PETITION FOR	ZONING VARIANCE
O THE ZONING COMMISSIONER OF BAI	LTIMORE COUNTY:
and place attached	e property situate in Baltimore County and which is ed hereto and made a part hereof, hereby petition for a
ariance from Section 1 BOZ.3.C.1.(3	303.1) TO PERMIT A FRONT VARD SETBACK
INSTEAD OF THE REQUIRED 10'	
the Zoning Regulations of Baltimore Count llowing reasons: (indicate hardship or prac	ty, to the Zoning Law of Baltimore County; for the ctical difficulty)
REPLACEMENT IS NECESSARY TO	IN NEED OF EXTENSIVE REPAIR DUE TO INSTALL FOOTING AND UPDATE EFFICIENCY. PROPERLY PLACE WASHEH, DRYEH AND HOT LL AS CONVENIENCE REASONS.
Property is to be posted and advertise	
I, or we, agree to pay expenses of above tition, and further agree to and are to be teltimore County adopted pursuant to the Zo	Variance advertising, posting, etc., upon filing of this accross
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we HEARNG! A are the legal owner(s) of the property which is the subject of this Petition.
ntract Purchaser:	Legal Owner(s):
ORVIL B. MOOKE (Jape or Print Name)	LYNN L. PATHICK
The or will hathe What a	(Type or Print Name)
Signature Signature	Signature Signature
5/C/ANDEDLE/RP.	DALORES J. PATRICK
Address L.	(Type or Print Name)
ALTIMORE AD. 81270 City and State	Signature Je Patrick
torney for Petitioner:	Signature (/
,	1208 Third Rd. 686-2853
(Type or Print Name)	Address Phone No.
Signature	Address Phone No. Middle River, Md. 2/220
	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
	NORVEL MOORE /a 1 /
City and State	Name
orney's Telephone No.:	15 CHANDELLE RD. 391-6153 Address Phone No.
ORDERED By The Zoning Commissioner	of Baltimore County, thisday
October 10.85	·- ·
Baltimore County, that property he nested	the subject matter of this petition be advertised, as ity, in two newspapers of general circulation throughand that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore
ney, on theday of	
≦ M.	O'Clock
	Cell No.
TRAI	- Torra
ii 41STRAT	
APARMIST	Zoning Commissioner of Baltimore County.
APARMIST	Zoning Commissioner of Baltimore County.

ZONING DESCRIPTION

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CEIVED

BEGINNING ON THE WITH SIDE OF THIRD ROAD 30 FEET WIDE, AT THE DISTANCE OF 250 FEET EAST OF THE CENTERLINE OF DOGWOOD DRIVE. BEING LOT 27, BLOCK. IN THE SUBDIVION OF STANSBURY. MANDR SECTION 4, LIBER.13, FOLIO 8. ALSO KNOWN AS 1208 THIRD ROAD IN THE 9 PRECINT 15 district.

IN RE: PETITION ZONING VARIANCES BEFORE THE S/S of Third Road, 250' E of Dogwood Road (1208 Third ZONING COMMISSIONER Road) - 15th Election District OF BALTIMORE COUNTY Lynn L. Patrick, et ux, Case No. 86-205-A Petitioners * * * * * * * * * * * FINDINGS OF FACT AND CONCLUSIONS OF LAW The Petitioners herein request variances to permit a front yard setback of 15 feet instead of the required average setback of 30 feet and a side yard setback of 7 feet instead of the required 10 feet, as more particularly described on Petitioners' Exhibit 1. The Petitioners appeared and testified. Also testifying on behalf of the Petitioners was Norvel Moore, the Contractor. There were no Protestants. Testimony indicated that the subject property, zoned D.R.5.5 and located off Dogwood Drive on Third Road, is improved with a single-family detached dwelling which has its front yard in the rear of the property. The dwelling faces an alley which abuts the south property line because it was constructed so as to face the water, which is located a couple of blocks away. The Petitioners purchased the property in 1967. At that time, there was a 29' x 5' addition consisting of an open porch and foyer and also a 5' \times 7' storage shed. Due to improper foundations, they need to be replaced. The setbacks, will not change; they will only be legalized. The Petitioners would also like to add a 5' x 7' laundry room attached to the shed and joined to the foyer The Petitioners seek relief from Section 1802.3.C.1 (Section 303.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR). n area variance may be granted where strict application of the zoning

PETITION FOR VARIANCE

15th Election District

regulation would cause practical difficulty to the petitioner and his property.

