

86-224-A 11/4 **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 1B.02.3.C.1. (301.1) to

permit a rear yard setback of 23 ft. in lieu of

the required 30 ft. and a side yard of 8 feet

in lieu of the required 18 3/4 ft.

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

1. To close in existing screened porch to become a family room, because of growing family.
2. No room for expansion in main house.
3. Side variance needed to replace screened in porch that will become family room, because of lack of space in rear yard to replace a screened porch.

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner?

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Ross A. Agee

(Type or Print Name)

Signature

Kathleen D. Agee

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

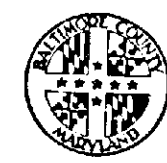
City and State

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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of November, 1985, at 10:30 o'clock

Carl J. Jahn
Zoning Commissioner of Baltimore County.

(over)



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 29, 1985

Mr. and Mrs. Ross A. Agee
800 Weatherbee Road
Baltimore, Maryland 21204

Dear Mr. and Mrs. Agee:

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:bg

Attachments

cc: People's Counsel

RE: PETITION FOR VARIANCE
NE/corner of Weatherbee Rd.
and Fairway Drive
(800 Weatherbee Road) -
9th Election District
Ross A. Agee, et ux,
Petitioners
Case No. 86-224-A

IN RE: PETITION FOR VARIANCE
NE/corner of Weatherbee Rd.
and Fairway Drive,
(800 Weatherbee Road) -
9th Election District
Ross A. Agee, et ux,
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 86-224-A

The Petitioners herein request variances to permit a rear yard setback of 23 feet in lieu of the required 30 feet and a side yard setback of 8 feet in lieu of the required 18-3/4 feet.

Testimony by the Petitioners indicated that they propose to expand the existing kitchen into a country kitchen and family room by enclosing an existing screened back porch. Additional living space is needed for the family. The neighbor to the rear appeared in support of the Petition. They propose to replace the existing screened porch by constructing an 8' x 16' screened porch on the side of the dwelling in a heavily wooded area that will be barely visible from nearby residences and streets. 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 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 27th day of November, 1985, that the herein Petition for Variance to permit a rear yard setback of 23 feet in lieu of the required 30 feet and a side yard setback of 8 feet in lieu of the required 18-3/4 feet for additional habitable space, 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

JMHJ:bg

RECEIVED FOR FILE
November 29, 1985
DATE: November 29, 1985

Located on the Northeast corner of Weatherbee Rd. and Fairway Drive and known as lot #87 as shown on Plat of Knollwood which is recorded in land records of Baltimore County in Liber 13, folio 125. Also known as 800 Weatherbee Road.

PETITION FOR VARIANCE

9th Election District

LOCATION:

Northeast corner of Weatherbee Road and Fairway Drive, (800 Weatherbee Road)

DATE AND TIME:

Wednesday, November 27, 1985 at 10:30 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 1B.02.3.C.1 (301.1) to permit a rear yard setback of 23 feet in lieu of the required 30 feet and a side yard of 8 feet in lieu of the required 18 3/4 feet.

Being the property of Ross A. Agee, 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 VARIANCES
NE Corner Weatherbee Rd.
& Fairway Dr. (800
Weatherbee Rd.), 9th Dist.
ROSS A. AGEe, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 86-224-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 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. Ross A. Agee, 800 Weatherbee Rd., 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

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 20, 1985

Mr. & Mrs. Ross A. Agee
800 Weatherbee Road
Baltimore, Maryland 21204

Re: NE/cor. Weatherbee Rd. & Fairway Dr.
(800 Weatherbee Road)
9th Election District
Ross A. Agee, et ux - Petitioners
Case No. 86-224-A

Dear Mr. & Mrs. Agee:

This is to advise you that \$65.25 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.

Please make the check payable to Baltimore County, Maryland, and remit to the Office of Finance - Revenue Division, Baltimore County, Maryland.

