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I, WILLIAM J. O HARA , representative of Franklin Circle, Inc., do hereby give the Power of Attorney to Ronald S. Landsman to sign a Petition for Zoning Variance from Section 1A04.3.b.3 to permit a residential building setback of 34.0 feet in an RC-5 District in lieu of the required fifty (50) feet.

POWER OF ATTORNEY (P.A.)

PETITION FOR ZONING VARIANCE + AMENDMENT

Variance from Section _________ building_setback
of 34.0'

in lieu of the required 50'. and to amend 754

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

the second amended final development plan of lot #7, Block B, Plat 1, The Clearings.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. The lot and building 8

envelope are rectangular in shape. If the house is located within the building envelope, it would leave a 50' back yard as opposed to decenside erably bigger back yard if the house was angled as shown. Petitioners have 2 small children, ages 4 and 9 months. 2. By allowing the variance noted, more privacy is provided for the rear of the Petitioners' house and more privacy is provided for the homeowner adjacent lot 10 in the front yard. 3. The variance would provide the house be oriented in a more southerly direction, providing maximum use of the suplicipation.

southerly direction, providing maximum use of the sunlight. 4. Aestherically, the house is more attractively located as described in the Petition Property is to be posted and advertised as prescribed by Zoning Regulations.

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.

Legal Owner(s): FRANKLIN CIRCLE, INC

tract purchaser or representative to be contacted

614 Bosley Ave. Towson, MD 21204

F.Vernon Boozer

13 HICKORY mendow Rd.

(ame) 1030

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.

614 Bosley Ave., Towson, MD 21204 Name, address and phone number of legal owner, con

ORDERED By The Zoning Commissioner of Baltimore County, this ____13th____

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

FRANKLIN CIRCLE, INC.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO ... Arnold Jablon Date March 28, 1986 Zoning Commissioner

FROM Norman E. Gerber, Director
Office of Planning and Zoning SUBJECT_Zoning Petition Nos. 86-404-A, 86-405-A, 86-406-A, 86-410-A

NEG/JGH/dmi

There are no comprehensive planning factors requiring comment on

NORMAN E. GERBER, AICH, Director Office of Planning and Zoning

ATTORNEYS AT LAW 614 BOSLEY AVENUE TOWSON, MARYLAND 21204

COVAHEY & BOOZER, P. A

Mr. Arnold Jablon Baltimore County Zoning Commissioner County Office Building 111 W. Chespeake Avenue Towson, MD 21204

> Re: Variance Petition # 86-405-A Franklin Circle, Inc. Ronald and Debra Landsman

Dear Mr. Jablon:

EDWARD C. COVAHEY, JR. F. VERNON BOOZER MARK S. DEVAN

ANTHONY J. DIPAULA

On April 14, 1986, Ronald Landsman and I appeared before you for a hearing on the above matter. At that time you advised that the sign posted on the property would have to be returned and the advertising costs paid before the order granting the variance would be released. Mr. Landsman paid the costs that day, but because of heavy rains, he did not attempt to retrieve the sign until several days later. Upon doing so, it was discovered that the sign and post were gone.

A gentlemen from the zoning information office suggested that the letter be directed to you. Mr. Landsman is anxious to begin construction of his new home, and a building permit has in fact been applied for. He is willing to reimburse the county for the cost of the sign if necessary. It is hoped that the disappearance of the sign will not delay the permit process.

Your earliest advice would be appreciated.

Very truly yours, Anthony J. DiPaula

AJD/pbr cc: Ronald S. Landsman

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 21, 1986

COUNTY OFFICE BLDG. 111 W. Chesapea & Ave. Towson, Maryland 21204

Chairman

Bureau of

Industrial

284

F. Vernon Boozer, Esquire 614 Bosley Avanua Towson, Maryland 21204

> RE: Item No. 284 - Case No. 86-405-A Petitioner - Franklin Circle, Inc. Variance Petition

Desr Mr. Boozer:

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

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.

