

MAP NO. 3C
 E.D. 9
 DATE 12/17/85
 200 214
 1000 214
 DP

Kim J. Hammond
 Falls Road Animal Hospital
 9th Dist.

86-256-A
 #145

12-17-85
 4:00-3:35

86-256-A
 #145

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 238.2 to permit a side yard setback of 10 feet instead of the required 30 feet and a rear setback of 0 feet instead of the required 30 feet.

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

To align proposed addition with existing building maintaining existing ten-foot side yard.

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: Falls Road Animal Hospital
 (Type or Print Name)
 Signature: *Herb Hammond*
 6314 Falls Road
 Address
 Baltimore, MD 21209
 City and State

Legal Owner(s): Kim J. Hammond
 (Type or Print Name)
 Signature: *Kim J. Hammond*
 6314 Falls Road
 Address
 Baltimore, MD 21209
 City and State

Attorney for Petitioner: Mr. Herb Hammond
 (Type or Print Name)
 Address: 6314 Falls Road 337-3595
 Phone No.
 Baltimore, MD 21209
 City and State
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Mr. Herb Hammond
 Name
 6314 Falls Road 337-7326
 Address
 Phone No.

MAP NO. 3C
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ORDER RECEIVED FOR FILING
 DATE December 20, 1985
 BY *Phyllis Cole Friedman*
 ADMINISTRATIVE ASSISTANT

ORDERED By the Zoning Commissioner of Baltimore County, this 13th 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 17th day of December, 1985, at 11:00 o'clock

Carl Jahn
 Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR VARIANCE
 NW/Corner Falls and Shoemaker
 Roads (6314 Falls Road) -
 9th Election District
 Kim J. Hammond -
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 86-256-A

The Petitioners herein requests variances to permit a side yard setback of 10 feet in lieu of the required 30 feet and a rear yard setback of zero feet in lieu of the required 30 feet.

Testimony by and on behalf of the Petitioners indicated that the long existing veterinarian currently utilizes facilities constructed in 1954, 1967 and 1982. Portions of the buildings have a side yard setback of 10 feet and a rear yard setback of zero feet as viewed from its Falls Road address. The Petitioners propose an additional one-story building and two future additions to the existing building. The location of the new building was determined in mid 1985 in accordance with advice from the Office of Zoning that the 1954 setbacks could be utilized, although the setbacks currently required by the Baltimore County Zoning Regulations (BCZR) could not be further encroached upon. When the Petitioners applied for a building permit they were informed that the policy of the Office of Zoning had changed and that the instant Petition and public hearing were required. The Petitioners, however, were granted a building permit with a full understanding of the risk involved if the Petition were denied. The building is under construction. The Falls Road entrance has been eliminated at the request of the State Highway Administration. The site will comply with the requirements of the Baltimore County Landscape Manual. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the BCZR would result in practical diffi-

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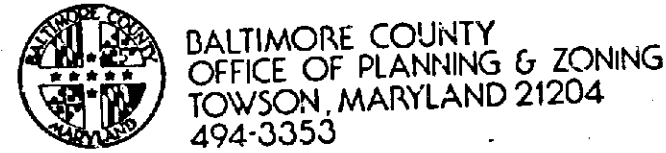
culty and unreasonable hardship upon the Petitioners, and the granting of the variances requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of December, 1985, that the herein Petition for Variance to permit a side yard setback of 10 feet in lieu of the required 30 feet and a rear yard setback of zero feet in lieu of the required 30 feet, in accordance with the plan submitted and filed herein marked Petitioner's Exhibit 3, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. Compliance with the Baltimore County Landscape Manual.

Jean M.H. Jung
 Deputy Zoning Commissioner
 of Baltimore County

JMJ:bg



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

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

December 20, 1985

Mr. Herb Hammond
 6314 Falls Road
 Baltimore, Maryland 21209

RE: PETITION FOR VARIANCE
 NW/Corner Falls & Shoemaker
 Roads (6314 Falls Road) -
 9th Election District
 Kim J. Hammond, Petitioner
 Case No. 86-256-A

Dear Mr. Hammond:

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

JMJ:bg
 Attachments
 cc: People's Counsel

PETITION FOR VARIANCE

9th Election District

LOCATION: Northwest corner of Falls and Shoemaker Road (6314 Falls Road)

DATE AND TIME: Tuesday, December 17, 1985 at 11:00 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 238.2 to permit a side yard setback of 10 feet instead of the required 30 feet and a rear setback of 0 feet instead of the required 30 feet.