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

No. 016139

DATE 11/27/85 ACCOUNT 86-224-000

AMOUNT \$65.25

RECEIVED FROM Ross A. Agee

FOR Petitioners & Petitioner 86-224-A

VALIDATION OR SIGNATURE OF CASHIER

October 25, 1985

Mr. & Mrs. Ross A. Agee
800 Weatherbee Road
Baltimore, Maryland 21204

NOTICE OF HEARING

RE: NE/cor. Weatherbee Rd. & Fairway Dr.
(800 Weatherbee Road)
9th Election District
Ross A. Agee, et ux - Petitioners
Case No. 86-224-A

TIME: 10:30 a.m.

DATE: Wednesday, November 27, 1985

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

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

No. 012556

DATE 11/16/85 ACCOUNT 86-224-000

AMOUNT \$ 35.00

RECEIVED FROM Peter Max Zimmerman

FOR Phyllis Cole Friedman #114

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 25, 1985

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

Mr. and Mrs. Ross A. Agee
800 Weatherbee Road
Baltimore, Maryland 21204

RE: Item No. 114 - Case No. 86-224-A
Petitioners - Ross A. Agee, et ux
Variance Petition

Dear Mr. and Mrs. Agee:

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.

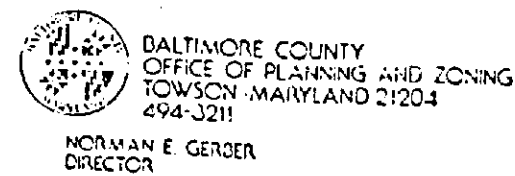
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing 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.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures



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

NOVEMBER 6, 1985

Re: Zoning Advisory Meeting of SEPTEMBER 24, 1985
Item # 114
Property Owner: ROSS A. AGEE, et ux
Location: NE CORNER WEATHERBEE RD. AND FAIRWAY DRIVE

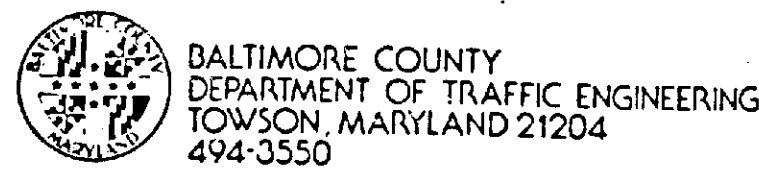
Dear Mr. Jablon:

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 drainage arrangement is not satisfactory.
- ☒ The 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 11/1/85.
- ☒ 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 its conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Haswell

Europe A. Saker
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

September 23, 1985

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

Item No. -2AC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

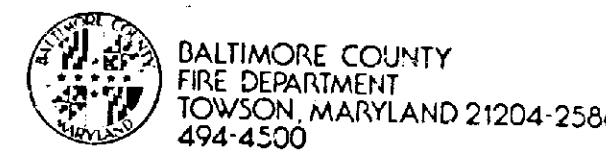
Acres:
District:

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. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc II

NSF/bld



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: Wick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Ross A. Agee, et ux
Location: NE corner Weatherbee Rd. and Fairway Drive
Item No.: 114

Zoning Agenda: Meeting of 9/24/85

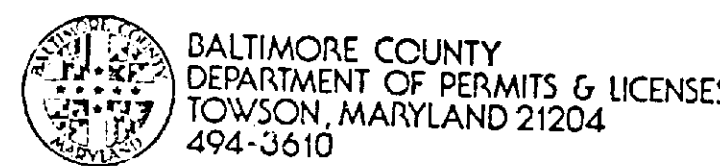
Gentlemen:

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.
- (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 comment at this time.

REVIEWER: *John F. O'Neill*
Noted and Approved:
John F. O'Neill
Fire Prevention Bureau
Special Inspection Division

/mb



November 11, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 114, Zoning Advisory Committee Meeting are as follows:
Property Owners: Ross A. Agee, et ux
Location: NE corner Weatherbee Road and Fairway Drive
District: 9th.

APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 47-85, the Maryland Code for the Handicapped and Aged (A.M.C. 17-101 - 1975) 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 a permit application. Reproduced seals are not acceptable.
- ☒ All: The Garage except 2-1/2 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 The Garage 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 on party 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 101 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 engineering seals are usually required. The change of Use Groups are from the _____ to the _____ or to _____ See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Overturn. Please see the attached copy of Section 310.3 of the Building Code as adopted by Bill 47-85. Rise plans shall show the current 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 terms of any permit. If desired, the applicant may obtain additional information by visiting from 10 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dyer, Jr.
Charles E. Dyer, Jr.
Building Plans Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: November 12, 1985

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

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, Jr.
Norman E. Gerber, Jr.
Director

NEG:JGH:slm

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,

13 Venturi
Publisher

Cost of Advertising
22.00

PETITION FOR VARIANCE

1st Election District

LOCATION: Northeast corner of Weatherbee Road and Fairway Drive, 800 Weatherbee Road
DATE AND TIME: Wednesday, November 27, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, for and on behalf of the Zoning Board, hereby certifies that the following petition for variance was filed with the Zoning Office on the date indicated below. Being the property of Ross A. Agee, et ux as shown on the plan 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, reserve 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 and shall be made at the hearing.

By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Nov. 7.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th

Date of Posting: 11/17/85

Posted for: *Variance*

Petitioner: *Ross A. Agee, et ux*

Location of property: *NE corner Weatherbee Rd. & Fairway Drive*

800 W. Fairway Dr.

Location of Sign: *Weatherbee Rd. & Fairway Dr. & 800 W. Fairway Dr.*

800 W. Fairway Dr. & 800 W. Fairway Dr.

Remarks:

Posted by: *Matthew*

Date of return: 11/17/85

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 6, 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 November 6, 1985.

TOWSON TIMES,

13 Venturi
Publisher

38.25

Case No. 86-224-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

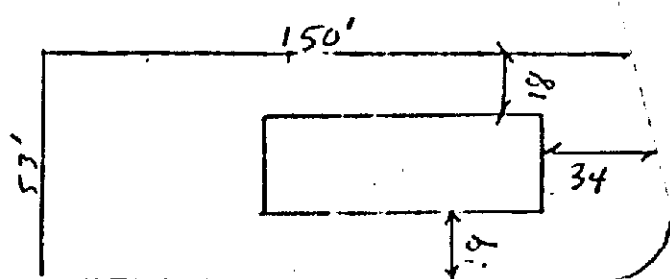
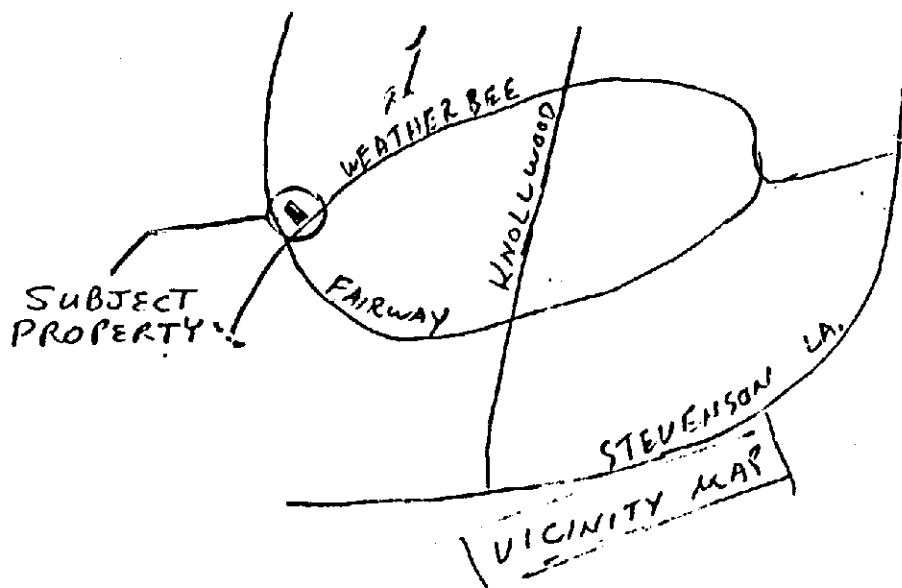
Your petition has been received and accepted for filing this 14th day of October, 1985.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

