

MAP NO. 32-2
3F
E.D. 7
DATE 4-10-87
200
1000
DP

IN RE: PETITION ZONING VARIANCE
SW/S of Walker Road, corner
of the NW/S Rayville Road -
7th Election District
Carroll M. Bell
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-387-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 20 feet instead of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. Diane Adams, one of the Contract Purchasers, and James McKee, a registered civil engineer, appeared and testified on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the subject property, zoned R.C.5 and located at the corner of Walker and Rayville Roads, is improved with an old dwelling which will be razed. The Contract Purchasers propose to construct a 45' x 30' dwelling facing Walker Road, but will need a 20-foot side yard setback to the northwest property line. The proposed dwelling will satisfy the 75-foot setback to the centerlines of Rayville Road and Walker Road. The shape of the lot would preclude any dwelling from being constructed without a variance, and the request here is an attempt to limit the impact of any such request. The property adjacent to the northwest property line is unimproved.

The Petitioner seeks relief from Section 1A04.3.B, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).
An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his

property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of April, 1986, that the Petition for Zoning Variance to

permit a side yard setback of 20 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. Carroll M. Bell

Ms. Diane Adams

People's Counsel

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 1A04.3.B of the Baltimore County Maryland Zoning Regulations to allow for a twenty (20') foot sideyard in lieu of the required fifty (50') foot.

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

Existing lot, with required setbacks, would not allow for a reasonable dwelling size.

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: Richard S. Diane Carlton
(Type or Print Name)
[Signature]
Signature

Legal Owner(s): Carroll M. Bell
(Type or Print Name)
[Signature]
Signature

830 W. 35th Street
Address
Baltimore, MD 21211
City and State

(Type or Print Name)
Signature

Attorney for Petitioner:
(Type or Print Name)
Signature

1040 WALKER ROAD
Address
PARKTON, MD 21120
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Richard S. Diane Carlton
Name
830 W. 35th Street
Address
235-5347
Phone No.

Attorney's Telephone No.: 830 W. 35th Street
Address
235-5347
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of March, 1986, 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 County, on the 7th day of April, 1986, at 9:45 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

1717 YORK RD. LUTHERVILLE, MARYLAND 21093
Telephone: (301) 252-5820

January 9, 1986

DESCRIPTION OF
CARROLL M. BELL PROPERTY
FOR VARIANCE TO ZONING
7th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point situated in the center of Walker Road where it is intersected by Rayville Road; thence leaving said centerline of Walker Road and running in the bed of Rayville Road South 53° 45' 00" West 247.50 feet to a point; thence leaving said Rayville Road and running the following two courses and distances North 50° 30' 00" West 49.50 feet to a point; thence North 11° 45' 00" East 247.50 feet to a point in the bed of Walker Road; thence running in the bed of Walker Road South 54° 30' 00" East 226.05 feet to the point of beginning. Containing 31,852 square feet or 0.7312 acres of land more or less.

PETITION FOR ZONING VARIANCE
6th Election District

LOCATION: Southwest Side of Walker Road, Corner Northwest Side of Rayville Road

DATE AND TIME: Monday, April 7, 1986, at 9:45 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:

Petition for Zoning Variance to permit a side yard setback of 20 feet in lieu of the required 50 feet

Being the property of Carroll M. Bell, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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
SW/S Walker Rd., corner
NW/S Rayville Rd.,
6th District
CARROLL M. BELL,
Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-387-A

ENTRY OF APPEARANCE

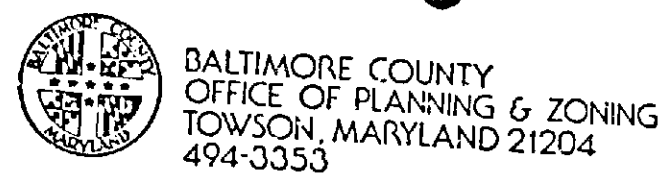
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Carroll M. Bell, 1040 Walker Rd., Parkton, MD 21120, Petitioner; and Richard S. Diane Carlton, 830 W. 35th St., Baltimore, MD 21211, Contract Purchasers.

