

86-219-A 494-5591
#103
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 petitioning for a Variance from Section 1804.3B to permit side yard setback of 25' & 20' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
We would like to rebuild on the original site using the same dimensions and setbacks, as the existing dwelling at 6929 Sunshine Avenue was a complete casualty loss by the winds and snow of a severe storm in 1983.

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):
(Type or Print Name) MELVIN J. CARTER
Signature MELVIN J. CARTER
Address KATHY A. CARTER
(Type or Print Name)
City and State KATHY A. CARTER
City and State
Attorney for Petitioner: 11544 STOCKDALE RD.
(Type or Print Name) Address Phone No.
KINGSVILLE MD. 21087
Signature (301) 594-2663
Address
City and State
Attorney's Telephone No.: MELVIN J. CARTER
Address 11544 STOCKDALE RD.
KINGSVILLE MD. 21087
Address (301) 594-2663 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of October, 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 property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore on the 26th day of November, 1985, at 10:00 o'clock.
BY: [Signature] ADMINISTRATIVE
Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-5550
STEPHEN E. COLLINS
DIRECTOR
September 23, 1985
Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:
The Traffic Engineering has no comments for items number 100, 101, 102, 103, 104, 106, 107, 109, 111, 112, and 114.

Michael S. Flanigan
Traffic Engineer Assoc II

MSF/bld

Case No. 86-219-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 14th day of October, 1985.

Petitioner Melvin J. Carter, et ux
Attorney
Received by: James E. Dyer, Jr.
Chairman, Zoning Plans
Advisory Committee

Melvin J. Carter, et ux
86-219-A
#103
S/S Sunshine Ave., 750' SE of 11th Dist.
Towson, 21204

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2536
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 Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Melvin J. Carter, et ux
Location: S/S of Sunshine Avenue, 750' SE of Baywater Avenue
Item No.: 103
Zoning Agenda: Meeting of 9/24/85

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 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 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.
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.

Noted and Approved: [Signature]
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 23, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Mr. and Mrs. Melvin J. Carter
11524 Stockdale Road
Kingsville, Maryland 21087

RE: Item No. 103 - Case No. 86-219-A
Petitioners - Melvin J. Carter, et ux
Variance Petition

Dear Mr. and Mrs. Carter:

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, Jr.
Chairman
Zoning Plans Advisory Committee

JED:nrr
Enclosures

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

November 6, 1985

RE: Zoning Advisory Meeting of September 24, 1985
Item # 103 MELVIN J. CARTER, et ux
Location: S/S of Sunshine Ave., 750' SE of Baywater Ave.

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.
- 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 22-58 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 _____.
- Redevelopment must comply with Baltimore County Landscape Manual, 1111 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 top level intersection as defined by 1111 178-79, and as conditions change are re-evaluated annually by the County Council.
- Additional comments:

CC: James Haswell

Eunice A. Suber
Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Date: November 12, 1985

SUBJECT: Zoning Petitions No. 86-212-A, 86-213-A, 86-218-A, 86-219-A, 86-220-A, 86-221-A, 86-223-A, and 86-224-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, Director
NEG:JGH:sjm

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610
TED ZALESKI, JR.
DIRECTOR
November 14, 1985

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

Dear Mr. Jablon:
Comments on Item # 103 Zoning Advisory Committee Meeting are as follows:

Property Owner: Melvin J. Carter, et ux
Location: S/S of Sunshine Avenue, 750' SE of Baywater Avenue
District: 11th.

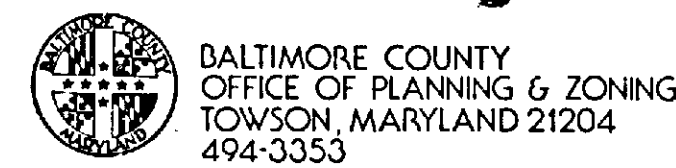
APPLICABLE ITEMS ARE CIRCLED:

1. 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.C. #117-1) - 1980 and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
4. 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.
5. All the Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. R-4 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 101, Section 101.7, Section 101.8.2 and Table 101.8. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. 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/Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use.
9. 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 elevation above sea level for the lot and the finished floor levels including basement.
10. Comments:
11. 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.

11/21/85

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 with/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



ARNOLD JABLON
ZONING COMMISSIONER

November 27, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. and Mrs. Melvin J. Carter
11524 Stocksdale Road
Kingsville, Maryland 21087

RE: PETITION FOR VARIANCE
S/S Sunshine Avenue, 750'
SE of Baywater Avenue
(6929 Sunshine Avenue) -
11th Election District
Melvin J. Carter, et ux,
Petitioners
Case No. 86-219-A

Dear Mr. and Mrs. Carter:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:hg

Attachments

cc: People's Counsel

PETITION FOR VARIANCE
11th Election District

LOCATION: South side of Sunshine Avenue, 750' Southeast of Baywater Avenue (6929 Sunshine Avenue)

DATE AND TIME: Tuesday, November 26, 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 from Section 1A04.3B to permit side yard setback of 25' and 20' in lieu of the required 50'.