LOCATION: South Side of Third Road, 250' East of Dogwood Road (1208 Third Road)

DATE AND TIME: Monday, November 18, 1985 at 11:00 a.m.

DATE

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 from Section 1 BO .3.C.1. (303.1) To permit a front yard setback of 15' instead of the required average of 30' and a side yard setback of 7' instead of the required 10'.

Being the property of Lynn Patr the plat filed with the Zoning Office. Lynn Patrick, et al as shown on

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 JAELON ZONING COMMISSIONER OF BALTIMORE COUNTY

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

> 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2. 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

3. 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 variances were granted, such use as proposed would not be contrary to the spirit of the BCZR 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 variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances 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 variances

therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, 30^{-2} day of November, 1985, that the Petition for Zoning Variances to a front yard setback of 15 feet instead of the required average setback feet and a side yard setback of 7 feet instead of the required 10 feet be

- 2 -

and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Baltimore County

AJ/srl

cc: Mr. & Mrs. Lynn L. Patrick People's Counsel

RECEIVED FOR FILIN

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY "ONING COMMISSIONER

November 14, 1985

- 3 -

Lynn L. Patrick 1208 Third Road Baltimore, Maryland 21220

RE: Petition for Variance S/S Third Rd., 250' E/Dogwood Rd. (1208 Third Road) Lynn L. Patrick, et al - Petitioners Case No. 86-205-A

Dear Ms. Patrick:

This is to advise you that \$47.84 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

e County, Maryland, and remit No. 012464 NO SIGN

2-01-615-000

Menting & Dustone Xt 7 3 14 1 x 12 x 2 x 4 2 x 12 d

LYNN PATRICK, et al., Petitioners

: BEFORE THE ZONING COMMISSIONER

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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.

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

Leter Max Zumennen Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204

I HEREBY CERTIFY that on this 22nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Lynn L. Patrick and Dalores J. Patrick, 1208 Third Rd., Middle River, MD 21220, Petitioners; and Norvel Moore, Contractor, 15 Chandelle Rd., Baltimore, ND 21220.

Peter Max Zimmerman

RE: PETITION FOR VARIANCES S/S Third Rd., 250' E of Dogwood Rd. (230% Third Rd.), 15th Dist.

OF BALTIMORE COUNTY Case No. 86-205-A

:::::::