> Chairman Zoning Plans Advisory Committee

JED:nr Enclosures

cc: Stan Ryder, Jr. & Associates Box 258 Owings Mills, Maryland 21117

Maryland Department of Transportation

February 25, 1986 Re: Baltimore County Item No. 284

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

Att: James Dyer

Circle, Inc. Location; E/S St. Davids Lane (Private Rd) 340' N. of centerline of Somerset Place, W. of Falls Road Route 25 Existing Zoning: R.C. 5 Proposed Zoning: Var. to permit a building set-back of 34' in lieu of the required 50' and to amend the second amended final development plan of Lot #7, Block B, Plat 1. The Clearings Acres; 1.0 District: 8th

Property Owner: Franklin

Dear Mr. Dyer:

On review of the submittal of 1/29/86, for variance to building setback, the State Highway Administration finds the site plan generally acceptable.

> Very truly yours, Charle L Charles Lee, Chief Bureau of Engr. Access Permits

by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-659-1350 Teletypewriter for impaired Hearing or Speech 383-755¢ Baltimors Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Fre P.O. Box 717 / 707 North Calvert St., Baitimore, Maryland 21203 - 0717

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 March , 1986.

Contract Purchaser:

Attorney for Petitioner:

F. Vernon Boozer

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City and State

Attorney's Telephone No.: 828-9441

Petitioner Franklin Circle, Inc.

Fetitioner's Verron Boozer, Esq.

Received by: Chairman, Zoning Plans (M Advisor Committee

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/workk xxxt result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested with will not adversely affect the health, safety, and general welfare of the community the variance and amendment should be grant do

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of _____ April_____, 19 86__, that the Petition for Zoning Variance to permit a building setback of 34.0 feet in lieu of the required 50 feet and, additionally, the amendment to the Second Amended Final Development Plan, Lot 7, Block B, Plat 1, The Clearings, be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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.
- 2. A copy of the final development plan, with the amendment granted herein specifically identified, shall be submitted to the Zoning Commissioner for approval, as well as to the Current Planning and Development Division, Office of Planning and Zoning.

Baltimore County

AJ/srl

cc: Anthony DePaula, Esquire

People's Counsel

門器 FOR CEIVED REC DATE.

Il Johnsi Mr. Arnold Jablen Zoning Commissioner · MARCH 24, 1986 County Office Building Towson, Maryland 21204 Re: Zoning Edvisory Meeting of FEBRUDRY 18,1986
Item + 284
Property James: FRANKLINCIRCLE, INC. LOCITION E/S ST. DAVIDS LONE (PRINATE RO 340 N. OF & OF SOMERSET PLACE W. OF FOLLS RO The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are (X)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 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 snow the entire tract.)A record plat will be required and must be recorded crion 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 snown 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 floodolain is prohibited under the provisions of Section 22-93 of the Development Development of this site may constitute a potential conflict with)The amended Development Plan was approved by the Planning Soard)Landscaping: Must comply with daltimore 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 "0" level intersection as defined by 3:11 170-79, and as conditions change traffic capacity may become man limited. The Basic Services Areas ire re-evaluated annually by the County Council. (Additional comments: JASSIC LIGHT LOS LOS MENT PLAN WITH AME AMENDMENT ADDED SHOULD BE SUBMITTED " FOK EU JOHNSON, 4/14/86.

OFFICE OF FLANNING AND ZONING TOWSON MARYLAND 21204 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 MARCH 24, 1986 Re: Zoning Advisory "eeting of FEBRUPRY 18,1986 Iten + 284 Property Owner: FRANKLINCIRCLE, INC. LOCATION: E/S ST. DAVI OF LONE (PRIVATE RO.) Dear Mr. Jablon: 340 N. OF & OF SOMERSET PLACE The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are (X)There are no site planning factors requiring concent.)A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. (.)This site is part of a larger tract; therfore 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 snown 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 Development of this site may constitute a potential conflict with (_)The amended Development Plan was approved by the Planning Board Landscaping: Must comply with daltimore 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 drea controlled by a "D" level intersection as defined by 3ill 173-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated innually by the County Council. Additional comments:

A COPY OF THE FINAL DEVELOPMENT PLAN WITH

THE LIMENDMENT ADDED SHOULD BE SUBMITTED

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586 PAUL H. REINCKE

February 21, 1986

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: Franklin Circle, Inc.

