

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

-May 12, 2003

Shari Wilson 1501 LaBelle Avenue Baltimore, MD 21204

Dear Ms. Wilson

RE: 1501 LaBelle Avenue

Spirit and Intent Case No. 86-464-A

9th Election District

Your letter, dated May 12, 2003, has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

Provided the pool addition will not be situated less than 8 feet from the rear property line the proposal is considered to be within the "Spirit and Intent" of the Zoning Order granted in the above referenced case. In order to facilitate zoning approval of your building permit application a copy of this letter must be presented at time of zoning review.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley

Planner II

Zoning Review

LTM

PLAT TO ACCHPANY PETITION FOR ZONING VARIANCE

PROPERN ACCRESS: 1501 LA BELLE

S/BDIVISON NAME: RUNTON HEIGHTS PLAT BOOK J.W.S. No. 1, FOLIO # 64

CMMER: SHAN WILSON

LA BELLE AVENUE 40' (L/W), PAVED 22"

HANS MILLER

APPROVED AS REING WITHIN THE SPIRIT AND INTENT OF CASE NO. 86-464-A

DATE 5/12/03

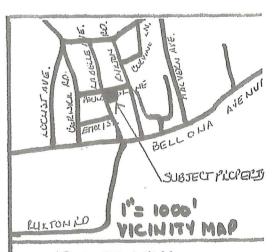
PUBLIC SEMER-WINTER-YES

CBAYCRITICAL AREA - NO 100 YEAR FLOOD PLANE - NO HUTOPIL BUILDING PROPERTY - NO PUOL EDWING HELENGS

> CASE NO. 26-464-A DANY 19, 1986 OROGET TO PERMIT A SIDE STREET SERVICE OF O' AND A PEUL VOID STEEL TO OF 18 FOR GALAGE.

100' - 20 t to 4 OF PALLONLE LINE 50 50' 1251 ISCHLABELLE NE 1503 LA BELLEAVE 33.5 CAMADO: EKISTALO 124 OWNER: SHARL VARSON CLUBISTIE MOSEUS EXISTING ALLO HAND FILLER 2 STUCY FRAME IN a stuly ACCT # 230000 85-45 DULEVLING FLAME DW. ELANG PHILDING , 210/A 11 140m EXIST EX PROPOSED POOL 10 40 25700 Colour GAR. COT 237 AJW, PAVED 1 1. OT 235 EX. 501 50 1500 PUXTALANE OLULIERS CAMERONI 1380 CAMPESCL AND DUESEY EX15TH.io CAMPEELL JUNOCY HICT # 0915610621 FLATE Malline LOT 234 LOT 233 LOT 231 A LOT 232

> EURTON BOOD AO RIW



LOCATION DEALING 1501 LA BELLE AVENUE SOUTIMORE CO. NO. RURTON HEIGHTS, ZONING DR OTH ELECTION DISTRICT 2 NO COUNCIL MANIC DISTRICT SCALE: 1" - 50' Barrager and . woods have and awall

Shari Wilson & Hans Miller 1501 LaBelle Avenue Baltimore, Maryland 21204

May 5, 2003

Arnold Jablon Director of Planning and Zoning for Baltimore County 111 West Chesapeake Avenue Towson, MD 21204

Dear Mr. Jablon:

We respectfully request your interpretation that the proposed location for a swimming pool on our single dwelling, residential property meets the spirit and the intent of a variance granted in 1986.

We propose to construct an in-ground swimming pool attached to the rear of our house as shown on the enclosed drawing. We would prefer to locate the pool in the middle of the rear yard to increase the setback from our neighbor to the west and to avoid removing trees in the southwest corner of the yard.

In 1986, your office granted a zoning variance to previous owners of our home allowing an exception to the set back requirements for an attached structure including the existing garage. The proposed pool extension would fall within those setbacks allowed, with a 15' foot setback to the rear property line and a 25' setback to the west. A copy of that order is enclosed. We have consulted with our adjacent neighbors to the south and west. Neither have any objections to this plan, as indicated by the enclosed letters.

Last, if possible, we ask that you assign this matter to Mr. Lloyd Moxley of your staff, as he is already familiar with this property. Thank you in advance for your consideration of this request. Please call me at 410-336-1519 if you would like to discuss this further or need additional information.

Since cry,

Shari Wilson

Enclosures

Cc: Christie Moseley, 1503 LaBelle Avenue
Dorsey and Gordon Campbell, 1500 Ruxton Road

Lloyd Moxley

MAY 7 2003

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

April 4, 2004

Shari Wilson and Hans Miller 1501 La Belle Avenue Baltimore, MD 21204

Dear Shari and Hans:

We have reviewed the attached plat showing the proposed location for a swimming pool on your property at 1501 LaBelle Avenue and have no objection to this plan.

Sincerely,

Dorsey and Gordon Campbell

1500 Ruxton Road

Towson, MD 21204

Attachment

April 25, 2003

Shari Wilson and Hans Miller 1501 La Belle Avenue Baltimore, MD 21204

Dear Shari and Hans:

I have reviewed the attached plat showing the proposed location for a swimming pool on your property at 1501 LaBelle Avenue and have no objection to this plan.

Sincerely,

Christie Moseley 1503 LaBelle Avenue Towson, MD 21204

Christi P. Mosely

Attachment



Printed courtesy of the RUXTON*RIDERWOOD*LAKE ROLAND Area Improvement Association, Inc. April 15, 2000, picture taken in early 1996

IN RE: PETITION ZONING VARIANCES * BEFORE THE

SW/corner of LaBelle Avenue
and Paulding Street * ZONING COMMISSIONER

(1501 LaBelle Avenue) 9th Election District * OF BALTIMORE COUNTY

Vernon V. Vane, et ux, * Case No. 86-464-A

Petitioners *

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a side street setback of zero feet and a rear yard setback of 8 feet in lieu of the required 30 feet, as described on Petitioners' Exhibit 1.