[Signature]
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

April 2, 1986

Mr. Carroll M. Bell
1040 Walker Road
Parkton, Maryland 21120

RE: PETITION FOR ZONING VARIANCE
SW/S Walker Rd., cor. NW/S Rayville Rd.
6th Election District
Carroll M. Bell - Petitioner
Case No. 86-387-A

Dear Mr. Bell:

This is to advise you that \$62.62 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. 018567

DATE: 4/7/86 ACCOUNT: R-01-615-000
SIGN & POST RETURNED 4/7/86

AMOUNT: \$ 62.62

RECEIVED FROM: Carroll M. Bell
FOR: Advertising & Posting re Case 86-387-A

86-387-A

VALIDATION OR SIGNATURE OF CASHIER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 20, 1986

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 March 20, 1986.

THE JEFFERSONIAN,

B. Kentel

Publisher

Cost of Advertising

22.00

86-387-A

PETITION FOR ZONING VARIANCE
6th Election District
LOCATION: Southwest Side of Walker Road, Corner Northwest Side of Rayville Road
DATE AND TIME: Monday, April 7, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
Being the property of Carroll M. Bell, as shown on plat filed with the Zoning Office.
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variance to part of a lot and will receive all evidence in support of the petition on the date and at the time and place fixed with the Zoning Office.
If the petition is granted, a building permit may be issued within the thirty-day appeal period. The Zoning Commission will, however, entertain any appeal in a way of the issuance of and 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.
ARNOLD JABLON, Zoning Commissioner of Baltimore County Mar. 20.

PETITION FOR ZONING VARIANCE
LOCATION: Southwest Side of Walker Road, Corner Northwest Side of Rayville Road
DATE AND TIME: Monday, April 7, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
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If the petition is granted, a building permit may be issued within the thirty-day appeal period. The Zoning Commission will, however, entertain any appeal in a way of the issuance of and 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.
ARNOLD JABLON, Zoning Commissioner of Baltimore County Mar. 20.

UNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md. Mar. 20, 1986

CERTIFY that the annexed Reg. #187592... P.O. #74315 one (1) successive weeks/days previous day of March, 1986, in the

County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
town News, a weekly newspaper published in Baltimore County, Maryland.
nity Times, a weekly newspaper published in Baltimore County, Maryland.

UNITY NEWSPAPERS OF MARYLAND, INC.

Per *James E. Roper*

4-18-86

Mr. Carroll M. Bell
1040 Walker Road
Parkton, Maryland 21120

March 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/S Walker Rd., cor. NW/S Rayville Rd.
6th Election District
Carroll M. Bell - Petitioner
86-387-A

TIME: 9:45 a.m.

DATE: Monday, April 7, 1986

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

Carroll M. Bell
Zoning Commissioner of Baltimore County

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

No. 016118

DATE: 4/14/86 ACCOUNT: 01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: *Mike Assoc. Carroll M. Bell*

FOR: *James # 260*

VALIDATION OR SIGNATURE OF CASHIER

LEA5926 PAGE 214

FEESIMPLE DEED-COOK-CHP# 8 County

This Deed, Made this 19th day of August

In the year one thousand nine hundred and seventy-eight, by and between ROBERT A. WILSON

of Baltimore County, in the State of Maryland, of the first part, and

CARROLL M. BELL

of the second part.

Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other good

and valuable considerations, the receipt of which is hereby acknowledged;

the said Robert A. Wilson

do hereby grant and convey unto the said Carroll M. Bell, his heirs and assigns, in fee simple, all that lot

of ground, situate, lying and being in the Sixth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

Beginning for the same at a stone bearing North five and three-fourths degrees, west one and one-half perches from a small water oak tree, thence running as follows, North eleven and three-fourths degrees east fifteen perches to a point in the middle of the County road, south fifty-four and one-half degrees east thirteen and seven-tenths perches, south fifty-three and three-fourths degrees east fifteen perches to a stone, North fifty and one-half degrees west three perches to the place of beginning. Containing one hundred and fifteen and one-half square perches of land more or less.

