

MAP 500-2E
E.D. 1
DATE 1-15-87
200
1000
DP

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 1B02.3.C.1 (301.1) to permit a rear yard setback of 10' in lieu of the required 37.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Parking under deck in rear yard - (Parking in front of home replace existing deck from 10' x 20' to 20' x 20' to make cover for vehicle. Rear yard set back presently 35'

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.

Contract Purchaser: Robert Lee & Shirley M. Hynes
Signature: Robert Lee Hynes
Address: 14 Nunnery Lane
City and State: Baltimore, MD
Attorney for Petitioner: Robert Lee Hynes
Signature: Robert Lee Hynes
Address: 14 Nunnery Lane, 21228
City and State: Baltimore, MD
Attorney's Telephone No.: 788-9540

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of December, 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 16th day of December, 1985, at 10:00 o'clock A.M.

(over)

ZONING DESCRIPTION

Beginning on the west side of Nunnery Lane, approximately 309' 9" north of Frederick Road and running thence northerly along Nunnery Lane 35' thence westerly 103' to the east side of a 15' wide alley thence southerly along said alley 35' thence easterly 101' 3" to the place of beginning. Also known as 14 Nunnery Lane.

PETITION FOR VARIANCE

1st. Election District

LOCATION: West Side of Nunnery Lane, 309 feet North of Frederick Road (14 Nunnery Lane)

DATE AND TIME: Monday, December 16, 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 1B02.3.C.1 (301.1) to permit a rear yard setback of 10 feet in lieu of the required 37.5 feet.

Being the property of Robert Lee Hynes, 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

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 28, 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 28, 1985.

THE JEFFERSONIAN,

Cost of Advertising 22.00

PETITION FOR VARIANCE
1st Election District
LOCATION: West Side of Nunnery Lane, 309 feet North of Frederick Road (14 Nunnery Lane)
DATE AND TIME: Monday, December 16, 1985 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
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1st Election District 86-248-A
Location: W/S Nunnery Lane, 309' N of Frederick Rd. (14 Nunnery Lane)
Hearings: Monday, December 16, 1985 at 10:00 a.m.
Petition for Variance to permit a rear yard setback of 10' in lieu of the required 37.5'
Petitioners: Robert Lee Hynes, et ux
No. of Signs: 1

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S Nunnery Lane, 309' N of Frederick Rd. (14 Nunnery Lane), 1st Dist. : OF BALTIMORE COUNTY
ROBERT LEE HYNES, et ux, : Case No. 86-248-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 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 22nd day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Robert Lee Hynes, 14 Nunnery Lane, Baltimore, MD 21228, Petitioners; and Harvey White, 505 Bloomingdale Ave., Baltimore, MD 21228, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

December 11, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. & Mrs. Robert Lee Hynes
14 Nunnery Lane
Baltimore, Maryland 21228

RE: W/S Nunnery Lane, 309' N of Frederick Rd. (14 Nunnery Lane)
1st Election District
Robert Lee Hynes, et ux
Case No. 86-248-A

Dear Mr. Hynes:

This is to advise you that \$43.83 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 Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 016150
DATE 1-6-86 ACCOUNT R-C-6150-CCO
AMOUNT \$ 43.83
RECEIVED FROM Robert L. Hynes et ux
FOR Advertising & Posting 86-248-A
8 8113 ***** 435376 8004E
VALIDATION OR SIGNATURE OF CASHIER

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

November 30 19 85

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE
71507

was inserted in the following:

Calonsville Times
Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for successive weeks before the 30 day of November 19 85, that is to say, the same was inserted in the issues of

NOVEMBER 28, 1985

PATUXENT PUBLISHING CORP.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF

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 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 14th day of January, 1985, that the herein Petition for Variance(s) to permit a rear yard setback of 10 feet in lieu of the required 37 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the followings:

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.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AJ:jb

cc: Mr. and Mrs. Robert Lee Hynes

People's Counsel

Mr. & Mrs. Robert Lee Hynes
14 Nunmery Lane
Baltimore, Maryland 21228

November 15, 1985

NOTICE OF HEARING

Re: W/S Nunmery Lane, 309' N of Frederick Rd.
(14 Nunmery Lane)
1st Election District
Robert Lee Hynes, et ux
Case No. 86-248-A

TIME: 10:00 a.m.