Location: E/S St. Davids Lane (private road), 340' N of centerline of Somerset Place W of Falls Road Item No.: Zoning Agenda: Meeting of 2-18-86

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 Scandards 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.
- ($^{
 m X}$) 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 commence, at this time.

Planning Group Fire Prevention Bureau

Special Inspection Division

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

February 26, 1986

TED ZALESKI, JR.

Mr. Arnold Jahlon, Zoning Commissioner Office of Planning and Zoning

Comments on Item # 284 Zoning Advisory Committee Meeting are as follows:

Franklin Circle, Inc. E/S St. Davids Lane (Private Road), 340 feet N of c/1 of Somerset Place W of Falls Road Districts

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.

(B) A building and other miscellaneous permits shall be required before the start of any construction

b. Commercial: Three sets of construction drawings scaled and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced scale are not acceptable.

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.

- E. All Use Groups except R-h Single Pamily Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-h 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 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an enterior wall within 3'-0 of an interior low line.
- F. The structure does not appear to comply with Table 505 for permissable height/errea. 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.
- G. The requested variance appears to conflict with Section(s) ______, of the Baltimore County Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Pleass 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 besoment.

Mark.

K. There 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 V. Chesapeake Avenue, Towson, Maryland 2120h.

By: C. E. Burnham, Orief
Building Plans Feyrew

Charles & Surnham

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ZONING DESCRIPTION

Beginning on the E/S of St. David's Lane (private Rd.) 340' M. of the centerline of Somerset Place. BEING known as Lot 7, Block B on the plat entitled "The Clearings," prepared by George William Stephens, Jr. & Associates, Inc., dated May 31, 1983 and recorded among the Land Records of Baltimore County in Plat Book Liber E.H.K.Jr. No. 50, folio 31. The improvements thereon being known as 11501 Saint David's Lane, Baltimore County, Maryland.

cc: Jumes Hoswell

Chist, Current Planning and Development

PETITION FOR ZONING VARIANCE AND AMENDMENT

8th Election District

DATE AND TIME

LOCATION:

East Side of St. Davids Lane, 340 feet North of the Centerline of Somerset Place, West of Falls Road (11501 St. Davids Lane) Monday, April 14, 1986, at 9:45 a.m.

PUBLIC MEAKING: 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 and Amendment to permit a building setback of 34 feet from a lot line in lieu of the required 50 feet and to amend the second amended final development plan of Lot No. 7, Block B, Plat 1, The Clearings

Being the property of <u>Franklin Circle</u>. Inc. , 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

: BEFORE THE ZONING COMMISSIONER

E/3 St. Davids La., 340' N of C/L Somerset Pi., W of Falls Rd. 8th District

OF BALTIMORE COUNTY

FRANKLIN CIRCLE, INC., Case No. 86-405-A

Petitioner(s)

RE: PETITION FOR VARIANCE

ENTRY OF APPEARANCE

: : : : :

