

326
461-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 1802.3C.1 to permit a side street setback of 13 feet in lieu of the required 25 feet.

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.

1. Only land I own and I have never owned any adjacent property.
2. I am trying to move next to my recently widowed mother.
3. There are smaller houses on similar lots in the subdivision.

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.

Contact Purchaser:

Legal Owner(s):

Michael Cline Watson
(Type or Print Name)

Michael Cline Watson
(Type or Print Name)

Signature

Signature

Address

Address

City and State

City and State

Attorney for Petitioner:

1400 Lafayette Ave.
Address

Signature

Signature

Address

Address

City and State

City and State

Attorney's Telephone No.:

Name

Address

Address

Phone No.

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day

April 19, 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 through 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 10:30 o'clock.

Side yard
Zoning Commissioner of Baltimore County.
(over)

MICROFILMED

Michael Cline Watson
NE Corner of Lafayette
Ave. & Harford Ave.
1400 Lafayette Ave., 1st
Election District

326
461-A

COPIES RECEIVED FOR FILING
DATE May 15, 1986
BY [Signature]

326
461-A

IN RE: PETITION FOR VARIANCE
NE Corner of Lafayette
Avenue and Harford Avenue
(1400 Lafayette Avenue) -
1st Election District
Michael Cline Watson,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-461-A

The Petitioner herein requests a variance to permit a side street setback of 13 feet in lieu of the required 25 feet.

Testimony on behalf of the Petitioner indicated that he proposes the construction of a 22-foot wide house on a 45-foot wide lot adjacent to his mother's home which has an 80-foot frontage. One of his purposes in building is to assist in caring for his mother, his father recently being deceased. The proposed side yard setback is 13 feet to the property/right-of-way line, however, the Harford Avenue paving is only 18 feet on the 40-foot right-of-way. As many trees as possible will be saved.

The neighbor across Harford Avenue spoke in protest. His property is 65 feet wide and his deck is on the Harford Avenue side to the rear of his house.

Both the Petitioner's representative and the Protestant agree that Catonsville Manor is an older community where, originally, dwellings were built on sites comprised of a number of lots. In recent years, however, houses have been constructed on sites as narrow as 45 or even 40 feet.

After due consideration of the evidence and testimony presented, and a review of the map and files in the Office of Zoning which reveal that corner lots in this area have been granted a 15-foot side yard setback (Case No. 83-220-A), a 16-foot side yard setback for an addition to an existing dwelling (Case No. 85-74) and a 21-foot side yard setback (Case No. 85-85-A), in the opinion of the Deputy Zoning Commissioner, the variance requested would encroach into the required setback to an extent to be detrimental to general welfare in the

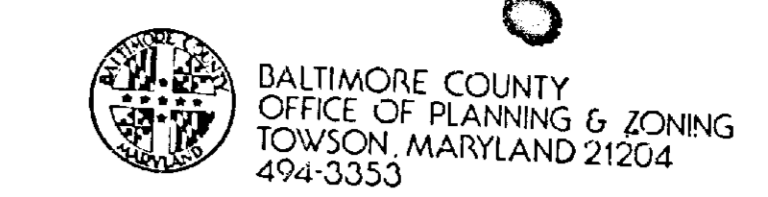
MICROFILMED

community.
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 Petitioner, 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 a variance to permit a side street setback of 15 feet in lieu of the required 25 feet is hereby GRANTED, from and after the date of this Order.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

COPIES RECEIVED FOR FILING
DATE May 15, 1986
BY [Signature]



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

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 15, 1986

Mr. Michael Cline Watson
1400 Lafayette Avenue
Baltimore, Maryland 21207

RE: PETITION FOR VARIANCE
NE Corner of Lafayette
Avenue and Harford Avenue
(1400 Lafayette Avenue) -
1st Election District
Michael Cline Watson,
Petitioner
Case No. 86-461-A

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

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg
Attachments

cc: People's Counsel

Mr. David Galloway
1338 Lafayette Avenue
Baltimore, Maryland 21207

MICROFILMED

Zoning Description

Beginning at a point on the northeast corner of Lafayette Avenue (40 ft. wide) and Harford Avenue (40 ft. wide) and being Lots 27 and 28, Block 29, as shown on the plat of Catonsville Manor which is recorded in the Land Records of Baltimore County in Liber WFC No. 6, Folio 128. Known as 1400 Lafayette Avenue in the 1st Election District.

PETITION FOR ZONING VARIANCE

1st Election District
Case No. 86-461-A

LOCATION: Northeast Corner of Lafayette Avenue and Harford Avenue (1400 Lafayette Avenue)

DATE AND TIME: Wednesday, May 14, 1986, at 10:30 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 street setback of 13 feet in lieu of the required 25 feet

Being the property of Michael Cline Watson, 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MICROFILMED

RE: PETITION FOR VARIANCE
NE Corner of Lafayette Ave.
& Harford Ave. (1400 Lafayette
Ave.), 1st District
MICHAEL CLINE WATSON,
Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-461-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
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
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 Mr. Michael Cline Watson, 1400 Lafayette Ave., Baltimore, MD 21207, Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 6, 1986

Mr. Michael Cline Watson
1400 Lafayette Avenue
Baltimore, Maryland 21207

RE: PETITION FOR ZONING VARIANCE
NE Corner of Lafayette Ave. and Harford Ave.
(1400 Lafayette Ave.)
1st Election District
Michael Cline Watson - Petitioner
Case No. 86-461-A

Dear Mr. Watson:

This is to advise you that \$58.65 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 hearing is held.

