

329 324 86-459-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1203.4-B-4 to permit a 20 ft. setback to the property line in lieu of the required 50 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
1. Existing residential home, over 100 years old, encroaches within 50' lot line restriction.
 2. Applicants have 3 minor children and absolutely need space as proposed by new addition.
 3. Proposed addition cannot be built to the East because of topography and wet springs.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name) _____

Signature _____

Address _____

City and State _____

Attorney for Petitioner:

(Type or Print Name) _____

Signature _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Legal Owner(s):

(Type or Print Name) RICHARD W. PETRY

Signature _____

Address 1524 Oakland Road

City and State REISTERSTOWN, MD 21136

Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

Name _____

Address _____

City and State _____

Phone No. _____

ORDERED By the Zoning Commissioner of Baltimore County, this 14th day of April, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of May, 1986, at 10:00 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

PETITION FOR ZONING VARIANCE

2nd Election District

Case No. 86-459-A

LOCATION: North Side of Oakland Road, 1675 feet West of Deer Park Road (1524 Oakland Road)

DATE AND TIME: Wednesday, May 14, 1986, at 10:00 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 20 foot setback to the property line in lieu of the required 50 feet

Being the property of Richard W. Petry, et ux, 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

IN RE: PETITION FOR VARIANCE
N/S of Oakland Road,
1675' W of Deer Park Road
(1524 Oakland Road) -
2nd Election District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 86-459-A

Richard W. Petry, et ux,
Petitioners

The Petitioners herein request a variance to permit a 20 foot setback to the property line in lieu of the required 50 feet.

At the onset of the hearing, Counsel for the Petitioner presented a location survey (Petitioner's Exhibit 2) which indicated that the proposed 10' x 28' addition would be almost 50 feet from the property line. Therefore, he moved to amend the Petition to request a 40 foot setback to the property line in lieu of the required 50 feet. The motion was granted.

Testimony indicated that the proposed location, to the west side of the house, is the only one available for an addition because of the entrance to the root cellar, springs, well and driveway on the east side, and the steep grade on the rear. The surrounding area is farmland and the closest residence is 300 feet away. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of part of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the variance to permit a 45 foot setback for a 10' x 28' addition on the west side of the existing dwelling in lieu of the required 50 feet is hereby GRANTED, from and after the date of this Order.

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

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
N/S of Oakland Road,
1675' W of Deer Park Road
(1524 Oakland Road) -
2nd Election District
Richard W. Petry, et ux,
Petitioners
Case No. 86-459-A

Dear Mr. Coady:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

ZONING DESCRIPTION

BEGINNING on the North Side of Oakland Road, 1675 feet West of Deer Park Road. Thence, the four (4) following courses and distances:

1. North 41 degrees 19 minutes 00 seconds East 290.82 feet
2. North 53 degrees 15 minutes 29 seconds West 185.87 feet to a walnut tree
3. South 42 degrees 24 minutes 53 seconds West 557.17 feet to the North Side of Oakland Road
4. Binding of the North Side of Oakland Road North 76 degrees 12 minutes 19 seconds East 342.63 feet to the place of beginning

CONTAINING 1.836 acres ±

BEING KNOWN as 1524 Oakland Road. Second Election District.

RE: PETITION FOR VARIANCE
N/S of Oakland Rd., 1675' W
of Deer Park Rd. (1524 Oakland
Rd.), 2nd District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 86-459-A

RICHARD W. PETRY, et ux,
Petitioners

ENTRY OF APPEARANCE

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

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

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

I HEREBY CERTIFY that on this 28th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to John T. Coady, Esquire, 400 Allegheny Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 6, 1986

John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
N/S of Oakland Rd., 1675' W of Deer Park Rd.
(1524 Oakland Rd.)
2nd Election District
Richard W. Petry, et ux - Petitioners
Case No. 86-459-A

Dear Mr. Coady:

This is to advise you that \$67.51 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.

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

No. 021702

DATE 5/14/86 ACCOUNT 8-01-615-000

SIGN & POST RETURNED TO ZONING OFFICE AMOUNT \$ 67.51

RECEIVED FROM Coady & Farley

FOR Advertising and Posting re Case 86-459-A

VALIDATION OR SIGNATURE OF CASHIER

John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

April 14, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Oakland Rd., 1675' W of Deer Park Rd.
(1524 Oakland Rd.)
2nd Election District
Richard W. Petry, et ux - Petitioners
Case No. 86-459-A

TIME: 10:00 a.m.