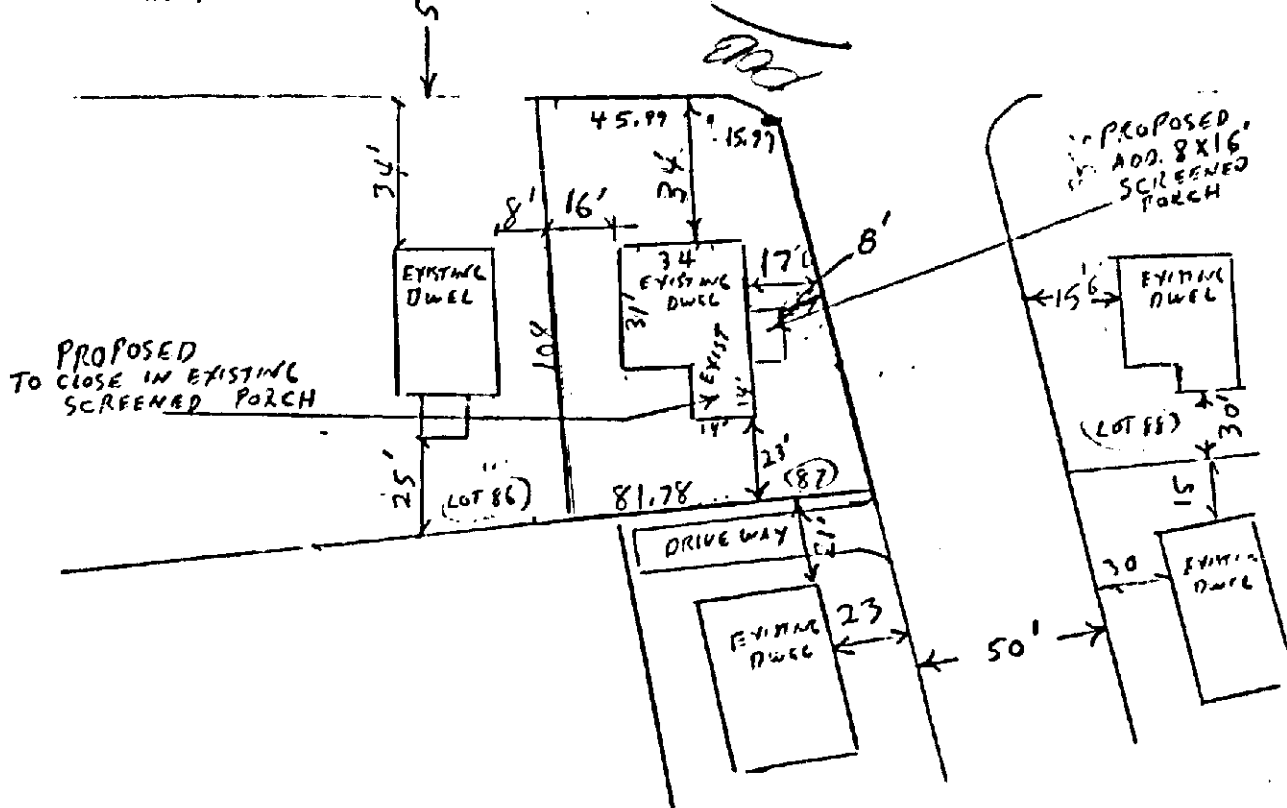
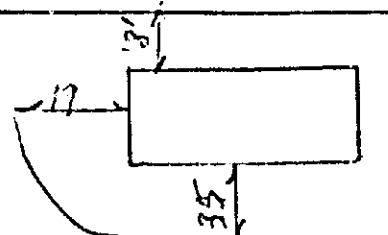
Petitioner: Ross A. Agee, Esq.
Attorney:

Received by: *James E. Dyer, Jr.*
Chairman, Zoning Plans
Advisory Committee

AUG 12 1985



WEATHER BEE RD
50' R/W
25' PAVING



BAR	3C
NE 9A	
ELECTION	
DISTRICT	9
DATE	6/11/86
TYPE	
HEARING	A
BY	BE
FINAL	
BY	

PLAT FOR ZONING VARIANCE
OWNER- ROSS + KATHLEEN AGEE
DISTRICT- 9 ZONED D.R. 5.5
SUBDIVISION- KNOLLWOOD
LOT # 87 Book 13 FOLIO 125 LIBER 5487
FOLIO 164
EXISTING UTILITIES IN WEATHERBEE RD.
SCALE 1" = 50'