The above described parcel of land being also described as follows: All that parcel of land situate in the Sixth Election District of Baltimore County, fronting 226.05 feet on the southeast side of Walker Road at the northwest corner of Rayville Road, having dimensions of 226.05 feet, 247.50 feet, 49.5 feet, and 267.5 feet, as described on the Tax Collector's Roll.

BEING THE PROPERTY which by deed dated February 9, 1977 and recorded among the Land Records of Baltimore County in Liber 5728, page 445, etc., was conveyed by Walter R. Richardson, Director of Finance for Baltimore County and Collector of State and County Taxes, to Robert A. Wilson, the Grantor. The consideration for this property is \$5,000.00.

Sold May 17, 1975

18265842 24 75.00 MC

Office

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: March 24, 1986

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

SUBJECT: Zoning Petition Nos. 86-386A, 86-387A, 86-388A, 86-389A, 86-394A, 86-395A, 86-397A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, AICP, Director
Office of Planning and Zoning

NEO/JGH/dml

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 6th Date of Posting: 3-21-86

Posted for: *Variance*

Petitioner: *Carroll M. Bell*

Location of property: *SW/S Walker Road, Corner of NW/S Rayville Road*

Location of Sign: *Southwest side of Walker Road approx. 1/2 S. W. of Rayville Road*

Remarks:

Posted by: *Ad. Roper* Date of return: 3-31-86

Number of Signs: 7

86-387-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 4th day of March 1986

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: *Carroll M. Bell* Received by: *James E. Roper*
Petitioner's Attorney

LEA5926 PAGE 215

Together with the buildings and improvements thereon erected, made or being and all and every the rights, ways, easements, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

CARROLL M. BELL, his heirs and assigns, in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that he will warrant specially the property granted and the he will execute such further

in witness of the same as may be requisite.

Witness the hand and seal of said grantor:

TEST:

Robert A. Wilson (SEAL)

Carroll M. Bell (SEAL)

No Title search made or requested.

STATE OF MARYLAND, COUNTY OF BALTIMORE

I HEREBY CERTIFY, That on this 19th day of August

In the year one thousand nine hundred and seventy-eight

a Notary Public of the State of Maryland, in and for Baltimore County

personally appeared Robert A. Wilson

the above named grantor and acknowledged the foregoing Deed to be his act.

As Witness my hand and Notarial Seal.

Notary Public

Rec'd for record AUG 24 1978 as 8th

For Elizabeth H. Hahline, Jr., Clerk

Mail to State & County

Notary Public

and specially the property hereby conveyed and will execute such other assurances as may be required. In witness whereof the said Charles A. Davis, Martha V. Durham, Mary C. Davis, John B. Davis, Aaron W. Davis, Mary M. Davis and Robert S. Davis have hereunto subscribed their names and affixed their seals on the day and year above written.

Charles A. Davis
Martha V. Durham
Mary C. Davis
John B. Davis
Aaron W. Davis
Mary M. Davis
Robert S. Davis

The State of Ohio, Franklin Co., ss. I, the undersigned, a Notary Public in and for the County and State aforesaid, personally came the above named Charles A. Davis and Robert S. Davis and witnessed the signing and sealing of the same to be his voluntary act and deed for the use and purpose therein mentioned.

Witness my hand and seal of office on the day and year aforesaid.

Notary Public in & for Franklin County, Ohio

State of Maryland, Baltimore Co., ss. I, the undersigned, a Notary Public in and for the said County, personally appeared Martha V. Durham, Mary C. Davis, John B. Davis, Aaron W. Davis, Mary M. Davis and Robert S. Davis and witnessed the signing and sealing of the same to be their voluntary act and deed for the use and purpose therein mentioned.

Witness my hand and seal of office on the day and year aforesaid.

Notary Public in & for Baltimore County, Maryland

I, Nelson and Elizabeth A. Nelson his wife, of the County of Montgomery, State of Maryland, do hereby certify that on the first day of April, in the year one thousand eight hundred and ninety, we have made this eighth day of April, in the year one thousand eight hundred and ninety, a deed of gift, in and for the said County, personally appeared the said Nelson and Elizabeth A. Nelson his wife, and witnessed the signing and sealing of the same to be their voluntary act and deed for the use and purpose therein mentioned.

