

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 1802.3.6.1 (301.1) to allow a side yard setback of 3 feet 4 inches instead of the required 7 feet 1/2 inches.

Permission to replace an Aluminum Awning on porch area which has been up approximately 20 years with a wooden roof, (see picture enclosed) also to repair existing aluminum awning which has been there since 1965. The following reasons: (Indicate hardship or practical difficulty) Aluminum Awning has been repaired about 4 times since it has been up. This repair was necessary due to heavy snows which caused it to buckle and bend and leak. Which caused a hazard to anyone who happen to be under it. Awning had always been repaired by Mr. Carder, but due to a heart attack two years ago he probable would be unable to do so again. We seriously think that the awning would not stand another repair, so we decided to replace it with a wooden roof which would be a more lasting and durable material. Mrs. Carder's mother lives in this house also and she is 92 years old. On Sept. 11 of this year she was discharged from the hospital after having pneumonia. She is semi-disable and some times uses a wheel chair. For health reasons she needs all the fresh air and some sun shine she can. 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

Legal Owner(s):
X EDWARD D. CARDER
(Type or Print Name)
Signature
HENRIETTA W. CARDER
(Type or Print Name)
Signature
3169 Baybriar Rd. 288-6359
Address Phone No.
Dundalk, Maryland 21222
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of November, 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 11th day of December, 1985, at 10:00 o'clock.

By *Carl J. Jorgensen*
Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE (CONTINUED)

INDICATE HARDSHIP OR PRACTICAL DIFFICULTY:

get to build up her strenght. We would like to have the wooden roof put up as soon as possible while the weather is still nice so she can enjoy it.

We have always taken pride in our home and have always done what ever we could to improve the appearance of it. The porch which we are talking about has added a special look to our home and we sincerely hope we can keep it as it was with the improvement of the wooden roof.

IN RE: PETITION FOR VARIANCE
S/S of Baybriar Road, 287'
E of Sollers Point Road
(3169 Baybriar Road) -
12th Election District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-244-A

Edward D. Carder, et ux,
Petitioners

The Petitioners herein request a side yard setback of 3 feet 4 inches in lieu of the required 7 1/2 feet for an open porch.

Testimony by the Petitioner indicated that he has had a covered porch of this same size and at this location for twenty years. This covered porch has been utilized for the protection of the kitchen door from weather and presently as a sitting area for a 93 year old mother. The existing roof deteriorated to such an extent that it must be replaced. 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 16th day of December, 1985, that the herein Petition for Variance to permit a side yard setback of 3 feet 4 inches in lieu of the required 7 1/2 feet for an open porch, 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

ZONING DESCRIPTION

BEGINNING ON THE SOUTH SIDE OF BAYBRIAR RD AT THE DISTANCE OF 287 FEET EAST OF SOLLERS POINT ROAD, BEING LOT 33, BLOCK 8, IN THE SUBDIVISION OF DUNDALK, BOOK NO 13 FOLIO 22. ALSO KNOW AS 3169 BAYBRIAR ROAD IN THE 12TH ELECTION DISTRICT.

PETITION FOR VARIANCE 12th Election District

LOCATION: Southside of Baybriar Road, East of Sollers Point Road (3169 Baybriar Road)

DATE AND TIME: Wednesday, December 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 from Section 1802.3.6.1 (301.1) to allow a side yard setback of 3 feet 4 inches instead of the required 7 1/2 feet (open porch)

Being the property of Edward D. Carder, 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
S/S Baybriar Rd., E of
Sollers Pt. Rd. (3169
Baybriar Rd.), 12th Dist.

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-244-A

EDWARD D. CARDER, et ux,
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 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 19th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edward D. Carder, 3169 Baybriar Rd., Dundalk, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

December 4, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. & Mrs. Edward D. Carder
3169 Baybriar Road
Dundalk, Maryland 21222

RE: Petition for Variance
S/S Baybriar Rd., 287' E/Sollers Pt. Rd.
(3169 Baybriar Rd.)
12th Election District
Edward D. Carder, et ux - Petitioner
Case No. 86-244-A

Dear Mr. & Mrs. Carder:

This is to advise you that \$ 57.00 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 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 payment to:

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

No. 012427

DATE 12/11/85 ACCOUNT 86-244-000

AMOUNT \$ 57.00

RECEIVED BY *Edward D. Carder*

FOR *Mr. & Mrs. Carder* 86-244-A

VALIDATION OR SIGNATURE OF CASHIER

County, Maryland, and remit
Towson, Maryland

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

ARNOLD JABLON
ZONING COMMISSIONER

December 16, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. and Mrs. Edward D. Carder
3169 Baybriar Road
Dundalk, Maryland 21222

RE: PETITION FOR VARIANCE
S/S of Baybriar Road, 287'
E of Sollers Point Road
(3169 Baybriar Road) -
12th Election District
Edward D. Carder, et ux,
Petitioners
Case No. 86-244-A

Dear Mr. and Mrs. Carder:

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

JMH:jbg

Attachments

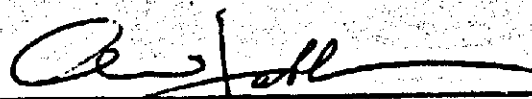
cc: People's Counsel

Case No. 86-244-A

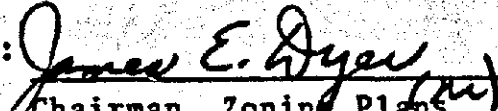
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
5th day of November, 19 85


ARNOLD JABLON
Zoning Commissioner

Petitioner Edward D. Carder, et ux
Petitioner's Attorney

Received by: 
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 86-244-A
Towson, Maryland

District 12TH
Posted for: variance
Date of Posting 11/20/85
Petitioner: Edward D. Carder, et ux
Location of property: 315 Baybriar Rd., 287' E/50' W of Pt. Rd.
3169 Baybriar Rd.
Location of Signs: Facing Baybriar Rd., Approx. 10' E.
and way, on property of Petitioner
Remarks: _____
Posted by: 
Signature Date of return: 11/22/85
Number of Signs: 1