The Petitioners appeared and testified, as did their architect, Thomas Mannion. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.3.5 and located on the corner of LaBelle Avenue and Paulding Street, is improved with a two-story dwelling with an apartment. The Petitioners wish to raze the existing detached garage, which encroaches on a County right of way, and to replace it with a two-story frame addition attached to the home. The addition will wrap around the dwelling and include an improvement to the existing apartment. The second story of the addition will be for storage and the first floor will be the garage. The house faces LaBelle Avenue and the side yard would be to Paulding Street.

It was clear from the evidence and testimony presented that the apartment had been in existence prior to January, 1955. The 1945 <u>Baltimore County Zoning Regulations</u> (BCZR) permitted two living units in a dwelling as of right in a residential zone. The proposed expansion will not increase the area of the apartment beyond the limitations of Section 104.1, 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:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 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 variances 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 variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances 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 variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 195 day of May, 1986, that the Petition for Zoning Variances to

permit a side street setback of zero feet and a rear yard setback of 8 feet instead of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The existing apartment is nonconforming and no additional living units shall be permitted.

Zoning Commissioner of Baltimore County

AJ/srl

cc: Mr. & Mrs. Vernon V. Vane

People's Counsel

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in baltimore County and which is An area variance may be granted where strict application of the zoning permit a side street setback of zero feet and a rear yard setback of 8 feet described in the description and plat attached hereto and made a part hereof, hereby petition for a instead of the required 30 feet be and is hereby GRANTED, from and after the regulation would cause practical difficulty to the petitioner and his prop-Variance from Section _ 1802.3.C.1 to permit a side street setback of zero (0) feet and BEFORE THE IN RE: PETITION ZONING VARIANCES SW/corner of LaBelle Avenue a rear yard setback of eight (8) feet, all in lieu of the required thirty (30) feet. erty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for date of this Order, subject, however, to the following restrictions which is a ZONING COMMISSIONER and Paulding Street (1501 LaBelle Avenue) condition precedent to the relief granted herein: an area variance, the petitioner must meet the following: OF BALTIMORE COUNTY 9th Election District 1. The Petitioners may apply for their building per-Case No. 86-464-A whether strict compliance with requirement would Vernon V. Vane, et ux, unreasonably prevent the use of the property for a mit and be granted same upon receipt of this of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for permitted purpose or render conformance unneces-Order; however, Petitioners are hereby made aware following reasons: (indicate hardship or practical difficulty) Petitioners that proceeding at this time is at their own sarily burdensome; * * * * * * * * * * risk until such time as the applicable appellate 2. whether the grant would do substantial injustice process from this Order has expired. If, for SEE ATTACHED E. D. ____ FINDINGS OF FACT AND CONCLUSIONS OF LAW to applicant as well as other property owners in whatever reason, this Order is reversed, the Petithe district or whether a lesser relaxation than tioners would be required to return, and be re-REASONS FOR PETITION FOR ZONING VARIANCE The Petitioners herein request variances to permit a side street setback that applied for would give substantial relief; sponsible for returning, said property to its original condition. of zero feet and a rear yard setback of 8 feet in lieu of the required 33 2. The existing apartment is nonconforming and no 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and additional living units shall be permitted. Property is to be posted and advertised as prescribed by Zoning Regulations. feet, as described on Petitioners' Exhibit 1. public safety and welfare secured. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of thish 36,760 petition, and further agree to and are to be bound by the zoning regulations and restrictions of The Petitioners appeared and testified, as did their architect, Thomas Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). Baltimore County adopted pursuant to the Zoning Law For Baltimore County. Mannion. There were no Protestants. oning Commissioner It is clear from the testimony that if the variances were granted, such I/We do solemnly declare and affirm, Testimony indicated that the subject property, zoned D.R.3.5 and located Baltimote County under the penalties of perjury, that I/we use as proposed would not be contrary to the spirit of the BCZR and would not are the legal owner(s) of the property on the corner of LaBelle Avenue and Paulding Street, is improved with a which is the subject of this Petition. AJ/srl result in substantial detriment to the public good. two-story dwelling with an apartment. The Petitioners wish to raze the cc: Mr. & Mrs. Vernon V. Vane Legal Owner(s): After due consideration of the testimony and evidence presented, it is Contract Purchaser: existing detached garage, which encroaches on a County right of way, and to People's Counsel clear that a practical difficulty or unreasonable hardship would result if the Type or Print Namc) // replace it with a two-story frame addition attached to the home. The addition (Type or Print Name) instant variances were not granted. It has been established that the rewill wrap around the dwelling and include an improvement to the existing quirement from which the Petitioners seek relief would unduly restrict the Carolyn D. Vane るの apartment. The second story of the addition will be for storage and the first use of the land due to the special conditions unique to this particular floor will be the garage. The house faces LaBelle Avenue and the side yard parcel. In addition, the variances requested will not be detrimental to the would be to Paulding Street. ic health, safety, and general welfare. IIt was clear from the evidence and testimony presented that the apartment Attorney for Petitioner: 821-5090 1501 LaBelle Avenue Pursuant to the advertisement, posting of the property, and public hearhad been in existence prior to January, 1955. The 1945 Baltimore County (Type or Print Name) this Petition held, and for the reasons given above, the requested Baltimore, MD 21204 g Regulations (BCZR) permitted two living units in a dwelling as of right City and State var thces should be granted. residential zone. The proposed expansion will not increase the area of CEIVED Name, address and phone number of legal owner, con-Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, tract purchaser or representative to be contacted the partment beyond the limitations of Section 104.1, BCZR. Vernon V. and Carolyn D. Vane day of May, 1986, that the Petition for Zoning Variances to 1501 LaBelle Avenue ----Baltimore,-MD--21204----Attorney's Telephone No.: _____ 0C - 2 -RDERED By The Zoning Commissioner of Baltimore County, this ___14th_____ day of April 19 86, that the subject matter of this petition be advertised, as required by the Zoning Law of Basilmore County, in two newspapers of general circulation throughout Basilmore County, that property be posted, and that the public hearing be had before the Zoning completioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore /cor. of . (1501 CO CCO 00 00 00 04 PETITION FOR ZONING VARIANCES PETITION FOR ZONING VARIANCE BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCES ZONING DESCRIPTION SW/Corner of LaBelle Ave. 9th Election District 1501 LaBelle Avenue and Pauling St. (1501 OF BALTIMORE COUNTY Baltimore, Maryland 21204 LaBelle Ave.), 9th Dist. Case No. 86-464-A BEGINNING on the SW/Corner of LaBelle Avenue and Paulding Street VERNON V. VANE, et ux, REASONS FOR PETITION FOR ZONING VARIANCE BEING Lots No. 235 and 236 on the Plat of Ruxton Heights, Book 1, Folio 64, Petitioners 9th Election District. Southwest Corner of LaBelle Avenue and Pauling Street ::::::: CONTAINING 11,500 square feet. (1501 LaBelle Avenue) In requesting a zoning variance, we find that a hardship exists due to the ALSO KNOWN AS 1501 LaBelle Avenue. ENTRY OF AFPEARANCE DATE AND TIME: Monday, May 12, 1986, at 9:30 a.m. location of the house on the lot and the shape of the lot. The house itself is non-conforming, sitting 13 feet off the front property line and 23 feet off PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Please enter the appearance of the People's Counsel in the Towson, Maryland the side line. In order to add on in a manner that is functional with the house, above-captioned matter. Notices should be sent of any hearing dates zoning could not be met. This is hindered by the fact that this is a corner lot The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: which is subject to larger setback requirements. The existing garage, which we or other proceedings in this matter and of the passage of any preliminary would like to replace with one that attaches to the house, encroaches the county Petition for Zoning Variances to permit a side street setback of zero or final Order. feet and a rear yard setback of 8 feet, all in lieu of the required right-away by three (3) feet. The Faulding Lane entrance for the garage is the most desirable in that it provides the most favorable access, is the less traveled street, and is where the neighbors' garages are located; please see photographs. The reasons we desire an attached garage is for access to the house in inclement Phyllis Cole Friedman weather for the elderly and infants, and for security purposes. People's Counsel for Baltimore County Peter Max Zimmerman