BALTIMORE COUNTY, MARYLAND No. 021878 County, Maryland, and remit to
OFFICE OF FINANCE - REVENUE DIVISION ng, Towson, Maryland
MISCELLANEOUS CASH RECEIPT

DATE 5-12-86 ACCOUNT R01-015-000

AMOUNT \$ 58.65

RECEIVED FROM Michael Cline Watson

FOR Advertising & Posting 86-461-A

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

6/4/87

Office of PATUXENT
1975 Little Patuxent Ferry, Columbia, MD 21044

April 24 19 86

annexed advertisement of

PETITION ZONING 75965

was inserted in the following:
 Catonsville Times
 Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 26th day of April 1986, that is to say, the same was inserted in the issues of

April 24, 1986

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs.

Defendant

CERTIFICATE OF PUBLICATION OF

Mr. Michael Cline Watson
1400 Lafayette Avenue
Baltimore, Maryland 21207

April 14, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/cor. of Lafayette Ave. & Harford Ave.
(1400 Lafayette Ave.)
1st Election District
Michael Cline Watson - Petitioner
Case No. 86-461-A

TIME: 10:30 a.m.

DATE: Wednesday, May 14, 1986

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

[Signature]
Commissioner
5th County

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

No. 319823

DATE: 4/12/86 ACCOUNT: 01-615

AMOUNT: \$ 35.00

RECEIVED FROM: *[Signature]*

FOR: *[Signature]*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 30, 1986

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

Mr. Michael Cline Watson
1400 Lafayette Avenue
Baltimore, Maryland 21207

Chairman

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

Dear Mr. Watson:

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,
[Signature]
James E. Nepe, Inc.
JAMES F. DYER
Chairman
Zoning Plans Advisory Committee

JTD:hsc
Enclosures

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

April 1, 1986

STEPHEN E. COLLINS
DIRECTOR

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

Item No. -ZAC- Meeting of March 25, 1986

Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 324, 325, 326, 327, 328, 329, and 330.

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF/blid

VICINITY MAP

PLAT FOR ZONING VARIANCE
OWNER - MICHAEL C WATSON
DISTRICT - 1ST ELECTION, ZONE 25 B-1
SUBDIVISION - CATONSVILLE A-PAR
LOTS - 212 P. BLOCK 29 LOTS 6 & 7 125
EXISTING UTILITIES IN ACCORDANCE

86-461-A
#326

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petition Nos. 86-459-A, 86-460-A, 86-461-A, 86-463-ASph, 86-464-A and 86-469-A

Date: April 30, 1986

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

[Signature]
Norman E. Gerber, AICP

NEG/JGH/sf

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
County Office Building
Towson, Maryland 21204

APRIL 21, 1986

Dear Mr. Jablon:

Re: Zoning Advisory Meeting of March 25, 1986
Item # 326
Location: MICHAEL C WATSON
1400 LAFAYETTE AVE. & HARFORD AVE.

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 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, and a record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The parking on this site 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 20-28 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The proposed Development Plan was approved by the Planning Board on [date].
- The property is located in a deficient service area as defined by Bill 113-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [description].
- The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 113-79, and as conditions change the re-evaluated capacity may become more limited. The basic services areas are [description].
- Additional comments: [none]

Eugene A. Baker
Chief, Current Planning and Development

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

Comments on Item # 326 Zoning Advisory Committee Meeting are as follows:

Property Owner: Michael C. Watson
Location: NE corner Lafayette Avenue and Harford Avenue
District: 1st.

APPLICABLE ITEMS ARE CHECKED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #11-1-1980) 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 shall be required to file with a permit application. Reproduced seals are not acceptable.
- 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 the Group except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 8'-0" to an interior lot line. For the Group 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 501, Section 1071, Section 1007, and Table 1005. 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 request/ 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 the 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. Varied Architectural or Engineer seals are usually required. The change of the Group are from the [] to the [] or to Mixed Use.
- The proposed project appears to be located in a Flood Plain, Flood/Everrise. Please see the attached copy of Section 20-28 of the Baltimore Code as adopted by Bill #11-85. Site plans shall show the correct elevation above sea level for the lot and the finish floor levels including basement.

Comments:

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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Eugene A. Baker
Building Plans Review

4/27/86



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: Michael C. Watson

Location: NE corner Lafayette Avenue and Harford Avenue

Item No.: 326 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: Patricia Kelly 3/27/86
Planning Group
Special Inspection Division

Noted and
Approved:

J. P. F. O'Neill
Fire Prevention Bureau

/mb

86-461-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
14th day of April, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Michael Cline Watson
Petitioner's
Attorney _____

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 86-461-A
Towson, Maryland

District 1st Date of Posting 4-23-86
Posted for: Variance
Petitioner: Michael Cline Watson
Location of property: NE Corner of Lafayette and Harford Avenues
(1600 Lafayette Ave)
Location of Signs: On front of subject property 1600 Lafayette Ave
Remarks: _____
Posted by: N. J. Penta Date of return: 4-25-86
Signature
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 24, 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 April 24, 1986.

THE JEFFERSONIAN,

N. Venetoni
Publisher
Cost of Advertising

24.75

PETITION FOR ZONING
VARIANCE
1st Election District
Case No. 86-461-A

LOCATION: Northeast Corner of Lafayette Avenue and Harford Avenue (1600 Lafayette Avenue)
DATE AND TIME: Wednesday, May 14, 1986, at 10:30 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 street setback of 13 feet in lieu of the required 25 feet. Being the property of Michael Cline Watson, 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
Apr. 24.