Being the property of Melvin J. Carter, et ux 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

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S Sunshine Ave., 750' : OF BALTIMORE COUNTY
SE of Baywater Ave. (6929 :
Sunshine Ave.), 11th Dist.
MELVIN J. CARTER, et ux, : Case No. 86-219-A
Petitioners :

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 other 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 29th day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Melvin J. Carter, 11524 Stocksdale Rd., Kingsville, MD 21087, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION FOR VARIANCE * BEFORE THE
S/S Sunshine Avenue, 750' * DEPUTY ZONING COMMISSIONER
SE of Baywater Avenue *
(6929 Sunshine Avenue) - * OF BALTIMORE COUNTY
11th Election District *
Melvin J. Carter, et ux, * Case No. 86-219-A
Petitioners *

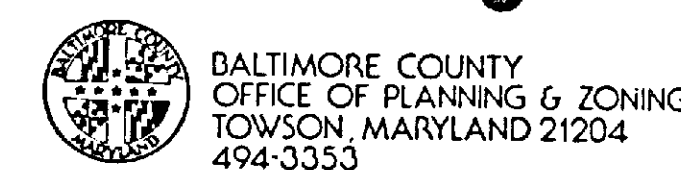
The Petitioners herein request side yard setbacks of 25 feet and 20 feet in lieu of the required 50 feet.

Testimony by the Petitioners indicated that the site has been owned by family members since 1929. The Petitioners propose to construct a 25' x 30' residence of the same size and in the same location as the former dwelling which collapsed in 1983. A number of the existing shrubs, trees, well and septic system will be utilized. The Petitioners have attempted, unsuccessfully, to purchase additional land from adjacent owners whose homes are located about 600 feet and 400 feet away. Without variances no dwelling can be built on the site. 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 (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 27th day of November, 1985, that the herein Petition for Variance to permit side yard setbacks of 25 feet and 20 feet in lieu of the required 50 feet, in accordance with the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 21, 1985

Mr. and Mrs. Melvin J. Carter
11524 Stocksdale Road
Kingsville, Maryland 21087

Re: Petition for Variance
S/S Sunshine Ave., 750' SE of Baywater Ave. (6929 Sunshine Ave.)
11th Election District
Melvin J. Carter, et ux - Petitioners
Case No. 86-219-A

Dear Mr. & Mrs. Carter:

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.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012433
DATE 11-26-85 ACCOUNT R-01-615-000
AMOUNT \$ 47.84
RECEIVED FROM Melvin J. Carter et ux
FOR Advertising & Posting Fee - 219-A
6 811*****478415 21087
VALIDATION OR SIGNATURE OF CLERK

Zoning Description

Located on S/S of Sunshine Avenue approx. 750' SE of Baywater Avenue and thence running S 9' 16' W 485.0', thence S 58' 48' E 75', thence N 9' 16' E 485.0' and thence N 58' 48' W 75' to place of beginning. Also known as 6929 Sunshine Ave.

October 25, 1985

Mr. and Mrs. Melvin J. Carter
11524 Stocksdale Road
Kingsville, Maryland 21087

NOTICE OF HEARING

RE: S/S Sunshine Avenue, 750' SE of Baywater Ave. (6929 Sunshine Ave.)
11th Election District
Melvin J. Carter, et ux - Petitioners
Case No. 86-219-A

TIME: 10:00 a.m.

DATE: Tuesday, November 26, 1985

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

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012550
DATE 11/27/85 ACCOUNT R-01-615-000
AMOUNT \$ 35.00
RECEIVED FROM M. CARTER
FOR filin fee for R-01-615-000
8 811*****350015 21087
VALIDATION OR SIGNATURE OF CLERK

Petition for Variance

11th Election District
 LOCATION: South side of Sunshine Avenue, 750' Southeast of Baywater Avenue (6929 Sunshine Avenue).
 DATE AND TIME: Tuesday, November 26, 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 from Section 1A04.3B to permit side yard setback of 25' and 20' in lieu of the required 50'.
 Being the property of Melvin J. Carter, et ux 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

The Times

Middle River, Md., Nov 7 1985

This is to Certify, That the annexed
Petition - Carter
Reg L 83988
 was inserted in The Times, a newspaper printed
 and published in Baltimore County, once in each
 of one successive
 weeks before the 7th day of
Nov, 1985
Jane Bunn Publisher.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 7 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
November 7, 1985

THE JEFFERSONIAN,

JB Venetian

Publisher

Cost of Advertising

22.00

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11E6 Date of Posting 11/1/85
 Posted for: Variance
 Petitioner: Melvin J. Carter, et ux
 Location of property: 215 Sunshine Ave. 750' SE/Baywater Ave.
6929 Sunshine Ave
 Location of Signs: Facing Sunshine, approx. 6' Fr. Road Way,
on property of Petitioner
 Remarks: _____
 Posted by M. Jablon Date of return: 11/85
 Signature
 Number of Signs: 1

PETITION FOR VARIANCE
 11th Election District
 LOCATION: South side of Sunshine Avenue, 750' Southeast of Baywater Avenue (6929 Sunshine Avenue).
 DATE AND TIME: Tuesday, November 26, 1985 at 10:00 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:
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 By Order Of
 ARNOLD JABLON,
 Zoning Commissioner
 of Baltimore County
 Nov. 7.

PLAT FOR ZONING VARIANCE
 OWNER- MELVIN & KATHY CARTER
 DISTRICT 11 - ZONED RC-5
 NO ADJACENT PROPERTY OWNED

SCALE 1" = 50 FT

MARCH 16, 1982

WVS	40
NE/6-1	
ELECTION	
DISTRICT	11
DATE	6/2/86
TYPE	
HEARING	A
BY	DE
FINAL	
BY	DE

#103