DATE: Monday, December 16, 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. 012739

DATE: 10-9-85 ACCOUNT: 01-615-100

AMOUNT: \$ 35.00

RECEIVED FROM: Robert Hynes, et ux

FOR: Julia Lee - item # 138

VALIDATION OR SIGNATURE OF CASHIER

Case No. 86-248-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 13th day of November, 1985.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: Robert L. Hynes, et ux
Petitioner's Attorney

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GELZER
DIRECTOR

November 25, 1985

Re: Zoning Advisory Meeting of October 22, 1985
Item # 138
Property Owner: ROBERT LEE HYNES, ET UX
Location: W/S NUNMERY LANE, 309' N.
OF FREDERICK 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.
 - ☒ Forward 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.
 - ☒ 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 22-99 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, Bill 178-79. No building footprint area as defined by Capacity Use Certificate has been issued. The deficient service is [blank].
 - ☒ The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.
- Additional comments:

cc: James Haysell

Eunice A. Bober
Chief, Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 26, 1985

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

Mr. and Mrs. Robert L. Hynes
14 Nunmery Lane
Baltimore, Maryland 21228

RE: Item No. 138 - Case No. 86-248-A
Petitioners - Robert L. Hynes, et ux
Variance Petition

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Dear Mr. and Mrs. Hynes:

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Mr. Harvey White
505 Bloomingdale Avenue
Baltimore, Maryland 21228

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

November 15, 1985

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

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

Meeting of October 22, 1985

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 132, 133, 134, 135, 136, and 138.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

November 22, 1985

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

Dear Mr. Jablon:

Comments on Item # 138 Zoning Advisory Committee Meeting are as follows:

Property Owner: Robert Lee Hynes, et ux
Location: W/S Nunmery Lane, 309' N of Frederick Road
District: 1st.

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.I. #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/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. Approximate seals are not acceptable.
5. All Use Groups except B-4 Single Family Detached Dwelling require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-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 exterior wall within 3'-0" of an interior lot line. See Table 101, Section 1106.1 and Table 101, Section 1106.2 for porch construction as required due to interior property line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office form, be considered until the necessary data pertaining to height, area and construction type is provided. See Table 101 and 205 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.
8. When filing for a required Change of Use/Accessory 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 [blank] to Use [blank] or to filed Use [blank]. See Section 110 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard, Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill #17-85. Site plan shall show the current elevations 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 applicant submitted to the Office of Planning and Zoning and are not intended to be construed as the full review of any permit. If further the applicant may obtain additional information by visiting Room 107 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles S. Dunbar
Charles S. Dunbar
Building Plans Review

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

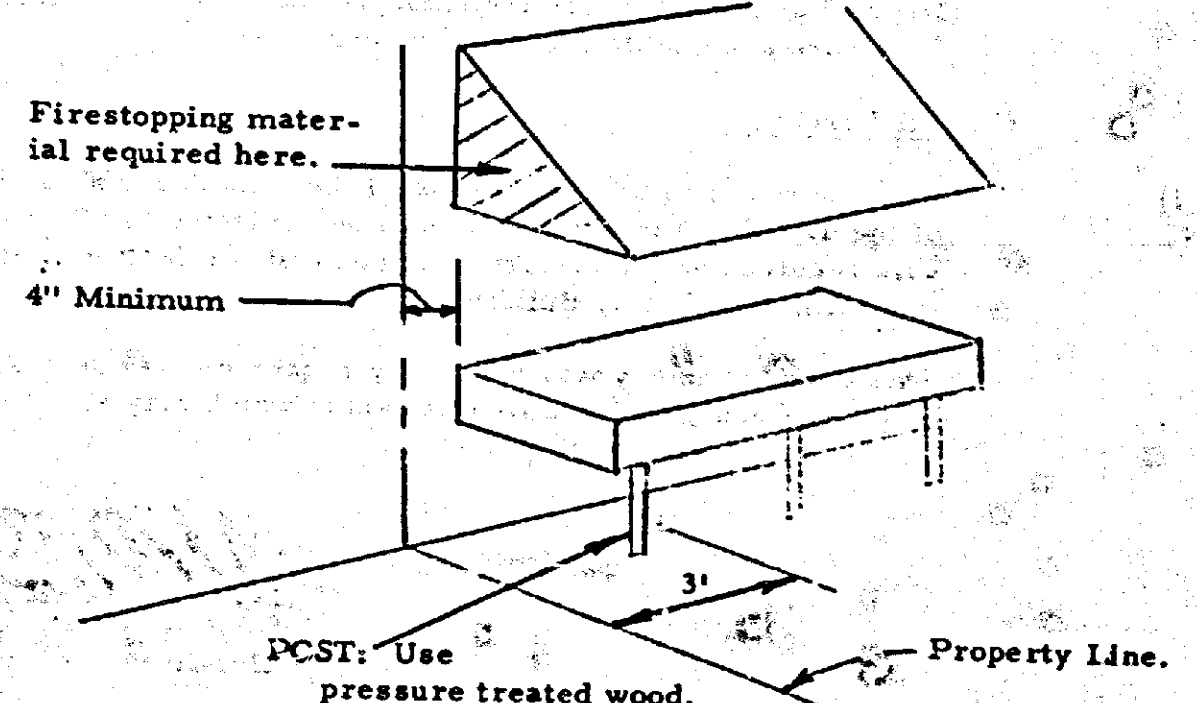
Effective 4-22-85

SUBJECT:

A. Rear Porches

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if facing surfaces shown (see diagram) are protected by a layer of drywall, fire retardant treated plywood, or other approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or pressure treated wood.



PCST: Use pressure treated wood.