494-2188

and the state of t

VALIDATION OR SIGNATURE OF CASHIER

Middle River, Maryland 21220		October 23, 1985
NOTICE OF HEARING	COUNTY OFFICE BLDG.	
RE: PETITION FOR VARIANCE	111 W. Chesapeake Ave. Towson, Maryland 21204	Ms. Lynn L. Patrick Ms. Dalores J. Patrick
S/S Third Rd. 250' E/Dogwood Rd. (1208 Third Road)	0 00	1208 Third Road Middle River, Maryland 21220
Lynn L. Fatrick, et al - Petitioner Case No. 86-205-A		RE: Item No. 90 - Case No. 86-205-A
TIME:11:00 a.m.	MEMBERS	Petitioners - Lynn L. Patrick, et al Variance Petition
DA MID		Dear Ladies:
—— Honday, November 18, 1985	Department of	The Zoning Plans Advisory Communication
PLACE: Room 106, County Office Building, 111 West Chesapeake	State Roads Commission	are not intended to indicate the posterior. The following comments
Avenue, Towson, Maryland	Health Department	problems with regard to the development plans that may have a bearing
	Project Planning Building Department	the Zoning Commissioner with recommendations as to the suitability of
RAI TIMODE. COLUMNIA	Development a	Enclosed are all comments submitted from the members of the committee at this time that offer or request information on your etition. If similar comments from the remaining members are received, will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted or filing on the date of the enclosed filing certificate and a hearing cheduled accordingly.
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT NO. 012577	S	cheduled accordingly.
inmissioner		Very truly yours,
DATE 0/30/85 ACCOUNT 01-615-000 Ore County		James E. Dyer, Lic
AMOUNT_\$ 35.00		JAMES E. DYER Chairman
FROM: NOKUE Moone	JE	Zoning Plans Advisory Committee D:nr
the state of the s	En	closures
FOR: Variances # 90	сс	: Mr. Norvel Moore 15 Chandelle Road
B 2112*******3500:a 803\$F		Baltimore, Maryland 21220
VALIDATION OR SIGNATURE OF CASHIER		
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	-	
	Note a contract program of a contract contract program and a contract program of the contract program	
BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500 PAUL H. REINCKE CHIEF September 26, 1985 Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 Attention: Nick Commcdari, Chairman Zoning Plans Advisory Committee	TED ZALESK DIRECTOR	, Zoning Commissioner g and Zoning 21204
· RE: Property Owner: Lynn L. Patrick, et ux	Property Owner: Location:	Lynn L. Patrick, et ux SW/S Third Road, 250' E of Dogwood Avenue
Location: SW/S Third Road, 250' E. of Dogwood Avenue	District: APPLICABLE ITEMS	15tn.
Item No.: 90 Zoning Agenda: Meeting of 9/10/85 Gentlemen:		s shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
Pursuant to your request, the referenced property has been surveyed by this	B A building and	other miscellaneous permits shall be required before the start of any construction.
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.	C. Residential.	Two sets of construction drawings are required to file a permit application. The seal of a Maryland Architect or Engineer is/is not required on plans and technical data.
() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in	D. Commercial T	hree sets of construction drawings scaled and signed by a registered in Maryland Architect all be required to file with a permit application. Reproduced scale are not acceptable.
accordance with Baltimore County Standards as published by the Department of Public Works.	E. All Use Groups exterior walls	except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for
() 2. A second means of vehicle access is required for the site.	Des Tab	in interior lot line. Any wall built on an interior lot line and require a one hour wall if closer le 401, Section 1407, Section 1106.2 and Table 1402. No openings are permitted in an interior lot line.
() 3. The vehicle dead end condition shown at	F. The structure of variance by the construction to	loss not appear to comply with Table 505 for permissable height/area. Reply to the requested is office cannot be considered until the necessary data pertaining to height/area and the provided. See Table 401 and 505 and have your architect/Engineer contact this department.
EXCEEDS the maximum allowed by the Fire Department.		rariance appears to conflict with Section(s), of the Baltimore
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.	H. When filing for	
(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection		a required Change of Use/Occupency Permit, an alteration permit application shall also with three sets of acceptable construction plans indicating how the existing structure is norder to comply with the Code requirements for the new use. Maryland Architectural or are usually required. The change of Use Groups are from Use
Association Standard No. 101 *Life Safety Code*, 1976 edition prior to occupancy.	I. The proposed process of Section	oject appears to be located in a Flood Flain. Tidal/Riverine. Please see the attached 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct sea level for the lot and the finish floor levels including besement.
() 6. Site plans are approved, as drawn.	J. Comments:	
7. The Fire Prevention Bureau has no comments at this time.		
REVIEWER: At Joseph Kelly 9/36/55 Approved: Planning Group Special Inspection Division Noted and Fire Prevention Bureau Fire Prevention Bureau	-114 ADDIICEST MA	d comments reflect only on the information provided by the drawings submitted to the Office Zoning and are not intended to be construed as the full extent of any permit. If desired y obtain additional information by visiting Room 122 of the County Office Building at 111 emus, Towson, Maryland 21204.