Being the property of Vernon V. Vane, et ux as shown on plat

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

BY ORDER OF

ARNOLD JABLON
ZOMING COMMISSIONER
OF BALTIMORE COUNTY

plan filed with the Zoning Office.

hearing set above or made at the hearing.

399

6/4/27

Deputy People's Counsel Room 223, Court House

Towson, Maryland 21204

I HEREBY CERTIFY that on this 24th day of April, 1986, a copy

494-2188

V. Vane, 1501 LaBelle Ave., Towson, MD 21204, Petitioners.

of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Vernon

A CONTRACTOR

0

CASE NO. 86-464-A BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Me Aendal Jablon County Office Building 111 W. Chesepeake Avenue Towson, Maryland 21204 Zoning Commissioner Baltimore County Office of Planning and Zoning Your petition has been received and accepted for filing this Towson, MB 21204 DEAR Mr Jakon: Zoning Commissioner Petitioners Mr. and Mrs. Vernon Vane Received by: Petitioner's Attorney Chairman, Zoning Plans Advisory Committee cc: Mr. and Mrs. Vernon V. Vans Mr. Edward J. Krus CERTIFICATE OF PUBLICATION Alleged Nonconforming Use. TOWSON, MD., April 24 1986 PETITION FOR ZONING
VARIANCES
9th Election District
Case No. 86-464-A LOCATION: Southwest Corner LaBelle Avenue and Pauling Street (1501 LaBelle Avenue) DATE AND TIME: Monday, May 12, nublished in THE JEFFERSONIAN, a weekly newspaper printed 1986, at 9:30 s.m. PUBLIC HEARING: Room 10 and published in Towson, Baltimore County, Md., appearing on April 24 , 19 86. more County, by anthority of the Zoning Act and Regulations of Baltimor THE JEFFERSONIAN, mit a side street setback of zero feet and a rear yard setback of 8 feet, all in lieu of the required 30 feet.

Being the property of Vernon V.
Vane, or UV, as shown on plat plan filed 18 Venetonli with the Zoning Office.
In the event that this Petition(s) i 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. Publisher Cost of Advertising shown. Such request must be receive in writing by the date of the hearing a 24.75 bove or made at the hearing.
By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County Enclosures CERTIFICATE OF PUBLICATION PETITION FOR ZONING WATANCES 9th Election District Case No. 85-464-A TOWSON, MD., _____April_23_____. 19_86. LOCATION: Southwest Corner of LaBelle Avenue and Pauling Street (1501 LaBelle Avenue) DATE AND TIME: I' Index, May 12, 1986, at 9:30 a.m. PUBLIC HEARING: Room 106, County Office Building, 119 W Chse-apnetre Avenue, Towson, Maryland THIS IS TO CERTIFY, that the annexed advertisement was The Zoning Commissioner of Rails more County, by authority ru the Zoning Act and regulations of Balls more County, will hold a public heerand published in Towson, Baltimore County, Md., appearing or April 23 , 1986 . Prettion for Zoning Variances to permit a side street settack of zero leet and a near yand settack of 8 teet, all in lieu of the required \$1 tees. Being the property of Vernon V. Vene, et us, as shown on plat plan Blod with the Zoning Ottos. TOWSON TIMES, in the event that this Pestion(a) granted, a bt-living permit may be secued within the thirty (30) day appeal period. The Zoning Commispear period. The Zoning Comma-sioner will, however, entertain any request for a stay of the issuence of aed permit during this period for good cause shown. Such request thust be received in writing by the date of the hearing set above or made at the hearing. 38.25 86-464-A Date of Posting 4-23-f6 Petitioner: Vernon V Vane et 11x Location of property: SW/ Comm of La Belle are + Paulino St. [150] Ja Bill are VI Location of Signs. Un front of 1501 La Bille Menue Number of Signs:

1501 LA Belle Ave AFFIDAVIT BALLINGE MD 21264 The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: MAY 15, 1986 The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information benein given is within the personal knowledge of the Africant and Africant is competent to testify thereto in the event That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. AFFIANT (Handwritten Signature) LONING WAVE Market and a second of the second VBRNON V. VANJetur AFFIANT (Frinted Name) JOHN L. PARKER AFFIANT (Printed Name) RE: Case No. 86-464-A 1501 LA Belle Acenue I have personal knowledge that the home located at I have personal knowledge that the home located at Fil LA Bolk Aurina Tr. I LA Bothe Ma Tam enclosing per your request, copies of the two affidavits made by our neighbors starting that our house has has been occupied as a ince (two, three, etc.) has been occupied as a (two, three, etc.) apartment dwelling since (month) (year)

and house to the above date (afte 19 for a)
apartments within the dwelling have been occupied as such continuously been accupied as a two apritment divelling since Jan 55 and prior to that date. And that this house (month) (year). I also have personal knowledge that all has been occupied as such continuously since apartments within the dwelling have been occupied as such continuously January 55 and prior to that date. I ampendosing and without interruption of more than one (1) year during any one period and without interruption of more than one (1) year during any one period a copy of my letter of January 13 requesting a since (month) Pho This personal knowledge is based upon: change of zoning on our house, and your letter of Living mest look at 1503 whell are. since 1944 January 16 statura, Corclitional Acceptance of I am aslo enclosing a statement from our immediate neighbord showing that they have seen the plans for STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: our proposed garage, addition, and deck and that they I HEREBY CERTIFY, this 12th day of me, a Notary Public of the State of Marylard, in and for the County aforesaid, personally appeared for the Affiant and made oath in due form of Yaw that the matters and facts hereinabove set STATE OF MARYLAND, GOUNTY OF BALTIMORE, to wit: have no dojection to the construction. I had thus with I HEREBY CERTIFY, this 12 the day of me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared therein, personally known or satisfactorily identified to me as such Affiant and made oath in due form of law that the matters and facts hereinabove set me the day of our heaving, May 12th and failed to give I hope this will be sufficient information for you to issue your order regarding the zoning of our house and the petition for a zoning variance. If not please feel free to contact me. forth are true and correct to the best of his/her knowledge and belief. forth are true and correct to the best of his/her knowledge and belief. AS WITNESS my hand and Notarial Seal. 1 43, WITKESS my hand and Notarial Seal. Manking you in advance Sincerely Lawren V. Vane My Commission Expires: My Commission Expires: July 1, 1986 July 1, 1986 Pev. 12/12/95 _ mm (Mrs Veenon V. Vane) Rev. 12/12/95 - nn

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

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mrs. Vernon V. Vane 1501 LaBelle Avenue Raltimore, Maryland 21204

ZONING COMMISSIONER

RE: Conditional Acceptance of Alleged Nonconforming Use 1501 LaBelle Avenue 9th Election District

Dear Mrs. Vane:

BAGO MID 21204

JANUARY B PIKE

Rased upon the Notarized Affidavits signed by Elizabeth L. Hart and John L. Parker, this office conditionally accepts the above-referenced property/use, zoned Density, Residential (D.R. 3.5) as having a nonconforming use status for a twoapartment dwelling. Said acceptance is subject, however, to the following conditions:

January 16, 1986

- It is understood by all concerned that this acceptance does not establish an irrefutable presumption of a legal nonconforming use status for this property.
- 2. This decision is based upon the understanding that the Affidavits establish a reasonable basis to permit a continuance of the use pending a challenge by any interested citizen of this conditional acceptance.
- 3. In the event of a challenge, this approval is automatically rescinded and, to be reestablished, a public hearing would be required.
- 4. In the event of a challenge, the burden of proof is entiraly upon the owner of the property in question.

ARNOLD SARLON GAR Zoning Commissioner

AJ:JED:ni

cc: Mr. James E. Dyer Zoning Supervisor Chron. File

To: Aerod Lablon Zoning Commissioner Boutinose Canty

From: The Vane's Neighbors

Re: Petition for Zoning Variances Case NO 800-464. A

Date: Macy 10, 1986

Dear Sir

Please be advised that we have seen the plans , for the proposed construction to 1501 la Belle Ave; I and that we are fully aware and have no objection to the and this Vanis plans to build an addition and I dear to the horse and to build an attached garage.

> Elizabeth & Barker - 1413 La Calla ave. Dange R. Drose - 1412 LaBelle Ave. Am must 1412 lakelle Dec Lynn cold Heur O 1500 Rusta B. 21204 Mightly of Hart Lat 1503 Select are 21204 Challes and 21204

Mer Acould Luctur

Zening Compussioner

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Turke The 21204

Lam enclosing the afficient mach

has been used on a continuou brais

January 55 and before Also enclosed

for your reference is a location soron,

Based on this evidence I heretay Requier

Yours truly bline

changed to a two apartment dwelling.

for their preparty, please note the house is

Wealed 5522 just EAST of Bollona Ace.

that the Zones on this house be

as a two aprisoners duelling Sace

that our Love, becaused at 1501 to Balle Alex

Marthe Javier

(Nes blenon Viller ourse)

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Date April 30, 1986 () 1. A change of occupancy, alteration, and other miscellaneous 2. Floor loading of 50# pounds live load design are required.

Have a registered in Maryland structural engineer provide a letter of certification. See Section 903.0, 904.0, 905.0, Table 906.0, 907.0. () 3. Office buildings with a single exit shall comply with Table 809.3 or two independent exits shall be required. See Sections 809.2, 807.0, 810.0, 811.0, 816.0, 819.0, as alternative requirements. () 4. Interior stairs shall be enclosed with one hour rated assemblies () 5. Tenant demising walls, floor/ceiling assemblies shall have a minimum 1 hour rating. See Table 401 amended by Bill 4-82.

TO Zoning Advisory Committee Chairman

permits are required.

and "B" label one hour doors.

State Handicapped laws:

E. Required ramps

(G. Curb cuts, etc.

sevode In them at the total

() 6. Exterior walls shall be a minimum of 1 hour rating and no openings are permitted within 3'-0 of an interior lot line.

8. Exit stairs, handrails, etc. shall comply with Section 816.0.

() A. Parking (correct number of spaces, locations)

D. Building accessibility (entrance)

() 10. Interior finishes shall comply with Tatles 1421.5 and 1421.7.