OVER



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 20, 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: Robert Lee Hynes, et ux

Location: W/S Nunnery Lane, 309' N of Frederick Road

Item No.: 138

Zoning Agenda: Meeting of October 22, 1985

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: John F. O'Neill Noted and Approved:
Planning Group
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

Date: November 26, 1985

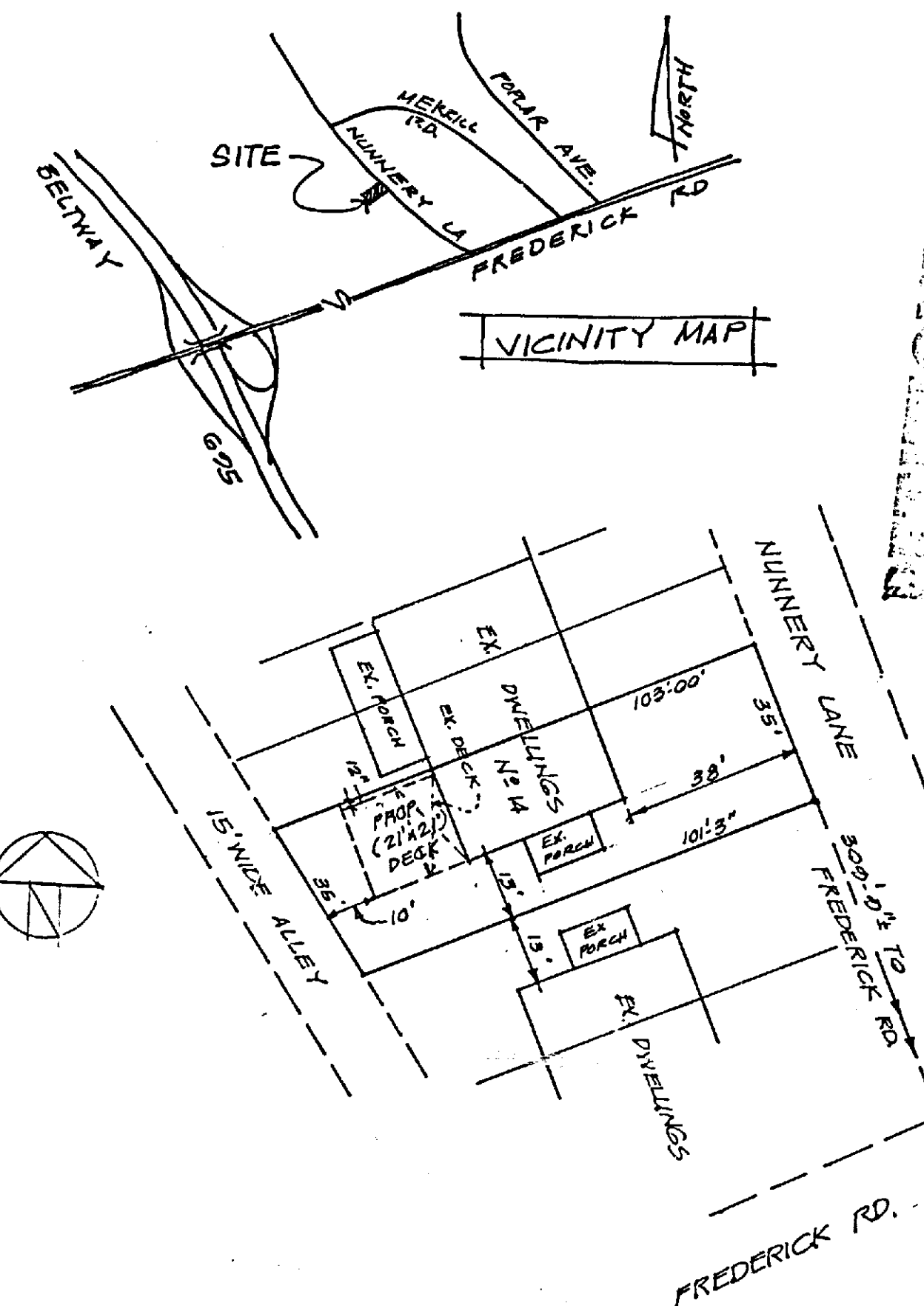
FROM: Norman E. Gerber, AICP
Director of Planning and Zoning

SUBJECT: Zoning Petition No. 86-248-A, 86-251-A, 86-258-A, and 86-259-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm



PLAT FOR ZONING VARIANCE
OWNER: ROBERT LEE & SHIRLEY HYNES
1ST ELECTION DISTRICT, ZONE - DR 10.5
EX UTILITIES IN NUNNERY LANE

SCALE: 1"=30'

#138

OWNERS WILL TAKE FULL RESPONSIBILITY
AS TO THE INFORMATION PROVIDED ON
SAID PLOT PREPARED BY BALTO. CO.
Shirley Hynes 10/08/85
OWNER DATE
Robert L. Hynes 10/08/85
OWNER DATE