October 15, 1985

Lynn L. Patrick

1208 Third Road

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE - Case No. 86-205-A - Lynn L. Patrick, et al s reviewed the plans sub-The following comments eness of the zoning action are made aware of plans or ans that may have a bearing ay file a written report with ons as to the suitability of om the members of the t information on your aining members are received, comment that is not inform-This petition was accepted g certificate and a hearing per, bec ry Committee

DALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204
494-3211 NORMAN E. GERDER DIRECTOR Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

OCTOBER 31, 1985 (CRITICAL AREA)

Re: Zoning Advisory Meeting of SEPTEMBER 10,1985

Item # 90

Property Owner: LYNU L. PATRICK, etux
Location: SW/S THIRD RD. 250'E. OF Dogwood AUE.

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

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.

Jinis site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

to issuance of a building permit.

The access is not satisfactory.

The circulation on this site is not satisfactory.

Are parking arrangement is not satisfactory.

This property contains 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 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 The Saltimore county master rien.

)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 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 () Additional comments: Additional comments:

THIS SITE IS LOCATED INTHE CHESAPEAKE
BE PROVIDED BY THE COMPSEHENSIVE PLENNING

cc: James Hoswell

Engene A. Bober Chief, Current Planning and Development BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON MARYLAND 1/204
494-3550

September 23, 1985

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

> Item No. Meeting of September 10, 1985 Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items 82, 86, 87, 89, & 90.

Traffic Engineer Assoc II

November 5, 1985

MSF/bld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON TO Zoning Commissioner November 4, 1985 NORMAN E. GERBER, Director FROM Office of Planning and Zoning

Chesapeake Bay Critical Area Consistency - SUBJECT Donna Alford, et al (86-202-A, Item 86) and Lynn L. Patrick, et ux (86-205-A, Item 90)

The Baltimore County Office of Planning and Zoning has reviewed these two zoning petitions and has determined that they are consistent with the requirements of Chesapeake Bay Critical Area Law. No mitigation is required in these cases since the increase in land disturbance is extremely minor.

NEG:PJS:vh

Norman E. Gerber Director of Planning and Zoning

cy: Tim Dugan, Special Asst. to the Director Andrea Van Arsdale Coastal Zone Planner James G. Hoswell, Planner Office of the Director

Audrey Thier Asst. Coastal Zone Planner People's Counsel

Susan S. Carrell, Acting Chief Current Planning & Development Div.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Zoning Commissioner

Norman E. Gerber, Director FROM Office of Planning and Zoning SUBJECT Zoning Petitions No. 86-202-A and 86-205-A

