. Kelly, etc.*
Planning Group
Special Inspection Division

Noted and Approved: *Roy W. Kemmer*
Fire Prevention Bureau

/mb



TED ZALESKI, JR.
DIRECTOR

August 21, 1985

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

Dear Mr. Jablon:

Comments on Item # 21 Zoning Advisory Committee Meeting are as follows:

Property Owners: David Peter Mackin, et al
Location: SE corner Stevenson Lane and Overcrest Road
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(X) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

() 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.

() All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use 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 401, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three 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 Groups are from Use _____ to use _____ or Mixed Uses _____. See Section 312 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 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.

() Comments:

() These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
By: C. E. Burnham, Chief
Building Plans Review

L/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

Date: September 25, 1985

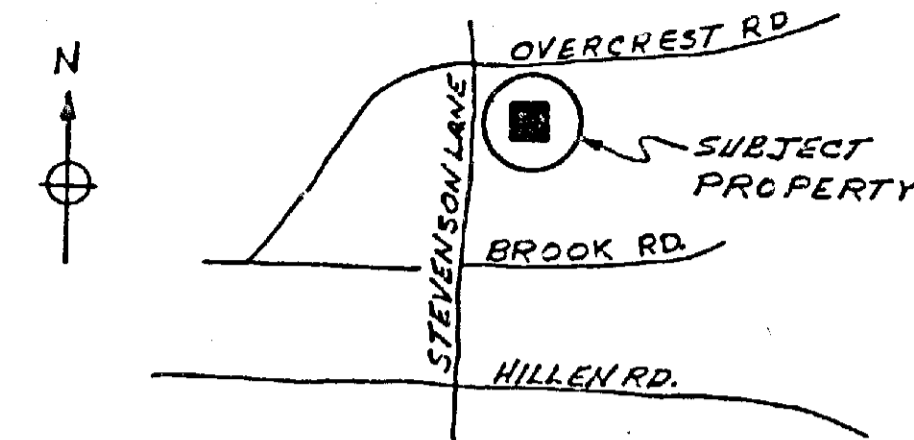
FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-132-A

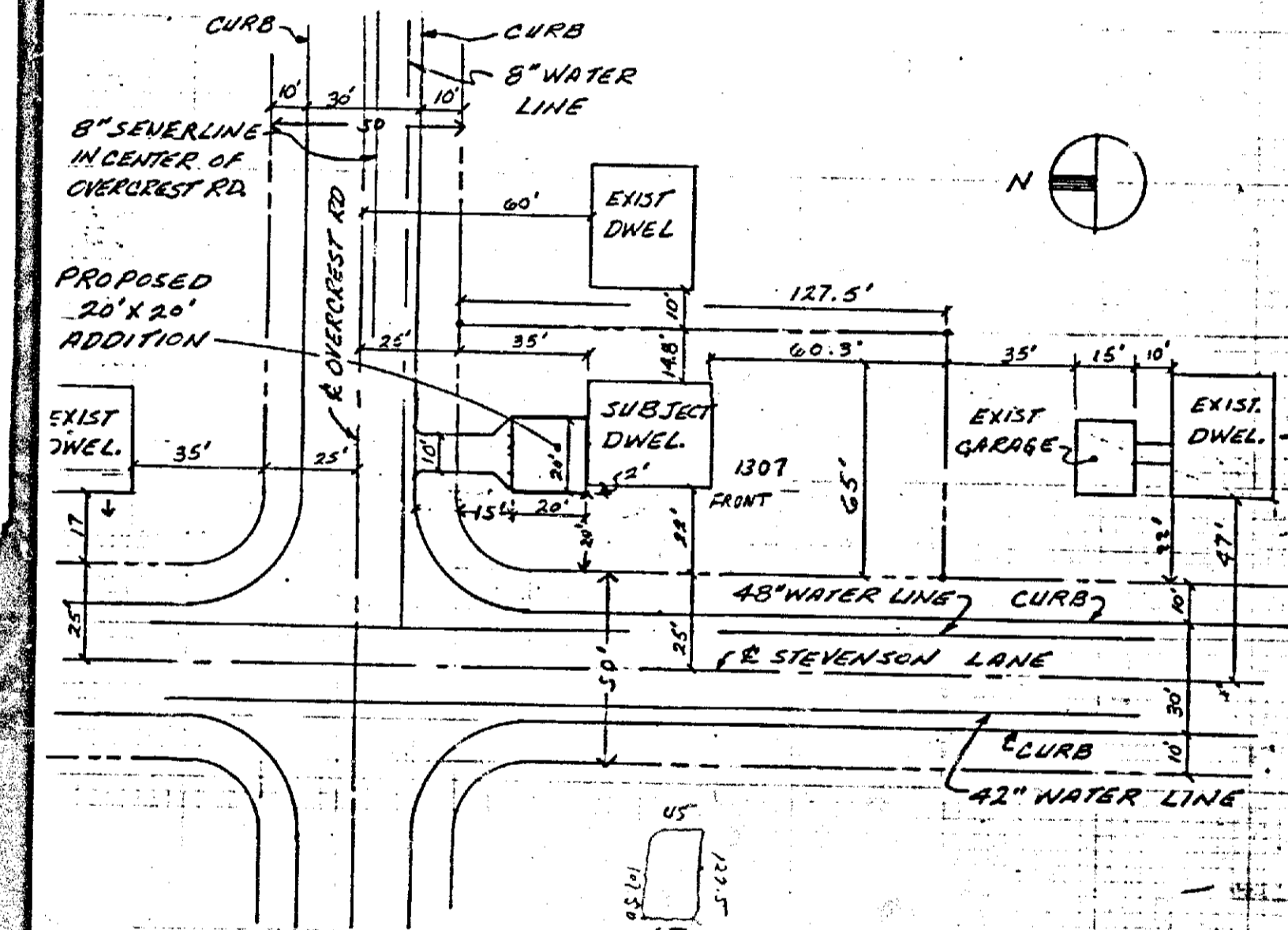
There are no comprehensive planning factors requiring comment on this petition.

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

NEG:JCH:sjm



VICINITY MAP



PLAT FOR ZONING VARIANCE FOR AN ATTACHED GARAGE + EX. DWELLING
OWNERS: DAVID MACKIN & KAREN MARTIN 1307 STEVENSON LA.
DISTRICT: 9 ZONING: D.R.S.S
SUBDIVISION: GREEN BRIAR
LOT 0047, SEC. 03, BOOK 18, FOLIO 112

1" = 40'