() 11. Ventilation of toilet rooms, work areas shall comply with the B.O.C.A. Mechanical Code, Article 10, Section M312.4.3 and Section

315.0 where rated assemblies are penetrated with duots, diffusars,

This is not intended to be a complete list of Code requirements. The above comments are for use by the designing architect/engineer,

The above comments may not be synticable in all cases and are for

informational purposes at this time. A full review of construction

plans will be made when the plans are submitted for parmits as

9. Plan does not show the following handicapped requirements under the

7. See Section 1702.12, 1702.13, 1702.16 for sprinklers that may be required.

C. Parking lot accessibility (paving, etc.) when provided

F. Interior access and useability, (elevators, toilet rooms, etc.)

FROM Charles E. Burnham

R. O. OCCUPANCIES: R--3 to B

V BALTIMORE COUNTY OF PLANNING AND ZONING NORMAN E GEROER DAECTOR APRIL 21, 1986 Mr. Arnold Jablon Zaning Commissioner County Office Building lowson, Maryland 21204 Re: Zoning Advisory Meeting of APRIL 1, 1986 Property Owner: VERHON V. VANE, etux LOCALIONISW/C LA BELLE AVE. of PAULDING ST. 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 (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 show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory.)The circulation on this site is not satisfactory,)The parking arrangement is not satisfactory. Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.)Construction in or alteration of the floocolain is prohibited under the provisions of Section 22-93 of the Development Development of this site may constitute a potential conflict with the Baltimore County Haster Plan.)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 The property is located in a traffic area controlled by a "D" level intersection as defined by 3000 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.)Additional comments: Eugane A. Bober Chier, Current Planning and Developmen

BALTIMORE COUNTY
FIRE DEPARTMENT TOWSON MARYLAND 21204-2586 494-4500 PAUL H. REINCKE Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson Maryland 21204 RE: Property Owner: Vernon V. Vane, et ux SW/cor. LaBelle Ave. & Paulding St. (1501 LaBelle Ave.) Location: Zoning Agenda: Meeting of April 1, 1986 Item No.: 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 i 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. 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. (χ) 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: At Joseph Helly 4-16-66 Approved:

Planning Group

Special Transport Special Inspection Division

BALTIMORE COUNTY April 30, 1986 DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3610 TED ZALESKI, JR. DIRECTOR Mr. arnold Jablon, Zoning Commissioner Office of Planning and Zoning Townon, Maryland 21204 Comments on Item # 349 Zoning Advisory Committee Meeting are as follows: Vernon V. Vane, et ux SW/Cor. LaBelle Ave. and Pauling St. Locations 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.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 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. E. All Use Groups except R-L Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-O to an interior lot line. R-L Use Groups require a one hour wall if closer than 3'-O to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 4O1, Section 1hO7, Section 1hO6.2 and Table 1hO2. No openings are permitted in an exterior wall within 3'-O of an interior lot line. F. The structure does not appear to comply with Table 505 for permissable 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 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 R-2 to Use B , or to Mixed Uses a usually required. See Section 312 of the Building Code, Uniless a change of use has already been acquired. I. The proposed project appears to be located in a Flood Flain, Tidal/Rivering. 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 see level for the lot and the finish floor levels including basement. J. Commenter Remove interior lot line from plat plan. See the attached sheet for change of occupancies from #R-3" (Residential) to "B" (Business Uses). Change of occupancy and additions are required to comply to State Handicarped These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 by. Chesapeake Avenue, Towson, Maryland 2120h.

Musto & dumbe.
By, C. E. Burnham, Chief

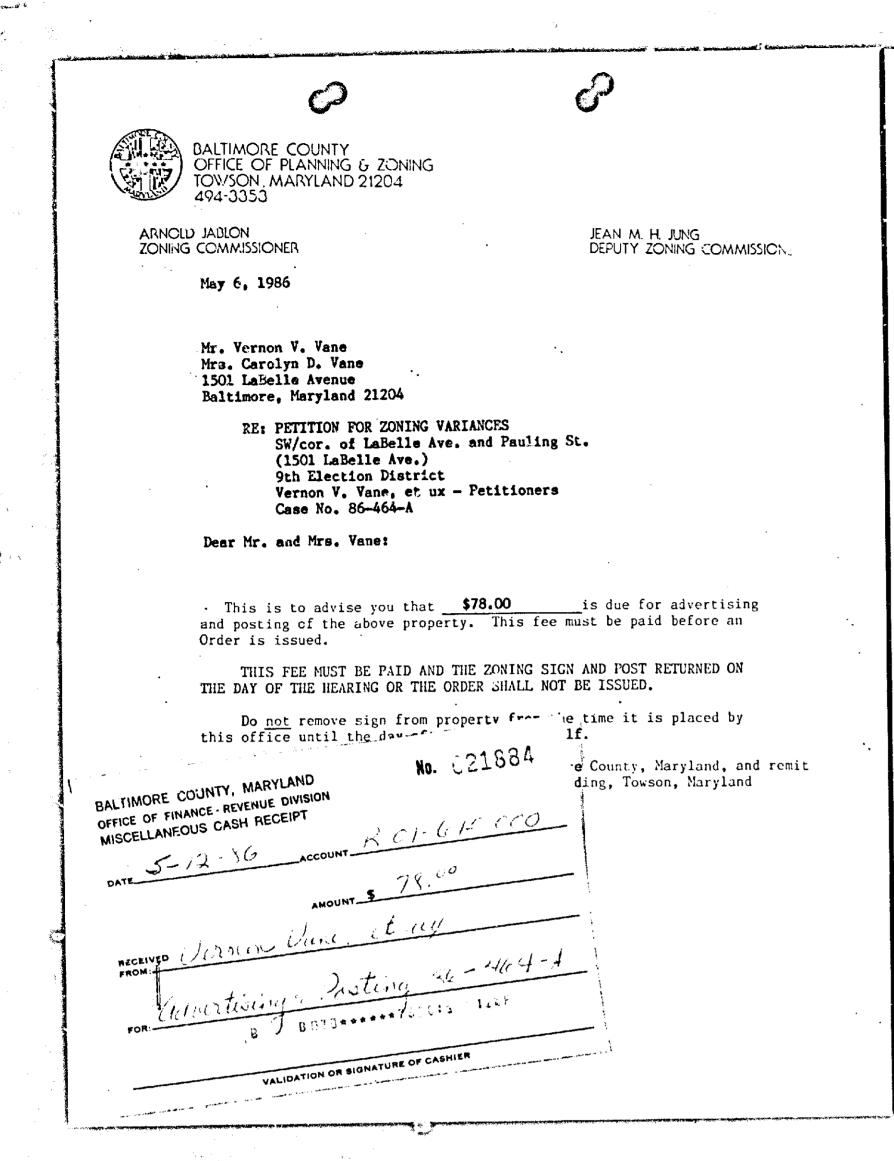
1501 LaBelle Avenue Baltimore, Maryland 21204 301 821-5090 March 15, 1986 Mr. Arnold Jablon Zoning Commissioner Baltimore County Office of Planning and Zoning Towson, Maryland 21204 Re: 1501 LaBelle Avenue D~ar Mr. Jablon: Enclosed please find our application for a zoning variance for an addition to our house. Our exhibits include: 1. Three copies of the Petition for Zoning Variance 2. Ten copies of the plat showing the existing dwelling and the proposed addition 3. Three copies of the location survey on the property 4. Six sets of the plans showing the proposed addition and 5. Ten copies of the vicinity map 6. Photographs of the property and neighboring homes 7. Our check in the amount of \$35.00 for the filing fee. Our house is situated in a neighborhood with a zoning designation of DR 3.5; please note that the existing houses are non-conforming with recent variances granted due to particular site constraints of the area. We are located approximately 550 feet, more or less, east of Bellona Avenue on the southwest corner of LaBelle Avenue and Paulding Lane. Please refer to the enclosed photographs showing our house in relation to our neighbors' and the location of the other garages on Paulding Lane. Your usual prompt attention to this matter is greatly appreciated. Yours truly, Property Owner