There are no comprehensive planning factors requiring comment

Norman E. Gerber, AICP Director of Planning and Zoning

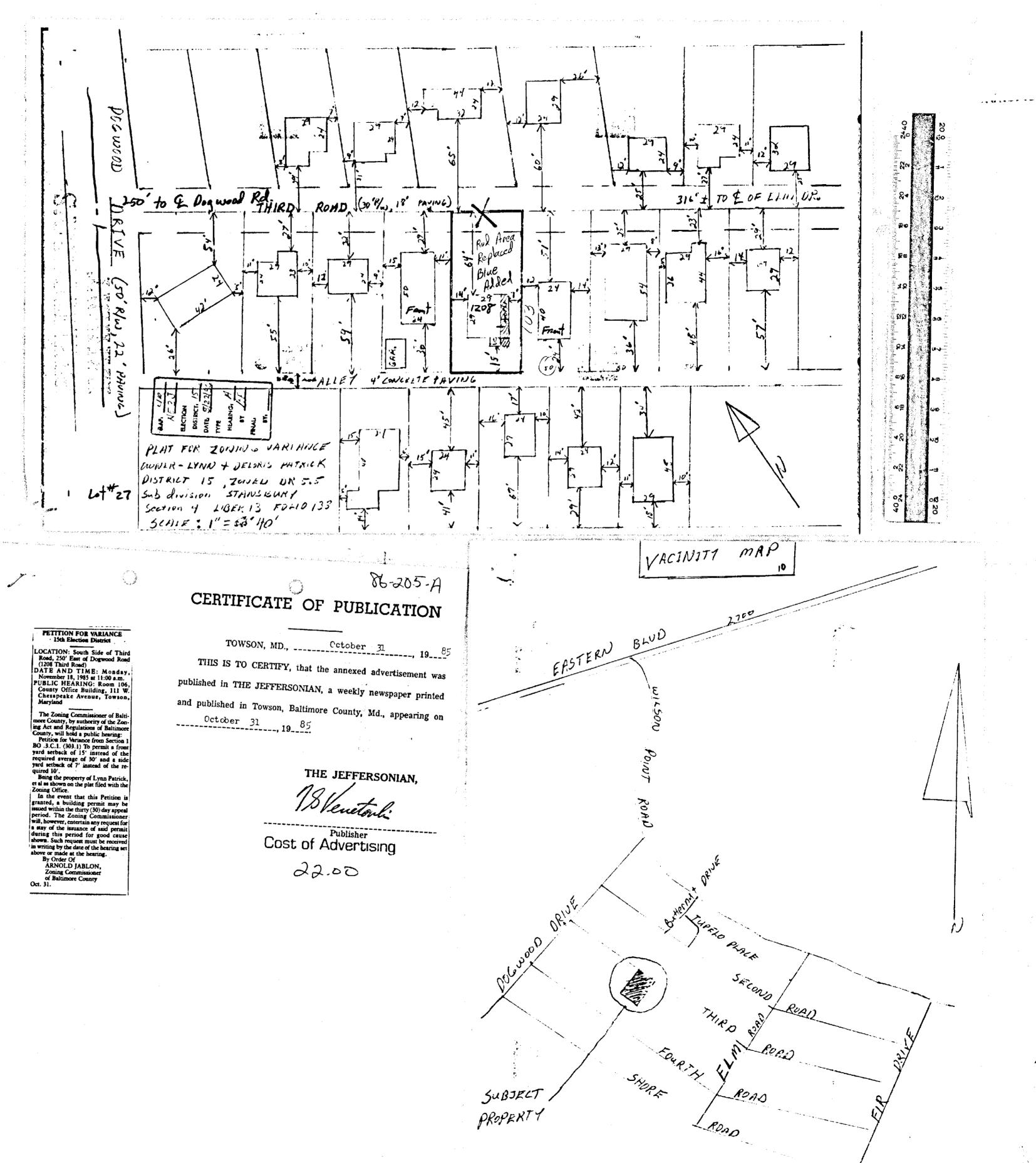
NEG:JGH:slm

ZOURLE DEPARTMENT

AM -

86-205-A Petition for Variance 15th Election District
LOCATION: South Side of Third
Road, 250' East of Dogwood Road **Qe Times** (1208 Third Road)
DATE & TIME: Monday, November
18, 1988 at 11:00 s.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeaks Avenue, Towson, Middle River, Md., Oct 3/ 1981 Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing. This is to Certify, That the annexed 83492 Petition for Variance from Section 1.
BO 3.C.1. (303.1) To permit a front yard setback of 15' instead of the rewas inserted in Ole Times, a newspaper printed quired average of 30' and a side yard setback of 7' instead of the required Being the property of Lynn Patrick, 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 and published in Baltimore County, once in each _ successive 3/21 weeks before the _ day of mit 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 Jobles Zoning Commissioner of Baltimore County 0 CERTIFICATE OF POSTING 86-205-A ZONING DEPARTMENT OF BALTIMORE COUNTY District 15 Zh Date of Posting 10/25/85 Number of Signe: Case No. 86-205-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 day of October , 1985. Zoning Commissioner Petitioner Lynn L.Patrick, et al Received by: James & Dyer boe Petitioner's Chairman, Zoning Plans Advisory Committee Attorney



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