Witness my hand and seal of office on the day and year aforesaid.

Notary Public in & for Montgomery County, Maryland

I hereby certify that on the first day of April, in the year one thousand eight hundred and ninety, we have made this eighth day of April, in the year one thousand eight hundred and ninety, a deed of gift, in and for the said County, personally appeared the said Nelson and Elizabeth A. Nelson his wife, and witnessed the signing and sealing of the same to be their voluntary act and deed for the use and purpose therein mentioned.

Witness my hand and seal of office on the day and year aforesaid.

Notary Public in & for Montgomery County, Maryland

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 14, 1986

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Carroll M. Bell
1040 Walker Road
Parkton, Maryland 21120

RE: Item No. 260 - Case No. 86-387-A
Petitioner - Carroll M. Bell
Variance Petition

Dear Mr. Bell:

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.

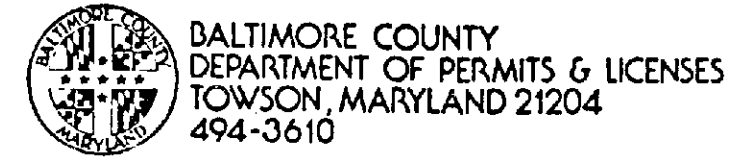
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing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

JED:mr
Enclosures

cc: Mr. & Mrs. Richard Carlton
830 W. 35th Street
Baltimore, Maryland 21211

McKee & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-0610

TED ZALESKI, JR.
DIRECTOR

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

Comments on Item # 260 Zoning Advisory Committee Meeting are as follows:

Property Owner: Carroll M. Bell
Location: SW/S Walker Road, corner NW/S Rayville Road
District: 7th.

APPLICABLE CODE AND COMMENTS:

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.D.S.I. #17-1 - 1985) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction. A zoning permit shall also be required to raise the existing dwelling.

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. Expedited seals are not acceptable.

5. All the Group except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-2 Group require a one hour wall of closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008 and Table 1009. No openings are permitted in an exterior wall within 5'-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 401 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.

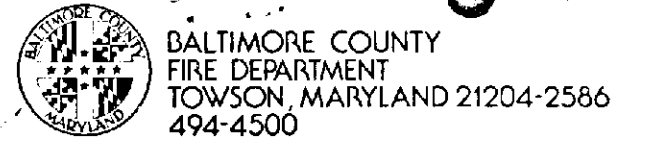
8. When filing for a required Change of Use/Conversion Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are not required. The change of the Group is from the _____ to the _____ or to Mixed Use. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood Hazard Area. 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 Flood Plain details including names.

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. The applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

12/27/85



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

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: Carroll M. Bell
Location: SW/S Walker Road, corner NW/S Rayville Road
Item No.: 260
Zoning Agenda: Meeting of 1-21-86

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.

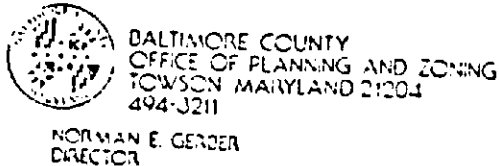
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, this time.

REVIEWER: [Signature]
Noted and Approved: [Signature]
Special Inspection Division

/mo



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

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

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.

(X) 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 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.

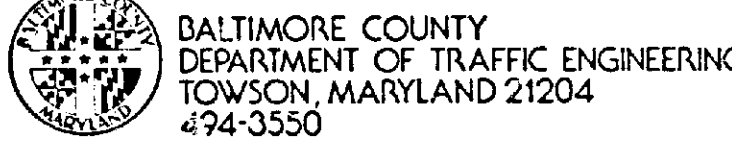
() Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

() The amended Development Plan was approved by the Planning Board on _____.

() Anticipating that comply with Baltimore County Landscaping Manual, 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service () The property is located in a traffic area controlled by a "T" level intersection as defined by 3111 178-79, and at construction class are re-evaluated annually by the County Council.