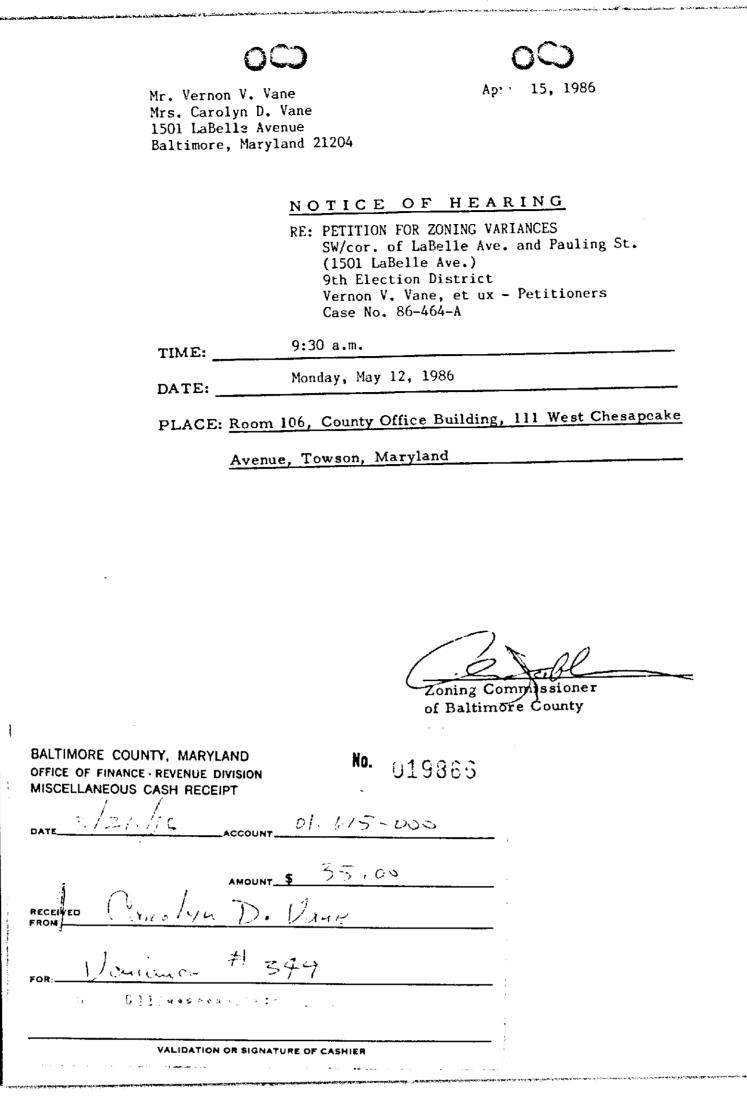
> Carolyn DA Vane Property Upmer

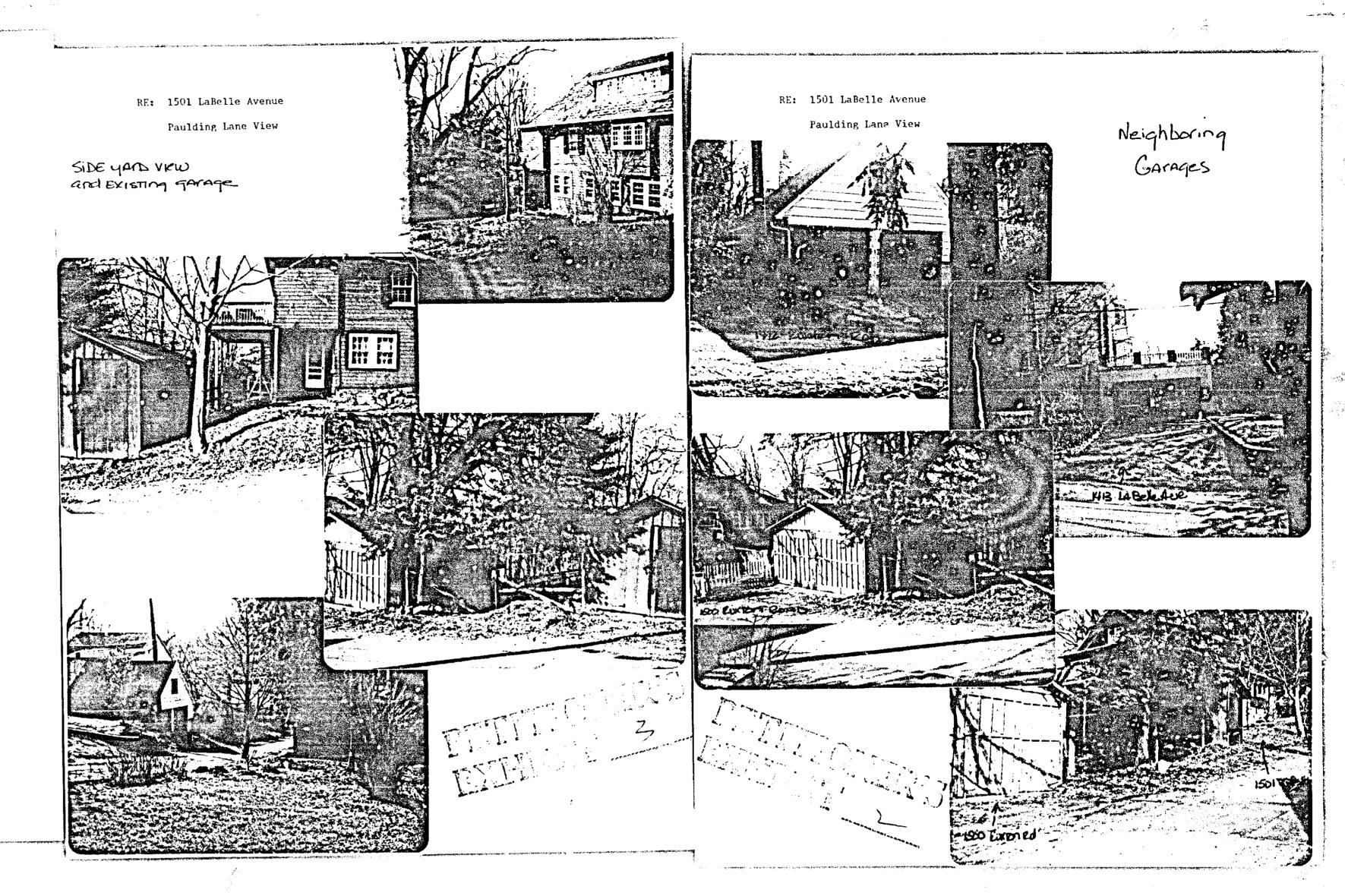
BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE April 22, 1986 COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Mr. Vernon V. Vane Towson, Maryland 21204 Mrs. Carolyn D. Vane 1501 LaBelle Avenue Baltimore, Maryland 21204 Chairman RE: Item No. 349 - Case No. 86-464-A Vernon V. Vane, et ux - Petitioners MEMBERS Variance Petition Bureau of Engineering Dear Mr. and Mrs. Vane: Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments Health Department are not intended to indicate the appropriateness of the zoning action Project Planning requested, but to assure that all parties are made aware of plans Building Department or problems with regard to the development plans that may have a Board of Education bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as Zoning Administration to the suitability of the requested zoning. Industrial 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. JAMES E. DYER Chairman Zoning Plans Advisory Committee Enclosures cc: Mr. Edward J. Krus General Surveying Co.
Lend & Topographic Surveys
9 Lake Forest Court
Baltimore, Maryland 21236