DATE: Wednesday, May 14, 1986

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

Carl J. Jablon
Zoning Commissioner
of Baltimore County

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

No. 019817

DATE 3/14/86 ACCOUNT 01-615-000

RECEIVED FROM Coady & Farley

FOR Variance #324

VALIDATION OR SIGNATURE OF CASHIER

329 324 86-459-A 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 1A03.4-B-4 to permit a 20 ft. setback to the property line in lieu of the required 50 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
- Existing residential home, over 100 years old, encroaches within 50' lot line restriction.
 - Applicants have 3 minor children and absolutely need space as proposed by new addition.
 - Proposed addition cannot be built to the East because of topography and water springs.

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 the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

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IN RE: PETITION FOR VARIANCE
N/S of Oakland Road,
1675' W of Deer Park Road
(1524 Oakland Road) -
2nd Election District
Richard W. Petry, et ux,
Petitioners
Case No. 86-459-A

The Petitioners herein request a variance to permit a 20 foot setback to the property line in lieu of the required 50 feet.

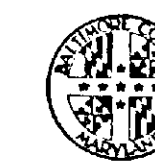
At the onset of the hearing, Counsel for the Petitioner presented a location survey (Petitioner's Exhibit 2) which indicated that the proposed 10' x 28' addition would be almost 50 feet from the property line. Therefore, he moved to amend the Petition to request a 40 foot setback to the property line in lieu of the required 50 feet. The motion was granted.

Testimony indicated that the proposed location, to the west side of the house, is the only one available for an addition because of the entrance to the root cellar, springs, well and driveway on the east side, and the steep grade on the rear. The surrounding area is farmland and the closest residence is 300 feet away. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of part of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the variance to permit a 45 foot setback for a 10' x 28' addition on the west side of the existing dwelling in lieu of the required 50 feet is hereby GRANTED, from and after the date of this Order.

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



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
N/S of Oakland Road,
1675' W of Deer Park Road
(1524 Oakland Road) -
2nd Election District
Richard W. Petry, et ux,
Petitioners
Case No. 86-459-A

Dear Mr. Coady:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

ZONING DESCRIPTION

BEGINNING on the North Side of Oakland Road, 1675 feet West of Deer Park Road. Thence, the four (4) following courses and distances:

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BEING KNOWN as 1524 Oakland Road. Second Election District.

PETITION FOR ZONING VARIANCE

2nd Election District

Case No. 86-459-A

LOCATION: North Side of Oakland Road, 1675 feet West of Deer Park Road (1524 Oakland Road)

DATE AND TIME: Wednesday, May 14, 1986, at 10:00 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 20 foot setback to the property line in lieu of the required 50 feet

Being the property of Richard W. Petry, et ux, 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
N/S of Oakland Rd., 1675' W
of Deer Park Rd. (1524 Oakland
Rd.), 2nd District
Richard W. Petry, et ux,
Petitioners
Case No. 86-459-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
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to John T. Coady, Esquire, 400 Allegheny Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 6, 1986

John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
N/S of Oakland Rd., 1675' W of Deer Park Rd.
(1524 Oakland Rd.)
2nd Election District
Richard W. Petry, et ux - Petitioners
Case No. 86-459-A

Dear Mr. Coady:

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Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

DATE: 5/14/86 ACCOUNT: 86-015-000

SIGN & POST RETURNED TO ZONING OFFICE AMOUNT: \$ 67.51

RECEIVED FROM: Coady & Farley

FOR: Advertising and Posting re Case 86-459-A

VALIDATION OR SIGNATURE OF CASHIER

John T. Coady, Esquire
400 Allegheny Avenue
Towson, Maryland 21204

April 14, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Oakland Rd., 1675' W of Deer Park Rd.
(1524 Oakland Rd.)
2nd Election District
Richard W. Petry, et ux - Petitioners
Case No. 86-459-A

TIME: 10:00 a.m.

DATE: Wednesday, May 14, 1986

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

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

DATE: 5/14/86 ACCOUNT: 01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: Coady & Farley

FOR: Variance # 324

VALIDATION OR SIGNATURE OF CASHIER

6/4/87



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

PAUL H. REINCKE
CHIEF

March 27, 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: Richard W. Petry, et ux

Location: N/S Oakland Road, 1675 feet W. of Deer Park Road

Item No.: 324 Zoning Agenda: Meeting of 3/25/86

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 at this time.

REVIEWER: Capt. Joseph Kelly 3-27-86 Noted and
Planning Group Approved:
Special Inspection Division

/mb

John F. O'Neill
Fire Prevention Bureau



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

April 23, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 324 Zoning Advisory Committee Meeting are as follows:

Property Owner: Richard W. Petry, et ux
Location: N/S Oakland Road, 1675 feet W of Deer Park Road
District: 2nd.

APPLICABLE ITEMS ARE CIRCLED:

- (A) 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.N.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.
- C. 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.
- D. 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.
- E. All Use Groups except R-4 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-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 wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. 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.
- G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- H. 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 Uses _____. See Section 312 of the Building Code.
- I. 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.
- J. Comments:
- K. 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 121 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

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

4/22/86