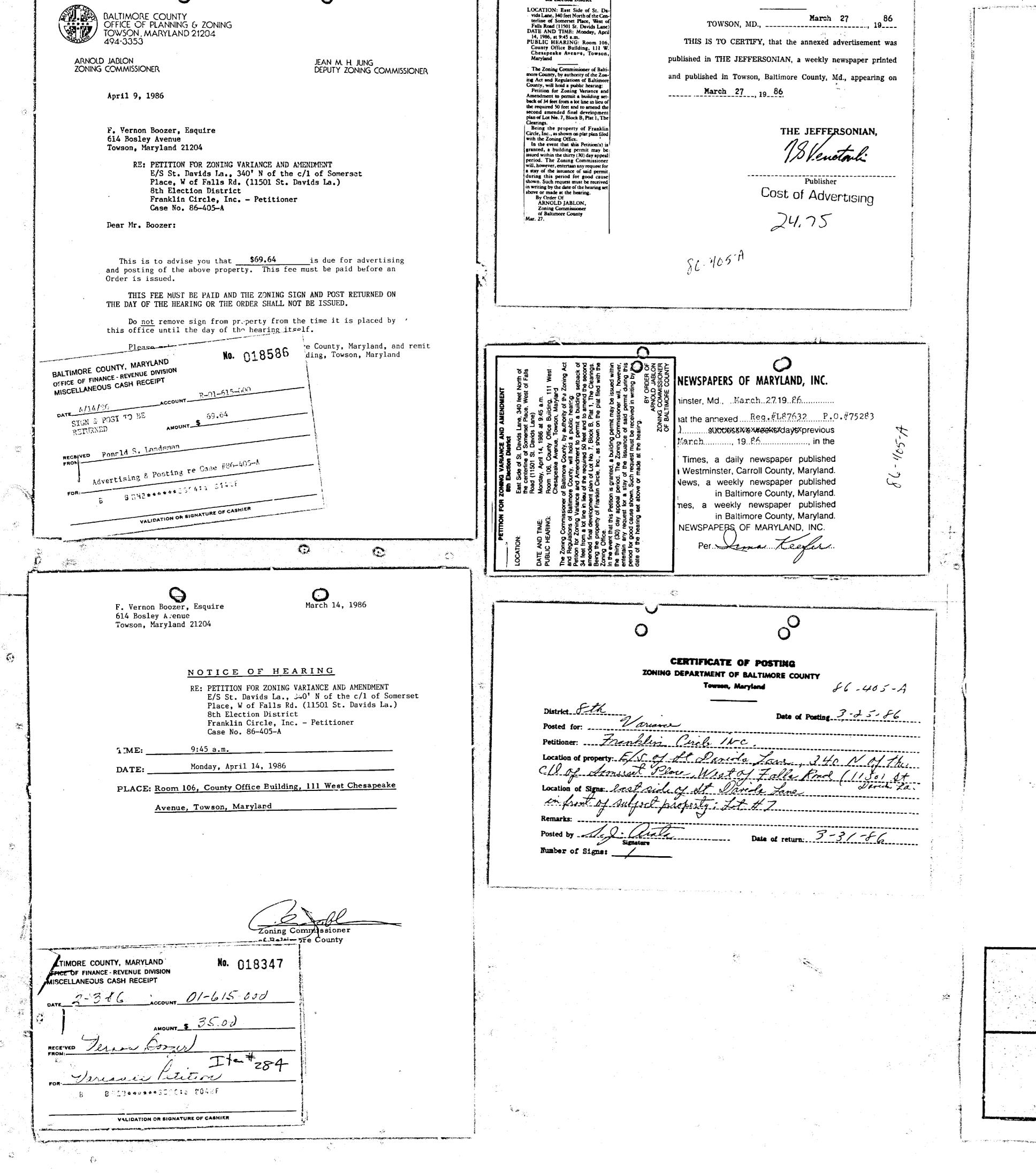
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 (301) 494 - 2188

I HEREBY CERTIFY that on this 26th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Ave., Towson, MD 21204, Attorney for Petitioner.

> Film Max Trimeman Peter Max Zimmerman



PETITION FOR ZONING VARIANCE AND AMENDMENT

CERTIFICATE OF PUBLICATION

March 27

DAVIDS LAVE SAN- DAVIDS LAVE PLAT FOR ZONING WARLANCE ANNEX - CONTEXCT PUZZINGEN POPTRICT & - ZONED RC-5 MEDINISION - SECTION-1, PAT-1, LCT-7, EHK, JK, 52 FOLIO SCALE "= 30.0"	1000 AREA SO SEIDALE SO SEID	30.70.73. 50° € 275.00°
ROWLD ROSE (ANDSMA) ROWLD ROS	LOT 12 UNDETENSTRUCTION PARCEL PARCEL AND SITE TO SELECTION SITE TO SELECTION NO. 11, 2200 TARKET AND SITE TO SELECTION TARKET TO SELECTION TO SELECTION	