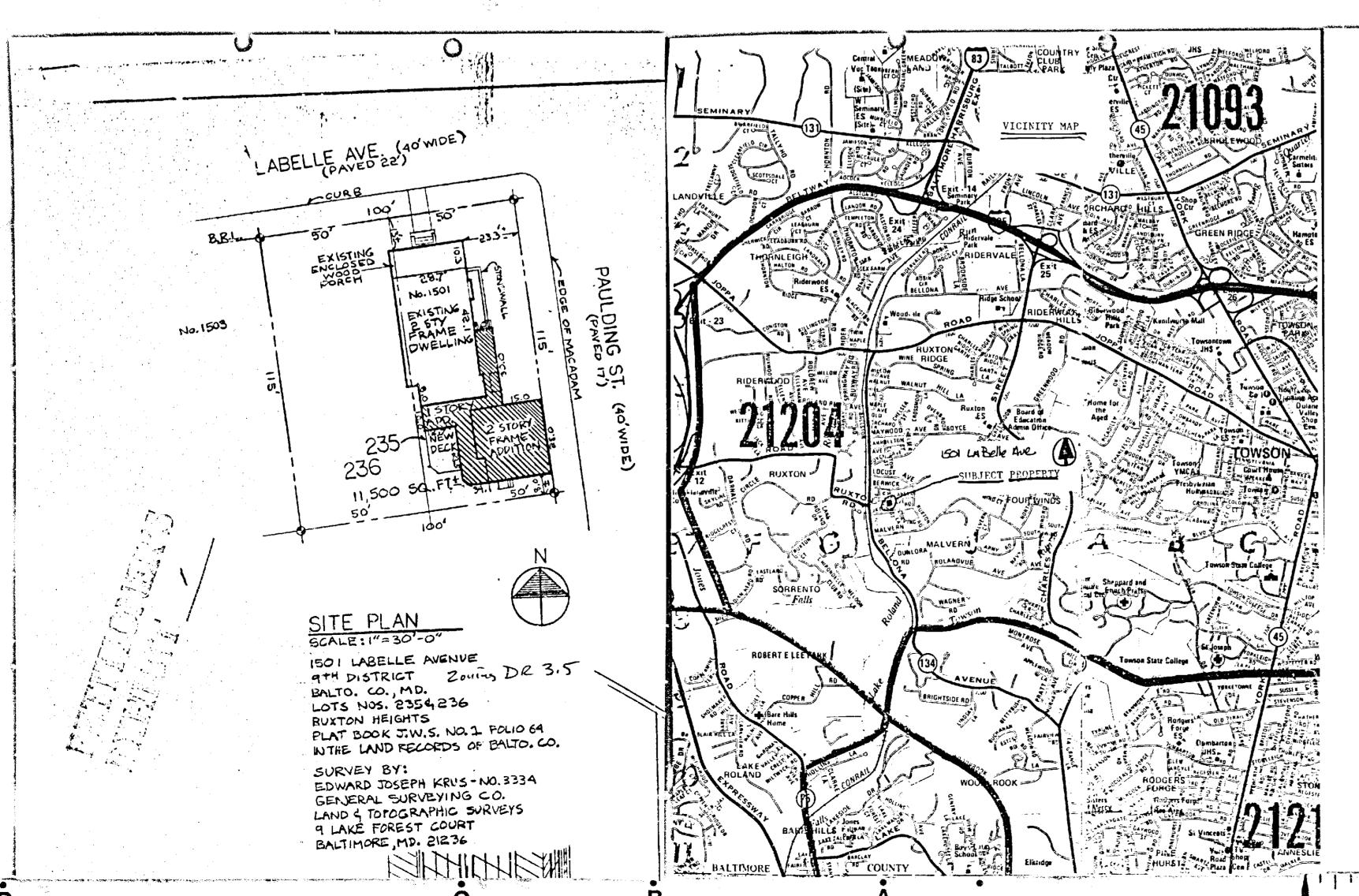
CDV/cbp Enclosures

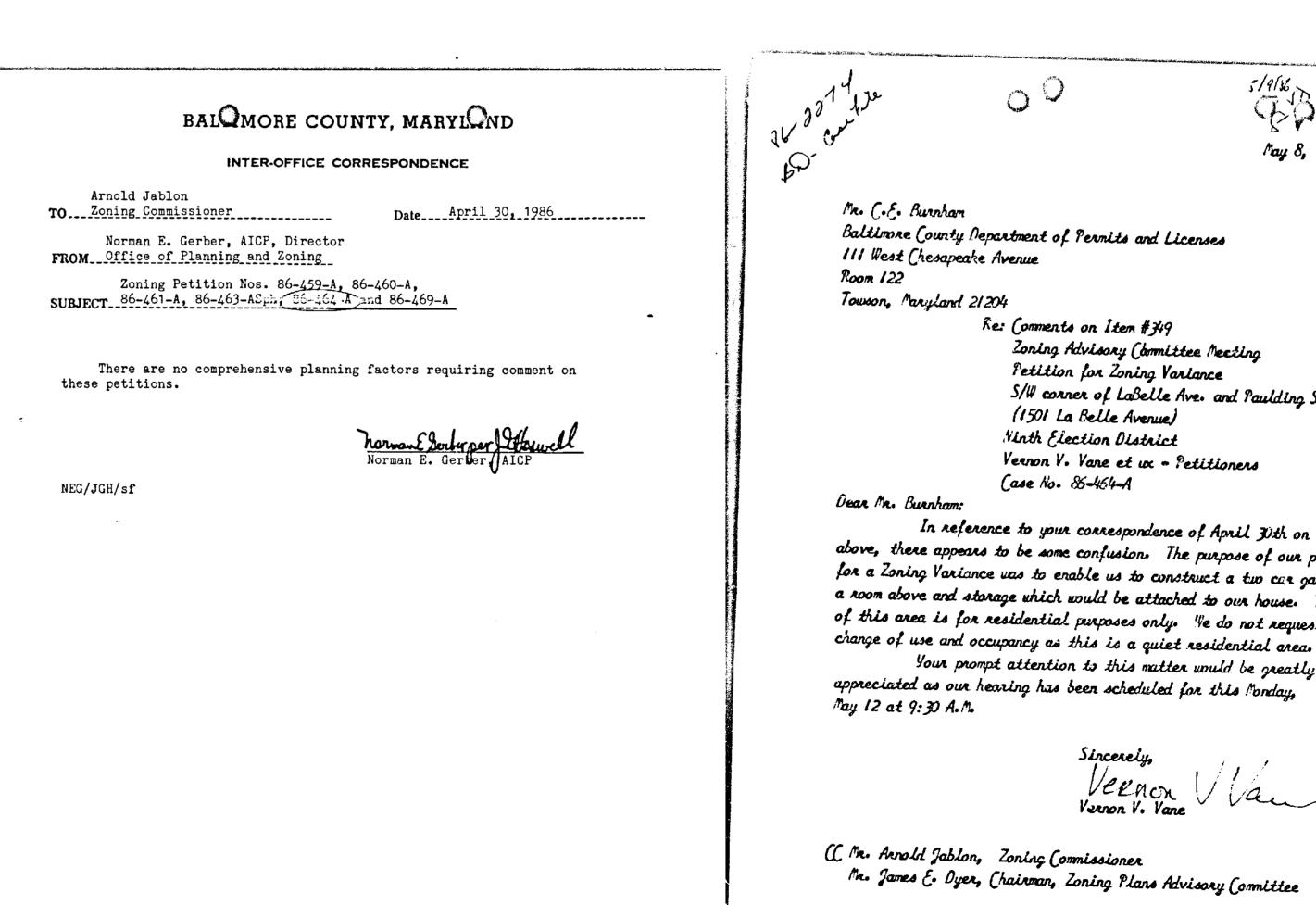
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Baltimore County Department of Permits and Licenses Re: Comments on Item #349 Zoning Advisory Committee Meeting Petition for Zoning Variance S/W corner of LaBelle Ave. and Paulding St. (1501 La Belle Avenue) Ninth Election District Vernon V. Vane et ux - Petitioners Case No. 85-464-A In reference to your correspondence of April 30th on the above, there appears to be some confusion. The purpose of our petition for a Zoning Variance was to enable us to construct a two car garage, with a room above and storage which would be attached to our house. The use of this area is for residential purposes only. We do not request a change of use and occupancy as this is a quiet residential area. Your prompt attention to this matter would be greatly appreciated as our hearing has been scheduled for this Monday, Sincerely,

LLE AVE (40 MDE) No. 1501 _ . . 235 236 Mark the activities and the SITE PLAN SCALE: 1"=30'-0" 1501 LABELLE AVENUE Zoning DR 3 9+H DISTRICT BALTO. CO., MD. LOTS NOS. 2354236 RUXTON HEIGHTS PLAT BOOK J.W.S. NO. 1 FOLIO 64 IN THE LAND RECORDS OF BALTO, CO. SURVEY BY: EDWARD JOSEPH KRUS - NO. 3334 GENERAL SURVEYING CO. LAND & TOPOGRAPHIC SURVEYS 9 LAKE FOREST COURT BALTIMORE, MD. 21236