Being the property of Kim J. Hammond 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

LEGAL DESCRIPTION
FALLS ROAD ANIMAL HOSPITAL

BEGINNING for the same at the corner formed by the intersection of the southwest side of Falls Road 50 feet wide with the northwest side of Shoemaker Road 25 feet wide and running thence and binding on the northwest side of Shoemaker Road with the use thereof in common south 58 degrees 26 minutes 16 seconds west 200 feet thence leaving Shoemaker Road and running for a new line of division the two following courses and distances. North 26 degrees 03 minutes 44 seconds west parallel with Falls Road 200 feet thence north 58 degrees 26 minutes 16 seconds east parallel with Shoemaker Road 200 feet to Falls Road and thence binding on the southwest side of Falls Road south 26 degrees 03 minutes 44 seconds east 200 feet to the place of beginning.

BEING the same lot of ground described in Deed dated October 13, 1954 and recorded among the Land Records of Baltimore County in Liber 2572, folio 433, which was granted and conveyed from John O. Gardner, Executor of the Estate of Alvin Talbrook, unto Marvin B. Scham; and being also the same lot of ground described in Deed of Ground Rent dated March 12, 1964 and recorded among the Land Records of Baltimore County in Liber 4275, Folio 428, which was granted and conveyed from Milton B. Edelson, unto Marvin H. Scham.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
 NW Corner Falls & Shoemaker : OF BALTIMORE COUNTY
 Rds. (6314 Falls Road) :
 9th District

KIM J. HAMMOND, Petitioner : Case No. 86-256-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 final Order.

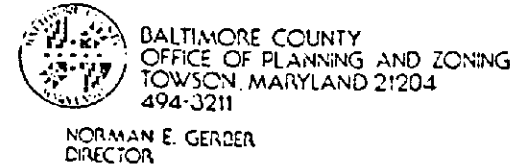
Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

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 Messrs. Kim J. and Herb Hammond, 6314 Falls Road, Baltimore, MD 21209; and Falls Road Animal Hospital, Contract Purchaser, 6314 Falls Road, Baltimore, MD 21209.

Peter Max Zimmerman
 Peter Max Zimmerman

145



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERGEN
DIRECTOR

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

NOVEMBER 25, 1985

Re: Zoning Advisory Meeting of October 29, 1985

Item # 145
Property Owner: KIM HAMMOND
Location: N/W CORNER OF FALLS ROAD
AND SHUEMAKER 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.
- 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 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 22-98 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 _____.
- 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 are re-evaluated annually by the County Council.
- Additional comments: _____

cc: James Hoswell

Eugene A. Bober
Chief, Current Planning and Development



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: Kim Hammond

Location: N/W corner of Falls Road and Shuemaker Road

Item No.: 145 Zoning Agenda: Meeting of October 29, 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 head 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.

REVIEWER: *[Signature]*
Planning Group
Special Inspection Division

Noted and Approved: *[Signature]*
Fire Prevention Bureau

/mb



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

December 5, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 145 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kim Hammond
Location: N/W Corner of Falls Road and Shuemaker Road
Districts: 9th.

APPLICABLE ITEMS ARE CIRCLED:

- 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 - 1982) 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 with a permit application. Reproduced seals are not acceptable.
- All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 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 1107, Section 1106.2 and Table 1102. No openings are permitted in an 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 Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 312 of the Building Code.
- 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 elevations above sea level for the lot and the finish floor levels including basement.

SPECIAL NOTE:

- Comments: As the plans are not dimensioned and the type of construction of the existing buildings is not indicated please advise how you propose to comply with Section 500.1. See also Section 505.2. The State Handicapped Code requirements are not fully indicated on the plans. In fact, the plans are insufficient for an effective review by this department. Property line setbacks could be a major factor.
- 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 Chesapeake Avenue, Towson, Maryland 21204.

L/22/85

BY: C. E. Burnham, Chief
Building Plans Review

[Signature]



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- Meeting of October 29, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The department of Traffic Engineering has no comments for items numbered 141, 142, 143, 144, 145, 146, 149, and 150.

MSF/bld

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

12/17
86-256