Additional comments:

cc: James Howell
Eugene A. Sobor
Chief, Current Planning and Development



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

STEPHEN E. COLLINS
DIRECTOR

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

Dear Mr. Jablon:

Item No. -ZAC- Meeting of January 22, 1986

Property Owner: Carroll M. Bell
Location: SW/S Walker Road, corner NW/S Rayville Road
Existing Zoning: _____
Proposed Zoning: _____

Acres: _____
District: _____

The Department of Traffic Engineering has no comments for items numbered 258, 259, 260, 261, and 263.

MSF/blb

1/28/86
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 260, Zoning Advisory Committee Meeting of Jan. 21, 1986

Property Owner: Carroll M. Bell

Location: SW 1/3 WALKER RD., CORNER NWS RAYVILLE RD District 7th

Water Supply Private Sewage Disposal Private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 260 Zoning Advisory Committee Meeting of Jan. 21, 1986
Page 2

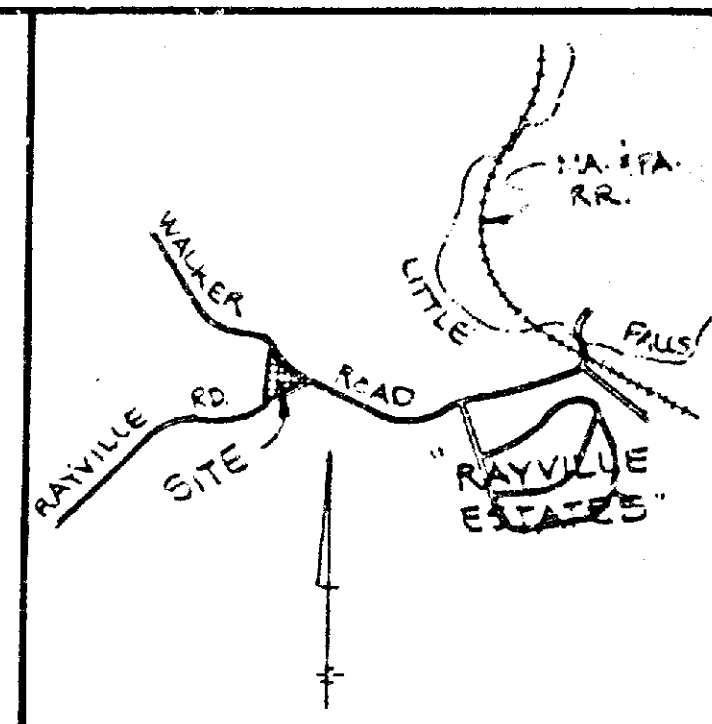
- (X) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- (X) Soil percolation tests (have been/must be) conducted.
 - { } The results are valid until _____.
 - { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- (X) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - { } shall be valid until _____.
 - { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- (X) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (X) Other: AN EXISTING PRIVY ON SITE SHOULD ALSO BE BACKFILLED AT TIME OF RAZING.
THE EXISTING WELL MUST BE BACKFILLED BY A LICENSED WELL DRILLER AND A WELL ABANDONMENT REPORT SUBMITTED.

[Signature]
Van J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

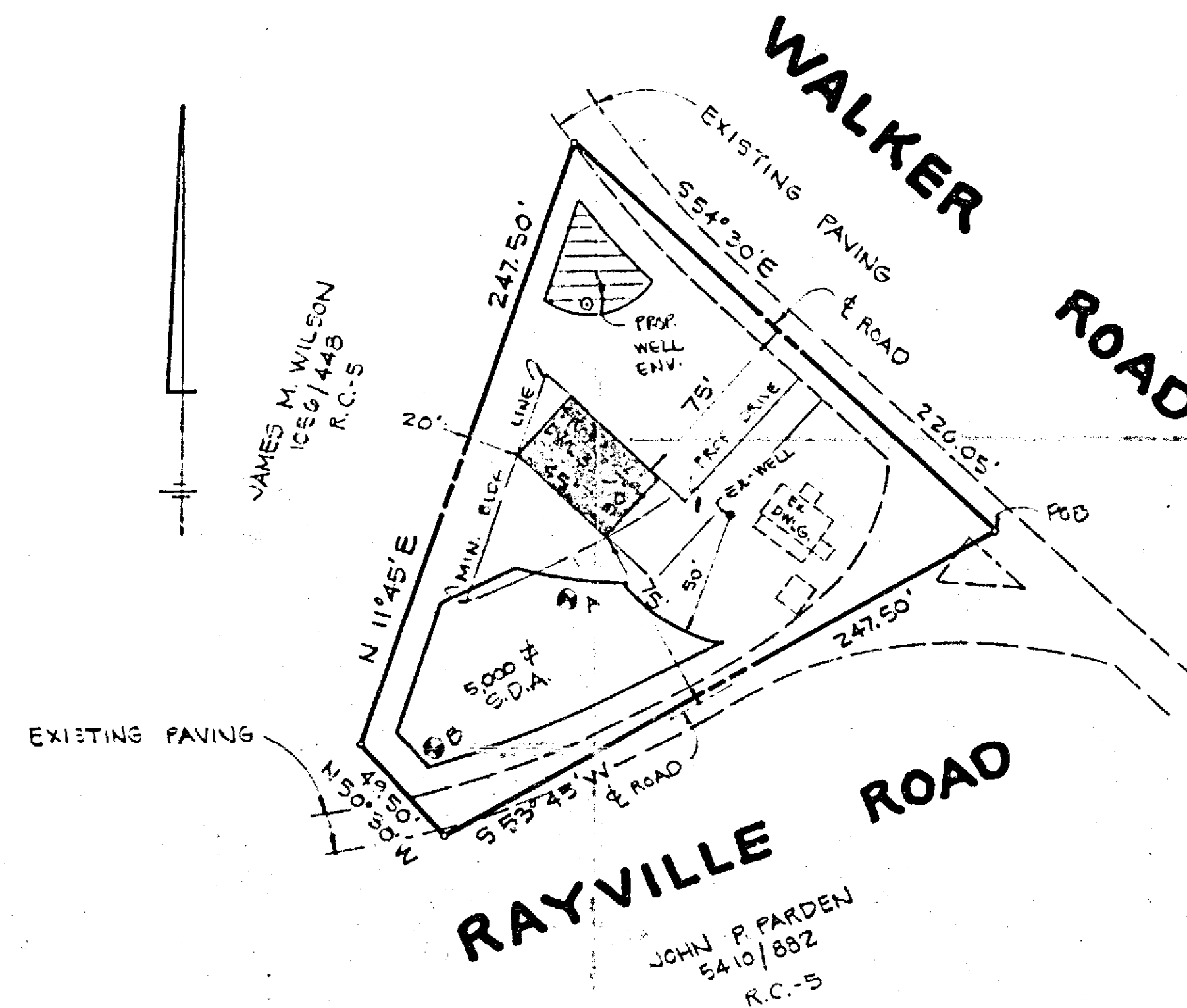
SS 20 1203 (2) R

NOTES:

1. EXISTING ZONING: R.C.-5
2. REQUESTED VARIANCE:
REQUESTING A VARIANCE TO SECTION 1A043.2 OF THE BALTIMORE COUNTY, MD ZONING REGULATIONS TO ALLOW FOR A 20' SIDEYARD SETBACK IN LIEU OF THE REQUIRED 50'.
3. EXISTING DWELLING TO BE RAZED
4. EXIST. WELL TO BE ABANDONED.



LOCATION MAP
SCALE: 1"=2000'



PETITIONER'S
EXHIBIT 1

PLAT TO ACCOMPANY
VARIANCE TO ZONING
FOR THE

C.M. BELL PROPERTY

7TH ELECTION DISTRICT
SCALE: 1"=50'

BALTIMORE CO., MD
DECEMBER 11, 1985

4260

OWNER

CARROLL M. BELL
DEED REF. 5776/214

CONTRACT PURCHASER

RICHARD & DIANE CARTON
830 W. 35TH STREET
BALTO, MD 21211

McKEE & ASSOCIATES, INC.

CIVIL ENGINEERS, LAND SURVEYORS
1717 YORK ROAD LUTHERVILLE, MD 21043
(301) 252-5820